

# ORDINARY MEETING OF COUNCIL TO BE HELD ON TUESDAY, 24 OCTOBER 2006 AT 7.00PM LEVEL 3, COUNCIL CHAMBERS

## **AGENDA**\*\* \*\* \*\* \*\* \*\*

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

**APOLOGIES** 

**DECLARATIONS OF INTEREST** 

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

## ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address will be

tape recorded.

**DOCUMENTS CIRCULATED TO COUNCILLORS** 

## **CONFIRMATION OF MINUTES**

**Minutes of Ordinary Meeting of Council** 

File: S02131

Meeting held 17 October 2006 Minutes to be circulated separately

## MINUTES FROM THE MAYOR

## **PETITIONS**

## PT.1 Petition in Favour of Bushlands / St Johns Avenue Park - (One Hundred & Sixty-Eight [168] Signatures)

1

File: S04096

"We the undersigned:

- Commend Council for its vision arid foresight in excluding 22 St John's Avenue and 3, 5, 7 and 7A Bushlands Avenue from the draft LEP, and identifying those properties for future potential open space acquisition.
- Deplore the prospect of medium or high density residential development on a property (22 St John's Avenue) adjacent to the historic St John's Church cemetery.
- Urge the Council to maintain its resolve to exclude these properties from the draft LEP.
- Urge the Council to continue to identify these properties for future open space acquisition a new park to complement the heritage St John's Church and cemetery, and to provide much needed open space for the dramatically increased numbers of Gordon residents and retail/commercial staff/customers envisaged by the LEP."

## **GENERAL BUSINESS**

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

## **GB.1** Town Centres Planning - Extraordinary Meetings of Council

2

File: S04151

To request Council to hold five extraordinary meetings in November and December 2006 to allow Council to consider the finalisation and adoption of the town centre plans for St Ives, Turramurra, Gordon, Roseville and Lindfield and to schedule consideration and adoption of the Pymble Plan.

## Recommendation:

That extraordinary meetings of Council be held on 8 November, 13 November, 30 November, 18 December and 19 December 2006 to consider the finalisation and adoption of the town centre plans.

## GB.2 1 Ray Street, Turramurra - Alterations & Additions to an Existing Supermarket (Coles), Basement Car Parking (92 Spaces) & Signage

7

File: DA0581/06

Ward: Comenarra

Applicant: Charny Holdings Pty Ltd Owner: Charny Holdings Pty Ltd

To determine development application No 581/06 which seeks consent for the expansion of an existing supermarket.

### Recommendation:

Refusal.

# GB.3 245 to 247 Bobbin Head Road, Turramurra - Demolition & Construction of a Commercial Building containing Ground Floor Mini Market, First Floor Office Space, Employee Car Parking & Signage

. File: DA0509/06

1 me. B110505700

Ward: Wahroonga

Applicant: Mr Andrew Chriss c/- SPD Town Planners

Owners: Terry and Toula Chriss

To determine development application No 509/06 which seeks consent for the demolition of existing structures and construction of a two storey commercial development with basement level for a mini market at ground level and two offices at the first floor

## Recommendation:

Refusal.

#### 212, 214 & 216 Mona Vale Road, St Ives - Construction of Two Residential 335 **Flat Buildings**

File: DA0338/06

Ward: St Ives

To respond to issues raised at the Council site inspection of 7 October 2006 and seek Council's determination of development application No. 338/06.

## **Recommendation:**

Approval.

#### 5 Suakin Street & 986 Pacific Highway, Pymble - Council Works Depot 443

File: DA0832/05

Ward: Gordon

To determine development application No 832/05 for the construction of a Council works depot at 5 Suakin Street, Pymble.

## **Recommendation:**

That Council approve the application in accordance with the recommendations made by the independent planning consultant, K Gordon in the report included in Attachment 1 -Consultant's Report.

#### GB.6 **Review of Organisation Structure**

529

File: S05027

To present an organisational structure that addresses current and future issues facing the organisation.

## **Recommendation:**

That Council adopts the proposed structure as shown in the Future Directions Option attached to this report.

562

File: S04462

To table findings from the Conduct Committee relating to a Report Card issued on the Mayor's Performance in March 2005.

#### Recommendation:

That Council note the recommendation from the Conduct Committee.

## **EXTRA REPORTS CIRCULATED AT MEETING**

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

## NM.1 Cycle Path - St Ives to Showground - Examination by Traffic Committee 566

File: S02673

## Notice of Motion from Councillor T Hall dated 16 October 2006.

## I move:

"That the Ku-ring-gai Traffic Committee be urgently requested to examine and report on the feasibility of a dedicated bicycle/pedestrian path parallel to Mona Vale Road, St Ives between Richmond Avenue East and the Ku-ring-gai Council/Warringah Council border and whether State/Federal government funds can be sourced to meet part of the costs due to the main road classification and serious traffic safety issues involved.

"A similar path was established between Kissing Point Road, South Turramurra, a non-classified road, and Browns Waterhole Reserve on the border with Ryde Council, met partly from State Government grant funding.

"I further move that Mr James Tredinnick of 308 Mona Vale Road, St Ives be thanked for his contribution to enhance local residents' quality of life and in the interests of road safety."

I move the motion be adopted.

File: S04082

## Notice of Motion from Councillor I Cross dated 16 October 2006.

I move the following:

- "A. That the Department of Planning be advised of Council's decision to prepare a draft Local Environmental Plan in accordance with Section 54 of the Environmental Planning and Assessment Act 1979.
- B. That the Draft Local Environmental Plan provide for rezoning the lands at 1234-1274 Pacific Highway, Pymble/Turramurra and 1 Beechworth Road, Pymble to 2(d3).
- C. That upon receipt of Department of Planning support a draft Local Environmental Plan be prepared in consultation with statutory authorities under the provisions of Section 62 of the Environmental Planning and Assessment Act 1979. Section 62 notification should also include formal notification to the NSW Department of Environment and Conservation and also to the Commonwealth Department of Environment and heritage with regard to ecological issues on and adjacent to the site
- D. That a report be brought back to Council following the Section 62 consultation process for Council to consider whether to proceed to exhibition of the draft local Environmental Plan.
- E. That the applicant and owners be notified of Council's decision."

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

## **QUESTIONS WITHOUT NOTICE**

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

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

## Section 79C

## 1. Matters for consideration - general

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

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

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

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

S04096 17 October 2006

## **PETITION**

## PETITION IN FAVOUR OF BUSHLANDS / ST JOHNS AVENUE PARK - (ONE HUNDRED & SIXTY-EIGHT [168] SIGNATURES)

"We the undersigned:

- Commend Council for its vision arid foresight in excluding 22 St John's Avenue and 3, 5, 7 and 7A Bushlands Avenue from the draft LEP, and identifying those properties for future potential open space acquisition.
- Deplore the prospect of medium or high density residential development on a property (22 St John's Avenue) adjacent to the historic St John's Church cemetery.
- Urge the Council to maintain its resolve to exclude these properties from the draft LEP.
- Urge the Council to continue to identify these properties for future open space acquisition a new park to complement the heritage St John's Church and cemetery, and to provide much needed open space for the dramatically increased numbers of Gordon residents and retail/commercial staff/customers envisaged by the LEP."

## RECOMMENDATION

DA0509/06 19 October 2006

## **PETITION**

# 245 TO 247 BOBBIN HEAD ROAD, NORTH TURRAMURRA - SUPPORT FOR PROPOSED IGA CONVENIENCE STORE (THREE HUNDRED & FIFTY-SIX [356] SIGNATURES)

"We, the undersigned, are in favour of an IGA Convenience Store to be located at 245 to 247 Bobbin Head Road, North Turramurra as it will significantly improve the level of convenience for local residents and we urge Council to approve the proposal."

## **RECOMMENDATION**

S04096 23 October 2006

## **PETITION**

## DRAFT GORDON TOWN CENTRE LEP & DCP - PETITION TO REQUEST INCREASE OF THE FSR OF PRECINCT L - (SIXTEEN [16] SIGNATURES)

"We, the undersigned land owners and residents of Mt William Street, Pearson Avenue and Burgoyne Street, Gordon object to the current FSR applied to Precinct L, within the Draft LEP & DCP of Gordon Town Centre, Ku-ring-gai.

Under the Draft LEP & DCP, despite being listed as an R4 (High Density) zone, rezoning for this precinct proposes to establish an FSR of only 1:1.

This is inconsistent with the other R4 zones under the Draft LEP & DCP and has the impact of reducing the potential redevelopment dwelling yield and substantially devaluing all the properties in the precinct due to the lack of economic viability in redeveloping the land.

We request that the FSR for Precinct L be lifted to 1.3:1, consistent with the FSR of adjoining areas and other R4 zones within the Ku-ring-gai area."

## RECOMMENDATION

## **PETITION**

## PETITION OPPOSING LARGE COMMERCIAL DEVELOPMENT IN ST JOHN'S AVENUE WEST - (SIX HUNDRED & FORTY-FIVE [645] SIGNATURES)

## Petition presented to Council by Councillor Ryan:

"We, the undersigned, are concerned at the massive impact the proposed developments of Gordon Town Centre will cause.

- \* We wish to maintain the character and heritage of St Johns Avenue as a residential street.
- \* We oppose the unfairness of Ku-ring-gai Council in making St Johns Avenue the only residential zoned Street in Ku-ring-gai to be up-zoned to commercial mixed use with 2 floors of retail including a mega supermarket and a residential tower of an additional 6 storeys.
- \* We oppose the unfairness of Ku-ring-gai Council's harsher commercial viability returns requiring a larger development applied to St Johns Ave residential land versus existing commercial land in Pacific Highway and east St Johns Avenue.
- \* We oppose development past the natural boundary of the cemetery.

Instead of commercial development, we would support a medium density residential development. This should be a stepped down, 5 storey development not extending beyond the cemetery boundary in St Johns Avenue."

## RECOMMENDATION

DA0509/06 25 October 2006

## **PETITION**

# 245 TO 247 BOBBIN HEAD ROAD, NORTH TURRAMURRA - SUPPORT FOR PROPOSED IGA CONVENIENCE STORE - (FIVE HUNDRED & SEVENTY-FOUR [574] SIGNATURES)

"We, the undersigned, are in favour of an IGA Convenience Store to be located on 245 to 247 Bobbin Head Road, North Turramurra.

It will significantly improve the level of convenience for local residents and we urge Council to approve the proposal."

## RECOMMENDATION

# TOWN CENTRES PLANNING - EXTRAORDINARY MEETINGS OF COUNCIL

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To request Council to hold five extraordinary

meetings in November and December 2006 to allow Council to consider the finalisation and adoption of the town centre plans for St Ives, Turramurra, Gordon, Roseville and Lindfield and to schedule consideration and adoption of

the Pymble Plan.

**BACKGROUND:** This report outlines the need to have five

extraordinary meetings of Council to consider the finalisation and adoption of the town centre

plans.

**COMMENTS:** A timeframe and milestones for completion

were first put forward and adopted by Council on 7 February 2006. Scheduling these meetings will assist Council to comply with the Minister's Section 55 Direction for planning of the town centres and to have them completed by 31

December 2006.

**RECOMMENDATION:** That extraordinary meetings of Council be held

on 8 November, 13 November, 30 November, 18 December and 19 December 2006 to consider the finalisation and adoption of the town centre

plans.

S04151 13 October 2006

## PURPOSE OF REPORT

To request Council to hold five extraordinary meetings in November and December 2006 to allow Council to consider the finalisation and adoption of the town centre plans for St Ives, Turramurra, Gordon, Roseville and Lindfield and to schedule consideration and adoption of the Pymble Plan.

## **BACKGROUND**

On 7 February 2006 Council adopted a timeframe for meeting the planning requirements under Council's Section 55 Direction for the Town Centres Program. This report requests Council adopt a number of extraordinary meetings of Council (five in total, with Pymble to be considered at Ordinary Meeting of Council) prior to the end of December, in line with the Minister's requirements.

## COMMENTS

To enable the completion of the Town Centres Planning Programme by 31 December 2006, a series of extraordinary meetings are proposed for Council to consider submissions arising from the period of exhibition of the draft plans. Following adoption of the LEP, DCP and amendments, documentation will be forwarded to the Department of Planning and Parliamentary Counsel seeking final gazettal of the plans.

Councillors have recently been forwarded details of proposed dates (Attachment 1) to consider progress of the Centres Planning Programme including dates for the holding of extraordinary meetings.

The proposed dates are as follows:

Extraordinary Meeting	St Ives Centre	8 November 2006 at	
of Council		7 pm	
Extraordinary Meeting	Turramurra Centre	13 November 2006 at	
of Council		7 pm	
Ordinary Meeting of	Pymble Centre	28 November 2006 at	
Council		7 pm	
(1 <sup>st</sup> item on agenda)			
Extraordinary Meeting	Gordon Centre	30 November 2006 at	
of Council		7 pm	
Extraordinary Meeting	Roseville Centre	18 December 2006 at	
of Council		7 pm	
Extraordinary Meeting	Lindfield Centre	19 December 2006 at	
of Council		7 pm	

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## CONSULTATION

The proposed approach of extraordinary Council meetings (Pymble Centre only to be considered at Ordinary Meeting of Council) will facilitate improved community review and input into the draft plans and assist in the public participation process.

## FINANCIAL CONSIDERATIONS

Covered by the Urban Planning budget.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

All departments involved in the development of plans for each Town Centre have been involved in the development of these timeframes.

## SUMMARY

This report outlines the need to have five extraordinary meetings of Council to consider the draft plans for the finalisation of the town centres for St Ives, Turramurra, Gordon, Roseville and Lindfield. Pymble centre is proposed to be discussed, as 1<sup>st</sup> item, at Ordinary meeting of Council, prior to the end of December, 2006.

## RECOMMENDATION

- A. That an extraordinary meeting of Council be held on Wednesday 8 November 2006 to consider the finalisation and adoption of the St Ives town centre plan.
- B. That an extraordinary meeting of Council be held on Monday 13 November 2006 to consider the finalisation and adoption of the Turramurra town centre plan.
- C. That an extraordinary meeting of Council be held on Thursday 30 November 2006 to consider the finalisation and finalisation of the Gordon town centre plan.
- D. That the Ordinary Meeting of Council on Tuesday 28 November 2006 consider, as the first item on the agenda, the finalisation and adoption of the Pymble town centre plan.
- E. That an extraordinary meeting of Council be held on Monday 18 December 2006 to consider the finalisation and adoption of the Roseville town centre plan.

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F. That an extraordinary meeting of Council be held on Tuesday 19 December 2006 to consider the finalisation and adoption of the Lindfield town centre plan.

Antony Fabbro

Steven Head

**Manager Urban Planning** 

**Director Open Space & Planning** 

Attachments: Calendar of proposed dates for consideration of Town Centre plans - 683867

MONDAY 02-0	TUESDAY	WEDNESDAY t 04-Oct	THURSDAY	FRIDAY 06-Oc
<u> </u>				
09-O	ct 10-Oc	t 11-Oct	12-00	t 13-Oct
16-0	ct 17-Oc	18-Oct	19-Oc	20-Oct
23-0	Ordinary Meeting of Council	Planning Committee  - Agenda - St Ives Submissions - Project Timelines (overall)	26-Oc	Complete St Ives Report final draft Close Date - Gordon & Pymble Exhibition
		2000	25 55	<u>.                                     </u>
30-О	Ordinary Meeting of Council	Reclassification Hearing - Gordon	Reclassification Hearing - Pymble	St Ives Report 7 Nov Released
Start Date - Lindfield & Roseville Exhibition	07-Nov	7 08-Nov	Councillor Briefing on St Ives Centre Report 4:30-6:	
Councillor Briefing on Turramurra Centre Report 4:30-6:30pm		Extraordinary Meeting of Council - St Ives Centre	16-No	
Extraordinary Meeting of Council - Turramurra Centre	Ordinary Meeting of Council			Gordon & Pymble Report for 29 Nov & 28 Nov Released
Reclassification Hearing - Lindfield	Planning Committee  Briefing on Gordon & Pymble Reports 28-Nov	/ 29-Nov	30-No	v 01-Dec
Close Date - Lindfield & Roseville Exhibition	Ordinary Meeting of Council - Pymble Centre Report		Extraordinary Meeting of Council - Gordon Centre	
04-De	Ordinary Meeting of Council	Planning Committee  Agenda Roseville & Lindfield	07-De	S68 Submission St Ives to DoP
Release Roseville & Lindfield Reports for 18 & 19 December Councillor Briefing on Roseville & Lindfield Reports 4:30-6:30pm	Ordinary Meeting of Council			S68 Submission Turramurra to DoP
Extraordinary Meeting of Council - Roseville Centre	Extraordinary Meeting of Council - Lindfield Centre			S68 Submission Gordon & Pymble to DoP
25-Ы	26-Det	Z7-Dec	28-ре	S68 Submission Roseville & Lindfield to DoP

## **DEVELOPMENT APPLICATION**

## **SUMMARY SHEET**

**REPORT TITLE:** 1 RAY STREET, TURRAMURRA -

ALTERATIONS AND ADDITIONS TO AN EXISTING SUPERMARKET

(COLES), BASEMENT CAR PARKING

(92 SPACES) AND SIGNAGE

WARD: Comenarra

**DEVELOPMENT APPLICATION**  $N^{O}$ : 581/06

SUBJECT LAND:1 Ray Street, TurramurraAPPLICANT:Charny Holdings Pty LtdOWNER:Charny Holdings Pty LtdDESIGNER:Tony Owen NDM Architects

PRESENT USE: Retail (Supermarket)

**ZONING:** Business 3(a)-(A2) Retail Services

HERITAGE: No

**PERMISSIBLE UNDER:** Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES APPLICABLE: KPSO, DCP 14 - Development in

Business Zones, DCP 28 - Advertising Signs, DCP 31 - Access, DCP 40 - Construction and Demolition Waste Management, DCP 43 - Carparking, DCP 47 - Water Management, Draft Ku-ringgai Local Environmental Plan 2006 (Town Centres) - Amendment No.1, Draft Ku-ring-gai Town Centres Development Control Plan 2006 -

Turramurra Centre

COMPLIANCE WITH CODES/POLICIES: No

GOVERNMENT POLICIES APPLICABLE: SEPP 11, SREP 20, SEPP 55, SEPP 64.

**COMPLIANCE WITH GOVERNMENT POLICIES:** No

**DATE LODGED:** 13 June 2006 **40 DAY PERIOD EXPIRED:** 23 July 2006

**PROPOSAL:** Alterations and additions to an existing

supermarket (Coles), basement carparking (92 spaces) and signage

**RECOMMENDATION:** Refusal

DEVELOPMENT APPLICATION NO 581/06

PREMISES: 1 RAY STREET, TURRAMURRA

PROPOSAL: ALTERATIONS AND ADDITIONS TO AN

EXISTING SUPERMARKET (COLES), BASEMENT CARPARKING (92 SPACES)

**AND SIGNAGE** 

APPLICANT: CHARNY HOLDINGS PTY LTD
OWNER: CHARNY HOLDINGS PTY LTD
DESIGNER TONY OWEN NDM ARCHITECTS

## PURPOSE FOR REPORT

To determine development application No 581/06 which seeks consent for the expansion of an existing supermarket.

## **EXECUTIVE SUMMARY**

**Issues:** Cumulative traffic impacts; undesirable design; incompatible

development with the desired future character of Turramurra Town Centre; inconsistency with the Draft LEP (Amendment

No.1) and Draft DCP – Turramurra Town Centre.

**Submissions:** 23 submissions received.

**Land & Environment Court** 

Appeal:

An appeal against the deemed refusal of the application was lodged on 3 August 2006. The hearing is on 13-14 November,

2006.

**Recommendation:** Refusal.

## **HISTORY**

## Development consent No. 69/1964

On 7 September 1964, Council approved development application No 69/1964 for the erection of a supermarket and carpark at 1 Ray Street, Turramurra. A subsequent amended plan was submitted and approved on 21 September 1964.

## Development consent No.187/2001 (alterations and additions to existing supermarket)

On 5 September 2001, Council approved development application No.187/2001 for an internal refurbishment of the existing retail floor area, new toilet facilities & staff amenities to basement level and new condenser units to the roof.

## Modification of development consent No.187/01A (installation of electrical substation)

On 8 October 2001, Council approved a modification to development consent No.187/01A, allowing for the installation of an electrical substation located to the rear south-east corner of the site adjacent to the open car parking area.

## Modification of development consent No.187/01B (modification of condition 22 to correct a minor error)

On 24 July 2002, Council issued a s96(1) modification of development consent No.187/01B to correct a minor error and amend condition No.22 of development consent 187/01, requiring the on-site disabled carparking approved (located on the ramp adjacent to the north boundary), being reduced from 3 to 2 spaces due to the slope of the ramp and difficulty in achieving the disabled access requirements.

## **Development consent No.826/02 (signage)**

On 9 September 2002, Council approved development application No.826/02 for an illuminated under awning sign and a non-illuminated wall sign. The approved under awning sign is located to the north-west corner of the building adjacent to the supermarket entrance. The approved wall sign is located on the western elevation of the building, fronting the corner of Ray Street and Forbes Lane.

Condition 3 of Development Consent No.826/02 required that an existing wall sign to the south elevation of the building be removed prior to the erection of the approved wall sign (west elevation) to avoid excessive signage on the site. From a site inspection carried out September 2006, the southern elevation wall sign remains erected on the building, contrary to the requirements of Condition 3.

## Stage 2 of Council's Residential Development Strategy

### Section 55 Direction

On 27 May 2004, the Minister for Planning directed Council under Section 55(1) of the Environmental Planning and Assessment Act 1979, to prepare an LEP for areas in close proximity to the railway line, Pacific Highway and the St Ives Centre as Stage 2 of Council's Residential Development Strategy. The purpose of the LEP is to facilitate additional medium density housing, including shop-top housing, re-evaluate the density controls of existing medium density zones and to provide retail and commercial activities in the town centres to cater for the needs of the community. In accordance with this direction, Council has prepared a Draft LEP and associated Draft DCPs which concentrate on the revitalisation of six existing retail/commercial centres being St Ives, Turramurra, Gordon, Pymble, Lindfield and Roseville.

Council has undertaken an integrated place-based planning approach for each of the centres, focusing on improving the viability and livability of each centre, improving traffic and parking, providing new open space (where appropriate) and improving public domain, safety and accessibility for each of the centres. Parallel to this work, Council and community

facilities have been reviewed to identify opportunities for upgrading and building new facilities.

The following steps have been followed by Council in preparation of the Draft LEP:

## Ku-ring-gai Retail Centres Study

Council engaged land economists Hill PDA to undertake a study on the existing and future demands for the retail/commercial sectors within Ku-ring-gai and to establish viable levels of mixed use development and leisure activity within the six town centres (Ku-ring-gai Retail Centres Study, dated July 2005, prepared by Hill PDA Consulting). The study presented 3 options, with Option C as the preferred retail strategy for Ku-ring-gai which promotes Gordon as a sub-regional centre, with limited expansion of St Ives and the remaining retail centres along the Pacific Highway/rail corridor (which includes Turramurra) as a result of traffic and parking related issues.

The Ku-ring-gai Retail Centres Study Report (Attachment A) was considered at Council's Meeting held 19 July 2005, where Council resolved to adopt Option C (as described above) as the retail strategy for Ku-ring-gai.

## • Turramurra Commercial Centre Background Report – November 2005

The Turramurra Commercial Centre Background Report (November 2005) (Attachment B) outlines the first stage of the integrated planning process for the Turramurra Centre.

Extensive stakeholder consultation from February through to November 2005 was undertaken to develop a common consensus and a vision for the Turramurra Town Centre. Consultation included the following:

- Household survey posted to all households within the Turramurra/Warrawee postcode area (February 2005)
- Presentation/consultation with stakeholder groups:

Turramurra Chamber of Commerce

Retirement village residents

Retailers/business-owners

North Turramurra Action Group

Youth groups

**Kissing Point Sports Club** 

**Kissing Point Progress Association** 

A vision workshop took place in May 2005, to develop a 'vision statement' for the Turramurra Town Centre. A resident survey was then undertaken to gain opinion from the results of this workshop. The vision survey responses gave strong support to each of the vision elements proposed.

Planning principles for Turramurra were developed from a series of workshops involving staff, councillors, consultants and information gained from stakeholder consultation.

Specialist consultants were engaged to evaluate traffic issues, retail and economic factors, and community facilities.

A site analysis was undertaken to understand the opportunities and constraints of the existing site conditions. Key issues reviewed included the physical context, urban structure, public domain, built form topography, street layout, historical context, siting characteristics, access, traffic, transport and parking.

Part 2 of the Report presents a variety of planning and traffic 'concept' options developed in response to the consultation process, site analysis phase and the recommendations made in the Ku-ring-gai Retail Study.

## • Traffic and Parking Study and implications for Turramurra Centre

A traffic and parking study was undertaken to assess the current conditions and develop options to best manage future traffic generation for Turramurra Town Centre. Based on existing traffic conditions, the preliminary findings found that intersections including Pacific Highway and Ray Street experience excessive delays during peak traffic times, unless traffic flow and access improvements are implemented. With the likely increase in residential, retail and potential increase in community facilities, this would add additional pressure on side streets. A series of combined traffic and land use options (Options A - E) were derived to overcome the traffic issues raised above.

## • Turramurra Town Centre Preferred Land Use Options

On 6 December 2005, the Turramurra Town Centre Preferred Land Use Options Report was considered by Council (Attachment C). The report identified five (5) options, being Option A through to Option E, with Option D representing the preferred land use option.

Council at the meeting of 6 December 2005 resolved that Option E be adopted (Attachment D). On 7 February 2006 a recision motion was carried forward resolving that preferred Option D be adopted in principle, and that Council prepare a Draft LEP to rezone land consistent with this preferred option (Attachment E). Council also resolved to prepare a Draft DCP for the Turramurra Centre to provide further detailed provisions with respect to development achieving the aims and objectives of the Draft LEP.

Option D and E, in summary, are as follows:

## Option D - Preferred Land Use Option

Option D proposes Turramurra as a local centre, comprising 2 main retail areas:

- The south side of Pacific Highway, servicing south Turramurra residents, and
- The east side of the railway near Turramurra Avenue, servicing residents to the north and east of the centre.

The traffic modeling indicated that Option D was the best option to manage future traffic impacts which included:

- The provision of 2 supermarkets, located on Turramurra Avenue (corner of Turramurra Avenue and Pacific Highway); and Stonex Street (the existing Franklins supermarket site).
- Community facilities at Gilroy Street and a leisure centre and library at Ray Street (between the 2 retail centres adjacent to the railway station).

Residential shop top housing would be accommodated within all retail areas (as required under the Section 55 Direction). The strip of shops fronting Pacific Highway would be retained. New cafes, restaurants and specialty shops would be accommodated fronting onto public spaces at Gilroy Lane and William Street.

The 2 centres would support approximately 21,500sqm of retail net floor area (NFA) and approximately 5,000sqm of commercial NFA to cater for the existing population, as well as for the expected population increase under RDS Stage 1 and potential dwelling increase within Turramurra under RDS Stage 2.

Option D locates the highest traffic generators (supermarkets) in areas with least traffic constraints and lowest delay averages for the Pacific Highway and side streets. Furthermore, Option D provides a good retail model with 2 supermarkets at either end of the centre, creating major attractors that will draw people from one side of the centre to the other. Between the two is a network of enhanced public spaces and consolidated community facilities bounded by specialty retail development.

The proposed traffic improvements associated with Option D include:

- New signalised intersection with Pacific Highway at Turramurra Avenue;
- Conversion of Rohini Street to 'Left in' and 'Left out', with the removal of traffic signals;
- New road link between Gilroy Road and Turramurra Avenue;
- Provision of a direct connection from Kissing Point Road to William Street and a one way link to Ray Street via Forbes Lane;
- New road connection from Kissing Point Road to Duff Street; and
- Road widening to remove the tidal flow on Pacific Highway.

## Option E

Option E includes two main retail areas, being one to the south side of Pacific Highway (off Kissing Point Road) and the other centrally located in the Ray Street area. This option maintains the existing 2 supermarket locations at Ray Street (Coles site) and Stonex Street (Franklin's site) combined with providing community facilities at Gilroy Street and a library at Ray Street.

The traffic modeling indicated that the annual route costs (which is an estimate of the collective yearly cost that motorists would experience when traveling through that section of

road network, in terms of vehicle operating costs and delay (time) costs) of Option E are slightly higher compared with Option D. This is primarily due to the delays likely to be experienced at Ray Street from the traffic generated from the expanded supermarket.

Option E was not recommended by Council staff for reasons including:

- Traffic, as it retains one of the highest traffic generators (supermarket) in a location that is constrained;
- Higher economic costs (annual route costs) and higher delay averages than Option D;
- The delay averages would be more than double than Option D;
- There is only minimal potential for an increase in retail floor space to the existing Coles retailer in its current position;
- Community facilities are distributed rather than consolidated; and
- Limited flexibility to accommodate a leisure centre within the Ray Street precinct.

## • Preparation of the Turramurra Centre Draft LEP and Draft DCP

Following Council's resolution on 7 February 2006, further planning documentation was prepared including traffic, parking and traffic modeling, a comprehensive urban design analysis, a community facilities and open space plan, a preliminary public domain concept plan and a development contributions strategy. An independent economic feasibility analysis was also undertaken which tested a series of development scenarios.

The Draft LEP (DLEP) is the statutory instrument controlling development within the Turramurra Town Centre. The DLEP is complemented by the Draft DCP (DDCP) which will provide the controls for detailed planning and design issues.

Part 4 (Primary Development Controls) of the DDCP contains the provisions of a detailed master plan which has been divided into a number of precincts (Precincts A - L). The draft master plan has been created through stakeholder consultation, a thorough urban design analysis and economic assessment. An economic feasibility model was undertaken as part of the master plan process. The relevant precincts are discussed below:

## Precinct A – William Street (defined by Ray St, William St & Forbes Lane)

The master plan for Precinct A proposes a mix of uses, including community uses, residential, retail, commercial and open space. The precinct will have a strong community focus, centered on a village green with retail and community uses fronting the green. A number of community facilities will be relocated to this precinct and the Turramurra library will be accommodated within a new and enlarged building.

A traffic analysis of a series of urban design scenarios was undertaken by Council's consultants which indicated that development of this area would be heavily constrained by the Ray Street/Pacific Highway intersection and that a supermarket (which is a high trip generator) is not a recommended use. The preferred use for this site is a mix of residential units and community uses (which are relatively low trip generators) as well as minor retail uses.

During the development of the built form controls for Precinct A, the following issues were considered:

- Coles Myer indicated they may not relocate and the plans must allow capacity for redevelopment of the site independently of Council's land. The supermarket must have ability to continue to operate on the site at the current scale.
- Forbes lane requires widening to provide improved vehicle access, this directly impacts on the supermarket site.
- A component of at grade parking must be retained to service community facilities.
- The residential component must be configured to achieve good solar access.

## The draft LEP and draft DCP controls for Precinct A include:

- 2100sqm NFA of retail comprising in the short term an allowance for the existing supermarket and in the longer term allowing for specialty shops, cafes and restaurants orientated to the Village Green.
- Residential buildings with approximately 82 dwellings facing Ray St and north-east over the railway.
- 5,500sqm GFA of community uses include a new library.
- Maximum building height of 5 metres.
- A large Village Green 2800sqm in area forming the central public space for Turramurra Centre.
- A curved building alignment fronting the Village Green.

## Precinct E – Turramurra Avenue (defined by Pacific Highway to the south, Turramurra Avenue to the east and Uniting Church to the north)

This site incorporates Council's carpark and the strip of shops along Pacific Highway as well as part of Gilroy Lane road reserve. Precinct E is a key site because in the future it will play an important role as a retail anchor for the Turramurra Centre. Rezoning of this area encourages a greater retail component that would provide an anchor for the eastern side of Turramurra centre and serve residents to the north and east. The rezoning allows for a new supermarket around 2500sqm NFA in size.

During the development of the built form controls for Precinct E, the following issues were considered:

- Concern from Uniting Church regarding loss of public parking and possible bulk and scale impacts from a future development;
- The existing strip shops on Pacific Highway are under capitalised. The incorporation of these shops into a large amalgamated site with a large supermarket provides greater economic benefits for landowners and therefore would encourage redevelopment; and
- Closure of Gilroy Lane is possible with the inclusion of a new street on the north side of Uniting Church linking Turramurra Avenue with Gilroy Road. This further facilitates a large development site.

The Draft LEP and Draft DCP controls for Precinct E include:

- 5000sqm of retail NFA including a supermarket of approximately 2500sqm NFA
- 1500sqm of commercial GFA;
- A range of building heights (3 5 storeys)
- Residential buildings comprising approximately 95 dwellings;
- Public and private parking underground; and
- 3150sqm of public open space.

On 27 March 2006, Council endorsed Draft LEP, Draft DCP and associated strategies for the Turramurra Centre and the submission of the draft plans to the Department of Planning for exhibition approval (Attachment F).

## Section 65 Certificates - Public exhibition of Draft LEP (Town Centres) & Amendment No.1

• Draft Ku-ring-gai LEP (Town Centres)

On 30 June 2006, the NSW Department of Planning issued a conditional Section 65 Certificate permitting public exhibition of Draft Ku-ring-gai Local Environmental Plan (Town Centres). St Ives was the first of the 6 centres to be included in the Draft LEP. The remaining 5 centres are to be incorporated into the Draft LEP as amendments to the principle LEP.

A first stage public exhibition of the LEP and maps that relate to the St Ives Town Centre were exhibited between 21 August and 19 September 2006.

• Draft Ku-ring-gai LEP (Town Centres) Amendment No.1 – Turramurra Town Centre

On 17 July 2006, the NSW Department of Planning issued a further conditional Section 65 certificate permitting public exhibition of Draft LEP (Town Centres) Amendment No.1. This draft LEP amends the principle LEP to relate to the land use aspects of Turramurra Town Centre. A second stage public exhibition of Draft LEP 2006 Amendment No.1 occurred between 4 September and 2 October 2006.

The site is located within the Turramurra Town Centre Map. The provisions of Draft LEP 2006 Amendment No.1 therefore becomes a matter for consideration under Section 79(C)(1)(a)(ii) of the Environmental Planning and Assessment Act 1979 given that the draft plan has been exhibited.

It is intended that Draft LEP (Amendment 1) be reported to Council on 13 November 2006. All Draft LEPs associated with the 6 centres must be exhibited, reported to Council and submitted to the Minister under Section 68 of the EPA Act by 31 December 2006.

## Processing timeline of Development Application 581/06

- Development Application 581/06 lodged 13 June 2006.
- Notification in accordance with DCP 56 (Notification DCP) 30 June 30 July 2006.

- Internal Council referrals sent 26 June 2006.
- External referrals to the RTA and NSW Police sent 27 June 2006.
- Internal referral comments completed on 23 August 2006.
- RTA comments received by Council on 19 September 2006.
- NSW Police comments received by Council on 21 September 2006.

## Land and Environment Court (LEC) proceedings No.10683 of 2006

The applicant lodged a Class 1 Appeal on 3 August 2006 with the NSW Land and Environment Court, for deemed refusal of Development Application 581/06. The matter was listed for call-over on 27 September 2006, where the Court directed that two court appointed experts (CAE) be engaged, being: 1. A CAE for planning and urban design issues; and 2. A CAE for traffic issues. The hearing dates for this appeal are 13 – 14 November 2006.

## THE SITE

Zoning: Business 3(a)-(A2) Retail Services Visual Character Study Category: Commercial and business areas

Lot Number: 1

DP Number: 221290 Area: 3712m<sup>2</sup>

Side of Street:

North-east corner of Ray Street and Forbes Lane

Cross Fall:

West to north-east corner (average gradient 8.7%)

An irregular 'L' shaped 1.22m wide drainage easement

traverses the site. The easement extends from Forbes Lane to the north boundary and then to the east bundary connecting to Council's stormwater system in William

Street.

Heritage Affected: No
Required Setback: N/A
Integrated Development: No
Bush Fire Prone Land: No

Endangered Species: Yes – Blue Gum High Forest

Urban Bushland: No Contaminated Land: No

The site is irregular in shape and has frontages to Ray Street to the west and Forbes Lane to the south. A Council carpark and pubic library are located to the north and east of the site.

The site is currently occupied by a 'Coles' supermarket. The supermarket building is located on the south-west portion of the site and has an existing total gross floor area (GFA) of 1652sqm. The building is single storey to Ray Street and Forbes Lane. An electrical substation exists to the south-east corner of the site.

A basement carparking level exists to the rear (eastern) elevation of the building due to the slope of the site. The eastern third of the site is an open carpark area located adjacent to Council's carpark. The Council and 'Coles' carparking areas are not physically defined. A concrete driveway ramp is

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located adjacent to the north boundary which provides vehicular access from Ray Street to the open carpark area at the rear. There are 54 carparking spaces (including 2 disabled spaces) currently on site. The 2 disabled spaces are located on the driveway ramp adjacent to the supermarket entrance. A loading and unloading dock is located to the south of the site, adjacent to Forbes Lane.

There are 22 trees on or within the vicinity of the site.

## The Surrounding Area

The locality is characterised by a mixture of retail/commercial development, residential development and public facilities. The site is physically separated from the remaining business areas of Turramurra by the North Shore Railway Line and Pacific Highway.

## THE PROPOSAL

The proposal involves expansion of the existing supermarket building over the existing open carparking area (to the east) and the vehicular ramp (to the north). The additional GFA proposed is 928sqm resulting in a total GFA of 2580sqm. The development includes a basement carparking area (accommodating 92 spaces). The proposal is detailed below:

## Partial demolition:

- Demolition of the existing northern and eastern walls to accommodate the proposed additions; and
- Demolition of the vehicular ramp adjacent to the north boundary.

## Basement level:

- Expansion of the existing basement carpark to extend beneath the existing and proposed building footprint;
- Provision of 92 carparking spaces (including 2 disabled spaces);
- Vehicular entry and exit point located to the rear north-east corner of the basement;
- 1 trolley ramp located adjacent to the carpark entry/exit;
- 3 trolley holding bays, 1 pedestrian crossing, stair and lift access to the upper supermarket level; and
- Plant and store room located to the north-western corner of the basement.

## Supermarket level:

- Pedestrian walkway adjacent to the northern boundary of the site (adjacent to the supermarket entry);
- Reconfiguration of the internal supermarket layout;
- Ancillary office area and staff amenities; and
- Unloading and loading dock to the south-east area of the building, with access from Forbes Lane.

## Roof:

- Alterations and additions to existing roof; and
- New plant room adjacent to the existing condenser deck to the rear south-eastern corner of the building.

## Signage:

The submitted architectural plans detail concept signage containing the word 'Coles' and supermarket logo as follows:

- West elevation (Ray Street): Existing wall sign (as approved under Development Consent No.826/02);
- South elevation (Forbes Lane): Proposed wall sign 7.5m long x 1.75m wide;
- North elevation (fronting Council's library): Proposed wall sign 7.6m x 1.74m located between the 2 supermarket entrances; and
- East elevation (fronting Council's carpark): Proposed 2 wall signs. 1 wall sign 7.5m x 1.76m and 1 wall sign 3.9m x 1.335m (beneath basement carpark entry).

## External finishes:

- Walls: Painted fibre cement or metal panel, rendered painted masonry;
- Windows & doors: Aluminium framed fixed clear glass windows, and clear glass sliding doors;
- Basement car park (east elevation): Painted perforated sheet metal;
- Basement car park (north elevation): Painted concrete;
- Entry awning (north elevation): Painted metal facia with painted metal deck roof; and
- Roof top plant: Painted aluminium louvres.

No external colour finish details have been submitted with the application.

Operation of the supermarket:

Hours of Operation: 6am to 12 midnight everyday (as existing)

Employees: Existing 30

Proposed 38

Loading and unloading: Via Forbes Lane. Propose up to 10 large delivery vehicles and up to 20

smaller delivery vehicles per day. Details of existing number of delivery

vehicles have not been provided.

## **CONSULTATION - COMMUNITY**

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

- 1. Friends of Turramurra (support)
- 2. Jill and Gordon Barker, 32 Turramurra Avenue (support)
- 3. D and M Hill, 8 Kintore Street, Wahroonga (support)
- 4. K and P Allen, PO Box 210, Turramurra (support)
- 5. Anne Carroll, 36 Karranga Avenue, Killara (support)
- 6. Janet Harwood (address not provided)(support)
- 7. Eric Sandelowsky, Chairman Planning Committee on behalf of Turramurra Chamber of Commerce (support)
- 8. Jan Langley, 17 Churchhill Road, Killara (support)
- 9. Philip Langly 17 Churchill Road, Killara (support)
- 10. Stan Wesley, 14 May Street, Turramurra (support)
- 11. Alan Parr, 42 Water Street, Wahroonga (support)
- 12. Helen McDemott, 12 Catalpa Crescent, Turramurra (support)
- 13. Dinah Warner, 103 Springdale Road, Killara (support)
- 14. Mary Stubbings, 20 Catalpa Crescent, Turramurra (support)
- 15. Lorna Ryhn, 18 Catalpa Crescent (support)
- 16. Peter Thorn, 7/1310 Pacific Hwy, Turramurra (support)
- 17. Fran Appleton 1/47-49 Rohini Street, Turramurra (support)
- 18. C Coulter, 37 Cornwall Avenue, Turramurra (support)
- 19. Gillian Lord, 14/10 Kissing Point Road (support)
- 20. G and P Thorp, PO Box 662 Turramurra (support)
- 21. PA Rouke, 36 Eastern Road, Turramurra (support)
- 22. ER Gifford, 42A Kedumba Crescent, North Turramurra (support)
- 23. Mary-Beth Broomfield (no address provided)(object)

The submissions raised the following issues:

## The expansion of Coles in its existing location is supported and the residents oppose the relocation of Coles at Turramurra Avenue

These resident submissions support Option E as previously discussed under the Turramurra Town Centre Preferred Land Use Options Report. Council on 7 February 2006, resolved to adopt Option D of the Turramurra Town Centre Preferred Land Use Options Report. This report must consider Option D as adopted by Council and not Option E. Furthermore, Option E was not supported due to related traffic issues as previously discussed in this report.

## The possible location of an aquatic centre/leisure centre within the Ray Street precinct is opposed.

This submission is not relevant to the subject application.

The development should be supported due to improved shopping facilities, additional carparking, its accessibility to customers, development feasibility and economical viability.

The development is not supported due to cumulative traffic and access issues associated with the expansion of Coles in its existing location, contrary to the future planning direction of Draft LEP.

The development is of an appropriate scale and height for the area and complies with the current planning controls

The development complies with the development standards contained under the KPSO.

## The development does not conflict with heritage values of Turramurra

The site is not heritage listed, is not located in an urban conservation area or in the vicinity of any heritage items.

The expansion of the Coles supermarket is sympathetic to the creation of an open space square

The design of the building, particularly the east elevation of the building, is not sympathetic to the proposed 'Village Green' envisaged to the east of the site under Draft LEP and Draft DCP.

The Coles supermarket should not expand, as we wish to leave the leafy suburb as existing

Retention of the site as existing in Council's planning controls is contrary to the Minister's Section 55 Direction.

The expanded supermarket should not replace the shopping centre envisaged at Turramurra Avenue, it is essential that shopping facilities are available on both sides of the highway.

The above submission is generally consistent with the adopted Option D under the Turramurra Town Centre Preferred Options Land Use Report as adopted by Council 7 February 2006 and Council's future planning direction under Draft LEP.

## **CONSULTATION - WITHIN COUNCIL**

## **Strategic Planning**

Council's Strategic Planner, Bill Royal, made the following comments with respect to the proposal:

"Extensive planning has been undertaken for Turramurra Centre including public consultation, traffic studies, retail studies, economic analysis and urban design analysis. The current Coles site was identified as not suitable for a supermarket site in the long term. The reasons are:

- Difficult access by car, particularly for people coming from the north and north-east;
- The poor performance of the Ray Street and Pacific Highway intersection; and
- The desirability of the area around William Street as a civic hub for Turramurra including a Village Green.

The result of those studies was to identify a preferred site (Option D) for a new supermarket to be on Turramurra Avenue near the current Council car park site. This provides:

- *Improved access by car;*
- Improved traffic performance for the whole network; and
- A good retail model with two supermarkets at either end of the centre acting as anchors and supporting specialty retail (Franklins on the south side of the highway is the other supermarket).

While it is recognised that this is a long term planning outcome, expansion of the existing supermarket raises a number of significant issues in terms of strategic planning:

- 1. The proposed development does not address future traffic impacts:
  - Detailed traffic modelling for the Town Centre identified the Ray Street and Pacific Highway intersection as the one of the poorest performing intersections;
  - Modelling shows that with future development, including land already zoned for LEP 194, the intersection fails;
  - The draft LEP for the Turramurra Centre limits retail FSR within the Ray and William Street precinct to 0.55:1. Limiting retail FSR in the area is the main tool for ensuring the long term functioning of the Ray Street/Highway intersection;
  - Planning for the town centre has included a requirement for a setback on the Coles site to widen Forbes Lane to improve access to the station for pick-up and drop-off. The proposed development will limit the potential to widen Forbes Lane.
- 2. The proposed development is not compatible with the future character of the town centre:
  - The future character of the town centre is envisaged to be a mixed use, pedestrian orientated centre;
  - The proposed development is very much an "old style" "box-type" development single use building representing a significant underdevelopment of the site and does not provide residential uses a key component of the Ministers Direction;
  - There are many examples now in Sydney where supermarkets have been incorporated into mixed use buildings. Coles have undertaken a number of these types of developments;
  - The proposed development presents blank walls to Ray Street, Forbes Lane and to the eastern façade. This is a very poor outcome in terms of improving the pedestrian amenity of the centre;
  - Blank walls are also a safety and security issue for pedestrians.
- *The proposed development is not compatible with proposed open space:* 
  - The current site of the Coles Supermarket is a key location in terms of future planning for Turramurra Centre;
  - The Ray and William Street precinct is centrally located in Turramurra Centre and, as such, it is the preferred location for a new public open space (Village Green) and associated community facilities;

- The proposed development is not compatible with this character as it presents blank walls (east side) to an area which will in the future be open space;
- The development is also two storeys on the eastern façade, presenting car parking to the future open space at ground level".

## Landscaping

Council's Landscape Assessment Team Leader, Ian Francis, made the following comments:

"The proposed development will result in the removal of 3 trees, a Crepe Myrtle in poor condition to the pedestrian entry at Ray St and three immature Eucalyptus microcorys within the existing car park, tree No.9 height 9m spread 5m DBH 230mm, tree No.10, height 9m spread 6m DBH 220mm, and tree No.11 height 5.5m spread4m DBH 180mm,.

These trees, which are approximately 10 years old, are not considered visually significant nor are they locally occurring native species. No objection is raised to their removal.

The excavation for the car park has potential to impact on a number of small trees (trees 2, 3,3a, 5 & 7), on the Turramurra Library site adjacent to the existing entry. This has been analysed in the arborist's report which concludes that:

"Provided the existing low masonry wall and footing located along the northern boundary are retained intact as proposed, the excavations for the basement car park and plant room should not result in any adverse impact on these trees."

Further the arborist notes that there will be a new covered walkway will require the pruning of trees 2,3,3a, "should not result in any adverse impact on these trees." The arborist's assessment is considered reasonable."

## **Development Engineering**

Council's Team Leader Development Engineering, Kathy Hawken, made the following comments:

"The application is acceptable on technical engineering grounds.

• Water management

The applicant proposes to relocate the stormwater drainage pipe, which runs from Forbes Lane into the car park in a north-south direction around the east and along the site's eastern boundary. Council's approval for the relocation of the pipe and easement is required. If this approval is not forthcoming, then the development cannot go ahead. Therefore a deferred commencement consent would be necessary.

The applicant proposes a large 155m<sup>3</sup> on-site detention tank underneath the basement car park. This appears feasible and complies with DCP 47 in regard to the volume and discharge. The tank has gravity drainage to the public drainage system. DCP 47 in Table 6.4 requires rainwater retention as well, at the rate of 1000 litres per 100m<sup>2</sup> floor

space, plumbed into toilets. It would seem fair to use the increase in floor space rather than the total, which results in a rainwater storage requirement of 10 000 litres. The detention volume could then be slightly reduced as allowed in section 6.7.2.

### • Waste collection

The proposal includes the retention of the existing loading dock. Council's DCP 40 in Appendix C.2 Access Requirements gives dimensions for a vehicle likely to collect from a commercial facility. If the loading arrangements are satisfactory for the likely delivery vehicles (11 metres in length), then it would follow that they would suit the waste collection vehicle (8.8 metres). The TGD Committee will consider the loading facilities and report on their adequacy.

The proposal is acceptable on engineering grounds, subject to conditions including the following deferred commencement condition:

Prior to the consent being operative, the applicant shall obtain a resolution from Kuring-gai Council that it will consent to the relocation of the existing Council easement(s) for drainage and underground pipe. Council's Technical Services Department will be responsible for preparing the necessary report to Council regarding the relocation of the easement burdening the site, subject to payment of the adopted fee for the preparation of such reports.

A full hydraulic design for the relocation of the pipe is to be prepared in accordance with the requirements of Chapter 9 of Council's DCP 47 Water Management and submitted to Council with the application. Details are to be included of the proposed overland flowpath around the building.

Council's approval for the relocation of the pipe and easement is to be obtained prior to the operation of the consent. Such approval is not guaranteed."

## **Traffic engineering**

Council's Traffic Engineer, Joseph Piccoli, cannot support the application on traffic grounds for the following reasons:

1. Currently, service vehicles cannot enter the loading dock in a forward direction and would be required to reverse from Forbes Lane. Forbes Lane is a narrow 5.8m wide two way road between Ray Street and Higgs Lane and becomes 'one-way' after Higgs Lane, to the east.

Forbes Lane provides vehicle access to the rear of the retail shops that front Pacific Highway, a circulatory access roadway to the Council car park and access for service vehicles for the supermarket. Forbes Lane also provides a frequently used short cut for pedestrians between Turramurra Station and Ray Street which connects the commercial and residential areas located south and west of the railway line.

Forbes Lane does not provide a continuous path of travel from Turramurra Station to Ray Street. Footpaths on either side are too narrow (ie 0.6m wide own part of southern side and 1m on part of northern side of Forbes Lane) and are intersected by numerous driveway crossings.

The proposed supermarket expansion and increase in retail floorspace will necessitate more and larger service vehicles as a result. The proposal to retain the existing reverse entering arrangement to the loading dock is undesirable and unacceptable as it will exacerbate vehicle conflicts and reduce pedestrian safety in Forbes Lane.

- 2. Council's transport consultant in the "Turramurra Town Centre Traffic and Car Parking Study" determined that vehicles accessing from Ray Street to Pacific Highway currently experience substantial delays during the morning and evening peak periods. Additional traffic from the supermarket expansion will further increase delays on the Ray Street leg.
- 3. Assessment of traffic impacts of 4 different future land use options was undertaken in the study. This was to assess cumulative traffic impacts in the locality, considering the provision of multi-unit and shop-top housing in accordance with the direction of the Minister for Planning.

The study highlights that locating expanded supermarket facilities in Ray Street precinct would cause the signalised intersection on Pacific Highway in Turramurra to fail during the morning and evening peak. This is due to the fact that supermarkets are relatively high generators of traffic compared to other land uses (ie supermarkets are known to generate 155 vehicle trips per 1000sqm gross leaseable floor area (GLFA) during the peak hour (4.30 to 5.30pm) on Thursday evening compared to residential flat buildings generating 0.5 vehicle trip per dwelling, according to Road and traffic Authority's "Guide to Traffic Authority's "Guide to Traffic Generating Developments", Issue 2.0 December 1993)

The proposal will increase GLFA by approximately 910sqm (external walls, stairs, amenities, lifts, general loading dock area, plant rooms and car parking area are excluded from GLFA calculations)."

#### STATUTORY PROVISIONS

## State Environmental Planning Policy No.11 - Traffic Generating Development

SEPP 11 – Traffic Generating Development applies to the proposal as it is for the enlargement of a building used for the purposes of shops where the gross floor area of the enlargement exceeds 500sqm and the land to be developed has direct vehicle or pedestrian access to an arterial road or a road connecting with an arterial road which is within 90m of the alignment of the arterial road.

The application was referred to the Roads and Traffic Authority (RTA) for comment as required by Clause 5 of SEPP11. On 19 September 2006, the RTA commented as follows:

- 1. The RTA notes that the draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) limits retail FSR within the subject site to a maximum of 0.55:1, whist the proposal provides a FSR of 0.695:1. Therefore Council should be mindful of the exceedance when determining the development application.
- 2. Comments from the Police have indicated that, as the proposed changes would increase traffic to the supermarket, more work would be required in order to address the current struggling traffic problem during the peak periods and weekends.

The abovementioned traffic issue is also highlighted within the Turramurra Town Centre Traffic and Car Parking Study which notes that currently during the PM peak the delays for the Ray Street approach at the Pacific Highway is at a Level of Service (E).

This development proposal (if approved) would only worsen the existing level of delays and congestion within Ray Street during the peak periods. To address this concern the RTA requires that the developer enter into a Planning Agreement with Council to contribute towards the upgrading of the Pacific Highway/Ray Street intersection similar to that depicted within the attached plan (Detail 1).

- 3. It is also noted that concern has been raised about the safe manoeuvring of service vehicles to the loading dock. This issue should be addressed to Council's satisfaction. A suggestion may be to impose time restrictions on service vehicles (within Forbes Lane) to when the supermarket can be serviced.
- 4. The layout of the car parking areas associated with the subject development (including ramp grades, turn paths, sight distance requirements, aisle widths, and parking bay dimensions) should be in accordance with AS 2890.1 2004 and AS2890.2-2002 for any servicing areas.
- 5. All work associated with the proposed development shall be at no cost to the RTA.

With regards to point 2 and 3 above, Council's Traffic Engineer advised:

"The proposal for the intersection of Pacific Highway and Ray Street involves removing the tidal flow arrangement on the Highway by providing 3 lanes in each direction (+ right turn bay) on the Highway. This, however, would rely on the redevelopment of the shops on the northern side of Pacific Highway (between Ray Street and William Street) to take place, so that they can be constructed to the new set-back as all that is to be provided under the LEP and DCP for the Town Centre is a dedication to permit this to occur. This dedication allows for the construction of an additional lane at the RTA's expense. This would then permit the RTA to remove the tidal flow.

The redevelopment of the shops on the northern side of Pacific Highway is likely to take some time. To achieve this action, a Voluntary Planning Agreement would need to be entered into between the RTA and the developer and, as such, Council would not be involved in the construction. Also, there would need to be an agreement on cost sharing as the widening is primarily for the benefit of improving traffic flow on the Pacific Highway. Consequently,

there are practical difficulties based on time and cost in attempting to obtain a Voluntary Planning Agreement.

Regarding Point 3, I still feel that the service vehicles should enter and exit in a forward direction and a supermarket of this size should be able to accommodate such a facility, and is considered essential for pedestrian and vehicle safety and amenity in Forbes Lane. The suggestion to impose time restrictions on service vehicles (within Forbes Lane) to when the supermarket can be serviced could be impractical for the operation of the supermarket, given the supermarket's preferred delivery hours being 6am – 10pm seven days a week."

### Sydney Regional Environmental Plan No. 20 - Hawkesbury- Nepean River

SREP 20 applies as the site is within the Hawkesbury Nepean River Catchment. The SREP aims to protect the environment of the river system by ensuring that the impacts of future land uses are considered in a regional context. The proposed development will have a localised impact on the environment and does not unduly impact on the river system or greater catchment area. The proposal involves the provision of an on-site detention system underneath the basement carpark to minimise and control stormwater. Subject to conditions, the development would be consistent with the provisions of SREP 20.

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

Clause 7(1)(a) of SEPP 55 requires the consent authority to consider the history of a site and its potential for containing contaminated material. Council's records indicate that the previous use of the site was a Council carpark. The site is unlikely to contain any contamination that would require remediation work. Further investigation is not warranted in this case.

### State Environmental Planning Policy No. 64 – Advertising and Signage

The application does not provide satisfactory information to assess the proposed signage in relation to SEPP 64. Details regarding illumination/non-illumination, external colours and finishes, and the height of signage above ground level have not been provided. The submitted Statement of Environmental Effects does not address the proposed signage (as illustrated on the architectural plans) in relation to SEPP64 and Council's DCP 28 requirements.

The SEE states that "Existing signage will remain on the building and no new signage is proposed as part of this application" (p8 of the SEE). This statement conflicts with detail provided on the architectural plans. As previously mentioned, the existing signage to the southern elevation of the building is contrary to Development Consent No.826/02 which required its removal. Due to inadequate information, Council cannot assess let alone approve any signage.

### Ku-ring-gai Planning Scheme Ordinance

The proposed use of the site as a supermarket is defined as a 'shop' under Part 1 Clause 4(1) and is permissible under Part 4 (Business Centre Provisions) of the KPSO. The objectives of the Business-Retail Services Zone 3(a) include:

- a) to identify existing business centres within the Municipality, the principal functions of which are to satisfy the retail and community service demands of the community which they serve;
- b) to permit, within the business centres hierarchy, business and office premises of a scale and character which do not threaten the role of the business centres as described in (a) above; &
- c) to permit other community facilities, recreation, leisure and general services within the zone to meet the needs and demands of employees within the centres and the community which each centre services.

The proposed supermarket expansion will have a long term cumulative traffic impact on future retail and residential development which will take place in the Turramurra Town Centre. The development does not meet the future community and retail demands of the business centre. The development therefore does not satisfy the Zone 3(a) objectives.

COMPLIANCE TABLE					
Development standard	Proposal	Complies			
Height of buildings (Clause 30A)					
Generally 2 storeys	2 storeys	YES			
Building height (highest internal point of	8 metres	YES			
the ceiling of its topmost storey): 8 metres					
Floor space ratio (Clause 30B)	0.7:1 (2601.88sqm)	YES			
1.0:1 (3712sqm)					

Under the provisions of Clause 30C of the Ku-ring-gai Planning Scheme Ordinance, Council is not to grant development consent to a proposal unless it is satisfied that:

- (a) the carrying out of the development is consistent with the general aims for business zones, the objectives of this Part and any Development Control Plan applying to the land;
- (b) any elevation of any building facing land in a residential zone has been designed to be reasonably compatible with the residential development on that land, or is suitably screened;
- (c) the development will maintain a reasonable level (taking into consideration the existing level) of solar access to adjoining residential development between the hours of 9.00am and 3.00pm during the winter solstice on 22<sup>nd</sup> June;
- (d) noise generation from the development site will be effectively insulated or otherwise minimised:
- (e) the development will minimise nuisance to adjoining residential development by way of traffic movements, parking, security lighting or the like;
- (f) the development is sited, designed or treated so as to minimise overlooking of adjoining residential living or recreation areas;

- (g) sufficient (as determined by Council) off-street parking is supplied by the development to meet the demand generated by the development;
- (h) traffic generated by the development is safely accommodated by the road system and does not unreasonably affect the amenity of surrounding localities;
- (i) adequate space and facilities have been provided, wherever site conditions reasonably permit, for the loading and unloading of good and materials on the development site;
- (j) the streetscape of the development is compatible with and enhances the streetscape in which it is situated;
- (k) reasonable measures have been taken to make new buildings and major redevelopments energy efficient; and
- (1) an appropriate drainage system is incorporated in the development to minimise the adverse effects of the development on the natural drainage system, other properties and the environment.

The proposal will cause unacceptable traffic impacts within the locality. The additional traffic generated by the supermarket expansion will exacerbate existing delays on Ray Street and will adversely affect the safety and amenity of the locality between Ray Street, Forbes Lane and William Street.

The proposal to retain the existing reverse entering arrangement to the loading dock is undesirable as it will exacerbate existing vehicle conflicts and reduce pedestrian safety in Forbes Lane. On this basis, the development fails to satisfy the development considerations under Clause 30C(e)(h) and (i) under KPSO.

The proposal presents bulky blank walls to Ray Street, Forbes Lane and to the eastern façade, limiting opportunity for active street life. The proposal does not include design measures for improving pedestrian safety and security. The development does not adequately enhance the streetscape and therefore fails to satisfy Clause 30C(j) under KPSO.

### **POLICY PROVISIONS**

### **Development Control Plan 14 – Development in Business Zones**

• Clause 17 (Vehicular access and circulation)

The retention of the existing reverse entering arrangement to the loading dock is undesirable as it will exacerbate existing vehicle conflicts and reduced pedestrian safety in Forbes Lane.

• Clause 21 (Urban design)

The development is not compatible with the future character of Turramurra Town Centre. The proposal presents bulky blank walls to Ray Street, Forbes Lane and to the eastern façade, limiting opportunity for active street life and safe pedestrian access to the surrounds of the building. The development does not adequately enhance the streetscape.

### **Development Control Plan 43 – Car Parking**

The existing supermarket provides 54 on-site car parking spaces, consistent with the approved plans under development consent No.187/2001. It is noted that the existing supermarket generates a need for 64 car spaces (a shortfall of 10 spaces) based upon the current car parking requirements under DCP43 (1 space per 26m<sup>2</sup> of GFA). The proposed additional GFA sought generates a need for a further 36 car spaces to be provided.

The additional 38 car parking spaces provided in response to the additional GFA complies with the car parking requirements of DCP 43, providing a total of 92 spaces on site. The on-site car parking includes 2 disabled spaces, located adjacent to the pedestrian ramp and lift which is satisfactory in relation to the requirements of Clause 3.4 of DCP43.

### **Development Control Plan 47 – Water Management**

The proposal involves an on-site detention system underneath the basement car park. The existing drainage easement which traverses the site is proposed to be relocated adjacent to the east side boundary of the site. Council's Development Engineer has advised that the application is satisfactory in relation DCP47, subject to a deferred commencement consent (should the application be approved) requiring Council's approval for the relocation of the easement.

### **Development Control Plan 28 – Advertising Signs**

Refer to discussion under SEPP 64 above.

### **Development Control Plan 31 – Access**

Pedestrian ramps and lifts have been incorporated within the development to provide disabled access from the basement car park to the supermarket level above. The applicant has submitted an access audit (prepared by ILC Access) which addresses the development in relation to the requirements of the BCA, Australian Standard AS1428 (Design for Access and Mobility) and Council's DCP 31.

The report provides recommendations during the construction stage (should the application be approved) for operation of the supermarket to ensure that the objectives of the Disability Discrimination Act 1992 are achieved. The application is satisfactory in relation to DCP31.

### **Draft LEP and Draft DCP**

Under the provisions of s.79C(a)(ii) of the Environmental Planning & Assessment Act 1979, any draft environmental planning instrument (ie LEP) that is or has been placed on public exhibition is a relevant matter for consideration. Section 79C(e) of the Environmental Planning & Assessment Act 1979 also allows for matters in the public interest to be relevant matters for consideration in a development assessment.

The Land & Environment Court has enunciated "planning principles" which have arisen from consideration of particular cases. These planning principles, where appropriate, are applied in other cases. In recent judgements, several commissioners have nominated a number of such principles. Although Council is not bound by the doctrine of precedent to follow any judgement or planning principle within a judgement, the "planning principles" provide an insight into the current views and approaches of the Court as to how they are dealing with planning issues.

The NSW Land & Environment Court Appeal Aldi *Foods Pty Ltd v Holroyd City Council (Appeal 10012 of 2004)* raises the issue as to whether a draft LEP and draft DCP (which includes a proposed master plan) should be given determining weight in the assessment of a development application. The application subject of this appeal proposed a new supermarket building with car parking. The judgement presented by Talbot J in relation to this appeal states:

"The generally accepted legal principle is that the weight depends on the imminence and certainty with which the draft is likely to be made. In Mathers v North Sydney Council [2000] MWSLEC 84, I held that:-

It is appropriate, given the history of the development of the draft instrument to give draft LEP 2000 significant weight to the extent the Court is satisfied that approving the development will not detract from its objectives as expressly stated or reflect in the proposed controls...

Although temporally it (the draft LEP) is not imminent (having just come off exhibition), nevertheless the period during which it aims, objectives and individual provisions have been under consideration is an important factor in assessing the weight to be given to it.

In most cases, the inconsistency between a proposal and a draft planning instrument relates to objectives, permissibility or a development standard such as height and floor space ratio. The inconsistency between the subject application and the draft LEP is only in relation to objectives as the proposed land use is permissible under the Draft LEP and there is no breach of a draft development standard.

The most palpable inconsistency, however, is between the proposal and the long term planning vision of the Neil Street Precinct Master Plan contained in the Draft DCP. For this site, the Master Plan shows the footprint of an eight-storey building following the line of a new road and swale. This is about as different from a single-storey supermarket as it is possible to be. While a draft DCP is not among the matters to be considered under S.79C(1) of the EPA Act, in this case it is an adjunct to the draft LCP and it is appropriate to take it into account as a matter of public interest. The question that arises is what planning principles the Court should apply to assessing a proposal, which is a permissible use, but which is antipathetic to the urban structure and built form envisaged in a Master Plan. In my opinion, the Court should have regard to the following matters:-

• The quality of the Master Plan. Is it based on sound planning and urban design principles? Will it lead to a better outcome for the environment and the local community?

- The public exposure that the Master Plan has received. Have the relevant landholders, stakeholders and the wider community been consulted?
- The time frame for and likelihood of implementing the Master Plan. How long will implementation take? Is it likely that it can be implemented?
- The impact of the Master Plan on the development potential of the site. Does the Master Plan unreasonably delay the development of the site?
- The extent of inconsistency between the proposal and the Master Plan. Would approval of the proposal frustrate the implementation of the Master Plan?"

From testing the application in relation to the above principles, the Court found that the proposal was inconsistent with the vision that Council had under its Draft LEP and Draft DCP and the application could not be supported.

It is appropriate to test the above planning principles with regard to the subject application:

1. The quality of Draft LEP and Draft DCP. Is it based on sound planning and urban design principles? Will it lead to a better outcome for the environment and the local community?

The intent and key urban design principles of the Draft LEP and Draft DCP are sound and are in accordance with the Minister's Section 55 Direction and will lead to a better, more accessible and economically viable Town Centre for the community. Refer to previous discussion regarding the steps council have undertaken in relation to the preparation of the Draft DCP above.

2. The public exposure the Draft LEP and Draft DCP has received. Have the relevant landholders, stakeholders and the wider community been consulted?

Extensive consultation with the community and stakeholders has taken place throughout the integrated planning process for Turramurra Town Centre. Refer previous discussion under the Turramurra Commercial Centre Background Report November 2005, Turramurra Town Centre Preferred Land Use Options Report to Council 6 December 2006 and Turramurra Centre Draft LEP and Draft DCP Report to Council 27 March 2006.

3. The time frame for and likelihood of implementing the Draft LEP and Draft DCP. How long will implementation take? Is it likely that it can be implemented?

It is intended that Draft LEP (Amendment 1) which has been exhibited will be reported to Council on 13 November 2006. All Draft LEPs associated with the 6 centres must be exhibited, reported to Council and submitted to the Minister under Section 68 of the EPA Act by the 31 December 2006.

4. The impact of the Draft LEP and Draft DCP on the development potential of the site. Does the Draft LEP and Draft DCP unreasonably delay the development of the site?

As a whole, the overall FSR for the site has increased from 1:1 under KPSO to 1.7:1 under the Draft LEP, providing a significant residential component to be incorporated on the site. The Draft DCP allows for the site to be developed independently or as a consolidated site in

partnership with Council's adjoining sites. Having regard that the Draft LEP must be submitted to Council by 31 December 2006, this does not unreasonably delay the redevelopment of the site.

## 5. The extent of inconsistency between the proposal and the Draft LEP and Draft DCP. Would approval of the proposal frustrate the implementation of the Draft LEP and DCP?"

Yes. The proposed expansion of the supermarket will have long term cumulative traffic impacts on the locality and will likely preclude other sites within the Draft LEP from providing residential flat buildings and shop-top housing (due to the cumulative traffic impacts). Research studies for the Draft LEP have found that a new supermarket or expansion of the existing Coles supermarket is undesirable for Ray and William Street as it is contrary to the long term future and success of Turramurra Town Centre.

### Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) - Amendment No.1

The site is zoned B2 – Local Centre under the Draft LEP. The supermarket is defined as a 'retail premises' under Clause 4 (Definitions) and is permissible with consent pursuant to the land use table under Clause 12 of the Draft LEP.

The proposal is inconsistent with the aims under Clause 2 of the draft LEP, in that the proposal is inconsistent with the desired future character for the Turramurra Town Centre.

The building does not exhibit high quality architectural design. The development presents bulky blank walls to Ray Street, Forbes Lane and the eastern façade of the building. This will prohibit active street life which is encouraged within the Turramurra Town Centre. Further, the proposal does not enhance landscaping on the site through providing setbacks to the building. The proposal is likely to preclude other sites within the draft LEP from providing residential flat buildings and shop-top housing due to the cumulative traffic impacts.

The expansion of the existing supermarket will exacerbate existing traffic delays and fails to provide an accessible and efficient traffic, transport and parking system. The proposal does not include design measures for improving pedestrian safety and security in Forbes Lane and Ray Street.

The table below provides an assessment of the development in relation to the principle development standards contained under Part 4 of the Draft LEP Amendment No.1

<b>Development Standard</b>	Proposal	Compliance
Clause 21 Height	2 storeys	YES
Maximum 5 storeys		
	Existing retail: 0.445:1	NO
Clause 22 Floor space ratio	(1652sqm)	
Maximum retail 0.55:1	Proposed retail: 0.7:1	
(2041.6sqm)	(2601.88sqm)	
Maximum site FSR 1.7:1	_	

Item 2

The Draft LEP limits retail FSR within the subject site to a maximum of 0.55:1 in order to ensure the long term function of local traffic, especially the Ray Street/Pacific Highway intersection. The proposal achieves a FSR of 0.7:1 which exceeds the standard by 26%.

The retail density exceeds the maximum requirement and is not in keeping with the desired future character for Turramurra Town Centre. The proposal does not achieve the desirable retail/residential mix permitted for the site. The development fails to satisfy the objectives of the floor space ratio restrictions under Clause 22 of the Draft LEP. Having regard to the traffic impacts associated with the supermarket expansion, a variation to the FSR requirement is therefore not supported.

### Draft Development Control Plan 2006 - Turramurra Town Centre

The Draft DCP is the planning document which supports the aims, objectives and provisions of the Draft LEP by providing a more detailed objectives and design controls for future development. Given that the Draft DCP is intimately linked with the Draft LEP and is in the public interest, an assessment in relation to its controls is warranted in this instance.

The development is in-consistent with the overall master plan envisaged for Precinct A under Part 4 (Primary Development Controls) of the Draft DCP. The proposal will limit opportunity for road widening to Forbes Lane to improve access to Turramurra Station for pick-up and drop-off and pedestrian efficiency and connection. The proposal does not include design measures for improving pedestrian safety and security in Forbes Lane and Ray Street.

### Likely impacts

The development fails to satisfy Section 79C(1)(b) under the Environmental Planning and Assessment Act 1979 in that the development will result in unacceptable long term cumulative traffic impacts within the locality and is not consistent with the desired future character of the Turramurra Town Centre.

### Suitability of the site

The development fails to satisfy section 79C(1)(c) under the Environmental Planning and Assessment Act 1979. The site is not suitable for the proposed supermarket expansion in that the additional traffic generated will exacerbate existing delays on Ray Street and will adversely affect the safety and amenity of the locality between Ray and William Street.

### Any submissions

All submissions raised have been considered.

### **Public interest**

For the reasons advanced in this assessment the proposal is not in the public interest.

Item 2

#### CONCLUSION

The proposed expansion of the existing supermarket results in unacceptable traffic impacts within the locality. The additional traffic generated by the supermarket expansion will exacerbate existing delays on Ray Street and will adversely affect the safety and amenity of the locality between Ray Street, Forbes Lane and William Street. The proposal to retain the existing reverse entering arrangement to the loading dock is undesirable as it will exacerbate existing vehicle conflicts and reduce pedestrian safety in Forbes Lane.

The proposal is inconsistent with the aims of the Draft LEP (Amendment No.1) in that the proposal is likely to preclude other sites within the draft LEP from providing residential flat buildings and shop-top housing due to the cumulative traffic impacts. The development fails to satisfy the retail FSR component for the site (0.55:1). The Draft LEP (Amendment No.1) limits retail FSR within the Ray Street precinct to ensure the long term functioning of local traffic, especially the Ray Street/Pacific Highway intersection. The proposed retail FSR of 0.7:1 is not supported due to the related traffic impacts associated with the supermarket expansion. Research studies have found a new supermarket or expansion of the existing Coles supermarket is undesirable for Ray and William Streets and is contrary to the long term future and success of the Turramurra Town Centre.

The proposed development will limit the potential to widen Forbes Lane which is contrary to the requirements of the Draft LEP and Draft DCP which encourages the widening of Forbes Lane to improve pedestrian and vehicular access and safety.

The design of the supermarket presents bulky blank walls to Ray Street, Forbes Lane and the eastern façade of the building, provides minimal interface with the surrounding future spaces envisaged under the Master Plan for the Ray Street/William Street & Forbes Lane precinct (Precinct A under Part 4 of the Draft DCP).

The application is unsatisfactory in relation to the provisions of the KSPO, DCP 14 (Business Zones), Draft LEP (Amendment 1) and Draft DCP Turramurra Town Centre. The expansion of the existing supermarket is not supported due to the traffic and strategic issues discussed in this report.

It is therefore recommended that the application be refused.

### RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979, THAT the Council, as the consent authority, refuse development consent to DA 581/06 for alterations and additions to existing supermarket including provision of basement car parking (92 spaces) and signage on land at 1 Ray Street, Turramurra, for the following reasons:

### Ku-ring-gai Planning Scheme Ordinance

1. The development fails to satisfy the objectives of the Business 3(a)-(A2) Retail Services zone under Part 4 of the Ku-ring-gai Planning Scheme Ordinance (KPSO). The proposed supermarket expansion will have a long term cumulative traffic impact on future retail and residential development which will take place in the Turramurra Town Centre. The

- development does not meet the future community and retail demands of the business centre. The development does not satisfy the Zone 3(a) objectives.
- 2. The development fails to satisfy the development considerations under Clause 30C(e)(h) & (i) under the KSPO. The additional traffic generated by the supermarket expansion will exacerbate existing delays on Ray Street and will adversely affect the safety and amenity of the locality between Ray Street, Forbes Lane and William Street. The proposal to retain the existing reverse entering arrangement to the loading dock is undesirable as it will exacerbate existing vehicle conflicts and reduce pedestrian safety in Forbes Lane.
- 3. The development does not adequately enhance the streetscape and fails to satisfy Clause 30(j) under the KPSO. The proposal presents bulky blank walls to Ray Street, Forbes Lane and to the eastern façade, limiting opportunity for active street life. The proposal does not include design measures for improving pedestrian safety and security.

### **Development Control Plan 14 – Development in Business Zones**

- 4. The development fails to satisfy Clause 17 (Vehicular access and circulation) specifically Clauses 17.6 and 17.8 and 17.9 under DCP 14. The proposal to retain the existing reverse entering arrangement to the loading dock is undesirable as it will exacerbate existing vehicle conflicts and reduced pedestrian safety in Forbes Lane.
- 5. The development is unsatisfactory in relation to Clause 21 (Urban Design) under DCP 14. The proposal presents bulky blank walls to Ray Street, Forbes Lane and to the eastern façade, limiting opportunity for active street life and safe pedestrian access to the surrounds of the building. The development does not adequately enhance the streetscape.

### SEPP 64 & Development Control Plan 28 – Advertising Signs

6. The application fails to address the provisions of SEPP 64 and DCP 28 (Advertising Signs). Inadequate information has been submitted to enable a proper assessment in relation to the respective planning controls. Details regarding illumination/non-illumination, external colours and finishes, and the height of signage above ground level have not been provided.

### Draft Local Environmental Plan 2006 (Amendment No.1) Turramurra Town Centre

7. The proposal is inconsistent with the aims under Clause 2 of Draft LEP (Amendment No.1) and is not compatible with the future character for Turramurra Town Centre. The building does not exhibit high quality architectural design. The development presents bulky blank walls to Ray Street, Forbes Lane and the eastern façade of the building. This will prohibit active street life which is encouraged within the Turramurra Town Centre. The proposal is likely to preclude other sites within the draft LEP from providing residential flat buildings and shop-top housing due to the cumulative traffic impacts. The proposal does not include design measures for improving pedestrian safety and security in Forbes Lane and Ray Street.

8. The development fails to comply with the maximum retail floor space ratio (FSR) requirements for the site and fails to satisfy the objectives of the floor space ratio restrictions under Clause 22 of the Draft LEP. The Draft LEP limits retail FSR within the subject site to a maximum of 0.55:1 in order to ensure the long term function of local traffic, especially the Ray Street/Pacific Highway intersection. Having regard to the traffic impacts associated with the supermarket expansion, a variation to the FSR requirement is not supported.

### Draft Development Control Plan 2006 - Turramurra Town Centre

9. The development is in-consistent with the overall master plan envisaged for Precinct A under Part 4 (Primary Development Controls) of the Draft DCP. The proposal will limit opportunity for road widening to Forbes Lane to improve access to Turramurra Station for pick-up and drop-off and pedestrian efficiency and connection. The proposal does not include design measures for improving pedestrian safety and security in Forbes Lane and Ray Street.

### Likely impacts

10. The development fails to satisfy Section 79C(1)(b) under the Environmental Planning and Assessment Act 1979 in that the development will result in unacceptable long term cumulative traffic impacts within the locality and is not consistent with the desired future character of the Turramurra Town Centre.

### Suitability of the site

11. The development fails to satisfy Section 79C(1)(c) under the Environmental Planning and Assessment Act 1979. The site is not suitable for the proposed supermarket expansion in that the additional traffic generated will exacerbate existing delays on Ray Street and will adversely affect the safety and amenity of the locality between Ray and William Street.

### **Public interest**

12. The development fails to satisfy Section 79C(1)(e) under the Environmental Planning and Assessment Act 1979 in that the proposal is not in the public interest.

R Eveleigh
Executive Assessment
Officer

R Kinninmont Team Leader Development Assessment -Central M Prendergast
Acting Director
Development &
Regulation

#### **Attachments:**

- 1. Report to Council of 19 July 2005with regard to Ku-ring-gai Retail Centres Study 514313
- 2. Resolution of Council, OMC275 of 19 July 2005 with regard to Ku-ring-gai Retail Centres Study 514599
- 3. Turramurra Commercial Centre Draft Background Report, November 2005 562275
- 4. Report to Council, 6 December 2005 Turramurra Town Centre Preferred Land Use Options Report 625899
- 5. Resolution of Council, OMC522 of 6 December 2005 Adopting Option E 562572
- 6. Resolution of Council, OMC19 of 7 February 2006 (rescission motion) adopting Option D 581306
- 7. Report to Extraordinary Council, 27 March 2006 Turramurra Centre draft LEP and draft DCP Report 596866
- 8. Resolution of Extraordinary Council, EMC5 of 27 March 2006 596975
- 9. RTA comments (with regard to SEPP11) 19 September 2006 683419
- 10. Location Sketch & Zoning Extract 683420
- 11. Elevations and sections 683422
- 12. Shadow diagrams 683423
- 13. Survey plan 683425
- 14. Stormwater plans 683428
- 15. Landscape plan 683429
- 16. Site and floor plans

Item 12

S02921 S04151 8 July 2005

### **KU-RING-GAI RETAIL CENTRES STUDY**

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To present the findings of the Ku-ring-gai Retail

Centres Study and seek endorsement from Council for a future retail hierarchy for Ku-ringgai to be established through Stage 2 of the

Residential Strategy.

BACKGROUND: Hill PDA was engaged to undertake a study to

enhance understanding of the retail and commercial sector within Ku-ring-gai as part of

Stage 2 of the residential Strategy.

**COMMENTS:** 

The study presents 3 options and recommends a preferred retail strategy for Ku-ring-gai. This promotes Gordon as a sub-regional centre, with the remaining centres retaining their existing functions within the retail hierarchy of Ku-ring-gai.

**RECOMMENDATION:** 

That Council endorse the retail strategy Option C as recommended in the Ku-ring-gai Retail Centres Study and the extent of the expansion of Gordon as a sub-regional centre be identified as part of the town centre planning process for Gordon.

### PURPOSE OF REPORT

To present the findings of the Ku-ring-gai Retail Centres Study and seek endorsement from Council for a future retail hierarchy for Ku-ring-gai to be established through Stage 2 of the Residential Strategy.

### **BACKGROUND**

Council has identified the retail/commercial centre of St Ives, Turranurra Pymble, Gordon, Lindfield and Roseville as the focus of increased residential development under Stage 2 of the residential Development Strategy. These centres are to incorporate an appropriate mix of retail, commercial and residential activities that will provide a basis for on going economic viability, sustainability and vitality.

Land economists and consultants Hill PDA were engaged to undertake a study to enhance understanding of the retail and commercial sector within Ku-ring-gai. The findings and recommendations of this study will enhance Council's capacity to effectively undertake integrated planning of each centre and provide a direction for the future role and function and appropriate levels and mix of retail / commercial and leisure activity within the respective centres.

The study analyses the retail / commercial centres, assess their current function and performance and also provides directions and priorities for planning and future implementation measures to help Council best manage the centre for the benefit of local business and residents.

### **COMMENTS**

A copy of the final Retail Centres Study by Hill PDA is included as Attachment 1 to this report.

### **Objectives of the Retail Strategy**

The Study establishes a set of key objectives for developing and evaluating a range of options for the planning and management retail in Ku-ring-gai. These objectives are:

- Ensure 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 to the extent that they continue to perform a useful community function;
- Protect/current employment levels in retailing and hospitality industries for the residents of Ku-ring-gai 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.

### **Existing Retail Centres Hierarchy**

The Study analyses the current retail hierarchy in Ku-ring-gai in both a local and metropolitan wide context. This hierarchy is summarised in the table below.

Table 1 - Existing Retail Hierarchy

Hierarchy	General Size (sqm)*	Majors	No	Names of Centres
Regional	More than 80,000	Myer and/or David Jones and	Nil	(( ))
		at least one DDS**		
Sub-regional	40,000 — 80,000	Usually one or more DDS*	Nil	
		*and two supermarkets		$\bigcirc$
District	20,000 — 40,000	Usually two supermarkets	2 /	Gordon*** and St Ives
		and possible DDS	//	( // ) )
Large	10,000 — 20,000	One or two supermarkets	2 (	//urramurra and Lindfield
Neighbourhood				
Small	2,500 — 10,000	Usually one supermarket****	3	Wahroonga, Pymble and
Neighbourhood		/	$\langle \rangle \rangle / \sim$	Roseville
Local	Less than 2,500	Mini-supermarket or no //	16/	South Turramurra, North
		anchor tenant //		Turramurra, St Ives Chase,
			<b>/</b> /	East Lindfield, etc
Peripheral	Any size	Bulky goods retailers	Nìt_	

<sup>\*</sup> Shop front space including non-retail commercial services such as banks and real estate agents

\* \* \* \* Note that not all neighbourhood centres have supermarkets including Pymble and Roseville

Significant feature of Ku-ring-gai's existing retail structure includes:

- There are no regional or subregional centres.
- Over 40% of household expenditure generated in Ku-ring-gai is spent in retail centres
  outside of Ku-ring-gai, mainly to regional centres such as Chatswood, Hornsby and
  Macquarie. This includes some expenditure on regular food and grocery shopping.
- St Ives is trading at twice the national average, Gordon and Lindfield at 30% above the national average and Turramurra 10% above the national average. This indicates a current undersupply of retail space in these centres.
- Roseville and Pymble are likely to be trading below the national average.

### **Demand for Retail Space**

The study has undertaken an assessment of current and future demand for retail generated by Kuring-gai. Future demand is based on existing households in Ku-ring-gai as well as additional households that will be generated by LEP 194, LEP 200 and the Minister's targeted sites under SEPP53. The study does not take into consideration of any forecast population growth from Stage 2 of the Residential Strategy as these can not be determined until the planning for the various town centres has been finalised. As such the proposal for future development contained in the report are conservative and should be considered as minimum recommendations for expansion.

<sup>\* \*</sup> DDS means discount department store — usually Big W, Target or Kmart

<sup>\* \* \*</sup> Note that Gordon is just short of 20,000sqm of space and has only one supermarket. It does however have a Harvey Norman store (usually found in a regional or sub-regional centre or peripheral cluster), Bunnings and Retravision stores giving it a higher profile than a neighbourhood centre.

The Study predicts that even without altering the existing retail hierarchy (and without adjusting the proportion of expenditure that escapes the LGA) growth in household expenditure will demand a further 50,000sqm of shop front floor space in Ku-ring-gai.

Should Council wish to provide a greater level of retail services for Ku-ring-gai residents and prevent some of the escape expenditure to retail centres in neighbouring LGAs then even more retail floor space could be accommodated in Ku-ring-gai. This should particularly cater for department store, clothing and bulky goods expenditure.

### **Options for Expansion**

The study presents 3 options for a retail strategy for Ku-ring-gai. These are discussed below and summarised in **Table 2.** 

[insert revised table 2 from final retail study]

### Option 1 – Minimal expansion with no alteration to the retail hierarchy;

Under this option there would be no change in the existing retail hierarchy in Ku-ring-gai. It would provide a reasonable supply of retail space to meet current undersupply of floor space and rising demand. It does not redefine any of the retail centres. Both St Ives and Gordon would remain as district centres. Under this option it is still expected that a considerable level of escape expenditure to the regional centres in the neighbouring LGAs would occur.

The recommended level of expansion of the various centres under this option would be as follows:

Gordon 15,000sqm
St Ives 15,000sqm
Turramurra 4,000sqm
Lindfield 6,000sqm
Others 6,000sqm
TOTAL 45,000sqm

While this option will satisfy growth in demand to some extent, it does not fulfil the objectives of the strategy – namely to ensure that residents have the widest possible range of shopping opportunities and commercial services and to provide quantity, quality and convenience. There will be continued escape expenditure from Ku-ring-gai to the other LGAs and the associated costs of additional travel and car dependency.

### Option 2 – Expand St Ives to a Sub-regional centre.;

Option 2 would see the reclassification of St Ives to a sub-regional centre of around 50,000 to 60,000sqm with additional recreational facilities such as a cinema complex (5,000sqm or more over and above the retail expansion). Its retail component would likely include one or possibly two discount department stores (DDSs), three supermarkets and around 150 to 200 specialty shops. This option would considerably enlarge St Ives trade area and enable considerable capture of escape expenditure, particularly in department store merchandise.

The recommended level of expansion of the various centres under this option would be as follows:

Gordon 8,000 – 13,000sqm St Ives 30,000 – 40,000sqm

Turramurra 4,000sqm Lindfield 6,000sqm Others 6,000sqm

**TOTAL** 55,000 – 65,000sqm

The major shortcoming of such a major expansion of St Ives into a sub-regional centre is availability of land supply, traffic congestion and parking constraints. These issues have been investigated in detail as part of the St Ives Centre Study. The retail study also points out that Option 2, to some extent, becomes self-defeating as increased congestion and parking problems results in a loss of trade as shoppers seek convenience.

### Option 3 – Expand Gordon to a Sub-regional centre.

Under this option Gordon would be the sub-regional centre rather than St Ives with a retail area of around 50,000 to 60,000sqm and additional recreational facilities in such as a cinema complex (5,000sqm over and above the retail expansion). Its retail component is likely to include one or possibly two DDSs, two to three supermarkets and around 150 to 200 specialty shops. This option would considerably enlarge Gordon's trade area and would capture some escape expenditure – particularly with the addition of at least one DDS.

The recommended level of expansion of the various centres under this option would be as follows:

Gordon 30,000 – 40,000sqm

St Ives 8,000 – 13,000sqm

Turramurra 4,000sqm Lindfield 6,000sqm Others 6,000sqm

TOTAL 55,000 – 65,000sqm

The principle advantages with this option include Gordon's central location in the LGA and its position on the Pacific Highway and the railway line enjoying stronger public transport integration. Also, the expansion of Gordon to a sub-regional centre would be consistent with the state government's centres policy being considered as part of the Metropolitan Strategy.

The major constraints for growth in Gordon include the multiple land holdings and geographical and physical limitations. The capacity of Gordon to expand to the retail floor space targets will need to be examined in detail as part of the Gordon Town Centre planning process.

### Sub Options

The study also identifies two further sub-options, being:

a) The provision of a peripheral retail centre for bulky goods. The study indicates that the Kuring-gai market could support approximately 20,000 to 30,000sqm for bulky goods and identifies the most appropriate location being between on the Pacific Highway between Gordon retail centre and Mona Vale/Ryde Road.

The feasibility of this sub-option would need to be investigated in more detail as part of the Gordon Town Centre planning process

b) The provision of a factory outlet centre (around 10,000 to 15,000sqm), with the most appropriate location being in the sub-regional centre.

Once again the desirability and feasibility of this sub-option would need to be investigated in more detail as part of the Gordon Town Centre planning process (assuming Gordon is to be a sub-regional centre). The planning already conducted for St Ives indicates that there is a lack of capacity to accommodate such a function in St Ives.

c) Containing the expansion in Turramurra and Lindfield and introducing supermarket based centres for Pymble and Roseville. Under this sub-option Turramurra and Lindfield would expand by no more than around 3,000sqm each whilst Pymble and Roseville would each have around 3,000sqm to 4,000sqm expansion – through introducing a supermarket based centre.

The desirability of this sub option would need to be investigated further as part of the detailed planning for each of these town centres.

### Conclusion

The Retail Centres Study recommends Option C as the preferred retail strategy for Ku-ring-gai. This promotes Gordon as a sub-regional centre, with limited expansion of St Ives and the other remaining retail centres along the Pacific Highway/ rail corridor. This strategy is supported by the objectives of providing a greater retail choice for existing and future residents of Ku-ring-gai and is consistent with the objectives of the State Government's Metropolitan Strategy

It is noted that there may be some constraints to the expansion of Gordon to the extent recommended in the study. The ultimate growth that Gordon town centre can accommodate would need to be determined as part of the detailed town centre planning process for Gordon.

The recommendation not to pursue the expansion of St Ives as a sub-regional centre is supported by the findings of the town centre planning already undertaken for St Ives, which has identified significant constraints to growth, particularly resulting from Traffic and parking related issues.

### CONSULTATION

The Retail Centres Study has included the findings of Council's householder surveys for St Ives, Turramurra, Gordon and Killara. This information was supplemented by telephone surveys conducted in the remaining suburbs for which household surveys have not been finalised or conducted.

### FINANCIAL CONSIDERATIONS

The retail centres study was funded through the budget for Stage 2 of the Residential Strategy.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The consultants conducting the Retail Centres Study have been involved with the detailed town centre planning conducted to date for St Ives and Turramurra. This has involved staff from Planning and Environment, Technical Services, Community Services and Open Space.

### **SUMMARY**

Hill PDA were engaged to undertake a study to enhance understanding of the retail and commercial sector within Ku-ring-gai. The findings and recommendations of this study will enhance Council's capacity to effectively undertake integrated planning of each centre and provide a direction for the future role and function and appropriate levels and mix of retail commercial and leisure activity within the respective centres.

The Retail Centres Study recommends Option C as the preferred retail strategy for Ku-ring-gai. This promotes Gordon as a sub-regional centre, with limited expansion of St Ives and the other remaining retail centres along the Pacific Highway/rail corridor. This strategy is supported by the objectives of providing a greater retail choice for existing and future residents of Ku-ring-gai and is consistent with the objectives of the State Government's Metropolitan Strategy.

Endorsement of Option C as preferred option required that Council accept that there will be one centre within the Ku-ring-gai Council area that is a sub-regional centre.

### RECOMMENDATION

A. That Council receive and note the Ku-ring-gai Retail Centres Study.

B. That Council endorse the retail strategy Option C as recommendation in the Ku-ring-gai Retail Centres Study.

C. That the extent of the expansion of Gordon as a sub-regional Centre be identified as part of the town centre planning process for Gordon.

Craige Wyse

Leta Webb

Senior Urban Planner

**Director Planning & Environment** 

Attachments;

Ku-ring-gai Retail Centres Study

### **RESOLUTION OF ORDINARY MEETING OF COUNCIL**

### 19 JULY 2005

### 275 Ku-ring-gai Retail Centres Study

Files: S02921, S04151

To present the findings of the Ku-ring-gai Retail Centres Study and seek endorsement from Council for a future retail hierarchy for Ku-ring-gai to be established through Stage 2 of the Residential Strategy.

### Resolved:

(Moved: Councillors Lane/Innes)

- A. That Council receive and note the Ku-ring-gai Retail Centres Study.
- B. That Council endorse the retail strategy Option 3 as recommendation in the Ku-ring-gai Retail Centres Study.
- C. That the extent of the expansion of Gordon Centre be identified as part of the town centre planning process for Gordon.

**CARRIED UNANIMOUSLY** 

# **Ku-ring-gai Council**

## Turramurra Commercial Centre

November 2005

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### **EXECUTIVE SUMMARY**

This report represents a summary of the first stage of the integrated planning process for the Turramurra Commercial Centre. It provides an outline of the extensive stakeholder consultation and its outcomes, an overview of the site opportunities and constraints, identifies the key design principles that will guide the planning process, documents planning and traffic options for the town centre and concludes with a recommended option.

The planning options for Turramurra evolved through a process of extensive stakeholder survey and consultation. This document proposes a recommended option that will result in the creation of a revitalised town centre offering a place for people to live and work as well as shop and pursue leisure activities.

Overall the majority of residents shared common aspirations for the future of Turramurra Centre. These included:

- Village atmosphere
- Economic viability and vitality
- Improved community facilities particularly for the young
- Village parks and greens
- Improved traffic and parking

The special characteristics of the area have been analysed with diagrams illustrating their opportunities and constraints that suggest possible appropriate uses and future character for each area. The Councillors' visions for Turramurra, the community's aspirations and the detailed site analysis identify the design principles for the future development of the centre.

The design principles have in turn guided the development of the concept plan options. The concept plan options aim to optimise the potential of the centre in terms of its unique environment. The three options all have a similar mix of uses, however the placement of the uses and the emphasis varies from one option to another.

The stakeholder consultation has proven to be very successful in establishing an effective communication framework to all key stakeholders and in identifying both the strengths and opportunities of the site and in determining a number of concept options.

The next stage in the planning process is the development of detailed building controls and a public domain master plan, together with economic appraisal and further traffic modelling, and the preparation of statutory planning documents.

#### 1.0 Introduction

### 1.1 BACKGROUND

Stage 1 of Ku-ring-gai Council's Residential Strategy culminated with the Gazettal of Ku-ring-gai Local Environmental Plan (LEP) 194 on 28 May 2004, The LEP rezoned land for medium density housing along the Railway / Pacific Highway corridor including the Turramurra centre.

In a letter dated 27 May, 2004, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) gave a direction to Council to prepare an LEP in relation to areas in and around existing retail and commercial centres in the rail corridor and St Ives Centre as Stage 2 of its Residential Development Strategy. This work is to include shop-top housing and re-evaluate density controls on existing medium density zones. Council has given an undertaking to the Minister that the planning work for Turramurra will be complete by June 2006.

The Minister's directive contained the following underlying principles, aims and objectives:

### **Principles**

- To encourage the provision of housing that will broaden the choice of building types and locations available in the housing market and to make efficient use of existing infrastructure and services:
- 2. To revitalise the existing retail / commercial centres.

#### Aims

 To rezone land to facilitate the development of multi-unit housing and increase housing choice particularly in the form of "shop-top" housing. 2. To improve the development standards so as to encourage the land in the existing multi-unit housing zones.

### **Objectives**

- 1. To include provisions which allow for the redevelopment of land for multi-unit housing consistent with the development standards contained in LEP 194.
- 2. To provide for retail and commercial activities to cater for the local community and to implement housing density standards which complement those contained in LEP 194.

Council has commenced integrated place based planning for the existing commercial retail centres along the Railway Corridor/ Pacific Highway and St Ives Centre. This process will not only focus on increasing opportunities for residential development in each centre but will also seek to achieve identified social, economic, environmental and amenity objectives. The integrated planning approach will focus on improving the viability and liveability of each centre, improving traffic and parking, providing new open space (where appropriate), improving public domain, improving safety, improving accessibility of each centre etc. Parallel to this work Council and community facilities will be reviewed to identify opportunities for upgrading facilities and / or including new facilities.

### 1.2 PROJECT OBJECTIVE

Council's Management Plan 2004-2005 has identified the Turramurra commercial centre for increased residential development. The centre is to incorporate an appropriate mix of retail, commercial, residential, community and open space activities that provide a basis for on going economic viability, sustainability and vitality of the centre.

The project will address the vision, issues and opportunities identified by the community and the aims and objectives of Council and State Government.

### 1.3 PROCESS

An important element of the process has been to establish communication with the residents and stakeholders and to ensure the development of a common consensus and vision. This has been achieved with a process of surveys, group consultations, stakeholder workshops and presentations to organisations.

The use of email to give and seek feedback to stakeholder has also been notable. The planning process has involved using a team of experienced urban designers, and other specialist consultants. The urban design team analysed the town centre and identified opportunities, constraints and options. A land economist has reviewed the areas economic potential and identified the costs and benefits of development of the site. Traffic and transport issues have been explored with consideration given to the external and internal road networks. Heritage and landscape issues have also been identified.

The reporting has been divided into two stages. This report,
Turramurra Commercial Centre – Recommended Option Report is the
first and it outlines the process of the development of the
recommended option. The second report will be in the form of a draft
Development Control Plan, draft Local Environment Plan and Section
94 Plan for the Centre.

This report is divided into two parts:

**Part 1** the process and outcomes of preliminary consultation, analysis of existing conditions, identification of key resident, Councillor and stakeholder issues, a vision for Turramurra, establishment of the opportunities and constraints and preliminary design principles for the concept options.

**Part 2** of the report presents the concept planning and traffic options, results of community survey and exhibition, discusses the assessment of the options, and concludes with a description of the recommended option and next steps.

# **PART ONE**

### 2.0 PRELIMINARY CONSULTATION

Community consultation in good town planning has a notable history. Ku-ring-gai Council's commitment to full-bodied, open and transparent engagement with its community is a measure of wanting to listen to all interested people in its constituency – including the often silent. At the same time, gleaning the experience and ideas of local special interest groups can provide perspectives and opportunities that are important when considering strategic issues in a practical light.

Current technology allows messages and material to be available quickly and at low cost, to and from large numbers of interested persons and groups – Ku-ring-gai will continue to apply these media to assist its on-going, two-way community links in the planning of the Turramurra Commercial Centre.

### 2.1 Stakeholder Surveys & Consultations

The consultations to date have been completed in 4 phases – initially with local groups and interested residents, then further consultation to establish a Vision for Turramurra town centre, then Options workshops' consultations, and most recently to provide advice on a Planning Option. Consultation has involved working extensively to establish and develop contact with interested stakeholders in the Turramurra Commercial Centre. These have included:

- Householders from Turramurra and Warrawee
- Business-owners and retailers in Turramurra
- Shoppers at Turramurra
- Established local resident groups
- Young people
- Persons in retirement villages.

### 2.2 Initial Surveys

A large survey was posted to some 8000 householders in the Turramurra/Warrawee postcode area 2074 in February 2005. This survey sought information & opinion on:

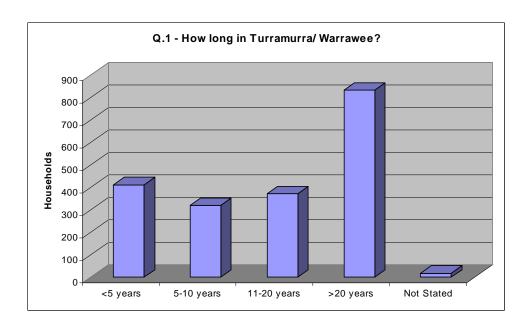
- Demographics
- Opinion on shops & business
- Shopping location choices
- Opinion about Turramurra
- Sport & recreation choices
- Planning for the future.

Nearly 2000 responses were received, giving a wealth of information on habits, opinion and experience of living in the area. Qualitative, open questions, such as seeking good points and bad points about Turramurra shops and businesses, were complemented by quantitative ones seeking ratings on statements like *car parking and traffic flow is satisfactory*. Passive and active recreation choices were also sought. Notably, contact details by 'phone and / or email/fax were also sought from interested residents, for further occasional contact in relation to the planning of Turramurra town centre, or for other Councilwide issues. A youth survey was also distributed to students of Pymble Ladies College; responses were predominantly qualitative and have been included in the Youth responses below. (Approaches to local high schools were not successful.)

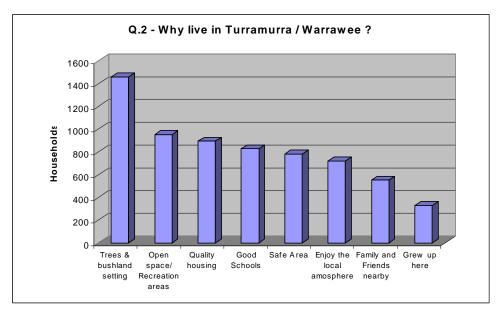
Council appreciates the cooperation of the Chamber of Commerce and Turramurra businesses in finessing questionnaires on local shopping choices, and distributing shopper surveys at the town centre. The latter were mainly qualitative, and are indicated in Consultations below.

A selection of results from the householders' survey is shown below; full details are available on CD ROM from the Turramurra Library:

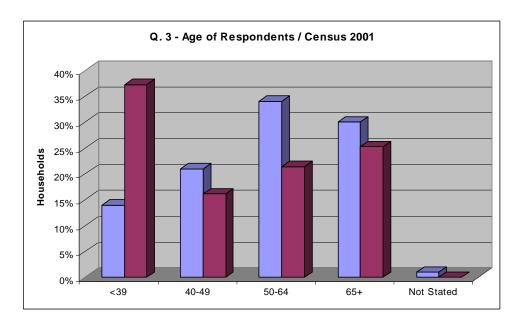
### **Demographics**

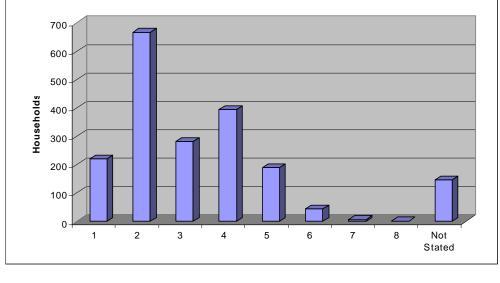


A notable number of people responding indicated they had lived in the area for 10 years or less, but a larger group responded that they had lived there over 20 years. Comparatively few respondents had lived in Turramurra/Warrawee for 11 to 20 years.



Trees and bushland setting was the reason identified by a notably large number of responses to the 2005 Household Survey question about why they chose to live in Turramurra/Warrawee. Following and notably less highly ranked reasons were *Open space and Recreation areas, Quality housing* and *Good Schools*.



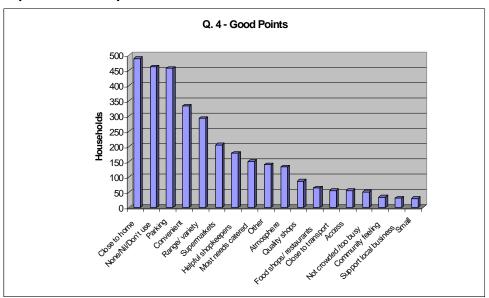


Q.3 - Persons in household

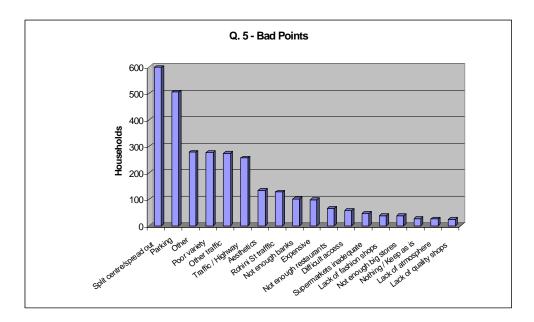
One measure of survey validity is comparison with most recent ABS Census data. While there was notable under-representation of persons below 39 years of age, and some over-representation of 50-64 year olds responding to the survey, this is not unexpected given that real estate prices in the area may mitigate against many householders, as survey respondents, being under age 39.

There were large numbers of two-person households responding to the survey; the next highest were 4 person households. This may reflect a large number of older, *empty nest* households. Similarly there is a notable number of households with 4, 3 and 5 persons, indicating younger families in the area.

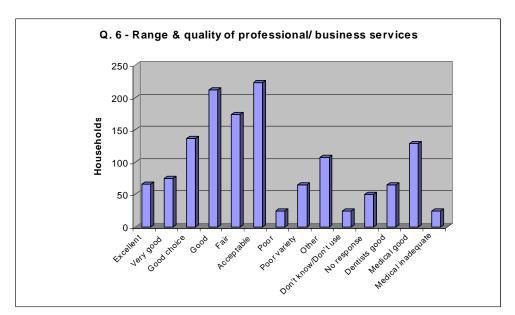
### **Opinion on Shops & Businesses**

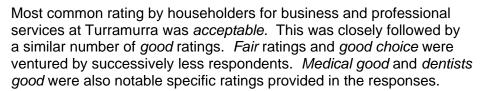


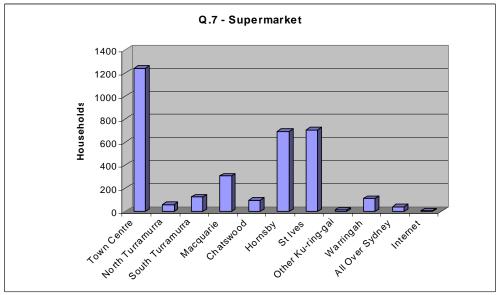
Asked to identify 2 good points about shopping in Turramurra, the largest group of respondents suggested proximity to home was good. There was a very notable level of *don't know / nil / don't use* responses. *Parking* rated highly as being good there. Less highly noted were *convenient* and *range/variety* of goods for sale.



The most noted bad point about the Turramurra town centre, reported by householders, was that that it is a *split centre/ spread out. Parking* was second highest as a bad point. Notably less were *poor variety* of shops/merchandise, general problems with *traffic* in the town centre, and issues of *traffic and highway* access.

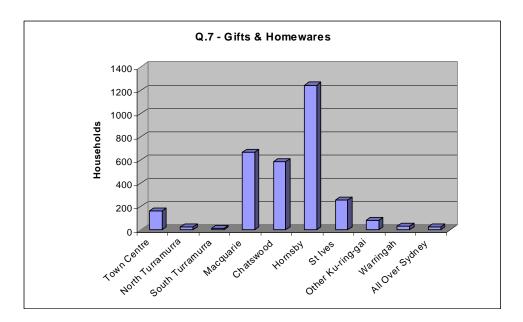






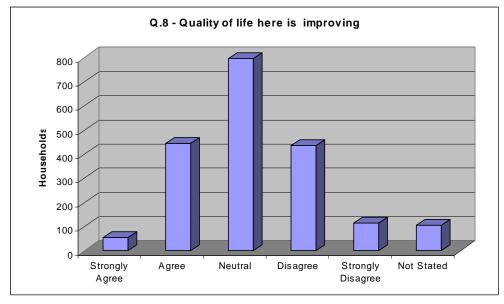
### **Shopping Location Choices**

The very large majority of those responding indicated that Turramurra town centre was their choice for supermarket shopping. Hornsby and St Ives were equal second in ranking, but each with only half the level of responses indicated for Turramurra town centre. Butchers, Fruit and Vegetable, Hairdressing, Banks, Post Office, Chemist, Fish/Takeaway, Restaurants, Liquor Shop, Video/DVD Hire, Garden Supplies, followed generally similar patterns of location choices.



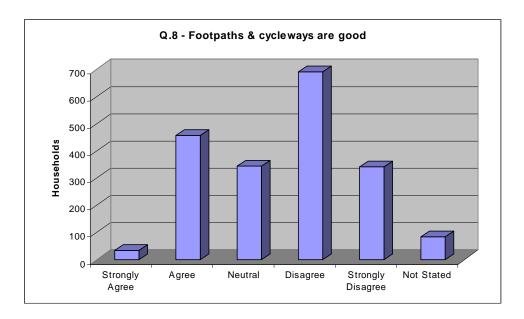
Gifts and homewares shopping location choices were at larger centres; Hornsby predominated, with Macquarie and St Ives ranking next, each at around half the level of support of Hornsby. Turramurra town centre was very low in destination choice expressed by local householders for these purchases. This pattern of location choice was also apparent for Clothing, Music Shop, Furniture/White-goods and Carpet/Floor Covering.

A more mixed pattern was apparent for Travel Agent, Hardware, and many professional services.

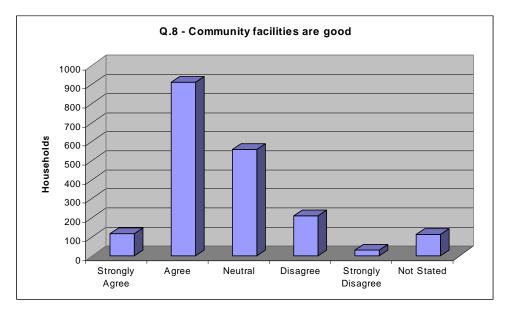


### **Opinion about Turramurra**

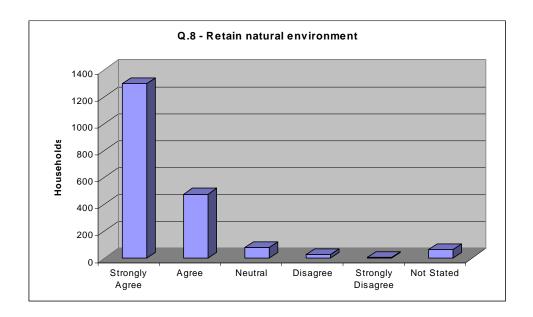
There were equal levels of agree and disagree by
Turramurra/Warrawee households to the proposition that the quality of
life here is improving. The largest level of support was for a neutral
response, with overall disagreement just slightly ahead of overall
agreement. Similar divided agreement/disagreement was apparent to
the suggestion Shops & Professional Services in Turramurra meet all
our Household needs.

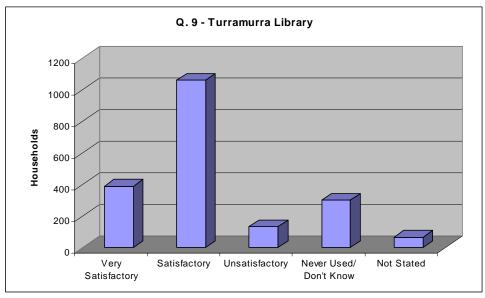


There was a notably higher level of disagreement (and strong disagreement) than agreement to this proposition.



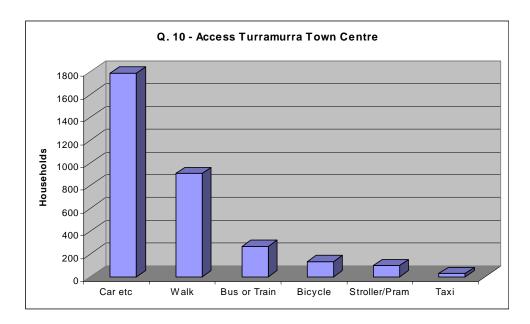
There was a high level of agreement to the concept that local community facilities are good in Turramurra/Warrawee; this general pattern was repeated in agreement to sports facilities are sufficient, and access to local parks is satisfactory, parks have sufficient facilities, and to a lesser extent older persons' housing is adequate, streets are safe after dark, and access to public transport is satisfactory.



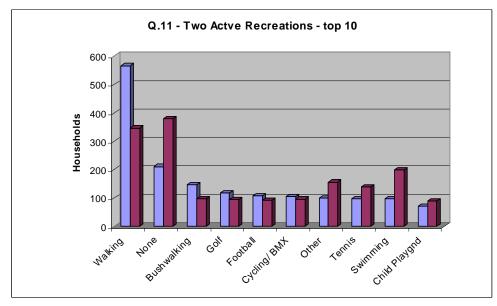


There were very high levels of agreement to the suggestion of Retaining the Natural Environment. Even higher levels of agreement were apparent to Enhancing Bushland Reserves, and that Medium Density here is Sufficient. Lower but notable levels of support were apparent to the suggestion that Pedestrian and bicycle access to Turramurra should be improved.

Turramurra Library was regarded with high levels of satisfaction by a large number of local householders. By contrast, the other facilities surveyed – the Community Support Activity Centre and Turramurra Senior's Centre, indicated very high levels of *Never used/don't know*.

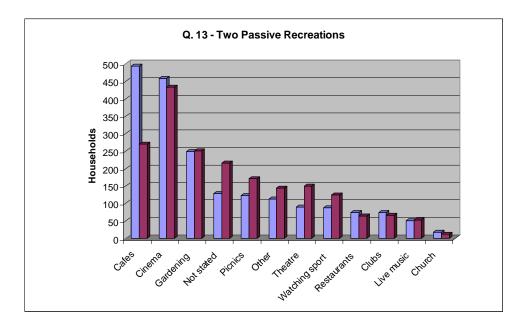


As expected there were very high levels of car use to access the Turramurra town centre. Of particular interest, was the notable level of walking access reported by households responding to the survey. Some 50 households reported accessing the centre on a weekly basis, whilst another 750 used the centre on a daily basis.

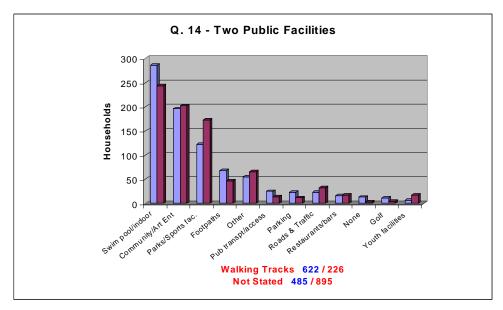


### **Sport & Recreation Choices**

Walking was nominated by the largest number of householders as their choice of active recreation. Notably this was followed by None, then with much lower numbers Bushwalking and Golf. Tennis and swimming had lower levels of first than second choices expressed.

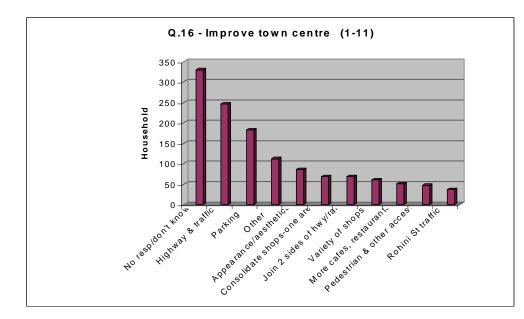


Passive recreations reflected high levels of use of cafes and cinemas. Of interest, are the overall higher levels of use of cinemas reported by householders, compared to cafes, although cafes is a higher first choice. Cinemas use may reflect a choice by numbers of families, and possibly numbers of older single persons.



Consistent with the high levels of walking as an active recreation reported at Question 11, Walking Tracks as a first preference were nominated by the largest group on what facilities [they] would like to have more of, or have improved in Ku-ring-gai. Not stated was next, at around 80% of the numbers for Walking Tracks, then Swimming pool/indoor with slightly less than half the level of support for Walking Tracks Second preferences, notably, reported the highest levels of not stated.

In a similar vein, there were very high levels of *don't know (700)*, and *not stated (450)*, in householders' responses to naming local community events or festivals they attended in the last 12 months.



Some of the most comprehensive, qualitative responses were given by residents to this question. Some of these comments are set out in point form below at *Issues Identified*. In summary, whilst the largest numbers made no specific response to this question, the following areas of *highway and traffic*, *parking*, *appearance/aesthetics*, *consolidate shops*, *join 2 sides of Highway/Railway*, each reinforce much of the responses given earlier in the survey.

#### 2.3 Initial consultations

Consultations were held with representatives of the following organisations who kindly expressed interest and opinion on Turramurra town centre:

- Knox College Student Representative Council
- North Turramurra Action Group
- Kissing Point Progress Association

- Kissing Point Sports Club
- Turramurra Chamber of Commerce
- St Margaret's Retirement Village
- Northaven Retirement Village
- Rohini Retirement Village

Questions were kept open to seek the widest possible array of input, and consultations were kept balanced and inclusive so that all participants had opportunity to individually respond to each issue.

#### 2.4 Issues identified

**Turramurra household survey** provided a rich source of quantitative and qualitative material. Issues of note and typical comments were:

## Highway & Traffic issues –

- 'Re-route heavy traffic and lower speed on highway'
- 'Think-tank on traffic problems'
- 'Reduce traffic congestion'
- 'Fix traffic so it flows better'

## Parking –

- 'Better parking for shoppers and commuters'
- Better short and long term parking'
- 'Add a multi-storey car park for commuters'
- 'Connect parking better to shops'

# Appearance & Aesthetics –

- 'Beautify area and update'
- 'Keep a higher standard of streetscape better architecture'
- 'Make it look cleaner / improve cleanliness in all areas'
- 'Modernise and clean area'

#### Consolidate into one area –

'Solve separation of areas of shops across highway/rail problem'

- 'Don't go often because its too spread out'
- 'Amalgamate the three centres'
- 'Try to make shops more together'
- Join across highway & rail -
  - 'Overpass to connect shops'
  - 'Covered walkway to connect shops'
  - 'Over/underpass to unify centre'
  - 'Access over railway'

# Shopper survey typical responses included -

- "divided shopping areas";
- "noise of traffic";
- "restaurants/cafes limited"
- parking and traffic problems frequently mentioned;
- "more fashion stores needed":
- "village atmosphere needed";
- "modernise shopping area";
- "poorly maintained shop fronts"
- "highway dissecting shopping areas".

Complementary consultations produced the following indicative issues for Turramurra town centre planning:

# Youth responses - included

- concerns that Turramurra was "old and tired ...not like Chatswood";
- "it needs more restaurants, a surf shop and gymnasium"
- "not convenient, parking and access are poor"
- "good centre with close parking off highway for little strip shops";
- "food and fast food would be good for young and retirement village people".

Retirement village residents – included responses such as a

- "Double Bay solution turn the Highway shops around";
- "look at repairs to footpaths and a new seat near Thai restaurant":
- "Banks have reduced from 5 to 3 now";
- "Ku-ring-gai art society should look at something like Mosman Gallery here";
- "Senior Citizens Centre should include a men's shed like Lane Cove".

# Resident groups - suggested

- better access to Coles,
- Rohini Street traffic problems,
- "going to Franklins is easy",
- "geographically dispersed"
- "MainStreet plans show rail bridge underpass options",
- problems with access across the Highway, and
- colour scheme needed for town centre plants,
- "centre is divided by highway & railway",
- "redesign Kissing Point Road to work with Ray Street",
- "Supermarket car parks are sloping and unfriendly for people with children".

#### Business-owners -

- "need for more parking like Gordon";
- "we are divided into three parts";
- "We are not an attractive village like Wahroonga for business",
- "limited shopping range Coles is a magnet",
- "north Turramurra people shop at St Ives, central Turramurra people shop locally and south Turramurra people shop at south Turramurra";
- "Village style include a Town Square";
- "Needs a facelift":
- "Turramurra needs a strategy not bandaid solutions";
- "Don't ruin it with redevelopment try to keep character".

The full notes from each of the initial consultations are in Appendix C – H.

#### 3.0 VISION WORKSHOP & SURVEY

A workshop was convened in central Turramurra on Thursday 5 May 2005. It included 50 Turramurra & Warrawee householders who had volunteered their availability to attend consultations when they completed the above resident survey. These householders were invited as a sample to range across age, time lived in the locality and gender, so as to provide a broad array of contributions to the workshop. (Collectively, those attending had some 1000 years of experience of life in Turramurra!) The workshop commenced with each person giving a brief perspective on an important point about Turramurra town centre, discussing features of a vision, then working in small groups with a member of Council's planning staff to document key elements of a Vision for Turramurra. A summary of the outcomes and evaluation of the outcomes is in Appendix I.

Each of the themes identified in the Vision workshop were used to build a sentence or phrase to describe the desired outcome. A survey of their opinion about the distilled results from the above workshop was then emailed to the 50 above participants, plus another 150 householders who had provided their email address for such purpose. Responses were sought within 7 days and some 75 out of a possible 200 were received.

#### 3.1 Vision outcomes

The Vision survey responses from 75 Turramurra/Warrawee householders gave very strong support (over 60 out of a possible 75) to each of the vision elements proposed:

# • Village focus

Turramurra centre will have a strong village atmosphere with a focus on people rather than cars. A new centrally located village square, surrounded by cafes and shops, will provide a meeting place for the community.

#### Shopping mix

The centre will offer a mix of uses including shop-top housing, offices, open space, shops, cafes and restaurants to encourage viability and night time vitality. The centre will also offer a comprehensive range of community services including a library and youth facilities, plus health services and facilities for aged persons, children and youth.

# Redevelopment themes

Turramurra centre will redevelop with shops and housing predominantly facing new pedestrian spaces on the northern side of the centre, while minimising exposure to the highway. Heritage items and significant buildings will be protected and re-used. New development will be setback along the Pacific Highway frontage to allow for the widening of the road.

#### Town centre access

Pedestrian and cycle routes in the centre will provide strong connections between the main shopping areas, to minimise the impediments of the highway and railway. The bus interchange and Turramurra Station will be upgraded to operate efficiently, be user-friendly and accessible to all.

# • Traffic & parking

The local road network will have improved traffic flows and reduced delays, and where possible Council's car parks will be relocated underground to provide more public space and greater pedestrian amenity within the town centre.

## 3.2 Surveys and consultations evaluation

Evaluations of the surveys and consultations have been kept informal in order to allow planning issues to take priority. The high level of stakeholder participation in the process indicates a keen interest in its inclusive, open methods. No notable level of criticism has been apparent, with many people noting positively about being kept informed and involved in a very complex, but equally important, planning process. Many said it was a once in a lifetime opportunity to get it right for Turramurra. Others said that without planning, Turramurra would continue to die, with empty shops and uninviting spaces.

# **Chronology of Surveys & Consultations**

Turramurra Chamber of Commerce - Executive December 2004/ January 2005

Turramurra Household Survey

1 February 2005

Rohini Retirement Village

18 February 2005

Northaven & St Margaret's Retirement Villages

18 February 2005

Turramurra Chamber of Commerce

7 & 14 March 2005

Pymble Ladies' College - survey

10 March 2005

North Turramurra Action Group

13 March 2005

Knox College Student Representative Council

7 April 2005

Kissing Point Sports Club

27 April 2005

Residents' Vision Workshop

5 May 2005

**Kissing Point Progress Association** 

31 May 2005

Turramurra Business Consultation

6 June 2005

Turramurra Vision Survey

24 June 2005

Mail out of The Turramurra News 8000 - postcode 2074 August 2005

Turramurra Web-site Options Display and on-line Survey August/ September 2005

Turramurra Library Options Display and Survey August/ September 2005

Turramurra Commercial Owners' Options Workshop 10 August 2005

Turramurra Residents & Business Options Workshop 10 August 2005

Coles Turramurra - Options Display & Survey 20 August 2005

Franklins Turramurra - Options Display & Survey

20 August 2005

Cameron Pk Turramurra - Options Display & Survey

24 August 2005

Meal on Wheels Centre Turramurra - Options Display & Survey 28 August 2005

Turramurra Residents Options Workshop

15 September 2005

Turramurra Uniting Church Council consultation

17 November 2005

Turramurra Chamber of Commerce Options Presentation

21 November 2005

#### 4.0 PLANNING PRINCIPLES

The planning principles for Turramurra have been developed from information gained from a series of workshops involving staff, Councillors and consultants. Information gained from preliminary consultation has also assisted with the development of planning principles.

# 4.1 COUNCILLOR ISSUES CONFERENCE – SUMMARY OF OUTCOMES

A Councillor Issues Conference identified the following set of key issues to be considered.

# **Natural Environment – Landscape Character**

- The landscape character of the centre is characterised by greenness and a large number of trees. This is an important community value.
- Railway gardens should be open to the public. Also consider the importance of the views to the garden from the station.
- Storm water flowing off the Franklins site is largely untreated. It is common to see washing-off of vehicles and the water goes straight into the adjoining creek and reserve
- Landscape trees and landscape works in Rohini Street around the pedestrian crossing are relatively new and liked by the community and should be kept
- The Pot Shop on the corner of the Pacific Highway and Rohini Street is highly visible
- How to reinforce and strengthen bio-linkages? Utilise council policies regarding tree replenishment. Also utilise conditions of consent
- Most trees on the east side of Turramurra are within the public domain (including streets) and public spaces. This is very different to St Ives.
- Turramurra Village Park on the highway is a waste of space and would consider relocating it.

#### **Circulation and Traffic**

- Turramurra has lots of laneways. These are part of the character of the town centre. However many are very narrow and poorly lit.
- Consider option of using Hill View to locate a cycleway from the town centre to Kissing Point Road.
- Do not agree with splitting bus stop into two keep it on one side. Bus companies agree.
- Buses need to be improved. Currently the service is so slow along Rohini Street that people get off the train and walk across the highway to catch bus as it is quicker than catching it from Rohini Street.
- Turramurra Avenue will have a lot of 5 storey apartment development which will lead to a lot of traffic on Turramurra Avenue.
- Consider option of closing Rohini Street to make a plaza. This
  area is aesthetically the best in the Local Government Area.
- Do not want Rohini Street redeveloped.
- Investigate walkway under railway to link cycleway.

## **Public Spaces**

- What do we do with the public toilets?
- Consultation with residents has shown a need for a town square that is attractive and useable. Turramurra needs a heart.
- Prefer one decent town square on the east side rather than a number spread around if there is a need to make choice.
- Cameron Park has a poor street address, safety issues, is not well used as it largely fenced off. It has very good mature trees
- Turramurra Village Park on the highway is problematic and not well used
- Look at all the open space in terms of location and configuration
   keep an open mind.

#### **Residential and Retail Development**

- There is a lack of interest in shopping in Turramurra. The
  planning studies for the 6 town centres is an opportunity to
  balance and improve all centres so that local residents shop in
  their local centre and reduce the need to travel.
- Have we included extra demand created in Wahroonga?
- Have we looked at all other local centres including the smaller neighbourhood centres?

## **Community Facilities**

- The HACC facility is relatively new and demolishing it would be seen as a waste by the community and would not be supported.
- Library does need to be bigger.
- Library could be moved somewhere else. If the library was located on the Franklins site it would be a better neighbour to the Turramurra Forest. Alternatively over near the HACC facility.
- Coles and library together works well.
- Additional 1700sqm of facilities required?

#### **OPPORTUNITIES**

# **What are Important Characteristics of Turramurra Centre**

- The landscape character of the centre is characterised by greenness and a large number of trees. This is an important community value.
- Turramurra has lots of laneways. These are part of the character of the town centre.
- Rohini Street is aesthetically the best in the Local Government Area.
- The HACC facility is relatively new and demolishing it would be seen as a waste by the community and would not be supported.

# Retail/commercial - Consolidate or Spread

- Investigate what slack is currently available in the commercial zones. Have all areas zoned for retail been taken up?
- Explore option of removing the retail area (zone 3) on the southern side of the highway
- Provide option which retains Zone 3 as a retail precinct which serves south Turramurra
- Investigate opportunity for large commercial uses related to education.

## **Transport and Links**

- Investigate traffic travelling from St Ives. Avoid through traffic in the town centre and minimise rat runs.
- Minimise through traffic moving north and south.

#### **Residential Development**

- The west side has good views to the south
- The east side of Turramurra is flatter and less visible so is more suited to taller buildings than the west side which is on a ridge and is highly visible from the south
- Have we any figures for future population of Turramurra based on current zonings?
- Opportunity for RTA corridor adjoining Hill View for park land and community facilities.

# **Future Character**

- Turning shops back away from the highway facing Gilroy Lane on the east side of the railway.
- Widening of the highway so that there is no tidal flow.
- Retain small shop character
- Improve linkages to the north and south consider a road bridge over rail from Rohini Street to Ray Street.
- The least attractive parts of Turramurra are the areas facing the highway. It is preferable to let these areas change and be improved and protect some of the attractive areas such as Rohini Street.

 Fine grain retail – not a Target not larger shops on street frontages

#### Vision

The plan should reflect a BALANCE between other centres. The planning studies for the 6 town centres is an opportunity to balance and improve all centres so that local residents shop in their local centre and reduce the need to travel. Increases in retail space in Turramurra should be to service the local residents' needs only.

#### 4.2 SUMMARY OF ISSUES - STAFF AND CONSULTANTS

A number of specialist consultants were engaged to evaluate traffic and transport issues, retail and economic factors. The following is a summary of the key issues, opportunities and constraints identified by the consultants and staff in their issues papers.

# 1. Community perspective

The findings of the Turramurra resident's survey indicate the following are key issues:

- Split centre is a clear bad point with 600 people voting
- Parking second bad point but was also later a good point
- In terms of shopping Turramurra has a much closer link to St Ives and Hornsby for bigger items. Most people shop in the town centre for day to day needs
- A large number of people answered don't know or not stated for the question about events attended in Turramurra. This reflects a lack of a sense community and a lack of a place or event to bring people together.

# Summary:

- Turramurra is obviously different to St Ives
- Appears to be a more passive demographic
- Large % of people did not know or did not state how to improve the town centre.

- A large % of people keen to see change. A certain number said to start again ie. rebuild
- Main issues:
  - Difficulties of a divided town centre
  - Traffic and parking
  - The need to turn the shops around

# 2. Urban Design Analysis

The following are the key urban design issues:

- historical development from farms and forestry to residential subdivision
- pedestrian and cycle access in the centre is generally poor with major barriers of rail and highway
- Turramurra located on the ridge west side very steep and
- East side flat which effects the development capability of the areas and the impacts on drainage
- Turramurra has good local views to the north and panoramic views to the south
- zoning
- lack of open space in or near the centre
- built form is generally poor in the commercial areas with a few good quality buildings and heritage items

#### 3. Landscape analysis

The key landscape characteristics:

- Different landscape character on the eastern and western side of the highway
- East side earlier development and reflects the garden suburb character with few remnant trees
- West side very steep and retains tall and heavy canopy cover of remnant trees with gardens underneath
- Recommends enhancing different characters
- Gardens on the east side conflict with idea of bio-linkages
- General lack of street trees within the commercial area

#### 4. Traffic analysis

The key traffic issues are:

- Generally good levels of flow/level of service on the Pacific Highway for through traffic.
- Updated modelling shows long delays and poor levels of service at the Ray Street/Pacific Highway intersection and Rohini Street/Pacific Highway intersection.
- Very limited off-street commuter parking. A total of 80 unrestricted spaces of which 35 are City Rail. Lack of commuter parking means that cars are parked on local streets with 100% occupancy by 8am.
- Plenty of off street parking for shoppers with peak occupancy about 70%.
- No on-road bicycle lanes and poor bicycle parking.

#### Summary

- There is currently capacity within the road network
- Adequate parking for shoppers
- Lack of off-street unrestricted commuter parking. However funding difficult

# 5. Retail/economic analysis

The retail context for Turramurra centre is based on the retail hierarchy for Ku-ring-gai LGA:

- Regional centres 80,000sqm retail including one department store, two discount department store and 3 supermarkets, cinemas and 200+ speciality retail. Also includes banks and Medicare etc. These area Hornsby and Chatswood
- Sub-regional centre 40,000-80,000sqm retail. Ku-ring-gai does not have one of these
- District 20-40,000sqm retail eg St Ives
- Neighbourhood
- Local centres

#### Summary

- 5sqm of retail space per household typical however in Turramurra this is 6.2sqm due to higher income levels
- Ku-ring-gai LGA currently has no DDS at all
- Turramurra and Lindfield similar scale with 10-15,000sqm retail equivalent to neighbourhood centre
- \$100m approx expenditure in Turramurra. Food and grocery retailers (supermarkets and specialty food retailers) are averaging \$8,000/sqm
- Centre has about 4-5 vacant shops which is OK (20% vacancy implies trouble)
- Franklins is in a very good location capturing shoppers from south Turramurra
- Approx. 3,200sqm extra retail required with LEP 194 + 1,000sqm non-retail + extra for Residential Development Strategy (RDS) Stage 2 development

#### 6. Open space analysis

Key open space considerations are:

- A lot of open space within close proximity.
- Potential for improving pedestrian and cycle linkages to Sheldon Forest and Karuah Park.
- Need community gardens where older people can be involved ideally linked to aged care – Queens Park is a good option however topography is a major barrier for aged and others.
- Youth play facilities are lacking in the area.

# 7. Community services and facilities

Summary of the existing community facilities and required improvements:

- Existing library is 700sqm consultants recommending 1500sqm is required.
- Current library site is good as it is close to shops, parking, transport and it has a street frontage.
- Library could relocate but requires same criteria

- Hornsby and Ku-ring-gai support services target older people to help them stay in their home.
- Anticipated additional demand in the future. 727sqm is the existing area 2200sqm required to meet current and future demand
- Home and Community Care includes Easy Care Gardening, Community Transport, Senior's Centre, Meals on Wheels, Volunteers Service and a dining room off Gilroy Lane.
- A lot of work is car based and parking and garaging (for buses) could be triple the size.
- Most of the HACC facilities are converted houses + a small purpose built hall (built at a cost of \$550,000). If in the past there was more money Council would have knocked everything down and started again.
- Turramurra is the ideal location for the HACC facility as it is close to Hornsby. Co-location of facilities is important and provides many benefits to services and clients.
- Turramurra is a major bus interchange as a result there is a lot of kids hanging around in the afternoon. There is a need for youth activities centre with internet and video games.
- Life Start at Cameron Park ideally located next to the park however demand is growing and they have outgrown their current facility.
- In the current S94 plan Council is currently levying developers for \$3.5m to build a new long day care centre somewhere in the LGA.
- Ku-ring-gai's ageing population will result in increasing demand for home support services to assist older residents to stay in their homes longer. A further increase in population will place further strain on existing services.
- There is a desperate need for additional administrative office space and storage space for services catering for the needs of frail older people and people with disabilities.
- Hill View is owned by the Dept of Health offers a range of specialist services. They are not necessarily committed to staying in Hill View due to maintenance costs and heritage restrictions.

- Council has funding available for youth facility upgrade in St Ives or Gordon
- Council funding also available for senior's facility upgrade.
- Council has discussed the potential for combined State government and Council health and community related facilities in one new building in Turramurra (location not determined).
- Consider \$\$ for public art in new Section 94 Plan.

#### 4.3 DESIGN PRINCIPLES

The design principles for the centre are set out below. These principles have been developed in response to a range of parameters which have been discussed above in this report. In summary these are:

- The community aspirations identified through stakeholder consultation;
- The community vision
- Councillors issues and opportunities
- issues, constraints and opportunities identified by Council staff and consultants

## **Turramurra Centre Planning Principles**

- Create a pedestrian oriented centre calm traffic reduce area of surface car parking
- 2. Planning will minimize the inconvenience of 3 separate retail centres
- Increase retail by 4000sqm to cater for existing and new residents under current LEP 194 zoning
- 4. Provide additional retail to cater for RDS stage 2 residents at an appropriate rate per person
- 5. Improve traffic circulation in the area
- 6. Create new opportunities for open space in and around the town centre
- 7. Provide two new public spaces on the eastern and western sides of the town centre either side of the railway
- 8. New public spaces should be largely green with trees to respond to garden character of the area
- 9. Provide a strong pedestrian link between the two public spaces via improved and widened pedestrian bridge over railway
- 10. Provide other incidental places within the centre for people to sit and eat, relax and rest.
- 11. Provide improved community facilities in a centralised location
- 12. Retain and extend the tall tree character on the western side of the town centre
- 13. Retain items of heritage significance and other significant buildings
- 14. Buildings heights adjoining public spaces to be lower generally stepping up in height adjoining the highway and railway to minimise overshadowing and overlooking impacts
- 15. Retain and upgrade existing bus interchange.
- 16. Provide building setbacks along the highway frontage to allow for widening of the highway and for wider pedestrian footpaths.
- 17. Improve Rohini Street amenity and safety by reducing traffic flows and expanding and upgrading the public domain.
- 18. Retain Cameron Park.

- 19. Investigate opportunities for reconfiguring roadways to improve pedestrian access and traffic flows including a new through link between Eastern Road and Turramurra Road to take through traffic out of the town centre.
- 20. Investigate realignment of William Street with Kissing Point Road to improve linkages across the highway

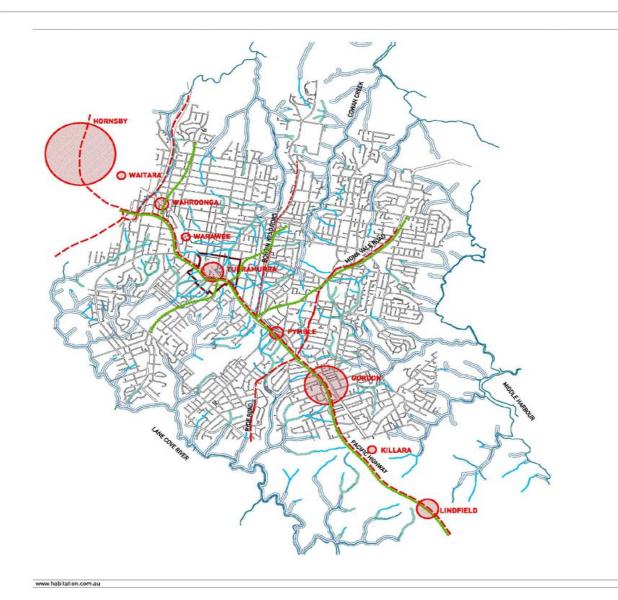
#### 5.0 ANALYSIS

Site analysis is this first component of the urban design process. The purpose of analysis is to understand the constraints that may inhibit development, as well as to highlight the positive aspects of the site that may be incorporated into the concept plans. The analysis also sets out clearly the assumptions on which the design of the concept plans will be based.

In analysing the existing site conditions particular emphasis was given to key issues such as the physical context, urban structure, public domain and built form topography and street layout, entry points, traffic, transport and parking, building types and siting characteristics, and historical context. Growth potential and demand, public open space, macro (national, state, regional) issues, micro (local) issues, community structure and expectations, topographic characteristics, environmental goals, land use and development expectations and regulatory systems are all taken into account.

The following drawings are presented for the study area:

- regional context
- zoning plan
- regional context
- topography and outlook
- water courses
- historical development
- figure ground plan current
- current items of heritage significance
- land ownership
- public space
- vegetation systems
- significant vegetation
- street tree analysis
- access and circulation
- pedestrian access



43 Robertson Road Centennial Park NSW 2021 <sup>□</sup> 02 9662 8619 F 02 8211 5216 E studio@habitation.com.au

#### habitation

#### LEGEND

- HIGHWAY / MAIN ROAD ----- RIDGE LINE

TURRAMURRA IS A LARGE NEIGHBORHOOD CENTRE LOCATED IN THE UPPER NORTH SHORE AREA. IT IS LOCATED APPROXIMATELY MID WAY BETWEEN THE DISTRICT CENTRE OF GORDON AND THE REGIONAL CENTRE OF HORNSY.

TURRAMURRA IS SITE ON THE RIDGE LINE THAT SEPARATES THE LANE COVE RIVER - FLOWING TO THE HAWKESBURY RIVER - FROM COWAN CREEK - THAT FLOWS TO SYDNEY HARBOUR. TURRAMURRA IS SEPARATED FROM THE UPPER REACHES OF MIDDLE HARBOUR BY THE RIDGE THAT ALIONS WITH BOOBIN HEAD ROAD

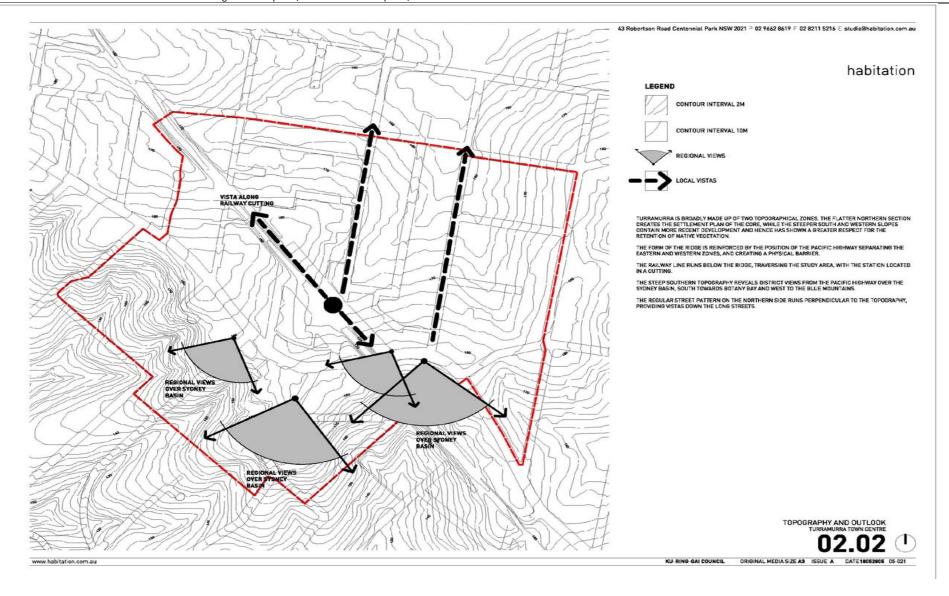
AS A BUSINESS CENTRE MUCH OF THE TRADE IS GENERATED BY THE LOCAL RESIDENTS WHERE THE CENTRE IS REQUIRED TO SATISFY THEIR NEEDS FOR GROCERY SHOPPING, BANKING, ESSENTIAL ITEMS AND LIMITED ENTERTAINMENT ACTIVITIES. FOR THE CURRENT POPULATION THE SUPPLY OF RETAIL AND COMMERCIAL SPACE IS ABOUT RIGHT FOR ITS ROLE AS A NEIGHBORHOOD CENTRE. THIS IS EVIDENCED BY THE LOW VACANCY RATES. HOWEVER WITH AN INCREASE IN POPULATION THE CENTRE WILL NEED TO EXPAND.

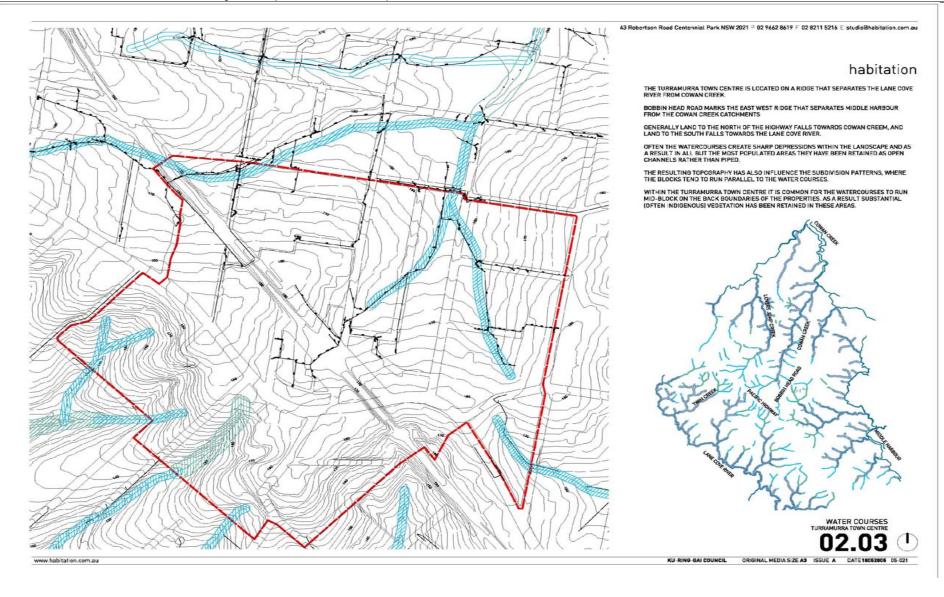
REGIONAL CONTEXT

KU-RING-GAI COUNCIL ORIGINAL MEDIA SIZE A3 ISSUE A DATE 18062006 05-021

43 Robertson Road Centennial Park NSW 2021 P 02 9662 8619 F 02 8211 5216 E studio@habitation.com.au habitation KARUAH OVAL BRENTWOOD STREET ST JAMES CHURCH GILROY ROAD KU-RING-GAI AVENUE NORTH SHORE RAILWAY LINE UNITING CHURCH TURRAMURRA STATION CARPARK COLES PACIFIC HIGHWAY NORTHHAVEN FRANKLINS BLUE GUM HIGH FOREST RESERVE KU-RING-GAI COUNCIL ORIGINAL MEDIA SIZE A3 ISSUE A DATE 1808 2005 05-021 www.habitation.com.au

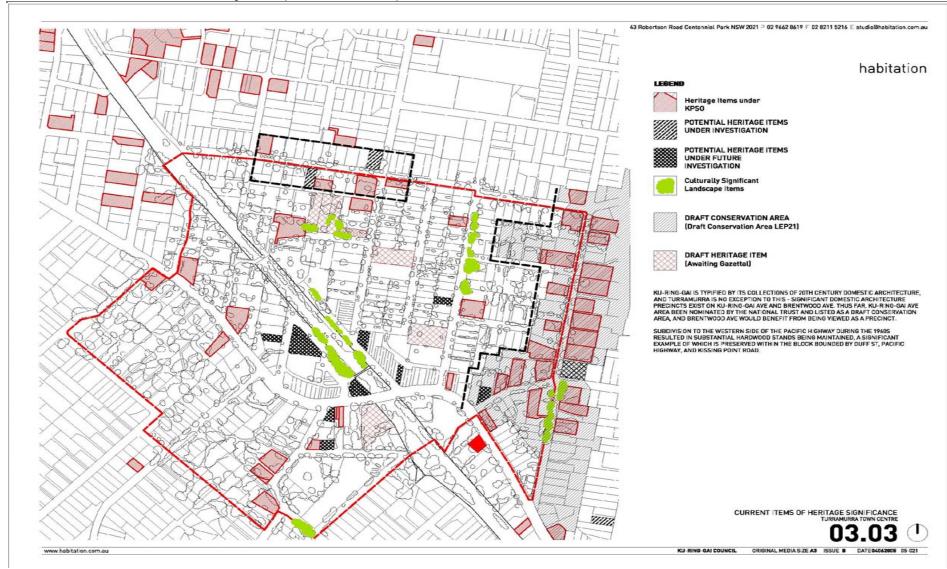
43 Robertson Road Centennial Park NSW 2021 → 02 9662 8619 F 02 8211 5216 E studio@habitation.com.au habitation LEGEND Special Uses 5(a) (Schools etc.) THE TURRAMURRA CENTRE AREA CONTAINS A VARIETY OF ZONES. THE DIFFERENT ZONES HAVE BEEN GRATED OVER A LONG PERIOD OF TIME. AS A RESULT THE ALONG PERIOD OF TIME. AS A RESULT GHANY INCOMPLETE OR CHANGED STRATEGIES. THIS CREATES TENSION AT THE BOUNDARIES OF THE ZONE RESULTING IN POOR PLANNING OUTCOMES. THE TURRAMURRA TOWN CENTRE STUDY HAS A MANDATE TO LOOK AT AREAS ZONED 3[A], 3[B], 2(D], 2(D3), AND 2(E). QUITE A LARGE PROPORTION OF THE STUDY AREA CONTAINS 2(C1) AND 2(C2) ZONED SITES. AS A RESULT POTENTIAL FOR IMPROVEMENT MAY BE CONSTRAINED TO THE CORE AREA IMMEDIATELY ADJACENT THE HIGHWAY. ZONING TURRAMURRA TOWN CENTRE KU-RING-GAI COUNCIL ORIGINAL MEDIA SIZE A3 ISSUE 9 DATE 04062006 05-021 www.habitation.com.au

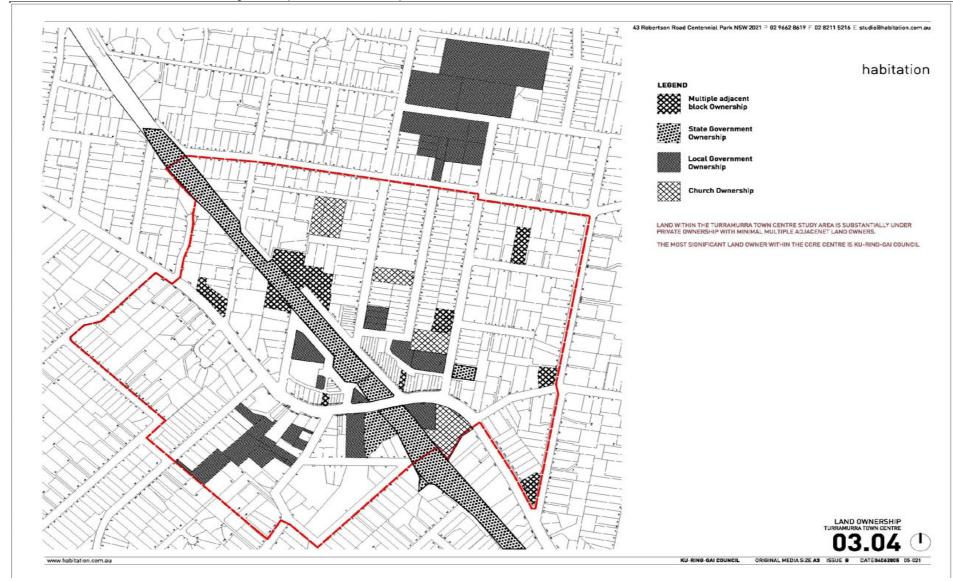


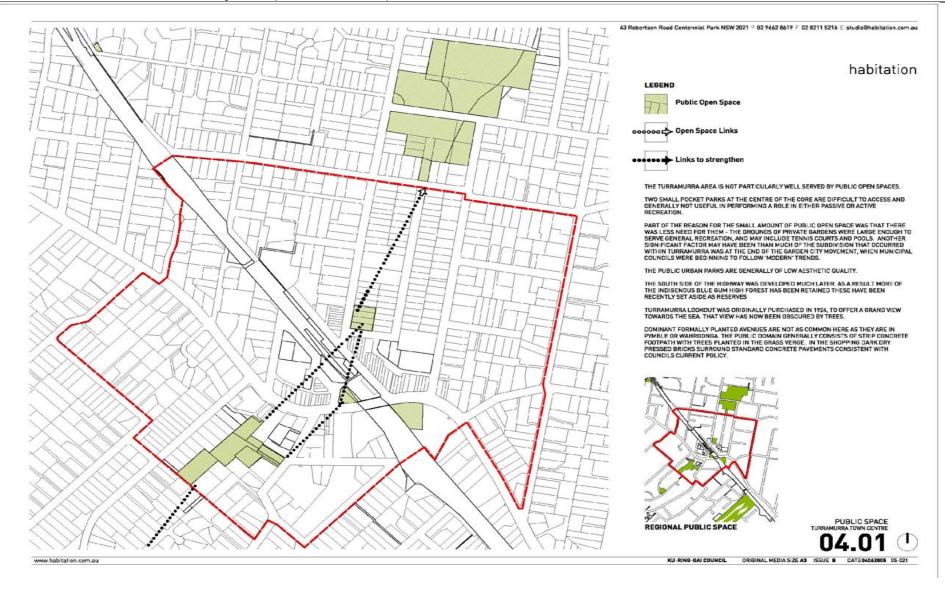


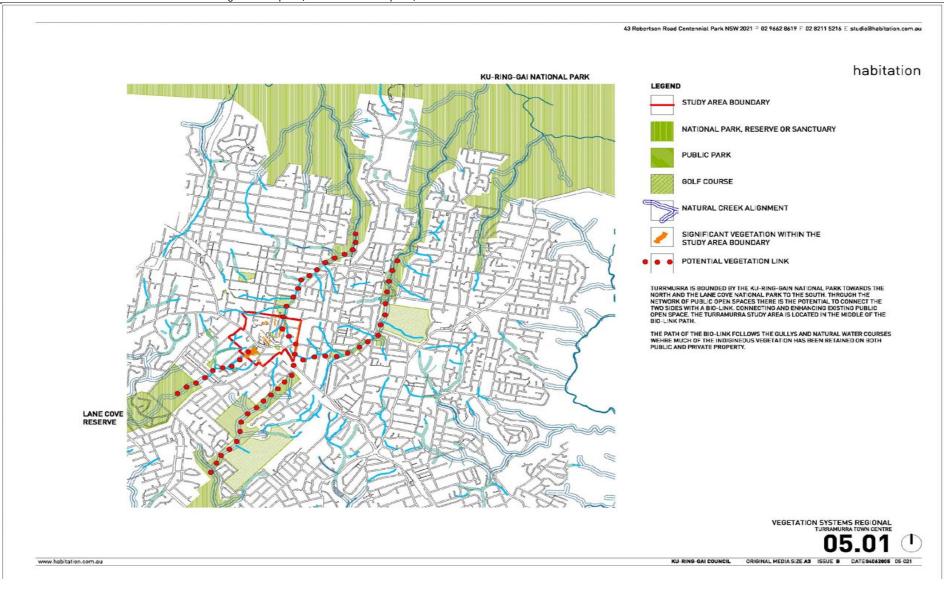


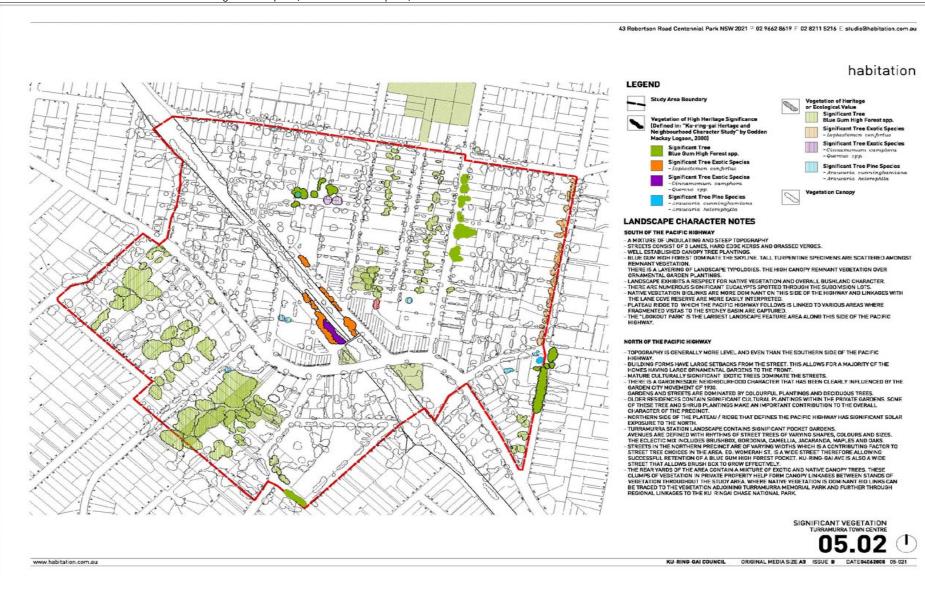


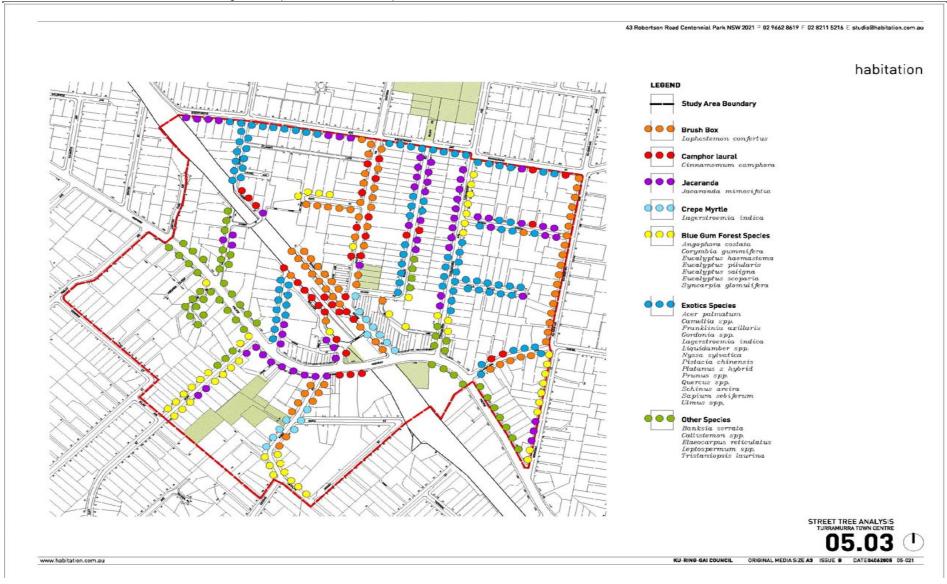


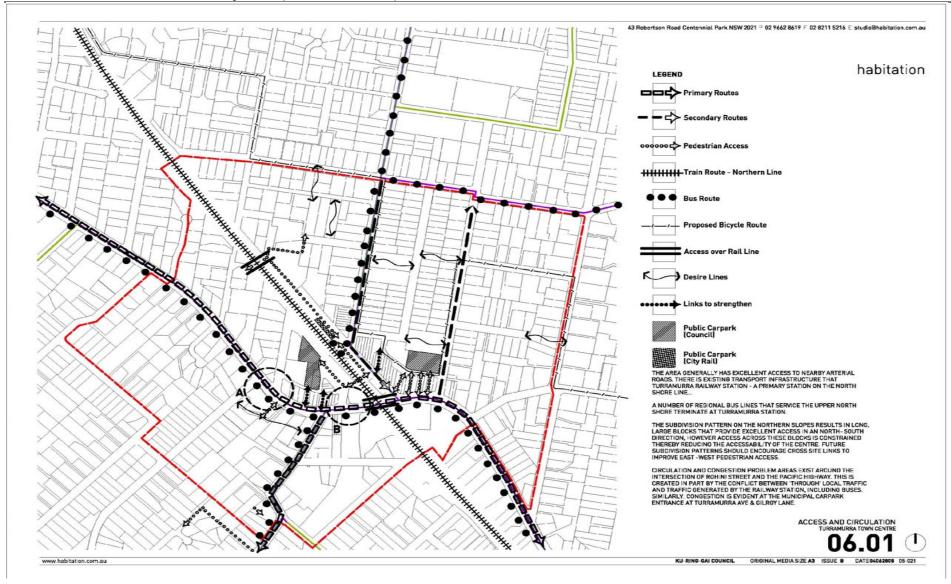


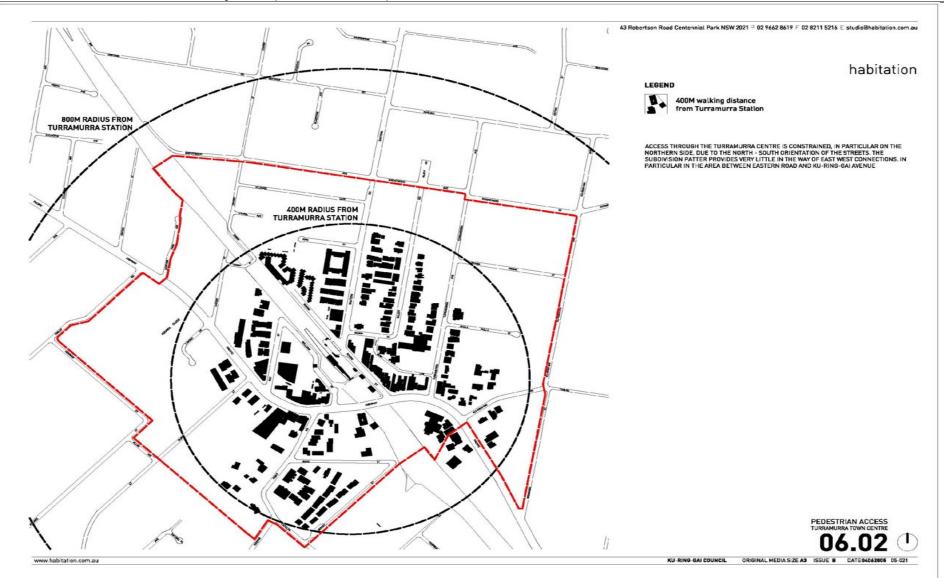












#### 6.0 OPPORTUNITIES

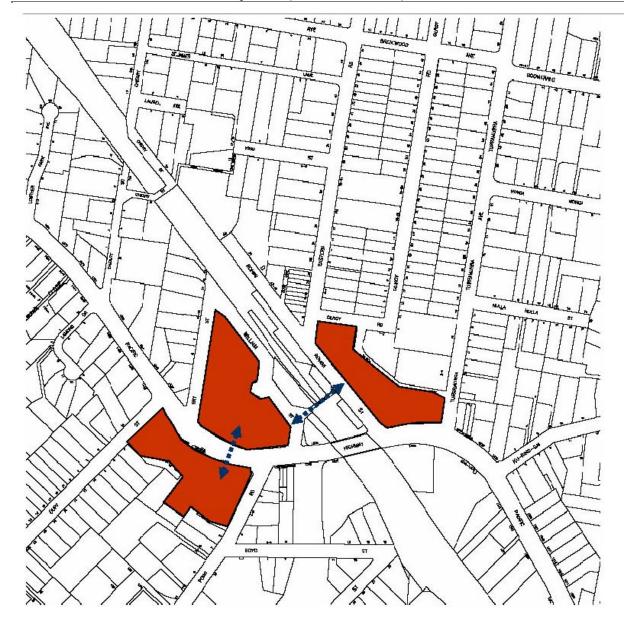
The opportunities for the town centre are important considerations that give an indication of the potential or positive aspects to balance the limiting factors, or issues, addressed above.

In analysing opportunities particular emphasis was placed on identifying potential for public benefit including new open space infrastructure improvements, new facilities among others particularly for public benefits and infrastructure improvements. The analyses have also looked at opportunities for new housing as required under the Minister's Direction.

The following diagrams explore the range of opportunities within the centre:

- Study area
- Retail opportunities (3)
- Urban structure
- Landscape urban spaces
- New residential opportunities (2)
- Community facilities opportunities (3)
- Traffic improvement opportunities (8)





EXISTING: THREE CENTRES POORLY LINKED

CURRENT DEMANDS REQUIRE ADDITIONAL 4000 SQM FLOOR SPACE.

ADDITIONAL DEVELOPMENT MAY REQUIRE AN ADDITIONAL 5000 SQM.

03
RETAIL
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



No. 1 THREE RETAIL CENTRES ENLARGE EXISTING CENTRES

STRENGTHEN LINK ACROSS RAILWAY

IMPROVE PEDESTRIAN LINK ACROSS RAILWAY

FRANKLINS SITE TREATED AS DETACHED CENTRE

AVOID BRIDGE OVERPASSES OR TUNNELS

04

RETAIL

OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



No 2: RETAIL TWO CENTRES ENLARGE EXISTING CENTRES STRENGTHEN LINK ACROSS RAILWAY

1 FULL LINE SUPERMARKET (3000 SQM) 1 DISCOUNT SUPERMARKET (1500 SQM)

INCREASE SPECIALTY STORES

INVESTIGATE SMALL INCREASE IN NORTH AND SOUTH TURRAMURRA CENTRES

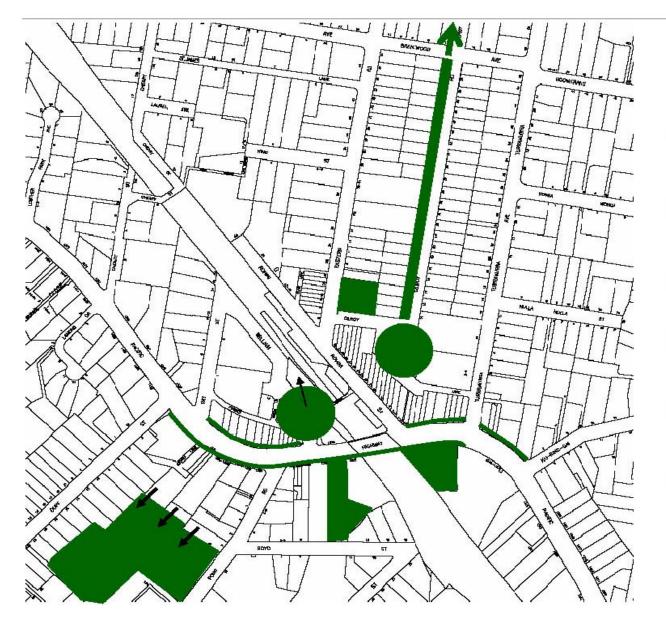
U5 RETAIL OPPORTUNITIES TURRAMURRA TOWN CENTRE 21062005



#### STRENGTHEN CONNECTIONS:

- FROM KISSING POINT ROAD TO RAILWAY
- FROM WILLIAM ST TO GILROY
- RAYST TO WILLIAM ST
- GILROY ST TO TURRAMURRA AVE
- BUSHLAND BEHIND FRANKLINS
- CREATION OF NEW PUBLIC SPACES AT INTERSECTION OF CONNECTIONS
- MID BLOCK LINKAGES

06
URBAN STRUCTURE
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



LANDSCAPE ELEMENTS
DEVELOPMENT AROUND NEW
CONNECTIONS

NEW URBAN SQUARES AT THE INTERSECTION OF NEW CONNECTIONS

BETTER ACCESS TO CAMERON PARK

BETTER ACCESS TO BUSHLAND BEHIND FRANKLINS

WIDER FOOTPATHS TO HIGHWAY (INC TREE PLANTING)

WIDER FOOTPATH TO GILROY TO CREATE LINK TO KARAUH / MEMORIAL PARK

> 07 BAN SPACES

LANDSCAPE - URBAN SPACES
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



TRANSITIONAL ZONE



URBAN CORE

No. 1
TRANSITIONAL ZONE TO 2(D3)
AND RESIDENTIAL AREAS
IE. PREDOMINANTLY
RESIDENTIAL BUILDINGS
WITH LANDSCAPED

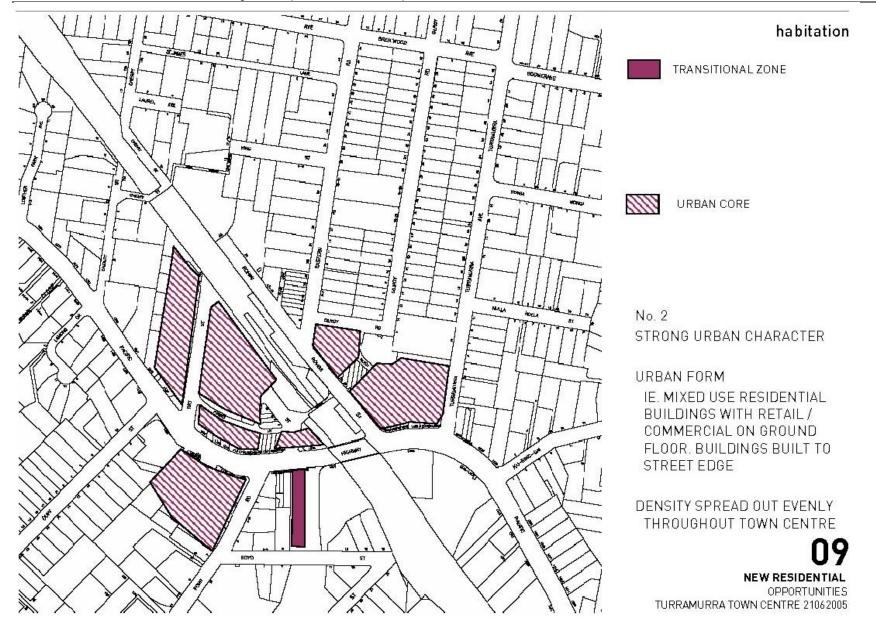
SETBACKS FROM STREET
AND REAR.

CONCENTRATION OF DENSITY IN URBAN CORE RESIDENTIAL ABOVE RETAIL / COMMERCIAL – BUILT TO STREET EDGE

08

NEW RESIDENTIAL OPPORTUNITIES

TURRAMURRA TOWN CENTRE 21062005





No. 1

# EAST:

ENLARGE EXISTING LIBRARY AT EXISTING LOCATION

POSSIBLE LOCATION OF NEW LEISURE CENTRE

# WEST:

RELOCATE EX. COMMUNITY FACILITIES

CO-LOCATE WITH HILL VIEW

10

COMMUNITY FACILITIES

OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



No. 2

# EAST:

POSSIBLE LOCATION OF NEW LEISURE CENTRE

### WEST:

NEW LARGER LIBRARY AROUND NEW SQUARE RELOCATE EX. COMMUNITY FACILITIES

CO-LOCATE WITH HILL VIEW

11

COMMUNITY FACILITIES

OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



No. 2

# EAST:

ENLARGE EXISTING LIBRARY AT EXISTING LOCATION

POSSIBLE LOCATION OF NEW LEISURE CENTRE

# WEST:

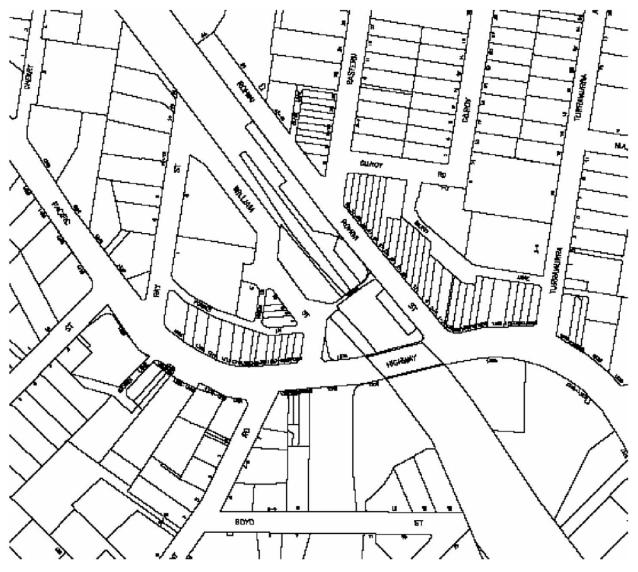
RELOCATE EX. COMMUNITY FACILITIES

CO-LOCATE WITH HILL VIEW

12

COMMUNITY FACILITIES

OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



ISSUES:

REDUCE CONGESTION IN ROHINI ST.

IMPROVE ACCESS TO RAILWAY STATION

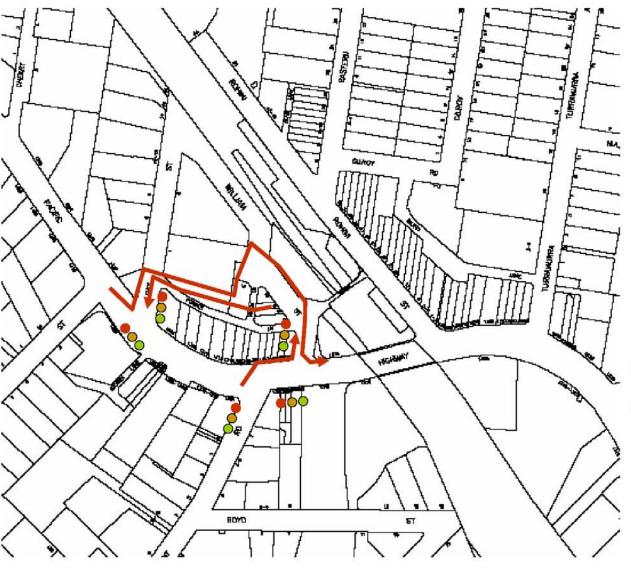
IMPROVE CONNECTION ACROSS HIGHWAY

AVOID 'RAT RUN' SHORTCUT ROUTES

RETAIN STATUS FLOW FOR HIGHWAY TRAFFIC

13

OPPORTUNITIES TURRAMURRA TOWN CENTRE 21062005

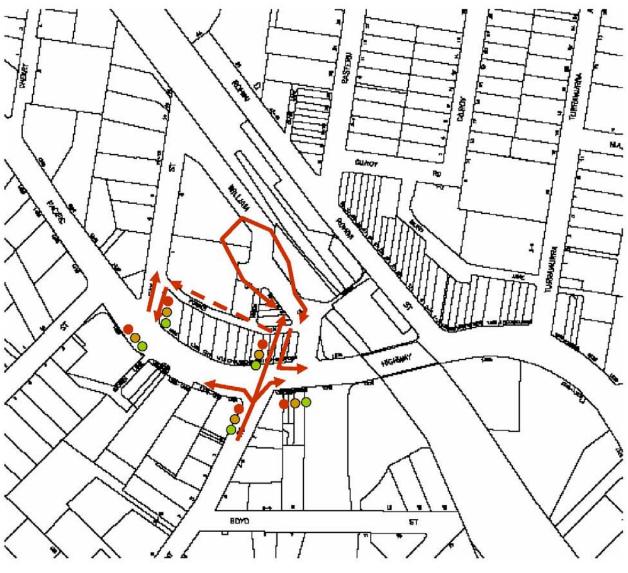


No. 1 - WEST STATUS QUO

WIDEN FORBES LANE TO PROVIDE BETTER CONNECTION TO RAY STREET

ENLARGE 'KISS AND RIDE'

TRAFFIC
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005

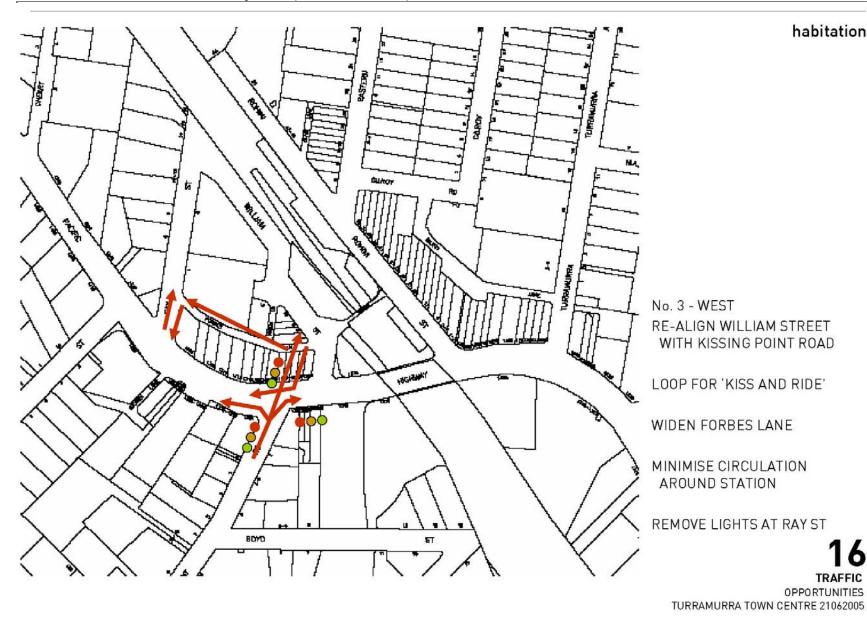


No. 2 - WEST RE-ALIGN WILLIAM STREET WITH KISSING POINT ROAD

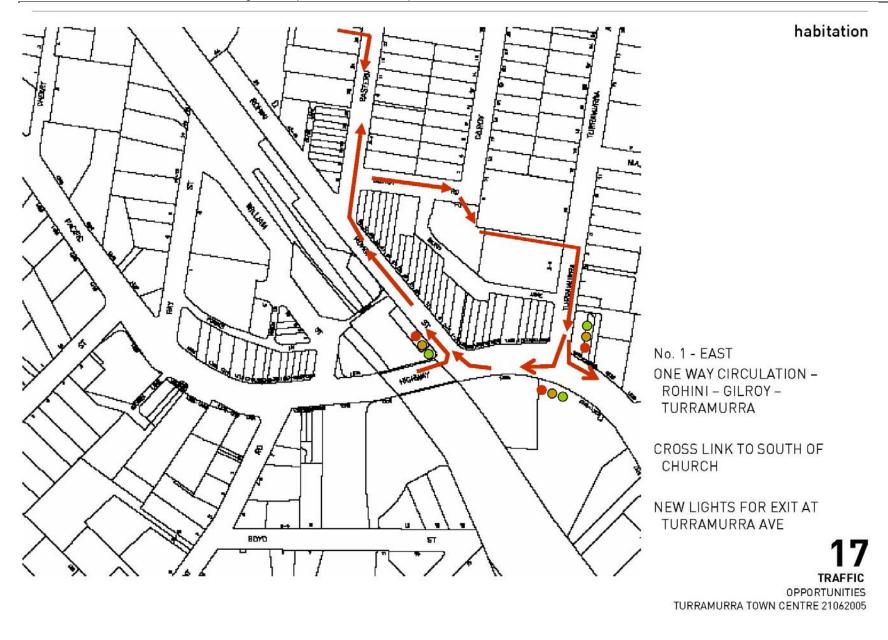
LOOP FOR 'KISS AND RIDE'

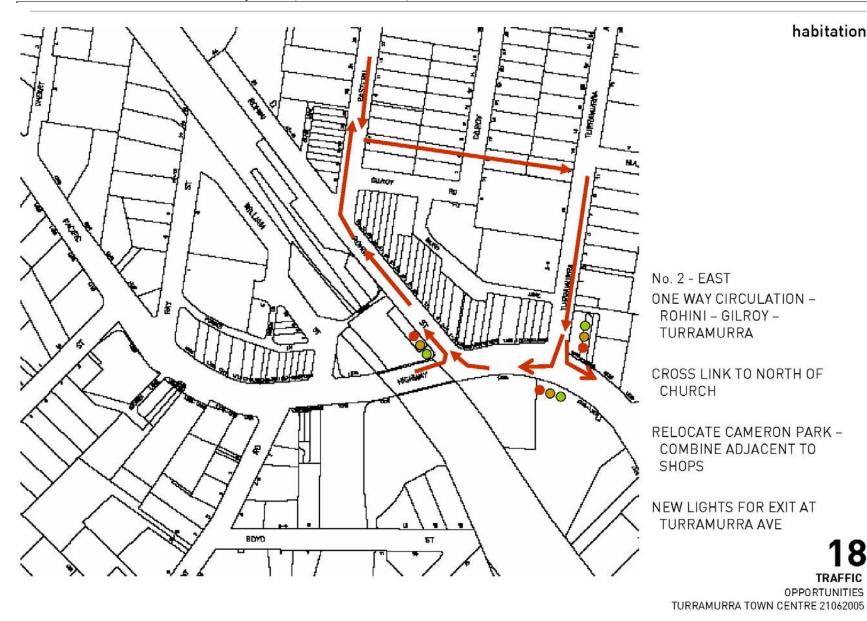
WIDEN FORBES LANE - MINOR LINK

TRAFFIC
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



**OPPORTUNITIES** 





**OPPORTUNITIES** 



No. 3 - EAST TWO WAY CIRCULATION -ROHINI - GILROY -TURRAMURRA

CROSS LINK TO NORTH OF CHURCH

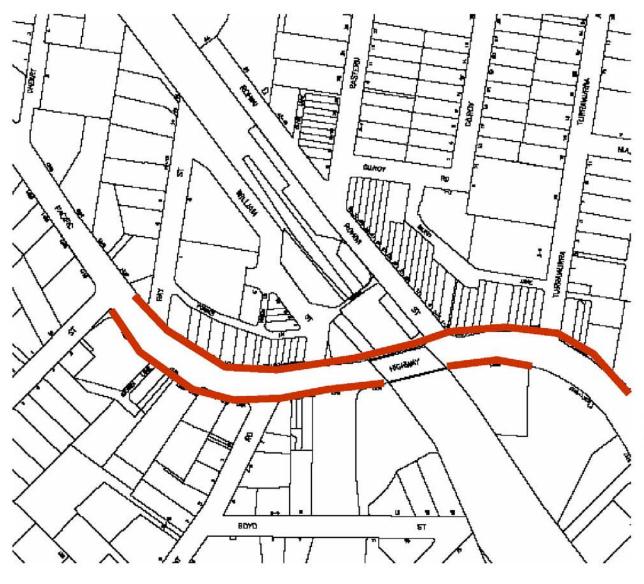
RELOCATE CAMERON PARK – COMBINE ADJACENT TO SHOPS

NEW LIGHTS FOR RIGHT TURN INTO TURRAMURRA AVE

NO TURN FROM SOUTH HWY INTO ROHINI – INCREASE TIME FOR EXIT OUT OF ROHINI

TRAFFIC

OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005



No. 2 ROAD WIDENING TO HIGHWAY TO REDUCE NEED FOR TIDAL FLOW AND INCREASE FOOTPATH WIDTH

TRAFFIC
OPPORTUNITIES
TURRAMURRA TOWN CENTRE 21062005

# PART 2

#### 7.0 PLANNING OPTIONS

#### 7.1 INTRODUCTION

This chapter presents a variety of planning and traffic options for Turramurra Centre. The options have been developed in response to a range of parameters that have arisen from:

- Resident survey
- community visioning workshop;
- stakeholder consultation;
- consultants issues papers; and
- site analysis and review of opportunities; and
- The Ku-ring-gai Retail Strategy

# Community comments and options selection

Community consultation to date has included a Householder Survey to 8000 homes, a vision workshop, and consultation sessions with Turramurra Chamber of Commerce, North Turramurra Action Group, Kissing Point Action Group, Kissing Point Sports Club, Northaven Village and Rohini Village.

3 broad mixed use land use options have been identified to address the community's comments and concerns identified in the above surveys and Question 16 of the Turramurra Household Survey, Planning for the Future: "What can be done to improve Turramurra town centre?"

# Consolidated retail (option 1)

This option responds to the community's comments that suggested consolidating the main retail into one location. The Coles side would be the preferred location for a larger shopping complex. The Gilroy Street side of the centre could then be the quieter side of town with a focus on boutique speciality stores and as a community hub where existing and new community facilities would be consolidated in one location. The southern side of the highway would retain a non-retail ground floor to accommodate the need for professional office space.

### Relevant community comments:

- Consolidate shopping centre.
- Centralised retail complex preferred site in the Coles precinct.
- Provide a centralised complex in the Coles precinct.
- Mall and town centre across railway
- Consolidate shops
- Make the shopping centre into 3 precincts commercial / supermarkets / strip and other shops
- Larger shopping centre / mall needed
- Demolish existing and build new centre
- Shops need to be in one large complex with parking
- Build a large shopping complex
- Amalgamate the three centres

### Option 2 - two centres

This option responds to the community concern about the disjointed nature of Turramurra centre by establishing two main retail areas on the northern side of the highway. A new supermarket would be located around Gilroy Lane on the eastern side of the railway to balance the Coles on the western side of the railway. This option would encourage the other side of the highway to redevelop with residential which provides an opportunity to improve public access to the Turramurra Forest Reserve. Also a supermarket near Turramurra Avenue would be more accessible to a number of retirement villages on the eastern side of the centre.

# Relevant community comments:

- Move Franklins to the other side of the Highway
- Change Franklins side to car-parking
- Parking on one side of Highway and shops on the other.
- Coles is on the other side of the railway (to Rohini Village)
- Difficulty of access between 3 different retail areas.
- Uncoordinated / disjointed / unfocussed.
- Highway divides the centre of Turramurra
- Disjointed virtually 3 shopping areas in central Turramurra
- Redevelop Turramurra Plaza.
- Three shopping precincts in central Turramurra is a problem.

- Turramurra central is fragmented into 3 parts.
- Geographically dispersed
- huge distance between Franklins and video store in Rohini Street
- Town centre fragmentation needs fixing
- Concentrate the shops one side of the Highway
- One side of highway should be developed for shopping
- All shops on one side

### Option 3 - Three centres

This option recognises that a proportion of residents do not want to see major changes to Turramurra centre - retaining the existing shopping centres on the southern and northern sides of the highway. Residents noted the southern shopping area as a convenient place to shop for residents, particularly those from south Turramurra. This option frees up space on the northern side for larger community facilities such as a leisure centre.

Relevant community comments:

- Group the community services
- Need sports centre and youth centre and locate them near Coles.
- Going to Franklins is easy (KPPA)
- Driving to Coles from Kissing Point Road is a problem
- William Street side is dead
- Swimming pool and gym would be great
- Overpass to connect shops
- Franklins centre looks old and run-down start again

### **Additional options**

Councillors raised a number of points for consideration in the development of the planning options. The main points are:

- Retain HACC facility in current location with same use
- 2 storey library on the highway in existing park
- Leisure centre elsewhere shown with an arrow
- Enlarged green space on Coles side
- Closing Rohini Street to cars at the pedestrian crossing with kiss and ride for station

- Turramurra Avenue one way through traffic
- Wonga Wonga Street extension as road or walkway
- Cantilevered pedestrian crossings on highway bridge
- Aligning Duff and Ray Street

#### **OPTION 1- MIXED USE AND RETAIL**

The first question put to residents was: Where is mixed use and retail to be located?

There are currently three retail centres within Turramurra town centre the south (Kissing Point Road area), the west (William Street area), and the east (Gilroy Lane area). Residents raised concerns about the problem created by the busy highway and railway trisecting the centre and the access problems thus created.

There is currently 15,800sqm of retail and commercial shop front space within Turramurra. The Ku-ring-gai Council Retail Strategy has identified that there is a current unmet demand for an additional 4000sqm of retail and commercial shopfront space based on the existing population and LEP 194 projections. Further, the strategy identified the need to provide up to 6sqm of additional retail for every resident resulting from mixed use development in the centre.

The options presented below investigate three different ways in which the additional retail space could be accommodated within the centre.

All options show mixed use development which includes residential apartments on the upper storeys as required by the Minster's Direction.

# OPTION 1A - TWO MIXED USE CENTRES WITH RETAIL CENTRALISED AT RAY STREET

# **Ray and William Streets**

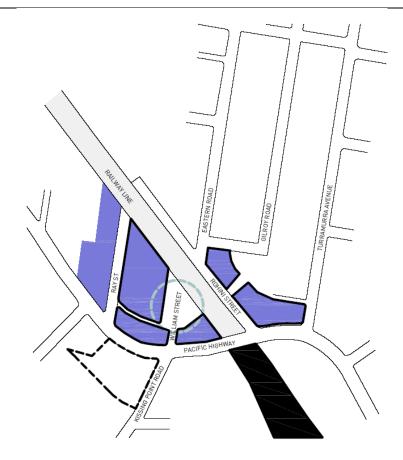
- Main retail focus around new square at William Street (William Square)
- Major supermarket (4000sqm) plus secondary supermarket (1500sqm) together in one location in area bounded by Ray Street, Pacific Highway and the railway.
- Specialty retail is located on ground floor on Ray Street, Forbes Lane and around new square. Commercial suites located at first / second floors
- Ground level commercial/retail fronting highway.
- Residential apartments located above all retail and commercial development
- New square at entry to station.
- Access to the William Street area from Kissing Point Road is improved through the realignment of William Street with Kissing Point Road

### **Rohini Street**

 Specialty retail, cafe and restaurants on Rohini Street and facing north onto a new park behind Rohini Street

# **Kissing Point Road**

- South of highway retail function removed
- Area dedicated for other uses (professional suites or home office at ground level) with residential on upper storeys



# OPTION 1B - TWO MIXED USE CENTRES WITH RETAIL DISTRIBUTED

#### General

- Retail focus distributed between two linked centres on eastern and western side of the railway.
- Retail centres linked by 'green' urban open space that terminates in two major open spaces - William Square (William Street) and Turramurra Village Green (at the end of Gilroy Road)
- Residential apartments located above retail and commercial throughout the centre
- Commercial located on second floor in development fronting the railway and the highway

### William Street

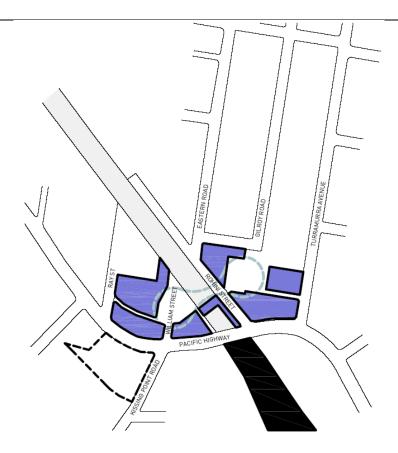
- Major supermarket (4000sqm) with specialty retail fronting proposed William Square at station entry.
- Access to the west side from the south side is improved through the realignment of William Street with Kissing Point Road

# **Gilroy Road**

- Secondary supermarket (1500sqm) located at corner of Rohini Street and Gilroy Road
- Specialty retail, restaurants and cafes on Rohini Street and at rear of Rohini Street facing new park.

# **Kissing Point Road**

- South of highway retail function removed
- Area dedicated for other uses (professional suites or home office at ground level) with residential on upper storeys



# **OPTION C - THREE MIXED USE CENTRES General**

- Retail distributed across three sites similar to the existing situation.
- New squares located around William Street, and at the southern end of Gilroy Road.
- Residential apartments located above retail and commercial in all commercial areas

#### William Street

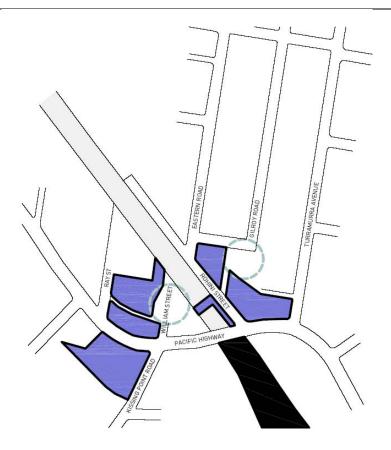
- Large supermarket (4000sqm) with specialty retail fronting new square at William Street.
- Commercial and retail uses fronting highway on ground and first floor.
- New development setback to create wider footpaths

### **Rohini Street**

- Specialty retail, restaurants and cafes located on Rohini Street.
- Proposed shops behind Rohini Street with retail and cafe addressing new park
- Commercial uses fronting highway on two levels with residential above.

# **Kissing Point Road**

- Secondary supermarket (1500sqm) located on Franklins site with additional specialty retail and commercial.
- Residential on upper storeys



#### **OPTION 2 - COMMUNITY FACILITIES AND OPEN SPACE**

The second question that was put to residents was: Where are community facilities and open space to be located?

Should community facilities be, combined retained in their current location or distributed throughout the centre?

The provision of new and improved community facilities and parks are the focus of the new planning for Turramurra centre.

The expansion of Council's library facilities, upgrade of community facilities and a possible new leisure centre (including gym, pool, indoor pool, health and fitness activities, cafe) and

Significant improvements to public spaces and squares are also proposed. Turramurra currently has no centrally located town square or Village Green that provides a heart for the centre. Two new parks are proposed for the eastern and western sides of the centre. The leisure centre and library will be used to anchor the new square and greens.

Public open space in the form of squares, village greens increased footpath widths and bio-links increase the public space from existing 19,000sqm to up to 33,000sqm.

Other community facilities, including those offered by NSW Health at Hillview, have been considered given the opportunity for consolidation within centre and better access for the community.

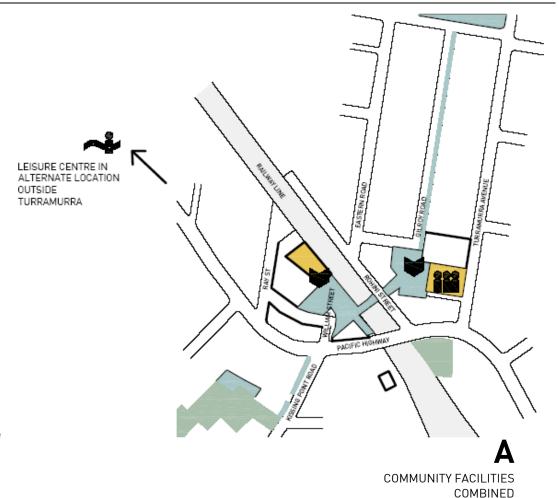
# OPTION 2A COMMUNITY FACILITIES COMBINED (WITH TWO SUB-OPTIONS FOR LOCATION OF LIBRARY)

# **Community facilities**

- This option seeks to consolidate the community facilities by colocating the community services
- NSW Health and Council within the one new building
- The new building would be located in the Gilroy Road and Rohini Street area with a frontage to a new square.
- Residential uses to be located on upper floors above community uses.
- library can either be located adjacent to this facility or on the eastern side with a frontage to the proposed William Square.
- 'Hillview' could be utilised for another use, for example a function centre.

### Open space

- New square located at end of Gilroy Road on existing HACC site.
- retail / cafe / community activities provide an active edge
- new public square located in William Street bounded by retail, supermarket and possible community services
- provide street frontage to bushland reserve between Kissing Point Road and Duff Street.
- widen pedestrian footbridge over rail line linking William Square and new square at Gilroy Road
- footpath widening to Gilroy Road to link with Karuah Park
- expand Karuah Park to Brentwood Street

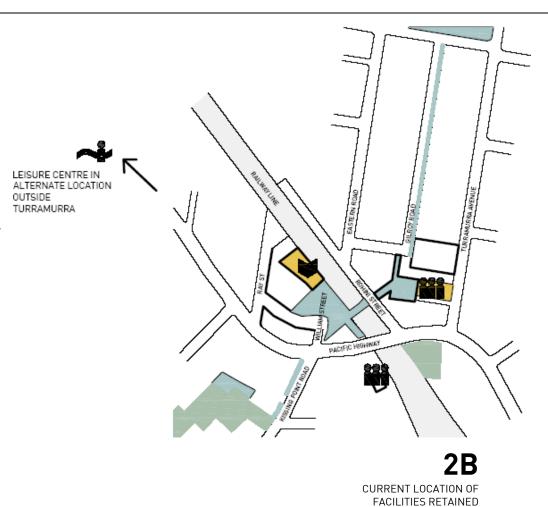


# OPTION 2B - CURRENT LOCATIONS RETAINED BUT FACILITIES EXPANDED AND UPGRADED

- Library remains within Ray / William Street precinct with frontage to new square (William Square)
- community facilities are located in new buildings at the end of Gilroy Road with a frontage to new square
- linkage between centres improved through widening the pedestrian railway bridge
- NSW Health facilities remain at 'Hillview'
- Alternative community facilities remain in existing HACC centre.
   Open space does not have connection to Gilroy Road

# Open space

- new square located behind Rohini Street shops "Turramurra Village Green"
- new retail / cafe / community fronting Gilroy Lane provides an active edge
- new square located in William Street "William Square" bounded by retail, supermarket and possible community spaces that provides a forecourt to the railway station
- provide street frontage to bushland reserve between Kissing Point Road and Duff Street
- new widened pedestrian footbridge over rail line linking William Square and Turramurra Village Green
- footpath widening to Gilroy Road to link Karuah Park with the centre
- Expand Karuah Park to Brentwood Street



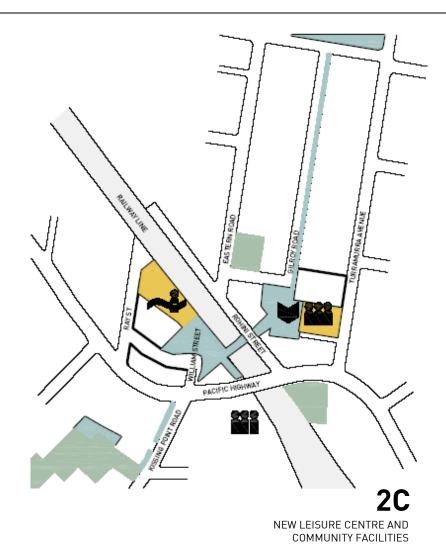
# OPTION 2C - NEW LEISURE CENTRE AND COMMUNITY FACILITIES

# **Community facilities**

- leisure centre at end of William Street with frontage to new square (William square)
- library and community facilities on Rohini Street side with frontage to new square - Turramurra Village Green
- linkage between centres improved through widening the pedestrian bridge over the railway
- NSW Health community facilities remain at 'Hillview'
- existing 'HACC' centre relocated to provide space for Turramurra Village Green

# Open space

- new square located at end of Gilroy Road
- retail / cafe / community provides an active edge
- new square located in William Street bounded by retail, supermarket that also provides a forecourt to the railway station
- provide new street frontage to bushland reserve between Kissing Point Road and Duff Street.
- widen pedestrian footbridge over railway linking William Square and Turramurra Village Green at Gilroy Road
- footpath widening to Gilroy Road to link Karuah Park with centre
- expand Karuah Oval to Brentwood Street



### **OPTION 3 - TRAFFIC IN THE RAY STREET AREA**

The third question that was put to residents was: **How can we** improve access to the rail station and the William and Ray Street area?

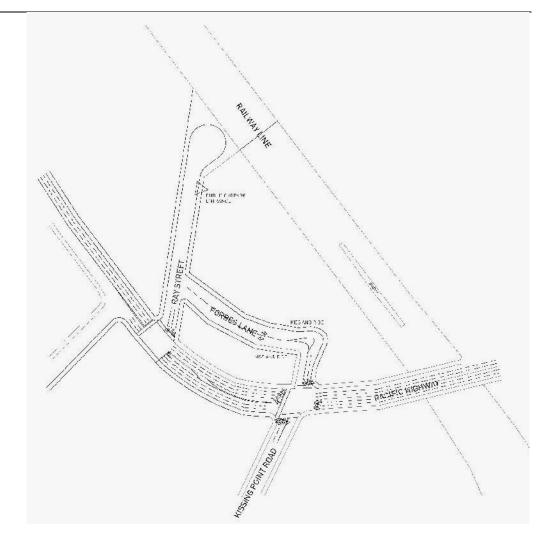
Currently this area is accessed only from the Pacific Highway via Ray Street and William Street. The rail line blocks access to the east and north creates a barrier and there is also no access to the area from the west.

The Ray Street intersection is one of the most congested intersections in Turramurra centre with very limited green time at the traffic lights. People traveling to the station via Kissing Point Road are required to negotiate the highway via a right and left turn.

Given the difficultly of access to this area a number of traffic options were identified to try and improve access by car and pedestrian to this area from Kissing Point Road and Ray Street.

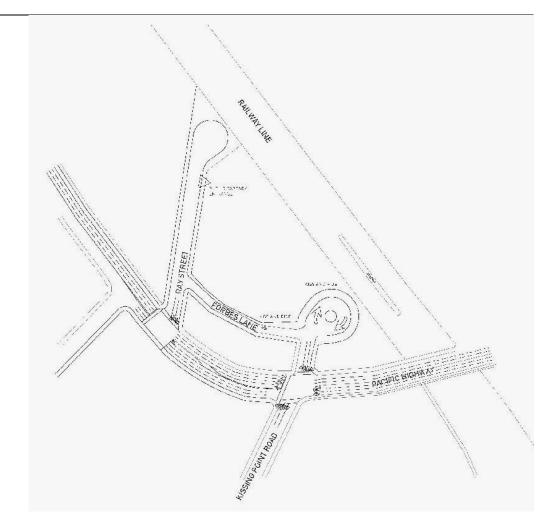
# OPTION 3A - ALIGN WILLIAM AND KISSING POINT ROAD AND PROVIDE A LOOP ROAD VIA RAY STREET, FORBES LANE AND WILLIAM STREET

- Align William Street with Kissing Point Road to improve access to the rail station
- Widen Forbes Lane to allow two way traffic and parking bays
- Kiss and ride short term parking at entrance to railway station on both sides of Forbes Street
- Right turn into Ray Street from highway travelling north.
- Right turn into Kissing Point Road from highway travelling south
- Right turn into highway from Ray Street
- Highway widened to allow for removal of tidal flow
- Wider footpaths along highway to allow for tree planting



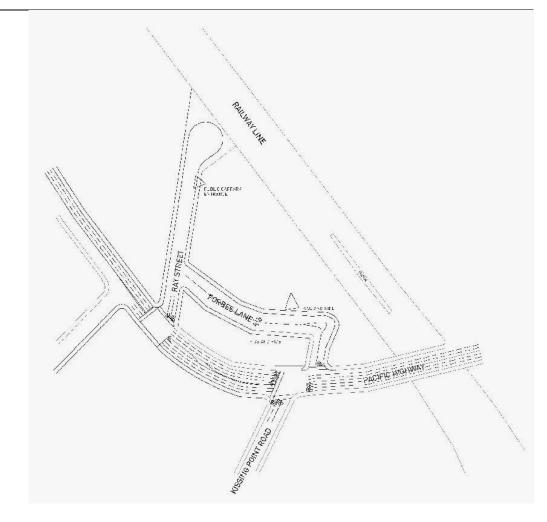
# OPTION 3B - ALIGN WILLIAM AND KISSING POINT ROAD WITH A ROUNDABOUT AT THE END OF WILLIAM ST

- Align William Street with Kissing Point Road to improve access to station.
- Forbes Lane remain same width and used for one way traffic only for access to Ray Street
- William Street roundabout located at entrance to railway station.
- Kiss and ride and short term parking at entrance to railway station.
- Right turn into Ray Street from highway travelling north.
- Right turn into Kissing Point Road from highway travelling south
- Right turn into highway from Ray Street.
- Highway widened to allow for removal of tidal flow
- Wider footpaths along highway to allow for tree planting



# OPTION 3C - WILLIAM STREET AND KISSING POINT ROAD REMAIN UNALIGNED AND FORBES LANE WIDENED

- Retain current position of William Street.
- Widen Forbes Lane to allow for two way traffic and parking
- Kiss and ride on Forbes Lane
- Right turn into Ray Street from highway travelling north.
- Right turn into Kissing Point Road from highway travelling south
- Right turn into highway from Ray Street.
- Highway widened to allow for removal of tidal flow
- Wider footpaths along highway to allow for tree planting



### OPTION 4 - TRAFFIC ON THE SOUTH SIDE OF THE HIGHWAY

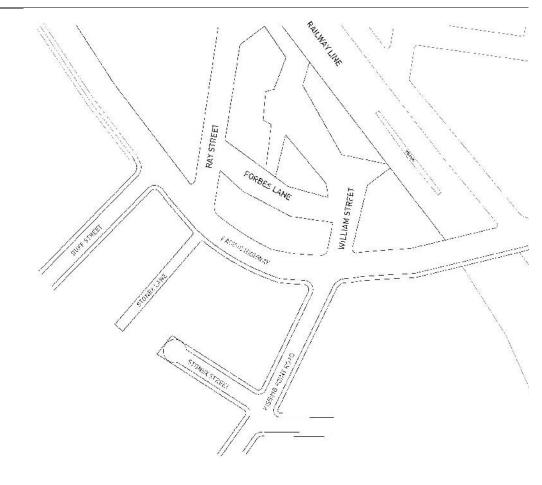
The fourth question that was put to residents was: **How can we improve access between Duff Street and Kissing Point Road?** 

The Kissing Point Road intersection with the highway has the greatest degree of flexibility of all the intersections in the centre. Currently traffic in the area operates to an acceptable level. The main problems arise with access to and from the car parking for the shopping centre onto Kissing Point Road. In addition the informal laneway behind Franklins linking with Duff Street is used as a "rat run". The lane is narrow and dangerous.

Three options were developed to show how this situation could be improved.

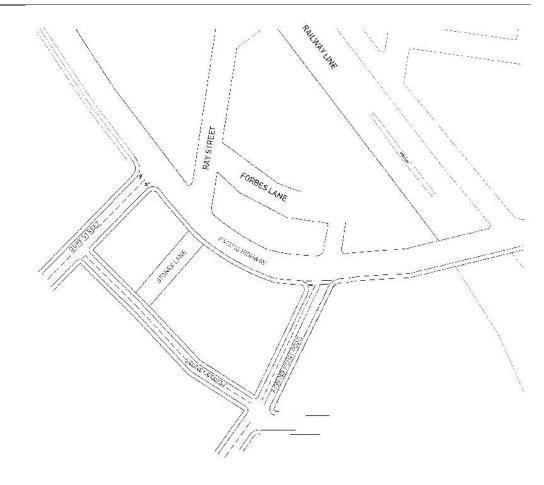
# OPTION 4A - NO LINK BETWEEN KISSING POINT ROAD AND DUFF STREET

- Extend Stonex Lane to provide access to bushland reserve between Duff Street and Kissing Point Road
   Create new street "Stonex Street" for access to rear of
- Create new street "Stonex Street" for access to rear or development fronting highway
- No access from Duff Street to Kissing Point Road



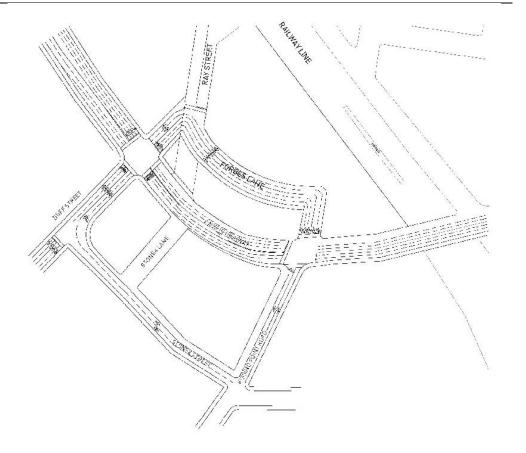
# **OPTION 4B - NEW STREET LINKING KISSING POINT ROAD AND DUFF STREET**

- Formalise existing link between Kissing Point Road and Duff Street by the creation of a new street "Stonex Street" "Stonex Street" provides a frontage to the bushland reserve
- between Duff Street and Kissing Point Road.



# OPTION 4C - NEW STREET LINKING KISSING POINT ROAD AND PACIFIC HIGHWAY

- Formalise existing link between Kissing Point Road and Duff Street by the creation of "Stonex Street"
- Stonex Street provides a frontage to the bushland reserve between Duff Street and Kissing Point Road
- Realign Ray Street with Duff Street
- Principal new intersection at Duff Street with left in, left out only at Kissing Point Road



# **OPTION 5 – TRAFFIC IN THE ROHINI STREET AREA**

The fifth question that was put to residents was: **How can we improve traffic circulation around Rohini Street?** 

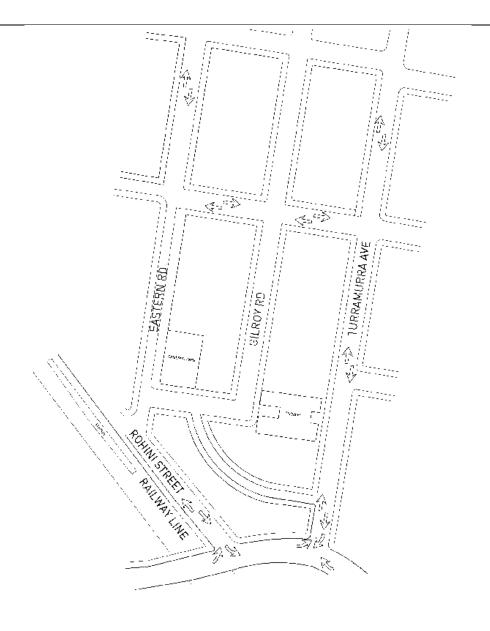
One of the key issues in this area is through traffic often regional through traffic using Turramurra Avenue and Rohini Street.

Traffic southbound on Eastern Road has only limited options to access the highway. The most direct route is via Rohini Street. Unfortunately, the through traffic conflicts with local traffic accessing the centre, pedestrians accessing the station and shops and buses accessing the centre. An alternative is Turramurra Avenue which is used by both through traffic north and south bound. In traffic planning terms this situation is unacceptable as through traffic must be kept of local streets.

Four traffic options were developed to address this issue. A number of options focused on providing a new road, at various locations, as a new through road link between Eastern Road and Turramurra Avenue.

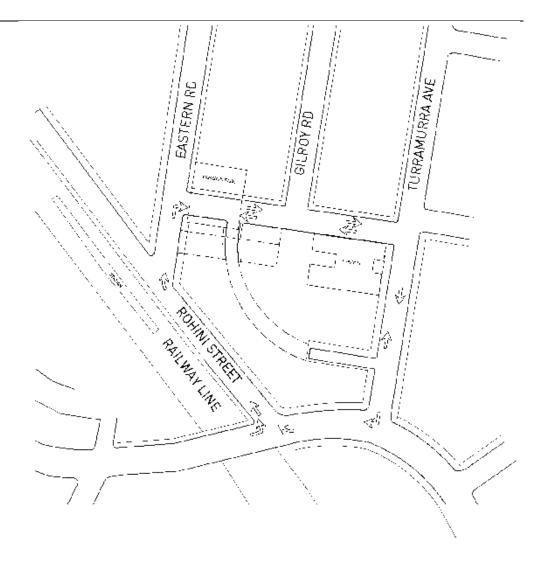
# OPTION 5A - TWO WAY TRAFFIC ON ROHINI STREET WITH A NEW ROAD AT WONGA WONGA STREET

- Extend Wonga Wonga Street through to Eastern Road
- Two way traffic on Rohini Street
- Left in and left out only at Rohini Street onto the highway
- Right turn into Turramurra Avenue from the highway
- Left and right turn out of Turramurra Avenue from highway
- Through traffic encouraged into Turramurra Ave from Eastern via new road (Wonga Wonga Street extension) or from Brentwood



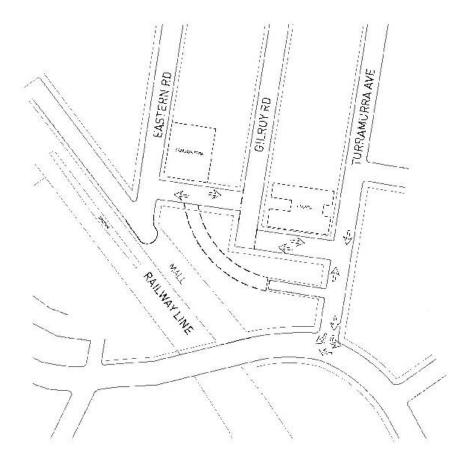
# OPTION 5B - ONE WAY TRAFFIC ON ROHINI STREET WITH NEW ROAD LINK AT GILROY ROAD

- One way traffic in Rohini Street northbound to Eastern Road
- Left and right turn from highway into Rohini Street
- Left and right turn out of Turramurra Ave onto highway
- Left into Turramurra Ave from highway
- New street between Eastern Road and Turramurra Avenue along the northern boundary of the Uniting Church
- Street cuts through existing park however provides opportunities for larger open space at southern end of Gilroy Road
- Through traffic encouraged via Brentwood Avenue and Turramurra Avenue in lieu of Eastern Road



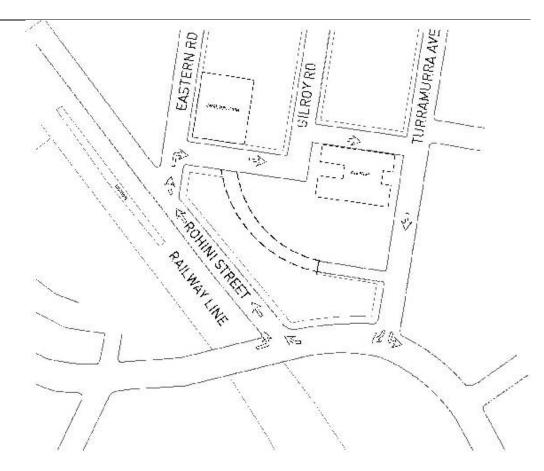
# OPTION 5C - ROHINI STREET CLOSED FOR PEDESTRIAN MALL WITH NEW ROAD LINK AT GILROY ROAD (USING PART EXISTING ROAD ALIGNMENT)

- Remove traffic from Rohini Street
- Create new street between Gilroy and Turramurra Avenue on southern side of the Uniting Church
- All through traffic to use Turramurra Avenue
- Traffic lights at Turramurra Avenue allows right turn into Turramurra Avenue from the highway and right out of Turramurra Avenue onto the highway
- Turramurra Avenue remains two way



# **OPTION 5D - COMPLETE ONE WAY SYSTEM**

- One way loop via Turramurra Avenue, Rohini Street and Gilroy Road
- New road along the northern boundary of the Uniting Church
- Reduces congestion in Rohini Street, and provides opportunity to widen footpaths for pedestrian activity



# 8.0 ASSESSMENT OF OPTIONS – COMMUNITY WORKSHOPS AND SURVEY

# Planning and traffic options survey analysis

As part of the consultative process of developing an appropriate mix of planning options for the Turramurra town centre, a range of displays, presentations and feedback opportunities were delivered to residents and other interested persons in Turramurra during August and September 2005. These comprised:

- Options Workshop & Survey
  - Masonic Centre (6.30pm, 10 August)
  - 50 invited Turramurra / Warrawee residents & 20 selfselected persons
  - o Responses = 43
- Options Workshop & Survey
  - Meals on Wheels centre (7pm, 15 September)
  - 50 invited/ self-selected Turramurra / Warrawee residents
  - o Responses = 40
- Options Displays & Survey
  - Outside Coles Supermarket (10am, 20 August)
  - Outside Franklins Supermarket (1pm, 20 August)
  - o Cameron Park (12 noon, 24 August)
  - o Meals on Wheels centre (12 noon, 28 August)
  - o Turramurra Library (August and September)
  - o Interested persons
  - o Responses = 80
- Options Workshop & Survey
  - o Masonic Centre (3pm, 10 August)
  - Invited Turramurra owners of town centre lands
  - o Responses = 22

- Options Display & Survey
  - Council Web-site (August/September)
  - o Interested persons
  - Responses = 39

A mailout of Turramurra News to some 8000 Turramurra & Warrawee households led this process in early August. Options were displayed and described to allow interested survey respondents to apply their experience of Turramurra town centre, during this formative step in its planning. The 224 above responses expressed choices and comments for 5 survey questions on town centre planning options:

- Town centre land-use mixed-use and retail location options
- Community facility & open space health, library and leisure centre options
- Traffic flow options
  - William & Ray Streets area,
  - Duff Street & Kissing Point Road area &
  - Rohini Street area.

### Q.1 – Where is mixed use & retail to be located?

Options centres		Coles /	Coles /	3 Retail
00111100		Rohini	Rohini Supermarkets	
Preference	1 blue 2 red 3 yellow	69 67 58	66 <b>87</b> 32	<b>94</b> 23 <b>87</b>

#### Preference 1

3 Retail Centres – option C – proposed that retail capacity be retained in all 3 parts of the town centre, including Franklins' area, south of the Highway, being retained as retail. Of 224 responses received, the largest group of some 42% gave first preference to this option. Notably some 39% gave their third preference to this option as well. This may well reflect concerns expressed in additional comments received about these options, that the Highway restricts access from the south side to retailers on the north side, and that Franklins and its adjacent shops are more accessible from the south.

#### Preference 2

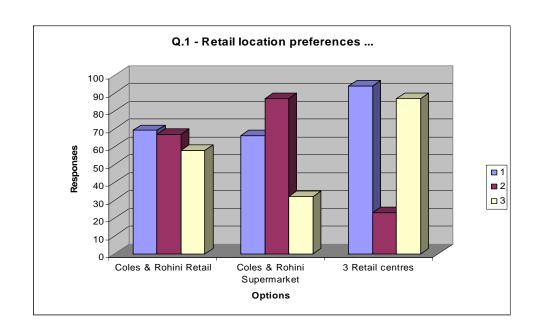
Coles /Rohini Supermarkets – option B – proposed two mixed use centres with supermarkets on both northern sides of the rail line, including a new one around Gilroy Lane, while Franklins' side south of the highway would be mainly for medium density residential. This option received the highest level of second preferences, 87%, with the lowest level of first (30%) and third (14%) preferences of the three options. This option was mentioned as making supermarket facilities much more accessible to households on the northern side of the rail line, along the Eastern Road spine.

#### Preference 3

Coles /Rohini - option A - proposed two mixed use centres, centralising retail on the northern Coles and Rohini Street sides of the rail line. The option proposed a larger shopping complex on the Coles side, specialty retail and community facility hub on the Rohini Street side, with Franklins' side south of the highway, being mainly for medium density residential. This received the a moderate/low level of the options with 31%, first preference, 30% second preference and 26% third preference of the 224 responses received. Based on the reasoning indicated for the above preferences by responses, a larger Coles-precinct complex would be less accessible for supermarket shopping for many residents both north and south of the Highway, and together with specialty retail/community hub in the Gilroy Lane / Rohini Street areas, is indicated as least favoured.

# **Retail Option Comment**

Given the scope of the 3 retail options offered, it may not be surprising that survey respondents indicated preferences for supermarkets in the Franklins area and Rohini/Gilroy area, given that these would provide easier access to most Turramurra/Warrawee households to the south and north respectively, unrestricted by crossing the railway or Highway. As reported in the 2005 Residents' survey, these two transport lines effectively divide the town centre into three.



## Q.2 – Where are community facilities and open space to be located?

Options	A. Community E Fac Combined	Current Locations     of Fac     Retained	C. New leisure centre & distributed Comm Fac
Preference	1	57	<b>95</b> 62
2	62	50	66
3	68	51	59

#### Preference 1

**Current locations of facilities retained** – option B – proposed enlarged library in Ray Street / Coles precinct fronting William Square & rail station forecourt, with other community facilities located at the end of Gilroy Lane, fronting a new Gilroy Green. NSW Health facilities to remain at *Hillview*.

Of 224 responses received, the largest group comprising some 43%, gave a decisive first preference to this option (the next nearest first preference was option C at 28%, discussed below). This high level support for the most conservative option B may well reflect concerns about the need for larger/more community facilities at Turramurra town centre.

#### Preference 2

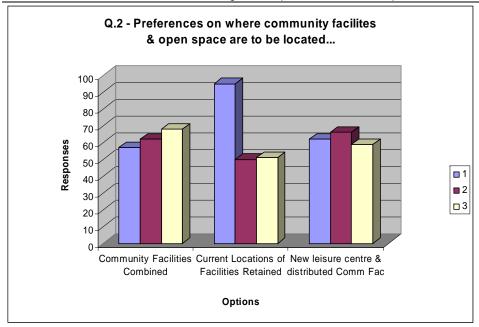
**New leisure centre & distributed community facilities** – option C – proposed a new leisure centre in the Coles precinct fronting the new William Square & rail station forecourt. Library and community facilities would be adjacent to a new Gilroy Square, with parking below. NSW Health facilities would remain at *Hillview*.

This option received the highest level, some 30%, of second preferences marginally ahead of Option A (28% - discussed below) and Option B (23% - discussed above). Support is notably less than for option B, with comments reflecting concern about too many community facilities located within this retail area. In survey response comments, some reservations were expressed about a leisure centre at Turramurra.

#### Preference 3

**Community facilities combined** – option A – proposed that NSW Health & Council library & community facilities be located in one new building fronting a new Gilroy Green (adjacent to Gilroy Lane). This received the highest third preference vote of 31%, slightly ahead of option A (27%) then option B (23%)

This may indicate a consistency with the earlier preferences, where increased community facilities that competed with shopping and parking were not attractive to survey respondents.



## **Community facility Option Comment**

It may not be surprising that survey respondents indicated preferences for retaining the current locations of community and NSW Health facilities and Council library, given their preferences for supermarkets in the Gilroy/Rohini and Franklins' precincts. Access, parking and shopping would seem to be respondents' priorities. A community /health/library hub in the Coles' precinct may be a more acceptable alternative, to obviate conflict with these priorities.

For questions 3 to 5, the survey asked respondents to express a level of support or other, as Agree / Neither / Disagree, for traffic options dealing with the key traffic areas feeding into and through the Turramurra town centre. The options and respective responses analyses are set out below:

## Q.3 - How to improve access to William & Ray Street area?

Options:	A. Align William St & KP Rd – Ray St / Forbes Lane Loop	<b>B</b> . Align William St & KP Rd - in/out William St	C. Do not align William St & KP Rd - Widen Forbes Lane
Agree	105	89	30
Neither	17	25	15
Disagree	28	33	49

#### **Most Agree**

**Align William Street & Kissing Point Road & Ray Street/Forbes Lane Loop** -option A – proposed the above alignment, plus widening Forbes Lane to 2-way traffic, and including *kiss-and-ride* short term parking at rail station entrance.

Of 224 responses received, the largest group comprising some 47% gave a notable level of agreement this option (the next highest level of agreement option B at 40%, discussed below). This high level of agreement for option A, (reflected to an extent in option B that had some similar attributes) may indicate a much-stated need for better road access from areas south across the Highway to the rail station and town centre. (Option C received the lowest level of agreement at 13%.)

#### **Most Neither**

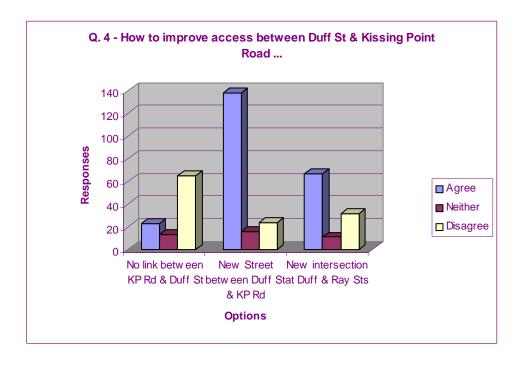
Align William Street & Kissing Point Road – in and out only at William Street – option B indicated Forbes Lane to remain one-way and included new roundabouts at the rail station entrance for kiss and ride. This option attracted the highest levels of Neither votes compared to options A (8%) and C (7%). Its lack of attractiveness was indicated by comments that Forbes Lane needed to be two-way, and in out only at William Street was again not as good as Option A.

#### **Most Disagree**

**Do not align William Street & Kissing Point Road – widen Forbes Lane** - option C – included retaining the existing road alignments, widening Forbes Lane to two-way, with left-in and left-out from the Highway only at Forbes Lane. This option attracted the highest level of Disagree votes, at 22% of those responding to the survey. This is a minimalist option and, given the comments expressing concern with traffic flow in the town centre, attracted little agreement.

#### William & Ray Street area access - Options Comment

The high level of agreement to Option A and notably lesser attractiveness of options B & C reflects a clear message from those surveyed that there needs to be more direct road access from Kissing Point Road across the Highway to the rail station entrance, and Coles supermarket / Council Library precinct.



## Q.4 – How to improve access between Duff Street & Kissing Point Road?

	A. No link	B. New Street	C. New intersection
	between KP Rd	between Duff	at Duff & Ray Sts
	& Duff St	St & KP Rd	
Agree	23	134	63
Neither	13	16	11
Disagree	65	24	32

#### **Most Agree**

**New Street between Duff Street & Kissing Point Road** - option B – proposed the creation of a new Stonex Street, parallel to the Highway, between Duff Street and Kissing Point Road.

Of 224 responses received, the largest group comprising a notable 60% indicated agreement to this option B (the next highest level of agreement was option C at 28%, barely half the support of option B above). The high level of agreement for option A may bear out survey comments that the new street could formalise current use of the Franklins' car park access link between the above streets.

#### **Most Neither**

**New Street between Duff Street & Kissing Point Road** – option B – as with Most Agreement above, this option also received the most Neither, indicating a very small level of uncertainty of some 7% about this option. Similar levels of uncertainty were expressed for options A (5%) and C (6%) This very low level of uncertainty over all options suggests strong support to take action on traffic in this precinct.

## **Most Disagree**

**No link between Kissing Point Road and Duff Street** – option A – was a do nothing option and received a 29% level of disagreement from survey respondents. This is consistent with the levels of Neither and Agreement traversed above.

## Access between Duff Street & Kissing Point Road – option comment:

The high level of agreement to Option B – creating Stonex Street parallel to the Highway, and markedly less agreement with options A and C, supports comments on the need to better cater for the run of vehicles between Kissing Point Road & Duff Street that currently pass through the Franklins car park. Stonex Street could also provide clear delineation between any redevelopment of the Franklins site and the adjoining area of remnant blue gum high forest to the south.

#### Q. 5 – How to improve circulation around Rohini Street?

	A.Two-way	B. One-way	C. Rohini	D. Comp	lete one-way
	Rohini St	Rohini St	Street	systei	m
	extend Wonga	a	new str	aight	Mall
	Wonga St	cross stree	et	J	
Agree	40	38	65	71	
Neither	19	21	4	11	
Disagree	<b>54</b>	37	47	53	

#### **Most Agree**

**Complete one-way system** – option D – proposed making Rohini Street one-way north-bound, with a new one-way road link between Eastern Road and Turramurra Ave, via Gilroy Road, with Turramurra Ave to become one-way south of Nulla Nulla Street.

Of 224 responses received, the largest group comprising some 32%, indicated agreement to this option D (the next highest level of agreement was option C at 29%, indicating a near similar level of support for closure of Rohini Street.) Options A (18%) and B (17%) received notably lower levels of agreement.

#### **Most Neither**

One way Rohini Street – new straight cross street – option B – proposed making Rohini Street one-way north-bound, a new road link between Eastern Road & Turramurra Avenue, via Gilroy Road, and through traffic going via Turramurra Avenue. It received only 9% of Neither responses. Option A at 8% had a very similar level – the low levels of Neither could reflect the need for action on town centre traffic management.

#### **Most Disagree**

Two-way Rohini Street – extend Wonga Wonga Street – option A – proposed Rohini Street remaining two-way, with only left-in and left-out where it meets the Highway; through traffic would then use an extended Wonga Wonga Street between Eastern Road & Turramurra Avenue. While option A received the highest level of disagreement (24%), notably option D had a similar level of disagreement.

## **Survey comments**

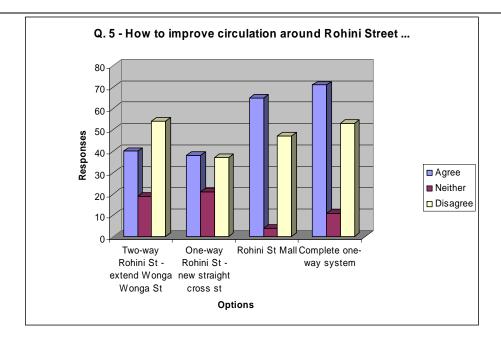
Selected comments from the survey responses are indicative of Rohini traffic issues:

- Closure of Rohini not considered practical
- 2. Eastern Road should be main transit spine
- 3. Put bus interchange under Coles; build bridge as per Mainstreet recommendations 15 years ago
- 4. Need for Ray & Rohini overbridge
- 5. Don't like any of these.

## How to improve circulation around Rohini Street – option comment:

Option D, a complete one-way system was the most agreed option, with creation of a Rohini Street mall a close second preference (option C). These reflect support for better pedestrian access in and across Rohini Street. The low levels of Neither to all options indicate that traffic in this precinct needs attention. The relative levels of disagreement to the most agreed options, D and C, recognise the difficulty of dealing with traffic circulation in this precinct.

Taking these conjointly, the complete one-way system could provide an initial pedestrian/traffic planning option (D). Given Eastern Road is a main traffic link to the north of the town centre, a mall in Rohini Street may not be practical until a better link from Eastern Road to the Highway is established. A supermarket in this precinct (Question 1, above), could also provide other improvement opportunities.



## **Summary and Conclusions**

Five questions were asked of interested residents and others about key aspects of the Turramurra town centre. Analysis and interpretation of 224 survey responses for 5 questions indicate, in outline:

- Supermarket facilities would be good in the Franklins' and Rohini/Gilroy precincts
- 2. A community /health/enlarged library hub in the Library/Coles' precinct
- Aligning William Street & Kissing Point Road and widen Forbes Lane
- Creating a new 'Stonex Street' between Duff Street & Kissing Point Road
- 5. Making Rohini St one-way north-bound (creation of a Rohini Street mall was a close second preference).

#### 9.0 ASSESSMENT OF OPTIONS - Staff and consultants

#### 9.1 INTRODUCTION

The 5 options and the sub-options were assessed by Council planning staff taking into account specialist advice from:

- Traffic consultant
- Retail consultant
- Urban design consultant
- Other staff

The assessment also took into account the results of the community survey and the options most favoured by residents.

This section documents the assessment by staff and consultants. The comments relate to draft land use options, community facilities and open space options, and traffic options. The notes are made in terms of the advantages and disadvantages of each option.

#### 9.2 ASSESSED OPTIONS

The following options were assessed

#### 1. Mixed use and retail

- A. Two mixed use centres retail centralised
- B. Two mixed use centres retail distributed
- C. Three mixed use centres

## 2. Community Facilities and Open Space

- A. Community facilities combined
- B. Current locations of facilities retained
- C. Distributed community facilities including new leisure centre

#### 3. Traffic Options:

#### William St & Kissing Point Road

- A Align William Street and Kissing Point road Ray Street/Forbes Lane loop
- B Align William and Kissing Point Road in/out from William Street
- C Do not align William Street and Kissing Point Road, widen Forbes Lane

## 4. Duff Street & Kissing Point Road

- A No access between Duff Street and Kissing Point Road
- B Access between Duff Street and Kissing Point Road via new street

#### 5. Access around Rohini Street

- A Two way Rohini Street and extension of Wonga Wonga Street
- B One way Rohini Street, new straight cross street
- C Rohini Street mall
- D Complete one way system

## 9.3 OPTIONS ASSESSMENT

Retail Assessm	Retail Assessment			
	Advantages	Disadvantages		
Option A Two mixed use centres - retail centralised	Highway borders retail centre rather than severs it.	<ul> <li>Worst location for supermarkets having least convenience since bulk of trade area is south of Highway and north and east of railway.</li> <li>Loss of convenience for shoppers south of the Highway. Will involve crossing the highway to undertake shopping.</li> <li>Rohini Street shops lack anchor tenant on their side of railway</li> <li>Feasibility/implementation issues</li> </ul>		
Option B Two mixed use centres – retail distributed	<ul> <li>Highway borders retail centre rather than severs it.</li> <li>Provides Rohini Street shops with an "anchor" tenant on their side of railway</li> <li>Supermarket services northern residents who currently travel to St Ives or Hornsby to shop</li> </ul>	<ul> <li>Loss of convenience for shoppers south of the Highway. Will involve crossing the highway to undertake shopping.</li> <li>Proposed location of supermarket requires multiple amalgamations</li> <li>Feasibility/implementation issues</li> </ul>		
Option C Three mixed use centres	<ul> <li>Retains supermarket based centre on the south side to serve that side of the highway, which is currently undersupplied with such retail space.</li> </ul>	<ul> <li>Highway severs shopping centre</li> <li>Rohini Street shops lack anchor tenant on their side of railway</li> </ul>		

Open Space at	Open Space and Recreation Assessment			
	Advantages	Disadvantages		
Option A Community facilities combined	<ul> <li>new town square/village green on both sides of town centre</li> <li>All options show the relocation of Turramurra Village Park away from the highway to form part of a new town square or village green. From an open space point of view this can be justified as the park in its current location has poor amenity and value. The outcome will be a new larger park with good aspect and protection.</li> <li>Expansion of district park (Karuah Park) with improved pedestrian links to the town centre to cater for growing population</li> </ul>	<ul> <li>Loss of green space on highway</li> <li>Cost of land acquisition for Karuah Park extension to Brentwood Avenue</li> </ul>		
Option B Current locations of facilities retained	<ul> <li>new town square/village green on both sides of town centre</li> <li>relocation of Turramurra Village Park</li> <li>Expansion of district park with improved pedestrian links to the town centre to cater for growing population</li> </ul>	Cost of land acquisition for Karuah Park extension to Brentwood Avenue		
Option C Distributed community facilities including new leisure centre	<ul> <li>new town square/village green on both sides of town centre</li> <li>relocation of Turramurra Village Park</li> <li>Provides an aquatic leisure centre option offering public facilities currently not available in Ku-ring-gai</li> <li>This location is one of a number of preferred locations for the leisure centre. The Ray Street area is suitable because it is in the northern area of LGA; adjacent to railway and the Pacific Highway; the site is big enough for the centre; there are collocation opportunities with Library, commercial, residential retail; and there are opportunities for integration with mixed use development incorporating commercial, residential or other community facilities</li> </ul>	<ul> <li>Cost of land acquisition for Karuah Park extension to Brentwood Avenue</li> <li>Funding for Leisure centre and traffic issues</li> </ul>		

Community fa	Community facilities assessment			
	Advantages	Disadvantages		
Option A Community facilities combined	<ul> <li>Supported by Ku-ring-gai/Hornsby Volunteer Recruitment, Referral and Training Service</li> <li>NSW Health keen to move out of Hillview as the building does not suit their needs and is expensive to maintain</li> <li>Strong synergies between uses</li> <li>Use of shared facilities</li> <li>Concentration of activity will attract new services</li> <li>Synergies between State health services and local services</li> <li>Library addressing main town square reinforcing civic function</li> <li>HACC and library in existing location is preferred by community services</li> <li>Consolidates all community facilities into one location adjoining the existing Uniting Church to create hub</li> <li>Releases Hill View for appropriate commercial use eg function centre to fund maintenance and restoration</li> <li>Library located next to Coles</li> </ul>	Community do not support bringing regional health facility into the town centre		
Option B Current locations of facilities retained	Library addressing main town square reinforcing civic function	<ul> <li>Dispersed small scale community facilities</li> <li>Uses remain in existing locations spread out across the centre and divided by roads</li> <li>No opportunities gained from collocation</li> <li>Retaining HACC facilities in existing location negates opportunity to create new centrally located village green</li> <li>HACC will need to be on the second floor over the new supermarket.</li> <li>Meals on Wheels requires unloading and loading facilities. Best location is at ground level with direct access</li> </ul>		

Option C Distributed community facilities including new leisure centre	Balance of community uses consolidated into larger groupings.     Leisure centre and Council facilities provide magnets on either side of rail line     Library located next to leisure centre	<ul> <li>Library relocated no longer associated with main shopping centre.</li> <li>Library best separated from HACC facility</li> <li>Excludes option 1A (two supermarkets in this area will not fit alongside the leisure centre)</li> <li>Funding for leisure centre requires further research</li> </ul>
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Traffic and Tra	Traffic and Transport Assessment		
	Advantages	Disadvantages	
Option A Community facilities combined		<ul> <li>The main disadvantage of this option, in traffic terms, is that the two main trip generators (supermarkets) are confined to the Ray Street precinct which impacts directly onto Ray Street.</li> <li>The combination of a constrained road network in Ray Street (Barriers of the Railway Line &amp; Pacific Highway), the high level of traffic generated from these two land uses and the limited amount of green time available to the local road results in unacceptable conditions at the Ray Street/Pacific Highway intersection.</li> <li>The community facilities at Gilroy Lane impact to a lesser extent although problems are exacerbated on the Rohini Street approach in both the morning and evening peak period.</li> </ul>	
Option B Current locations of facilities retained	Library addressing main town square reinforcing civic function	<ul> <li>Option provides limited assistance due to the existing traffic issues at both the Rohini Street and Ray Street approaches.</li> <li>The traffic generated from the supermarket in Gilroy Lane impacts directly onto Rohini Street which already experiences difficult traffic conditions.</li> <li>The impact on the Ray Street/Pacific Highway intersection, although creates problems to a lesser degree than option A, still results in the intersection of Ray Street/Pacific Highway operating at unacceptable levels.</li> </ul>	

Option C Distributed community facilities including new leisure centre		<ul> <li>The disadvantage of this option is that it locates two main trip generators (Leisure Centre &amp; Supermarket) in the Ray Street Precinct impacting directly onto Ray Street as in Option A.</li> <li>Results in unacceptable conditions at the Ray Street/Pacific Highway intersection.</li> </ul>
3 Traffic –  Ray & William Street Alignment	The realigning of William Street in traffic operational terms offers limited advantages.	The issue which may arise from this arrangement apart from capacity issues with the introduction of an additional phase at this intersection is that the limited queuing space on the William Street approach combined with the limited green time allocated to the side roads may result in congestion issues in the vicinity of the drop off/pick up zone and possibly at Ray Street where William Street ends.
4 Traffic –  Ray & William Street Alignment	Option B, a new Stonex Street – parallel to the highway between Duff St & Kissing Point Rd is preferable in traffic terms, as it would effectively remove some traffic from the Kissing Point Road/Pacific Highway intersection. (i.e. Left turning traffic from Kissing Point Road may choose to use Stonex Street/Duff Street)	Option 4C – a new intersection at Duff & Ray Street - is least preferred as it introduces signals at Duff Street & creates additional capacity pressures.
5 Traffic –  Rohini St circulation	<ul> <li>Removes turning movements from the Pacific Highway providing an opportunity for additional capacity elsewhere within the overall system.</li> <li>With Gilroy Lane set back, as shown, this will allow sufficient queuing space on the Turramurra Avenue approach to the Pacific Highway.</li> <li>Another advantage to the one way system in Rohini Street is that it allows the opportunity for reallocation of road space towards pedestrians. (i.e. boulevard- footpaths etc.)</li> </ul>	
Ray/Rohini Street bridge	<ul> <li>Allows for distribution of Eastern Road traffic more evenly between Rohini Street/Ray Street and Turramurra Avenue relieving pressure particularly on the Rohini Street approach.</li> <li>Provides improved accessibility and operation of public transport buses to and from both sides of the rail station.</li> </ul>	Attracts more traffic through an existing quiet dead end street.



- (This, in turn, would result in journey time and operational cost savings.)
  Provides improved accessibility for residents to access either the existing supermarket or proposed leisure centre/library in Ray Street either by car or on foot by avoiding the congested Pacific Highway.
  Supported in principle by Rail Corp.
  - The existing deep cutting lends itself easier to construction.

Planning and U	Planning and Urban Design		
	Advantages	Disadvantages	
Option 1A  Two mixed use centres - retail centralised	<ul> <li>Consolidates all major shopping into on the north side minimising</li> <li>Division of the centre</li> <li>Reduces need for pedestrians to cross the highway</li> </ul>	<ul> <li>Requires a strong focus on eastern side to ensure area retains vitality and not "lost"</li> <li>Reclassification and sale of council land</li> <li>Road closures and reclassification</li> </ul>	
Option 1B  Two mixed use centres – retail distributed	<ul> <li>Consolidates shopping centre into two primary areas either side of the railway which is a less problematic separation - achieves the consolidation goal</li> <li>Allows expansion of existing Coles supermarket</li> <li>Provides balanced outcome with magnets on either side of highway</li> <li>The removal of retail from the Franklins site opens this site to residential uses (with perhaps some commercial on ground floor of KPR intersection), and provides for better access to the bushland behind.</li> <li>Pedestrian access to the Turramurra Town Centre is improved by the alignment of KPR and William St</li> </ul>	<ul> <li>Limits the potential for community uses such as a library or leisure centre at this location.</li> <li>Speciality retail would also be limited at this site - being spread to the Rohini Street side.</li> <li>Activation of the Rohini St area relies on a 'community use' anchor.</li> <li>Requires establishment of small supermarket to the northern side and closure of Franklin</li> <li>Franklins currently have an 8-9 year lease so unlikely to change in medium term</li> <li>Site on the corner of Gilroy and Rohini has multiple ownerships and requires considerable amalgamations</li> <li>Requires improved pedestrian link over rail line to be successful</li> </ul>	
Option 1C  Three mixed use centres	<ul> <li>This option retains the status quo - supermarkets remain their existing locations</li> <li>It is the option that is most likely to happen in the short to medium term</li> <li>Redevelopment will improve the appearance and functionality of the area</li> <li>The removal of retail from the Franklins site opens this site to residential uses (with perhaps some commercial on ground floor of KP Rd intersection), and provides for better access to the bushland behind.</li> <li>Pedestrian access to the Turramurra Town Centre is improved by the alignment of KPR and William Street</li> </ul>	<ul> <li>This option does not really go towards solving any of the issues - it just increases the floor space in each area.</li> <li>Retail on the Rohini Street side may be weakened, and a square behind the Rohini St shops anchored by the HACC centre would be underutilised.</li> <li>The shopping centre remains separated and divided by the highway</li> <li>Access to Coles from northern side of town centre remains difficult</li> </ul>	

Environment	Environment		
	Advantages	Disadvantages	
Option 2	Opportunities for establishment of new trees	Relocation of parks will affect existing mature trees. Some of these trees may be transplantable	
Option 4A		<ul> <li>Disconnected roads will leave unresolved edge conditions to reserve with development backing onto the bushland</li> <li>Drainage down lane will be high velocity</li> </ul>	
Option 4B	<ul> <li>Formalises the informal lane behind Franklins into a two way street</li> <li>Follows current road alignment does not impinge on bushland reserve</li> <li>Provides improved interface to bushland for management and public access. Housing will front onto and address bushland</li> <li>New development will have high levels of stormwater and environmental controls than existing</li> <li>additional reserve area</li> <li>possible funding</li> </ul>		
Option 4C	As per 4B		

#### 10. THE RECOMMENDED OPTION

It is clear from the preceding discussions that there is no clear preference for one option over another rather there is a preference for elements from each option. The following is a summary of preferences.

#### Preferred option - economic and retail

None of the options presented are ideal in retail terms. The bulk of trade area is south of Highway and east of the railway.

To provide maximum convenience to residents, the best location for the supermarkets are on the southern side of the highway in the present location of Franklins and in the Turramurra Avenue/ Rohini Street area on the eastern side of the centre. This provides the ideal retail model with the two supermarkets (anchors) at either end of the centre and strip retail in between. It also creates space in the Ray & William Street area for civic and community uses, including a larger public library and possible leisure centre.

The main disadvantage of this option is that the highway still severs the shopping centre. Highway traffic will continue to divide Turramurra. There are also some implementation issues relating to the relocation of Coles that need to be overcome.

## Preferred option – open space

The preferred option from an open space point of view is:

- Long term expansion of Karuah Park district facility and linking to town centre
- Relocation of Turramurra Village Park
- The leisure centre's scale means that it can only be located in the Ray & William Street area. The decision about whether it is located in Turramurra, or elsewhere, should be made in the wider context of an optimum location for Ku-ring-gai.

- Expansion of open space within the Turramurra area. Specifically the creation of new squares around the new retail centres, and linkages between these new squares.
- The key to a successful public space is to provide an anchor that activates the edge. In consideration of the retail and community options this must be taken into account.
- The realignment of Gilroy Street to the northern side of the Uniting Church allows for the consolidation of Cameron Park with the new square at the head of Gilroy Street. This would allow for the creation of a large north facing open 'green space' with good access to the activities that take place within the Town Centre.

#### **Preferred option – community facilities**

The preferred option from a community services point of view is to colocate facilities. While the library and the HACC facilities do not need to be close by there are benefits to creating a "community hub". This option was previously identified in option A, however given that the resident-survey preferred location for a supermarket is now in the Gilroy Lane area, this creates the opportunity to establish a community hub on the Ray Street/William St area set around a new town square.

Council's library will continue to be located in the Ray Street precinct to front the new town square. The preferred location is near the highway on the site of the existing Turramurra Village Park. An alternative location is on the northern edge of the square adjoining a leisure centre.

As a sub-option, the HACC / Meals on Wheels facility could either be located on the second floor of the Library building, with basement loading dock. Or it might front Ray Street directly, but would be a lesser option for the reasons outlined.

The options provided for the co-location of the community facilities and / or relocation at the Ray St site or at the end of Gilroy Street. Co-location from an economic perspective seems to make sense as parts of the facility can be shared (toilets / amenities etc) and construction costs can be reduced as one facility is being built and designed.

The community facilities will provide an anchor to a public space, complementing speciality retail uses, cafes, service retail and the railway station. Without such synergy, they are unlikely provide enough of an anchor to make the town square successful. With them, the William/Ray Street area should become an energetic, dynamic space between the Franklins and Rohini Street supermarkets proposed.

## **Preferred option - traffic**

- The preferred approach in traffic terms is to locate the main traffic generators in precincts that disperse rather than concentrate problems:
- The supermarkets are then best located in Turramurra Ave/Gilroy lane precinct north of the highway, and the Franklins area to the south of the highway between Kissing Point Road and Duff Street.
- The size of the supermarket and retail development should be restricted to an ideal maximum rather than an optimum maximum.
- Locating the library and leisure centre in the Ray & William Street precinct (area D) which generates less traffic than that of a supermarket, and considering the constraints on the road network, assists to some degree.

The location of the supermarket on the eastern side near Turramurra Avenue also has the advantage that it does not impact substantially on Rohini Street but may necessitate the need for traffic signals at the Turramurra Avenue/Pacific Highway intersection. (Still to be investigated)

## Preferred option - urban design

The opportunity to swap Council Turramurra Ave car park land for Coles' supermarket land should be investigated. A new supermarket off Turramurra Avenue would provide good access for resident shoppers from the north of the rail line. Franklins would continue to provide good supermarket access for households south of the highway.

Linking the two supermarket precincts would then be a network of enhanced public spaces and a civic hub/ town square in the Ray & William St area, bounded by speciality retail. At the hub are the station and community facilities. Drawing the key elements from the above and from Option C creates a sound urban design model of two anchors with speciality retail and civic uses in between. This option also relieves some of the traffic pressures at Ray Street

#### Assessment of alternatives and options raised by residents

Other options raised during consultation for consideration are identified below.

## **Commuter parking**

Many people asked what are we doing about commuter parking? Why haven't we addressed this issue?

## Response:

- Commuters largely from out of the area either the central coast or the Warringah northern beaches area. Therefore not a local issue
- Unlikely to be any funding from Ministry of Transport for a centre the size of Turramurra
- One option is privately operated car parks that charge a fee for parking more than 2-4 hours

Another option is time limited parking on local streets close to the station

#### **Bus stop on Rohini Street**

It was noted that the access via the footpath to the station from the bus stop is not suitable for disabled as it does not conform to Australian Standards.

### Response:

- One possibility is to put the bus stop on other side where rail buses currently operate from as this provides level access
- In this arrangement, the Rohini Street bus stop becomes drop off and pick-up for commuter parking
- This option will be modelled, tested and further considered.

#### **Additional community facilities**

#### Response:

- Youth This is being considered in association with library and/or the leisure centre
- Arts and cultural centre. Is Council undertaking a study?

### Access over the highway

- What about pedestrian access under the highway?
- What about a pedestrian bridge over the highway?
- Road bridges over or tunnels under the highway from Eastern Road or Gilroy Road to KPR

## Response:

- Generally this type of work is considered unsuitable for a centre the size of Turramurra
- The cost of road works such as a tunnel or bridge over the highway is beyond the economics of this study

- Pedestrian underpasses are unsafe unless highly active with shops for surveillance. This would not be economically viable in Turramurra
- Pedestrian bridges do not provide an alternative given grade/lift access costs. They cater for people moving from one shopping complex to another. Successful in the CBD. Gordon is not heavily used

## New pedestrian walkway

Running from Cherry Street to the end of Rohini Street

#### Response

This option will be investigated further

## Vehicle bridge over the rail line at Ray Street

- Majority demand consideration of the 'Ray Street bridge'.
- There is a long history and old plans that one an award. Option A could include the bridge
- Options needed for bridge connecting Ray Street to Rohini Street
   investigate feasibility
- Need to consider linkages- look at both sides of Ray Street traffic flows to Eastern Avenue
- It would be great to have a linkage between Ray Street and Rohini Street.

#### Response:

- Preparing a cost estimate for a new bridge
- Traffic consultant will provide advice on advantages and disadvantages

## "Option 1D"

Retain Franklins on south side and locate new supermarket on eastern side of rail line

#### Response:

This option has become the preferred option

#### Hillview

New community use option locates all community uses to the Hill View site

#### Response:

This option has been considered however the disadvantages include notable difficulties of access to the site

#### Hillview Road corridor land

Could be used for public parking and open space?

#### Response

 Developing a proposal to put to RTA that provides a balance of uses including open space, housing and public parking and access

#### Development over the rail line

- Possible air right development over the railway to provide required retail/commercial spaces without the redevelopment of existing town centre.
- Should use the existing railway reserve as open space to span across the railway line- this is a waste of an open space opportunity.

#### Response:

- This type of development will require buildings of between 10-12 storeys to make the development economically viable
- This type of development is more typical of Chatswood and St Leonards and is not considered appropriate for a centre the scale of Turramurra
- Discussions with indicated that Rail Corp policy does not encourage air rights development. Only transferable development rights will be given

#### **DESCRIPTION OF THE RECOMMENDED OPTION**

The recommended option is a combination of option 1C and 1B in that it creates a sound town centre model of two major attractors at either end. Linking between the two is a network of enhanced public spaces that is bounded by speciality retail. At the centre are the rail station and a community facilities "hub".

The rationale is to put the supermarkets where the majority of people can access them easily and where they cause the least traffic impact. Residents noted that the Ray Street area is difficult to access particularly from the north and the south. The Coles supermarket also has significant traffic impacts in its existing location.

The preferred configuration of supermarkets is one on the southern side of the highway serving south Turramurra residents and one on the northern side of the railway near Turramurra Avenue serving residents to the north and east of the centre. Significantly this option was raised by a number of people during the consultation phase.

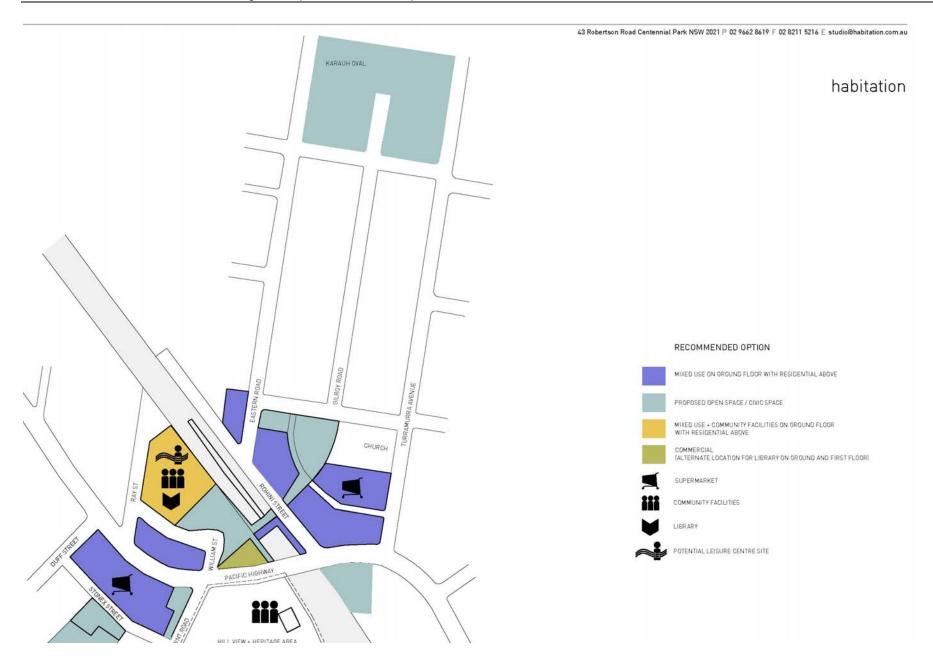
The preferred location for community facilities on balance is consolidated within the Ray Street precinct to create a community hub in the centre of the commercial area.

### **Recommended Traffic Option (D3SV)**

The recommended traffic option has been developed by comparison with a series of detail traffic models (refer appendix A and B):

- New Stonex Street (Two Way)
- Realigned Forbes Lane (One Way) with new connection at Kissing Point Road.
- No right turn permitted from Forbes Lane into Pacific Highway.
   (This movement is catered for via Kissing Point Road, Stonex Street and Duff Street.)
- No left turn from Ray Street into Pacific Highway

- No left turn from Pacific Highway into Forbes Lane.
- Rohini Street (Signals removed, left in left out only)
- New Gilroy Lane (Two Way)
- Turramurra Avenue (Two Way)
- New Signals at Turramurra Avenue/Pacific Highway
- Left Turn Bays on Pacific Highway at Turramurra Avenue and Kissing Point Road.



#### COMPONENTS OF RECOMMENDED OPTION (OPTION D)

The Recommended Option has a number of key components which are described below:

#### New pedestrian bridge over rail line at train station

- Rail Corp is proposing to construct a 3.5m wide pedestrian bridge over the rail line linking William Street and Rohini Street as part of Easy Access Upgrade
- Rail Corp has agreed to provide in-kind assistance to Council for the delivery of a wider bridge including project management
- Opportunity for Council to partner project and fund only the increased width of the bridge
- 7.5m wide bridge highly desirable
- 1-2 shops required to provide passive surveillance
- Funding mechanism needs to be determined

## Improved pedestrian access along the Pacific Highway

- Pedestrian access along the Pacific Highway traveling east to west or vice versa has poor amenity and in some locations, such as the road bridge over the railway, pedestrian conditions are dangerous
- Footpaths are very narrow and there is no protection for pedestrians from vehicles
- Investigate the potential for new pedestrian access bridge cantilevered off existing road bridge (Costs and funding sources need to be determined)
- Require building setbacks to allow for widening of footpaths and street tree planting

## New road bridge over railway at Ray Street

- Option identified by community during options exhibition period
- Provides additional pedestrian and cycle link over railway
- Consultant currently preparing cost estimate
- Funding mechanism to be determined
- Cost benefit analysis required
- Likely implications for other traffic network and road hierarchy will need to be considered
- Undertake further feasibility assessment and traffic modeling as required

## New pedestrian link between Rohini Street and Gilroy Lane

- Provides direct visual link between the eastern and western sides of the centre
- provides linkage between new village greens and station
- Complex implementation involves multiple amalgamations, negotiations with landowners
- Timing, may take many years to implement
- further investigation as part of built form controls as to most appropriate means to achieve

## New village green (eastern side of the centre on Gilroy Lane)

- Possible relocation of Cameron Park to a more central location
- Possible relocation of existing community facilities (HACC) creates opportunity for new park in the town centre
- Existing croquet lawn could be retained as part of new park
- Existing building(s) could be retained/modified as part of park setting for commercial use such as restaurant or café however this would compromise amount of useable open space available

## New Turramurra Village Park (western side of centre on Ray/William Streets)

- Possible relocation of Turramurra Village Park from highway to William street car park area.
- The new location will provide new park in quiet protected location centrally located and useable
- Potential to incorporate "railway gardens"
- Turramurra village park has lost its function and amenity due to traffic on highway
- Park not heavily used and has poor amenity
- Undertake further investigation. Relocation partly relates to decision to realign William Street and reclassify land

## **New Turramurra Library**

- existing facility requires expansion to meet future needs
- Existing location supported by community
- Requires retail and community infrastructure to support the function
- Preferred location in Ray/William Street precinct

## New community facilities buildings

- existing facilities (HACC, Life Start, Meals on Wheels, Senior Citizens) require expansion to meet future needs
- Consolidation supported by existing service providers
- Community support for current location on east side
- However should supermarket relocate to eastern side inadequate space will be an issue
- Opportunity arises to create "community hub" around town square on west side in Ray Street precinct
- Opportunity for shared use of facilities

#### **New leisure centre**

- Consultant identified a strong community need for such a facility
- consultant identified the ray street precinct as one of three preferred sites in the Iga
- the site is close to public transport and can accommodate the building footprint
- traffic impacts require detailed assessment
- possible relocation of existing supermarket creates opportunity
- Leisure centre could potentially support the community facilities by acting as an "anchor"
- Subject to traffic modelling and further assessment by leisure centre consultant, community survey and Council endorsement

#### Mixed Use retail precinct on southern side of highway

- existing Franklins supermarket requires expansion to meet demand and compete with new Thornleigh Markets
- strong community support for current location of supermarket
- serves residents to south of highway
- adjoining retail requires redevelopment currently run down
- new street to south strongly supported by community
- retain and expand existing retail precinct south of highway consistent with retail strategy

## New mixed use precinct with retail and residential on Turramurra Avenue car park

- Preliminary advice from traffic and retail consultants support this location
- The site provides direct access to Pacific Highway
- Will require new traffic signals at intersection of Turramurra Ave with highway

- Serves residents to north and east reducing need to travel to St lves or Hornsby
- Could accommodates medium size supermarket approximately 2500-3000sqm in size
- Impacts on church need to be taken into account
- Requires reclassification of council land, rezoning and underground public car park
- Potential for new retail fronting Gilroy Lane to support supermarket
- Requires further investigations to determine feasibility of new supermarket

#### New shop top housing (mixed use residential) areas

- Most new housing will be within mixed use zones located on land currently zoned for commercial within the centre
- Other areas for investigation are the interface sites and existing medium density zones (2e, 2f, 2g and 2h)
- Few sites outside the commercial areas likely to be rezoned due to range of constraints and recent rezoning.

### Realignment of William Street with Kissing Point Road

- Traffic assessment indicates some advantages in traffic terms
- Would provide improved pedestrian connection across the highway
- Difficulty of implementation land ownership etc.
- Economic impacts on existing landowners to be considered
- Timing, may not be achievable in short to medium term
- Supported by the community
- Requires further assessment including traffic modelling and cost benefit analysis

#### New street between Eastern Road and Turramurra Avenue

- New link road required between Eastern Road and Turramurra Avenue required to reduce through traffic on Rohini Street and Gilroy Lane
- New link road strongly supported by traffic consultant
- Preferred location is close to the centre to reduce impacts on Turramurra Avenue
- Preferred location for a new street is along the northern edge of the Uniting Church
- Further traffic modelling and assessment and consultation with landowners required to determine final alignment

#### 11. NEXT STEPS

This report has described the process of the development of a preferred option for the Turramurra commercial centre. The recommended option will be put to Council for formal resolution.

The council resolution will then form the basis for the preparation of a draft Turramurra Centre Development Control Plan and draft Turramurra Centre Local Environment Plan which will include the preparation of detailed plans documenting building envelopes, zoning, site coverage, Floor Space Ratio and building height and a public domain concept plan.

The next stage will involve further resident consultation and discussion with landowners and other stakeholders including Government departments.

The next stage will also require financial assessment for the key elements of the preferred option and an economic impact assessment and additional traffic and parking assessment.

Formal exhibition of the draft documents is anticipated to take place in mid 2006.

#### **APPENDIX A**

### **DRAFT Traffic Impacts Note:- (10/10/05)**

(This note has been prepared to indicate the level of traffic impact that each of the scenarios below will have on the existing road network.)

## 1. Existing Situation:-

- Difficulties on the Rohini Street approach in the morning and evening peak periods and on the Ray Street approach in the evening peak period.
- The Rohini Street issues result from the shear volume of traffic using Eastern Road (Regional Road) and the minimal green time allowed for Rohini Street at the Pacific Highway intersection.
- The Ray Street issues appear to be as a result of rail commuters and business employees exiting the car park during the evening peak period, .
- The Pacific Highway operates well.

(It should be noted that the results below have been based on modeling which does not take into account the removal of the Tidal Flow arrangement on Pacific Highway which would give more favorable results.)

#### 2. LEP 194:-

- Difficulties increased on the Rohini Street approach in the morning and evening peak periods.
- Difficulties increased on the Ray Street approach in the morning and evening peak periods. The evening peak period reaching unacceptable limits.

- Difficulties starting to occur on the Kissing Point Road approach particularly in the evening peak period.
- The Pacific Highway operates satisfactorily.

## 3. Urban Design Options

The impacts of the four urban design options (A-D) in traffic terms are influenced by how the main trip generators are located within the seven zones (A-G) and how these relate to the main and local road network.

A:- (Supermarkets at Ray Street/Community Facilities at Gilroy Lane)

Net Traffic Generation: 1106 trips

- The main disadvantage of this option, in traffic terms, is that the two main trip generators (supermarkets) are confined to Area D which impacts directly onto Ray Street.
- The combination of a constrained road network in Ray Street (Barriers of the Railway Line & Pacific Highway), the high level of traffic generated from these two land uses and the limited amount of green time available to the local road results in unacceptable conditions at the Ray Street/Pacific Highway intersection.
- The community facilities at Gilroy Lane impact to a lesser extent although problems are exacerbated on the Rohini Street approach in both the morning and evening peak period.
- B:- (Supermarkets at Ray Street & Gilroy Lane/Community Facilities at Gilroy Lane & Ray Street)

  Net Traffic Generation:- 1280 trips

- The advantage of this option is that it attempts to separate the two main trip generators (supermarkets) between Area D (Ray Street) and the western side of Area E (Gilroy Lane/Rohini Street).
- However this does not provide much assistance due to the existing traffic issues at both the Rohini Street and Ray Street approaches.
- The traffic generated from the supermarket in Gilroy Lane impacts directly onto Rohini Street which already experiences difficult traffic conditions.
- The impact on the Ray Street/Pacific Highway intersection, although creates problems to a lesser degree than option A, still results in the intersection of Ray Street/Pacific Highway operating at unacceptable levels.
- C:- (Supermarkets at Ray Street & Stonex Street/Community Facilities at Gilroy Lane/ Leisure Centre at Ray Street) Net Traffic Generation:- 1144 trips
  - The disadvantage of this option is that it locates two main trip generators (Leisure Centre & Supermarket) in Area D again impacting directly onto Ray Street similarly as in Option A.
  - Again the combination of a constrained road network in Ray Street (Barriers of the railway line & Pacific Highway), the high level of traffic generated from these two land uses and the limited amount of green time available to the local road results in unacceptable conditions at the Ray Street/Pacific Highway intersection.

## (Preferred Option)

D:- (Supermarkets at Gilroy Lane/Community Facilities at Gilroy Lane/Leisure Centre at Ray Street) Net Traffic Generation:- 1075

trips

- The main advantage of this option is that it locates the main traffic generators most appropriately within the seven zones. The main traffic generated occurs in Area A, (Supermarket) and Area E (Supermarket) and to a lesser degree in Area D.
- In addition to this the size of the development in this option has been restricted to an ideal maximum rather than an optimum maximum.
- Another advantage of this option is in relation to the location of the library and leisure centre in Area D which generates less traffic than that of a supermarket and considering the constraints on the road network assists to some degree.
- The traffic impact however at the Ray Street/Pacific Highway intersection results in unacceptable traffic conditions in the PM peak period only.
- The location of the supermarket on the Eastern side of Area E also has the advantage that it does not impact substantially on Rohini Street but however may necessitate the need for traffic signals at the Turramurra Avenue/Pacific Highway intersection. (Still to be investigated)

Economic indicators from the Scates modeling indicate that in terms of economic benefit the options would be ranked as follows:- (From best to worst)

- 1. Existing
- 2. LEP194
- 3. Option D
- 4. Option B
- 5. Option A
- 6. Option C

#### 4. Traffic Options

It should be noted that the traffic options developed should take account of the limitations of the Pacific Highway and where possible remove some turning movements from the three major signalized intersections.

4.1 Improved station access & William Street/Ray Street Area In terms of realigning William Street unless there are additional traffic capacity benefits (i.e. Results in G-turn arrangement which removes the right turn from Pacific Highway into Kissing Point Road i.e. +-180 vehicles/hour) in traffic operational terms there appears to be limited advantage with this option. (However it is noted that there are other advantages associated with this arrangement)

The issue which may arise from this arrangement apart from the obvious capacity issues with the introduction of an additional phase at this intersection is that the limited queuing space on the William Street approach combined with the limited green time allocated to the side roads may result in congestion issues in the vicinity of the drop off/pick up zone and possibly at Ray Street where William Street ends.

## 4.2 Access between Duff Street & Kissing Point Road

Option B preferable in traffic terms as it would effectively remove some traffic from the Kissing Point Road/Pacific Highway intersection. (i.e. Left turning traffic from Kissing Point Road may choose to use Stonex Street/Duff Street)

Option C is least preferred as it introduces signals at Duff Street and creates additional capacity pressures.

## 4.3 Rohini Street Circulation Improvements

In traffic terms Option B is preferred as it:-

- Removes turning movements from the Pacific Highway providing an opportunity for additional capacity elsewhere within the overall system.
- With Gilroy Lane set back, as shown, this will allow sufficient queuing space on the Turramurra Avenue approach to the Pacific Highway.
- Another advantage to the one way system in Rohini Street is that it allows the opportunity for reallocation of roadspace towards pedestrians. (i.e. Widened footpaths etc.)

## 5. Ray Street/Rohini Street Rail Bridge Advantages:-

- Allows for distribution of Eastern Road traffic more evenly between Rohini Street/Ray Street and Turramurra Avenue relieving pressure particularly on the Rohini Street approach.
- Provides improved accessibility and operation of public transport buses to and from both sides of the rail station. (This, in turn, would result in journey time and operational cost savings.)
- Provides improved accessibility for residents to access either the existing supermarket or proposed leisure centre/library in Ray Street either by car or on foot by avoiding the congested Pacific Highway.
- Supported in principle by Railcorp.
- The existing deep cutting lends itself easier to construction.

#### **Disadvantages:-**

 Attracts more traffic through an existing quiet dead end street

## APPENDIX B – URBAN DESIGN OPTION TRAFFIC GENERATION TABLES

**Turramurra Town Centre Traffic Study** 

Ku-ring-gai Council Planning Committee Summary Note (Revised 30 November 2005)

#### 1. Introduction:-

The purpose of this summary note is to provide a basis on which to present the Traffic Modelling findings from the Turramurra Town Centre Traffic and Parking Study. It is important to note that this note will be followed by a Final Traffic Report which is the document which should be referenced in future in relation traffic issues for the Turramurra Town Centre.

It should be noted that Traffic modelling does not provide definitive answers but is an effective tool in providing valuable guidance upon which decisions can be made regarding future land use options.

### 2. Traffic Modelling & Key Definitions:-

The traffic modelling software predominantly used by Traffic Consultants and the RTA for road network modelling is SCATES which can be used to assess the operation and performance (existing and future) of signalled intersections which are linked under the Urban Traffic Control system SCATS.

It uses Level of Service (LOS) A to F as a way of defining the operational performance of various signal intersections where level of service A indicates the most favourable and level of service F the least favourable. (It should be noted that the overall level of service of an intersection is determined by the Average Vehicle Delay (AVD) for all traffic movement and therefore it should not be taken as given that a signal intersection operating at LOS A is operating satisfactorily on all approaches.)

The LOS at signal intersections is determined on the basis of Average Vehicle Delay (AVD) and the Degree of Saturation (DS) and is best explained by way of a basic example:-

- Local Road Approach Green Time Available = 10 seconds
- Rate of flow across the stop line = 1 vehicle every 2 seconds
- Number of Vehicles on approach at each cycle = 4

In the example above it is obvious that in 10 seconds all 4 vehicles will clear the intersection with some 2 spare seconds available. i.e. 4 vehicles clear the intersection in 8 seconds. This relationship between traffic volume and available green time is known as **Degree of Saturation.** 

Now consider there were 10 vehicles on this same approach. During the 10 second green time only 5 vehicles clear with the remaining 5 vehicles left to wait until the same corresponding green time comes around again. This waiting period is known as the **Vehicle Delay.** 

#### 3. Turramurra Existing Situation:-

GTA Consultants undertook existing traffic counts at various locations throughout the study area. These were undertaken during the AM and PM peak periods and form the base data used in the traffic modelling. The results of the existing SCATES traffic modelling indicates that there are delays and queues at the Ray Street approach during the PM peak period and at the Rohini Street approach during both the AM and PM peak period.

This information was used as the basis for testing future land use options and traffic improvement options for the Turramurra Town Centre.

### 4. LEP 194 (Traffic Impacts):-

GTA Consultants were given the location and yields for the approved Local Environment Plan 194 development sites for Turramurra. A three step process was undertaken for assessing the impact of the new development as follows:-

- **4.1 Traffic Generation** (RTA Rates applied for medium density development on the basis of a recommended percentage split of 2 and 3 bedroom units by location)
- 4.2 Traffic Assignment (On the basis of the generation above the additional trips were assigned to the existing road network with a 80/20 outbound/inbound split applied to the AM peak with this reciprocated in the PM Peak. It was also assumed that 50% of the outbound traffic in the AM peak would go via Brentwood Avenue to avoid the delays at the Pacific Highway and the reverse would apply in the PM peak)

4.3 Scates/aaSidra Modelling (SCATES Traffic Model used to assess the impact on the existing road network of Pacific Highway and associated local side roads. aaSidra Traffic Modelling undertaken of local intersections along Brentwood Avenue.)

Although detailed outputs (including DS, AVD's & LOS for each approach) have been produced for the LEP 194 and future land use scenarios it is felt best for the purpose of presenting the outcomes in a more broad and holistic way that economic performance indicators be used as opposed to the individual criteria for each intersection. (Details of the economic outputs for the LEP 194 assessment are included in Appendix A)

Economic performance indicators provide an overall cost of the traffic system under the various traffic conditions and are useful in giving an indication of the overall impacts when compared against the existing base case situation. They are calculated based on vehicle operating and time costs as defined in the RTA's Economic Evaluation Manual.

### 5. Urban Design (Traffic Impacts):-

5.1 Options:-

In consultation with the Ku-ring-gai community and Councils Urban Design Consultant five Urban Design Options were developed for the Retail/Commercial/Residential centre of Turramurra as follows:-

Option A

Retail/Commercial:- (2 x Supermarkets at Ray Street)

Community Facility at Gilroy Street

Library at Gilroy Street

Medium Density Development

Option B

Supermarket at Ray Street and Gilroy Street

Community Facility at Gilroy Street

Library at Ray Street Medium Density Development Option C Supermarkets at Ray Street and Stonex Street Community Facility at Gilroy Street Leisure Centre at Ray Street Medium Density Development Option D (Option DA – Leisure Centre Removed) Supermarkets at Turramurra Avenue and Stonex Street Community Facility at Gilroy Street Leisure Centre at Ray Street Library at Ray Street Medium Density Development Option E Supermarkets at Ray Street and Stonex Street – As existing but expanded Community Facility at Gilroy Street Library at Ray Street Medium Density Development

The development of a preferred land use option in traffic terms is best determined on the basis of a combination of the level of likely traffic generation and how this is distributed onto the road network. In the case of Turramurra with its restricted road network (Bounded by the Pacific Highway and Railway Line) it was important that the highest trip generators (i.e. Supermarkets) not be concentrated in the same location but rather that consideration be given to these being evenly distributed throughout the Turramurra Town Centre.

In terms of the above philosophy Option D appeared to fit best as it minimized the amount of traffic generated onto Ray Street by the provision of a Leisure Centre and Library including some specialty retail and relocated the existing supermarket to Turramurra Avenue. This option achieved the best level and distribution of traffic generation across all areas within the Town Centre as indicated in the Traffic Generation Tables in Appendix B.

It was also considered necessary to include one additional land use option which was based on Land Use Option D but removed the Leisure Centre and this was included as Option DA.

5.2 Traffic Generation:-

Traffic Generation rates for each option were determined primarily from the RTA's Guide to Traffic Generating Developments. For the Leisure Centre more accurate generation rates were obtained from similar type developments and the rates for the library were determined from existing peak usage figures obtained from Turramurra Library itself.

Table 5 overleaf indicates traffic generation rates used for the assessment:-

Table 5 - Traffic Generation Table

Land Use	Rate	Reference
Medium Density Residential	0.55trips per dwelling	RTA 3.3.2
Retail:-		
Supermarkets	155A (SM)	RTA 3.6.1
	155trips/1000m2 GLFA	
Library/Community Centre		Figures obtained from Turramurra Library (Calculated)
Leisure Centre*	Gym - 9trips/100m2 GFA	RTA 3.8.2
	Aquatic Centre - 90trips/hr weekday	
Speciality Retail Shops	46A (SS)	RTA 3.6.1
	46trips/1000m2GLFA	
Commercial	2trips/100m2 GFA	RTA 3.5
	22A(OM)	
	22trips/1000m2GLFA	

Note:- \* Traffic Generation Rates for the leisure centre are based on rates for a gym (% of GFA) and on rates obtained from the Aquatic Centre in Ryde

In order to determine the net traffic generation to be assigned to the road network the existing traffic generated from the existing land uses were subtracted from the traffic generated from the new urban design options above.

5.3 Traffic Assignment & Economic Impacts:-

The Traffic Generated from the above Urban Design Options was then assigned to the existing road network and the traffic impacts assessed using SCATES. The economic performance indicators (Annual Route Costs and Average Vehicle Delays for the main and side roads) for each Urban Design Option are included in Appendix A.

The economic indicators for each Urban Design Option indicated that Option D performed best followed by Option E.

#### 6. Traffic Options:-

## 6.1 Methodology

The methodology adopted for the development of the Traffic Options to accommodate the impacts of the various urban design options was as follows:-

#### Using:-

- Urban Design Option D as the starting point (best option from an economic perspective) and identifying that the traffic issues for this option are located at Ray Street and Rohini Street with Kissing Point Road having some flexibility and;
- Having regard to Councils Exhibited Traffic Options;

The following thinking was adopted:-

In order to improve the situation in Traffic Terms would require some if not all of the following:-

- 1. Remove Tidal Flow from Pacific Highway (RTA ameniable to this.)
- 2. Remove some of the turning movements from the three signal intersections. (i.e. Remove Signals, Ban Turns etc.)
- 3. Concentrate efforts on improving capacity at the Ray Street and Rohini Street intersections by not adopting any traffic options which adversely impact on these two intersections.
- 4. Implement traffic management measures in locations surrounding the Town Centre to redistribute traffic away from the town centre. (i.e. Change priority at the Brentwood/Turramurra Avenue Intersection to direct traffic along the collector road of Brentwood Avenue.)
- 5. Reduce the Scale of the Development proposed.

On the basis of the above the following Traffic Options were developed and assessed taking account primarily of points 1,2 & 3 above:-

#### 6.2 Option D1

New Stonex Street (Two Way)

Realigned Forbes Lane (One Way) Set back sufficiently to allow queuing space.

No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.

Rohini Street (One Way In)

New Gilroy Lane (Two Way) Set back behind Church to allow queuing space

New Signals at Turramurra Avenue

#### 6.3 Option D1A

New Stonex Street (Two Way)

Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.

No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.

Rohini Street (One Way In)

New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.

New Signals at Turramurra Avenue

## 6.4 Option D2

New Stonex Street (Two Way)

Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.

No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.

Rohini Street (One Way Out)

New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.

Turramurra Avenue (One Way in between Pacific Highway & Gilroy Lane)

New Signals at Turramurra Avenue

#### 6.5 Option D3

New Stonex Street (Two Way)

Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.

No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.

Rohini Street (Signals removed, left in left out)

New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.

Turramurra Avenue (Two Way)

New Signals at Turramurra Avenue

The outcome of the assessment of the above options indicated that another option based primarily on Option D3 but with the inclusion of a one way operation of Forbes Lane and some additional banned turns would provide most favourable results and would be most appropriate at this stage for Land Use D for the Turramurra Town Centre. This option is presented below as Option D3SV.

## 6.6 Option D3SV

New Stonex Street (Two Way)

Realigned Forbes Lane (One Way) with new connection at Kissing Point Road.

No right turn permitted from Forbes Lane into Pacific Highway. (This movement is catered for via Kissing Point Road, Stonex Street and Duff Street.)

No left turn from Ray Street into Pacific Highway

No left turn from Pacific Highway into Forbes Lane.

Rohini Street (Signals removed, left in left out)

New Gilroy Lane (Two Way)

Turramurra Avenue (Two Way)
New Signals at Turramurra Avenue
Left Turn Bays on Pacific Highway at Turramurra Avenue and Kissing
Point Road.

Following this assessment it was considered necessary to superimpose the traffic options of D3SV onto the land use option E in order to give a direct comparison between these two different land uses with the same traffic management measures. This resulted in a further traffic option E3SV. The results from the comparison between Option D3SV and E3SV are as follows:-

Option D3SV would be more acceptable in Traffic terms requiring infrastructure changes of a relatively manageable/feasible size. There is also a good balance between the main road and side road delays in this option. In addition, the traffic changes proposed (D3SV) will not require a large amount of refinement in order to be generally accepted by the RTA.

Although Option E3SV could be made to work, as it stands, it is less acceptable in traffic terms with main road delays of nearly double that of Option D3SV and would require substantially more infrastructure changes i.e. Possibly more banned turns, more right turn lanes from Ray Street and possibly a new rail link connecting Rohini Street and Ray Street for it to reach levels which would be generally acceptable to the RTA.

#### 7. Conclusions

#### 7.1 Existing Traffic Situation:-

 The Pacific Highway operates well with delays and queues on the side streets at the Ray Street intersection in the PM peak (LOS F) and at the Rohini Street intersection in both the AM and PM peak periods. (LOS F)

#### 7.2 LEP 194:-

- The introduction of the total LEP 194 development will not have a significant effect on the Pacific Highway (LOS B&C) traffic but will have a further detrimental affect on the local roads of Ray Street and Rohini Street.
- The introduction of some minor Traffic Management Measures on the south-eastern end of Rohini Street (i.e. Enforce and Extend the Peak Parking Restrictions) will improve the situation at Rohini Street.
- The introduction of two right turn lanes from Ray Street will improve the situation at Ray Street. This could be achieved by either widening of the southern side of Ray Street, providing an additional lane, or banning the left turn at Pacific Highway altogether and allowing the left turn to take place from William Street via Forbes Lane. It should be noted that the latter has implications for access into Kissing Point Road.

#### 7.3 Urban Design Land Uses:-

- Any future land use options for Turramurra Town Centre should focus on an even distribution of trip generators and not concentrate these in one location due to the existing constrained road network and current traffic sensitivity of the Pacific Highway.
- The major trip generators for the Turramurra Town Centre are by far the supermarkets.
- Land Use Option D provides the best fit in terms of land use distribution with the inclusion of a Leisure Centre and Library at Ray Street and the supermarket relocated to Turramurra Avenue.

#### 7.4 Traffic Options:-

- Option D3SV is the preferred traffic option which accommodates Urban Design Option D and provides a balance of average vehicle delay both on the main road of Pacific Highway and on the local side roads and overall provides the least economic impact.
- Option D3SV would only require a low level of refinement in order for it to be generally acceptable to the RTA.
- Option E3SV is less acceptable in traffic terms with main road delays of nearly double that of Option D3SV and would require more infrastructure changes i.e. Possibly more banned turns, more right turn lanes from Ray Street and possibly a new rail link connecting Rohini Street and Ray Street for it to reach levels which would be generally acceptable to the RTA.

It should be noted that this assessment in traffic terms provides a good basis on which to progress the changes proposed for the Turramurra Town Centre further and whichever option is selected by Council will require further work at a more detailed level.

## APPENDIX B1 – SCATES TRAFFIC MODELLING (ECONOMIC ANALYSIS OUTPUTS)

# URBAN DESIGN OPTION TRAFFIC GENERATION TABLES TRAFFIC OPTIONS:- TURRAMURRA (TO DATE)

#### D1.

- New Stonex Street (Two Way)
- Realigned Forbes Lane (One Way) Set back sufficiently to allow queuing space.
- No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.
- Rohini Street (One Way In)
- New Gilroy Lane (Two Way) Set back behind Church to allow queuing space
- New Signals at Turramurra Avenue

#### D1A.

- New Stonex Street (Two Way)
- Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.
- No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.
- Rohini Street (One Way In)
- New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.
- New Signals at Turramurra Avenue

#### D2.

- New Stonex Street (Two Way)
- Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.

- No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.
- Rohini Street (One Way Out)
- New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.
- Turramurra Avenue (One Way in between Pacific Highway & Gilroy Lane)
- New Signals at Turramurra Avenue

#### D3.

- New Stonex Street (Two Way)
- Realigned Forbes Lane (Two Way) Set back sufficiently to allow queuing space.
- No left turn from Ray Street into Pacific Highway & Pacific Highway into Forbes Lane.
- Rohini Street (Signals removed, left in left out)
- New Gilroy Lane (Two Way) Set back behind Church to allow queuing space.
- Turramurra Avenue (Two Way)
- New Signals at Turramurra Avenue

#### D3SV.

- New Stonex Street (Two Way)
- Realigned Forbes Lane (One Way & Banned Right Turn out).
- No left turn from Ray Street into Pacific Highway.
- Rohini Street (Signals & pedestrian crossings removed, left in left out)
- New Gilroy Lane (Two Way).

#### **APPENDIX C**

## TURRAMURRA TOWN CENTRE Kissing Point Progress Association

Uniting Church hall, Vernon & Chisholm Sts Sth Turramurra 8.00pm Tuesday, 31 May 2005

- Thanks to KPPA Chris Woolley, for organising attendance/ coffee
- Apologies tendered by Cr Malicki & Cr Andrew
- Opportunity for forming change for Turra TC
- NSW Govt direction on MD in town centre area
- Need to consult with locals to get good ideas for the future TC
- Broad outreach to community Youth / Retirees/Shoppers/ Business/ResGps
- Further steps incl Vision and Options workshops and small email surveys
- 1. How long have you lived in or near Turramurra? 9, 20+, 38, 38, 44, 35, 38, 44, 46 38, 40, 5, 9, 9.

## 2. What is one good point about shopping at Turramurra?

- Going to Franklins is easy
- Coffee shop Pierre's
- Friendly, easy to get to, diverse shopping
- Can get most things you want without a car
- Well-known and friendly location
- Close and handy
- Better variety than previously for low-gluten foods
- Personal and friendly
- Close and handy except Pierre's
- Close saves time, known by shopkeepers

- 2 supermarkets and parking near both, friendliness
- Easy access and parking at supermarkets
- Convenient and close

## 3. Name one bad point about shopping at Turramurra?

- Geographically dispersed Franklins to Video in Rohini spread out!
- Noisy, dirty smelly highway, in the middle of town centre
- (85 year old friend) no quiet place to have lunch cheaply
- Saturday main access along KP road is difficult due to netball
- Highway and railway split the town centre into 3
- 2 sloping car parks dangerous for older people with trolleys
- Need for highway underpass for pedestrians
- Need tunnel off Terrigal road to railway for pedestrians
- Turramurra is no good for shopping in the rain
- Fragmentation of centre by highway and railway
- Driving to Coles from KP road is a problem
- Make accessway under highway using rail embankment areas
- Highway divides the shops into 2 areas
- Awful in the rain MainStreet plans show rail bridge underpass options
- Socialise the location outdoor eateries needed
- Need for infrastructure to match new MD needs
- Real shopping is at Chatswood and St Ives Turramurra is too difficult
- Tunnel under highway may attract undesirables
- Perhaps a bridge/overpass like at Gordon
- Pollution form the Highway is a problem

# 4. What one project or issue needs to be done to improve Turramurra?

- Access across the highway needs to be a priority
- Keep the charm plants, trees and stone flagging
- Highway access is the main project needed
- Canoon Road Sth Turra traffic mgmt is needed on Saturdays on KP road
- Town centre fragmentation needs fixing
- Car parking commuters are often from Central Coast
- Chamber of commerce banks and PO need to be open on Saturdays
- Lift needed at station
- KP road to highway then left to station is a problem.
- Need a left turn lane at KP road to highway
- KP road left turn lane to Comenarra needed
- Crossing above or below needed at highway
- Need for multi-storey car park at rail station
- More diversity in shops needed (eg clothing, bookshop)
- Need more trains from Gosford to City = fewer cars in car park
- Put Eastern road over highway
- Divert the highway and realign the roads
- Turramurra is dissected problem parking HWY road tunnel needed
- Don't forget the Ecological Sensitive area behind Franklins
- Restaurants are good and getting better but Take-away is poor.

# 5. What thoughts do you have about the role of roadside or *strip shops*?

- Strip shops provide character to the village
- New one is quite attractive
- Only as good as their pedestrian access

- Landscaping could help break up access is imperative
- Turn them around away from the highway
- Join them up by a new retail arcade beneath the highway
- Rohini street is good
- Highway strip shops should be turned around or put in arcades
- Some arcades don't work- eg Indian Restaurant arcade
- Strip shops opposite KP road are a mish-mash Tiles/Carpets
- Drapery shop access is always difficult
- Sheila's boutique did not last it was too vulnerable a location
- Turning strip shops around makes access difficult without a lift
- Highway is a bottleneck with tidal flows
- Strip shops are obsolete
- Put the highway in a tunnel under the centre or Pedestrian arcade under the highway
- Make the shopping centre into 3 precincts commercial / supermarkets / strip and other shops
- Develop an Andronicus veranda along the back of the strip shops – a sun-friendly / positive aspect location – with lift to ground
- Strip shops were for quieter times not now with Hy traffic
- Supply and demand will dictate what is needed at Turramurra
- Loss of good retailers, eg Banks shows a suburb in decline
- Diversity is going from retailing here
- Outside Franklins, Plaza Arcade fruit shop has seen five different operators trying to trade well from that location
- Old fruit shop at Turramurra poor entrance yet it seems to do well

- Use connecting bridges and lifts like Bondi Junction to link all shops
- Turramurra would not support a Westfield some heritage shops – preserve their character
- Personal treatment at Turramurra make it precious for shopping
- Main Street plans have turned the strip around
- Strip shops are good open till 6pm for commuters eg Chemist
- Strip shop windows are good
- Strip shops were from another era when car access was from highway
- Turramurra is fragmented newer young people with children and older people too find it difficult
- Try to merge the old heritage character with tasteful new MDensity
- Could use highway shops if they had good access from back lane
- Strip shops suit Turramurra, but may not mix with MD too well
- Link shops at rear attract shopping diversity
- Poor parking better at rear.

### 6. Final Comments/issues - open discussion

Rohini Street – Pedestrian Crossing – too much greenery – limited visibility – lower the stone wall a little

- Roof needed over rail overbridge
- Rohini Street would 5 storeys cast a shadow over the mall area?
- Add colour to Rohini Street with street banners
- Needs a civic focus to explain Turramurra history
- William St side is dead needs a roundabout fountain

- Needs a pedestrian crossing at William St
- Open Library on Thursday to match Pension day
- Library is most important as a centre
- Pothole in Rohini St outside Taylors Chemist a permanent problem!
- More lighting in Laneways at night off Rohini Street
- Repaint Ped X at Eastern & Gilroy not clear
- Poor footpaths between rail and bus shelter at Eastern road/Rohini
- Armco railing needed both sides of highway rail bridge to protect pedestrians
- Put a Post Box on the William st side of the Highway
- Plaques note William Street tree
- Construction of lift at Gordon need one at Turramurra
- Crepe Myrtles see Main Street colour scheme plans
- Highway ped crossing from Station to school Boronia Street bus stop takes about 5 minutes
- Safety island needed at bus stop at Boronia (not Monteith).

#### APPENDIX D

# TURRAMURRA TOWN CENTRE Kissing Point Sports Club

Clubhouse, Auluba Rd, Turramurra

7.30pm (till around 8.30pm), Wednesday, 27 April 2005 94871315

- Thanks to Julie Commins for organising attendance/ coffee
- Acknowledge Cr Malicki & later Cr Andrew
- Opportunity for forming change for Turra TC
- NSW Govt direction on MD in town centre area
- Need to consult with locals to get good ideas for the future TC
- Broad outreach to community Youth retirees/Shoppers/business/ResGps
- Further steps incl Vision and Options workshops and small email surveys

### 1. How long have you lived in or near Turramurra?

6 4 6 8 10 20 22 17 15 23 12 21 19 12 25 19 13 15 14 20 33 25 11 33

# 2. What is one good point about shopping at Turramurra?

- Friendly
- Convenient not a major centre
- Village style
- Coles and library nearby
- Easy parking near station
- Choice of food and groceries most needed things locally
- Village style
- Convenient
- Diversity of shops
- Parking

- Proximity to home
- Diversity
- diversity
- Convenience
- Convenience
- Convenience
- Vegie shop
- Friendly
- Convenience
- Friendly
- Parking better than big centres
- Selection of shops
- Dentist and doctors
- Quality and variety
- Community eel
- Variety
- Community
- Atmosphere

# 3. Name one bad point about shopping at Turramurra?

- No undercover parking
- Unattractive
- Divided by Pacific Highway & Railway
- Rohini St is a nightmare for cars
- Too spread out
- Traffic avoid Rohini street
- ditto
- Too spread out
- Ditto
- Traffic esp. Kissing Point Rd intersection
- Fragmented

- Getting out of KP road morning and evening
- No public areas and no focus for people#
- Highway is a real problem to cross
- The park next to the station is a waste
- Park is ugly and hidden
- Not an elderly-friendly centre lots of retirees in villages nearby

# 4. What one project or issue needs to be done to improve Turramurra?

- Need an outdoor community area incl. coffee, away from noise
- More commuter parking like Gordon
- Ditto
- Slow down highway trucks as they come down into Turramurra – the ped crossing at the Carwash dangerous – trucks don't see the lights
- Public space
- Redesign K/Point Rd to work with Ray & Williams St etc
- Parking and need for a town centre focus best spot is the Coles car park
- Put an open community & garden area as a roof for that car park
- Change LH turn at KPoint Road pedestrians slow this a lot
- Put a red light camera at KP road
- More commuter parking less traffic congestion
- Improve highway traffic flow through town centre
- Turn highway into a tunnel and make the space a pedestrian mall
- Commuter parking
- Franklins centre looks old and run-down start again
- Commuter parking

- Traffic on highway
- Commuter parking
- Ditto Rohini Street is a problem
- Need an outdoor focus for town centre
- Move Franklins to the other side of Highway
- Change Franklins side to car-parking
- Make KP road a ring road
- Make a new shopping complex inside with no traffic
- Ped Crossing in Rohini Street cut down bushes they block vision
- Franklins Car park access to KP road is a problem make entrance there and exit to Pacific highway
- Close Rohini street as a pedestrian mall traffic is bad there
- Use car-park as town centre
- Turn the highway shops around
- Supermarket car parks are sloping and unfriendly for people with children
- Red lights at KP road
- Walkway above Highway to get rid of LH turn from KP road
- Commuter Parking
- Walkways over highway and Rohini Street
- LH lane from KP road should be left turn only
- LH lane needs to turn right as well so as to turn left at Rohini St
- Concentrate the shops one side of the Highway
- Take KP road intersection straight across to Ray & Williams Sts
- Parking on one side of Highway and shops on the other.

# 5. What thoughts do you have about the role of roadside or strip shops?

- Less attractive, noise, shopping style different products (tiles) to a mall, convenience/access from highway
- A place for specific businesses that need traffic visibility
- Needs upgrading look a bit dowdy
- A place for a quick shop offers different services
- Must match current needs, people choose to park behind, and should have entry from behind
- Variety and convenience, access to strip is good- eg ballet school
- Good shopping mix
- Strip shops are good for some services parking is a hassle for just shopping at one place – if too hard, we go elsewhere
- Parking is still the problem strip shops have no street appeal
- Window advertising for street traffic is good for strip shops
   but people often arrive via a backdoor form the car park
- Better colour coordination between shops
- Overpass won't work look at Gordon
- Needs updating
- Don't use strip shops
- We don't want a Hornsby-type mall congestion and traffic is already bad
- Strip shops are a waste of space
- Macquarie centre seems to be catering more for under 30's people
- Village atmosphere is reinforced by strip shops
- Gives an old town feel having strip shops
- Strip is changing to meet needs clothing out tiling in

- Strip shops should stay Woolies at Greenway Plaza will have an impact – lets keep diversity in shopping
- More strip shopping, more pedestrians, less cars
- Eliminate highway strip shops move them to South Turramurra
- Strip shops need good parking nearby
- Strip shops make a streetscape Chemist area is dangerous
- Strip shops along and near Rohini are accessible others on highway will evolve for highway visibility and rear access
- Assist shops to grow change their face to open onto car park
- Strip shops create atmosphere with access form Highway
- The mix of strip and other makes the village
- Turn strip shops around; expand Coles area on a theme of civic focus
- Put parking underground and increase it
- Delivery truck access must be included in new design
- One stop shopping is what is needed today allow for population age change
- More medium density housing means some shops may go to light industrial areas
- Access to rail means an increase in need for convenience shopping
- Highway shops should be demolished
- Car park alternatives are necessary to meet town centre needs

### 6. Final Comments/issues - open discussion

- Do something quickly some shops are dying others changing to bread shops and RE agencies
- Look at copying St Leonards at a smaller scale
- Decentralisation of more businesses into Turramurra town centre
- Strip shops are a dying heart here
- Keep an open feel with nice areas for people
- Keep it open and keep the atmosphere
- Shops in Turramurra should keep to visual scale form KP road
- Town centre should be attractive with greenery and trees at Railway
- Use rail access and space above it better
- Need to link or concentrate shops in the town centre
- Widen form Ray to Rohini Street look at this area for MD residential
- Move Franklins to the other side widen the highway there
- Commuter parking needed or better local buses (53 spaces is not enough)
- Don't build over railway we are not a St Leonards
- Rents are killing the smaller shops older people don't buy as much as younger ones
- Create enjoyable outdoor spaces use South Turramurra as an alternative to Town Centre
- Strip shops have low-cost offices above, this is good for small business
- Develop south and north Turramurra as alternatives to town centre
- Keep Village atmosphere cater for older people
- Pedestrians above ground; cars underground
- Care for greenery and keep it clean.

#### **APPENDIX E**

### Turramurra Town Centre Consultation with Residents – Northaven/ St Margarets Village Representatives (2+2)

3pm, 18 February 2005 (Fraser & Janice / Gordon & Joyce)

#### Introduction

Thanks to Village for interest and assistance. Looking to the future of Turramurra town centre ...10- to 20 year horizon

Six outreaches by Council – Household Survey 8000 homes; resident groups consultations, business consultations, young person's consultations, retirement village consultation, shopper survey.

Today's session – Retiree reps will be asked a series of questions. We will seek perspectives and experiences.

Feedback session by winter – survey results on kmc website.

### How long have you lived in or near Turramurra? Years = 9, 42, 41, 41.

### Name a good thing about shopping at Turramurra?

- Good to have a village near former home
- Hillview do good work eg exercise and weights
- Community centre is god for exercise training arthritis
- Supermarket access is OK but we go to St Ives
- Computer pals at Gilroy 6 new PCs are good
- Crossing the highway is a problem 15 people at Northaven are over 90
- Senior Citizens centre esp Meals on Wheels

- Good parking at Coles- but expensive prices compared to Hornsby
- No car needed from Northaven walk to shops
- Library is good even though highway a problem; 6 of 28 here are over 90
- · Bendigo bank hours are good
- Tree planting on roadside should be encouraged
- Coles, library, travel shop, 2 supermarkets are competitive

#### Name a bad thing about shopping at Turramurra?

- Crossing at Rohini Street to Highway is dangerous for older people
- Steps at Turramurra Station are a problem
- We have 3 bakeries yet no Medicare or MBF
- Banks have reduced from 5 to 3 now
- Roads & footpaths are poor in William street, affected by tree roots and dangerous
- Two potholes near Kissing Pt Rd & Highway (RTA?)
- Turramurra Park last many eucalypts in storms and winds need for lower height (6m) canopy trees instead?
- Let (Turramurra) people know about local retirement so they can plan
- Hillview Health don't do enough publicity to village residents.

#### What could be done to improve Turramurra?

- Need to advise older people on services available
- Improve Turramurra Park eg toilets and change rooms (for an example see Mosman cricket grounds and oval facilities)
- Too many spray-can people graffiti needs policing, a role for the neighbourhood watch
- Smarten up Turramurra Park eg a Kiosk for coffee etc would be good

- Park needs good facilities to match local uses eg Rotary Wine & food Society stalls
- Ku-ring-gai art society look at something like Mosman Gallery
- Older Ku-ring-gai people are a bit complacent they should visit other areas to see good facilities
- Ku-ring-gai residents don't realize what they could have
- We need a walk-accessible gallery/facility
- Art appreciation is growing at Turramurra a gallery is needed
- Railway station lifts are needed
- Men's Shed is needed in Ku-ring-gai
- Senior Citizens Centre should include mens shed like Lane Cove
- Highway truck slipstream is almost dangerous for aged and frail people – windrush and vacuum is a problem, as is rain/wash from roadway
- · Make the highway a mall
- Ban 4WD form local parking areas
- Kissing Point road pathways are a challenge near Franklins
- A Post Box is needed nearer to Northaven to save crossing Highway
- Rohini St Pedestrian Crossing is becoming dangerous as vegetation blocks visibility – not all present agreed.

# Please give your thoughts about strip shopping along the Highway?

- Turn the shops around form little arcades
- 2 restaurants (Indian & Thai) have absorbed shops and passageway
- · Good hairdressing
- A problem location getting worse for access
- But good visibility from passing traffic for strip retailers
- Arcades at night become a security hazard
- Security a problem for shops with both a front and rear access
- This dual access means security/expense / less profitable.

# APPENDIX F TURRAMURRA TOWN CENTRE PLANNING Consultation NTAG

11.30am – 13 March 2005

#### Introduction

Thanks to Brian Cannon – *North Turramurra Action Group.*Looking to the future of Turramurra town centre ...10- to 20 year horizon

Six outreaches by Council – Household Survey 8000 homes; resident groups consultations, business consultations, young persons consultations, retirement village consultation, shopper survey.

Today NTAG Members will be asked a series of questions. The replies look to glean experiences and perspectives on each question.

[Cr lan Cross present]

Feedback session by winter – survey results on kmc website.

#### How long have you resided in Turramurra?

50 years, 40, 45,45,44,30, 1.2, 47,30,40, 18, 18, 18, 18, 13, 18, 2, 13.

### Name a good thing about shopping at Turramurra?

- Parking and transport
- Video shop
- Dear bottle shop
- Convenience
- Video shop
- Nothing
- Theos liquor
- Nothing
- Library

- Railway station
- Nothing
- Pool shop
- Bottle shop
- Convenience
- Video
- Supermarket
- Car parking
- Library
- Chemist
- Station parking
- Diversity
- Parking
- Library
- Parking
- Access
- Nursery
- Doctors
- Quiche in plaza.

# Name a bad thing about shopping at Turramurra?

- High prices
- Limited variety
- Divided by highway
- Unremitting congestion
- Traffic
- Commuter parking
- Poor shop access
- Kissing point road access
- Congestion
- Crossing the highway for shopping
- Fragmented shopping suggest Rohini St Mall
- Rail station parking
- Expensive

- Highway pedestrian crossings
- Rohini St pedestrian crossing delays cars
- No undercover parking like Gordon
- Divided by highway
- Does not fill a niche not big or small.

### What could be done to improve Turramurra?

- All shops on one side
- Undercover parking,
- Pass
- Better access to shops
- One side of highway should be developed for shopping
- Close Rohini St rail bridge traffic to Ray Street
- Change bus parking for better access to Coles
- Eastern Road access esp in mornings
- Need for overpass / underpass across Highway
- Consolidate shopping into one accessible area
- Easier access to shops
- Walkway like Gordon across Highway
- Better bus terminal
- More upmarket shops
- Feeder road to shopper car-parking
- Over/underpass across highway
- Commuter parking
- Better supermarket access
- More upmarket shops
- Underground the highway or build shops over it
- Controlled pedestrian crossing in Rohini St
- Rohini St Crossing over vegetated hinders drivers seeing pedestrians
- Trucks on highway in peak hours
- Commuter parking.

# Please give your thoughts about strip shopping along the Highway?

- Reversing the shops doesn't work in Pymble
- Strip shopping is outdated
- Parking and access needed behind
- Poor variety
- Eradicate
- No place for strip shopping
- Ditto
- North Turramurra is parked often parked on both sides
- Unappealing, difficult and dangerous
- Polluted and child-unfriendly
- Strip shopping does not work on the Highway
- Highway too busy for shopping
- Outdated shopping footpath is a potential danger zone
- An accident waiting to happen, given trucks and traffic
- Shops are old and grotty reverse shops to face inwards
- Pass
- Dangerous and noisy
- No strip shop parking is a problem on the highway
- Congestion; lane markers make the highway confusing
- Pass.

#### Special qualities of shopping at North Turramurra?

- Sub post office is great
- Don't use
- Convenience at north turra and friendly
- Convenience, but difficult access sometime
- Fruit shop needs to be open on Sunday afternoon
- Friendly location
- No supermarket and bank
- Dentists, chemist and convenience

- Atmosphere and environment
- Friendly village, keep developers out
- Village atmosphere and convenience
- Access and friendly village style
- No need for Woolies, very accessible friendly
- Small and friendly
- Upmarket atmosphere
- Services are good, doctors dentists hairdressers restaurant and take way are all good
- Intimate, convenient and friendly
- Village atmosphere is good often dying elsewhere
- Variety, animal hospital, newsagent PO good but lost hardware
- Drapery no longer here don't want to go to Turramurra
- Rubbish and some overhanging bushes across footpaths are a problem for access
- Good doctor and dentist
- Convenience but move pedestrian crossing.

#### Improvements for North Turramurra:

- Consider moving pedestrian crossing near Normurra
   Ave 1 or 2 metres towards Turramurra
- Police the too-close parking to pedestrian crossing near shops
- Parking outside the real estate agency makes the pedestrian crossing dangerous
- Keep developers including new hospitals out of here
- Council must use competent legal counsel in Court proceedings
- Need for car park feeder road to ease congestion on Normurra
- Pedestrian crossing is hard to see as a driver move a bit towards Turramurra
- Put in rumble strips approaching pedestrian crossing

- Keep it simple especially parking
- Change pedestrian crossing
- Limit inappropriate development
- Shopping in North Turramurra is dangerous
- Council is impotent against NSW government on development
- Too much shopper parking makes the pedestrian crossing dangerous
- Limit shopper parking to 2 hours
- Put 40kmh limit along shopping strip all the time
- Police double parking by deliveries etc on Bobbin Head road at shops
- Pedestrian crossing is not obvious especially to drivers from elsewhere

#### Final Point

- Sports traffic is often a problem
- Police u-turns on Bobbin Head road near shops
- Better signage for available parking areas
- Don't expand shopping area
- Kiss and drop times are dangerous near Normurra Ave
- Consider road link from F3 dip to Mona Vale road along gully to Wildflower Park
- North Turramurra shopping is good because of access
- Bobbin Head and Burns roads need lights to turn Right off Burns Road
- Filter needed on Eastern Road turning right into Burns Road
- New NTAG Secretary is Steve Slater
- Email St Ives shopper Survey to Brian
- GHD did resident surveys follow up.

#### **APPENDIX G**

### Turramurra Town Centre Consultation with Residents – Rohini Village 10am, 18 February 2005

#### Introduction

Thanks to Village for interest and assistance. Looking to the future of Turramurra town centre ...10- to 20 year horizon

Six outreaches by Council – Household Survey 8000 homes; resident groups consultations, business consultations, young person's consultations, retirement village consultation, shopper survey.

Today's session – Retiree reps will be asked a series of questions. We will seek perspectives and experiences.

Feedback session by winter – survey results on kmc website.

### How long have you lived in or near Turramurra?

Years= 37, 10, 4, 80 (1926!), 50, 10, 2

### Name a good thing about shopping at Turramurra?

- Roger's food shop is excellent
- Good chicken shop quality
- Love being here
- Convenient esp to newsagent
- OK for me (101yrs) Each time I contacted Council they did something – there was a dirt road outside our place in 1926 when we came here; I contacted Council about ponding, they fixed the ponding and put in a culvert
- No Dept Store but Hornsby is OK for me

- Quite happy
- Supermarket competition is good eg Coles & Franklins
- We need a good restaurant here for retirees

#### Name a bad thing about shopping at Turramurra?

- No bookshop
- No mens underwear shop
- Paving on railway side of Rohini street is very broken near trees and around Cherry Street
- Need F3 to F2 extension to reduce highway traffic
- Hairdressers from Turramurra should come to village
- Coles is on the other side of the railway
- No fruit shop delivers to us
- Council needs to look at footpaths that need repairs
- Need a seat or two outside the Thai restaurant and near ped crossing to the railway
- Ditto look a repairs to footpaths and a new seat near Thai restaurant.

#### What could be done to improve Turramurra?

- Fruit and vegetable truck to sell at the Village here towards the end of each week
- Bus needed to come to Rohini Village weekly, say Thursday or Friday
- Weeding and path maintenance by Council is needed
- Clean up rubbish around railway entrance from Rohini Street
- Shopping area flower tubs colour and maintenance needed
- The Crepe myrtles in Rohini St are looking sad attention needed
- We need a post box outside our Village.

# Please give your thoughts about strip shopping along the Highway?

- More of a mall is needed
- Could we close off the Highway?
- We need to put lights in for railway exit pedestrian crossing in Rohini St AND synchronise with Highway/Eastern Road traffic lights
- People dribble across that rail exit pedestrian crossing needs better
- Rear arcades should provide a solution for Highway shops
- Need a seat between Cherry St and shelter shed
- Double Bay solution turn the Highway shops around
- Need for wider footpaths in future outdoors /café society.

#### Final Point

- Garage on cnr of Rohini St has closed we need a restaurant there
- Near that garage gutter needs repair it gets flooded, blocked drain on a bad corner
- Toilets are not very good we need automatic new ones like Wollongong!
- Taxis don't like our short trips
- Taxis are not very reliable even for longer trips
- Taxi phone at Coles needed
- Coles entrance is not too good, doubtful emergency exits, poor seating for elderly
- For people living by themselves, it is difficult to buy smaller packets eg muesli, soups.

#### Points from Residents Preparatory Meeting:

#### Coles

- More seating needed for older shoppers
- Taxi phone
- Narrow congested exits fire exits?

#### Rohini Street

- Make it into mall
- Extra crossing lights coordinated with highway traffic lights
- Another seat near chicken shop or lower down
- Rohini & Eastern water builds up in gutter
- Put posts either side of above pedestrian crossing although lights would correct this

#### William Street

- Safer crossing needed to National Bank or up to Highway
- Needs a taxi rank closer to station entrance would save carrying heavy luggage some distance

### Shops

• Should have hours of business on them – many do.

#### Railway Bridge

 Should have notice and arrows pointing to taxi rank and Shorelink bus terminal, and list of which hospitals bus routes go to.

# APPENDIX H TURRAMURRA TOWN CENTRE PLANNING Consultations

7.30am - 7 & 14 March 2005

#### Introduction

Thanks to Chamber of Commerce for interest and assistance. Looking to the future of Turramurra town centre ...10- to 20 year horizon

Six outreaches by Council – Household Survey 8000 homes; resident groups consultations, business consultations, young person's consultations, retirement village consultation, shopper survey.

Today's session - Businesses will be asked a series of questions. We will seek perspectives and experiences.

Feedback session by winter – survey results on kmc website.

How long have you operated your business in Turramurra? 10, 1 or 2 // 2, 2, 2, 11, 13, 16, 5, 9, 10, 1, 3, 43/15, 2, 5, 1.

### Name a good thing about shopping at Turramurra?

- parking
- garbage removal and cleanliness
- parking for shoppers
- most shops are here in Turramurra
- two good supermarkets Franklins is hidden Coles is obvious
- shop-top housing is good for business
- atmosphere / station location/ cosy village set-up
- friendly shoppers and customers
- older population are loyal shoppers and forthright people
- no special attraction need for a focus

- diversity of shops
- affluent people
- local support
- ditto
- good community
- close to buses
- local community
- good demography
- one-stop location
- diversity of business
- no competition in hardware
- like-mindedness
- good shopping
- community-minded people
- high net worth people
- nice place & nice people
- traffic/bus/rail hub
- good local services.

### Name a bad thing about shopping at Turramurra?

- Extend parking to 4 hours
- Set parking up like Gordon multistorey with worker parking
- North and south Turramurra
- Highway divides the centre of Turramurra
- Traffic flow on highway is major disadvantage
- Disjointed virtually 3 shopping areas in central
  Turramurra
- Rail station could use a lift
- Biggest issue is parking
- Lots of people got to Hornsby, Macquarie or St Ives
- North Turramurra people shop at St Ives
- Central Turramurra people shop locally
- South Turramurra people shop at south Turramurra

- Pacific highway
- Highway makes shopping difficult
- Traffic flow and highway
- Three shopping precincts in central Turramurra
- Divided by highway and railway
- Council lost local funds for Turramurra town centre
- Council does not listen higher rates less service
- Highway problems
- Parking need for more all day parking
- Parking suggest 4 hour limit eg for hairdressing and others
- Limited shopping range Coles is a magnet
- Need for employee parking
- Turramurra central is fragmented into 3
- Signage needed, plus advertising locally (\*www?)
- Some retail gaps eg children's toys
- We are not an attractive village like Wahroonga for business
- Eastern Rd and Rohini St are congested after 2pm each day

### What could be done to improve Turramurra?

- Close Rohini Street
- Walkover across highway like Gordon
- New shops to take away old tattiness- preserve heritage too
- Mall and town centre across railway
- Open up wasted space ... like Norton St (Leichhardt)
- Eliminate parking levy for new business
- Small scale Interchange esp. for Nth & Sth Turra users of the railway
- Village style include a Town Square
- Use rail airspace as a town central point
- Medium density there needs to be tasteful

- Consider traffic mgmt by street closure
- Older people are intimidated by highway
- Consider closing Rohini st not all agreed
- Lights needed at Turramurra Ave and highway
- Don't close Rohini St would be a disaster for eateries and PO
- Light traffic bridge needed Rohini & Bray Streets
- Old Council raided \$500,000 from parking fund for general revenue
- Loss of parking to other uses near Uniting Church
- Need to link shops with retirement village opp on highway
- Better links Turramurra disintegrated hub lifts for access would help
- Access for older persons across highway and to rail platforms needed
- 600 new units along Highway from Warrawee will be a disaster here
- Turramurra needs a strategy not bandaid solutions
- Hub role is important Connection and office space over rail station
- Commuter parking.

# Please give your thoughts about strip shopping along the Highway?

- None
- pass
- pass
- here to stay
- parking is needed off the Highway
- has a place and future if parking is provided behind
- exposure is critical for many businesses
- other centres like Wahroonga, Crow's nest
- Ditto

- North Turramurra is parked often parked on both sides
- Strip shops are the gateway to Turramurra
- Use highway and rail to benefit the town centre
- 72000 cars per day along highway
- Pennant Hills tunnel may open highway at Turra to parking
- Much potential after-hours uses along highway
- Visibility is important for our Drapery shop
- Look at Parramatta rd Annandale new parking behind has revitalised
- Traffic is a problem.

#### Final Point

- Highway traffic is a problem
- M2 to F3 link is missing bandaid traffic job is a criticism of Sydney
- Keep trucks out of Turramurra if possible rail the freight
- Prostitution is not for Turramurra
- Don't ruin it with redevelopment try to keep character
- Need for an active role for business
- Need for a revitalised Chamber of Commerce.

#### **APPENDIX I**

Residents' Vision Workshop 5<sup>th</sup> May 2005 Summary and Synthesis of Outcomes

### 1. What qualities does Turramurra Town Centre need to keep?

The following is a summary of responses from all tables:

- Sense of community atmosphere
- Small scale
- Open space / green
- Small local shops
- Village atmosphere.
- Viable alternative shopping centre (ie. to Westfield).
- Quality of life / greenery / point of difference.
- Existing infrastructure to be enhanced.
- Diversity of retail outlets.
- Library.
- All existing open space parks, car parks etc to be retained as open visual space.
- Local population.
- Seniors centre / child care centre / Turramurra tots / Hill View.
- Lawn areas / parks.
- Medical services / dental / hairdresser.
- Hardware.
- Good public transport links trains / buses.

# 2. What are the issues or problems that need to be addressed in planning for the Turramurra Town Centre?

The following is a summary of responses from all tables:

- Difficulty of access between 3 different retail areas.
- Poor traffic flow particularly Rohini Street.
- Lack of cycle ways

- Better access for retirees / elderly.
- Widening of arterial roads ie. Kissing Point Road
- Through traffic.
- More and better parking.
- Rail feed bus services run at a loss.
- Traffic / parking / access / traffic flow.
- Uncoordinated / disjointed / unfocussed.
- Lack of quality / choice of shopping / eateries.
- Lack of after hours activity.
- Inadequate pedestrian links through the centre.
- Division of shopping centre by road and rail.
- Lack of car parking.
- Excessive noise.
- Traffic congestion.
- Lack of open space.
- Lack of vitality at night.
- Local traffic circulation must be kept / separated from through traffic on highway.
- Improved bus / train / car interchange and pedestrian access.
- Safety at night.
- Traffic gridlock.
- Parking shopping and commuter.
- Access to station for elderly / disabled.
- Difficult access to unattractive shopfronts on highway.

# 3. What characteristics and features would make a good town centre for Turramurra?

The following is a summary of responses from all tables:

- Pedestrian mall.
- Outdoor dining.
- Transport hub another exit from railway station to access this hub.

- Redevelopment of plaza with bridge or tunnel access across the highway.
- Multi-storey underground car park.
- Face shops away from Highway.
- Viable alternative shopping centre to St Ives.
- Proper use open spaces.
- Use space wisely.
- Cover up highway? Railway?
- Consolidated shopping centre.
- Face shops to car parks.
- Rooftops have beautiful views use them.
- Nothing for children pool close but not central.
- Waste of land bottom of Rohini Street where buses go.
- No overpass over highway too many stairs.
- Community facilities on both sides.
- Several levels of shopping that can be linked over highway.
- Lifts open space and community area over rail.
- Don't want another Hornsby losing shops and banks.
- Re-do community areas Meals on Wheels etc.
- Office space for rent.
- Accessibility over the highway possible if lifts into shopping spaces.
- Overpass.
- Rohini Street Mall.
- Focus on existing hub.
- Attract younger people to town centre.
- Village green / alfresco dining.
- Access improvement for station / bus interchange.
- Development height (of buildings) to be stages to limit mass.
- Open air dining.
- Inward focus to development (away from the highway)
- More open space for cafes safe outdoor seating.
- More car parking (especially for station).
- Easy access / transit for pedestrians.

- Centralised retail complex preferred site in the Coles precinct.
- Underground parking multi-level.
- Alfresco dining.
- Shops facing inwards incorporate highway grouping of services / retail / community shops.
- Linking 3 precincts pedestrian overbridges over highway and over Rohini Street.
- Variety of retail and services.
- Incorporate library and community centre.
- Support development by adjacent high rise surrounding.
- Make station safe and increased activity

#### 4. Describe your group's vision for Turramurra Town Centre:

The vision statements from each group are set out below:

#### Group 1:

- Poor traffic flow around the centre.
- Require improvements to the rear of shops.
- Underground the existing car parks.
- Need to provide facilitates for younger population.
- Total reconfiguration of existing roadways is required for the centre.

#### Group 2:

- Need to maintain small shop feel.
- Need diversity of shops.
- Keep the library and existing open space areas.
- Inadequate pedestrian access to the town centre.
- Lack of commuter car parks.
- Lack of night time activities.
- Provide one or more village green in the centre.
- Need safe place to sit.

- The centre should be dominated by small business.
- Retain health and other community services.

#### Group 3:

- Provide a centralised complex in the Coles precinct.
- Need a village green centrally located
- Need a variety of shops and alfresco dining areas.
- Need multi-level or underground car park.
- Require upgrade to the commercial frontage along Pacific Highway.
- Group the community services.
- Provide better location for existing community facilities.
- Provide new study room and internet services to the library.
   Possible provision of coffee shops in the library.
- Allow medium density development around the town square/plaza to fund the public improvements.

#### Group 4:

- Retain the village atmosphere of the centre.
- Underground existing car parks.
- Need to cater for the children.
- Improve the accessibility to the station.
- Provide roof top gardens for views.

#### Group 5:

- Maintain small shops.
- Need to cater for elderly people.
- Provide more parking.
- Require improvements to the Kissing Point Road and Rohini Street.
- Need new cycleway.
- Redevelop Turramurra Plaza and provide tunnel to link to another side of shops.

- Provide more exit points to the station.
- Use air space over the railway for development.
- Need sports centre and youth centre and locate them near Coles.

#### 5. Synthesis

All the words and statements from each group can be organised under the following headings:

### Village atmosphere

- Improve village atmosphere / spaces.
- Identify meeting place.
- Lacks community atmosphere develop.
- Lacks community atmosphere develop.

# **Traffic and Parking**

- Improve traffic movement and parking facilities.
- Close off town centre to traffic.
- Highway shops poor rear access turn around.
- Underground car parking
- Commuter parking.
- Multi-layered car park preferred underground.

#### Public space and parks

- Create mall / open air and closed dining (people access).
- Central village green surrounded by cafes and low rise shops
- Village Green
- Village green(s).
- Provide safe places to sit.
- Wisely used spaces for people not cars.
- Inappropriate to have so much car parking in important places – make for people.

- More open space.

#### **Reorientate shops**

- Commercial spaces consolidated and face pedestrian spaces / car parks.
- Highway shops poor rear access turn around.
- Turn commercial inwards.
- Pacific Highway shopfronts should face the rear.

#### Create retail core

- Development confined to and focussed on existing hub.
- Limit development to hub to prevent impacts.
- Division between shops intolerable.
- Group retail in central area
- Group retail.

# Mix of uses - viability and vitality

- Increase viability of shops / businesses.
- Centre to be dominated by small businesses to serve daily needs.
- Lack of vitality at night.
- Viable shopping centre specialty and staples.
- Community, residential, commercial, open space.
- Retail
- Cafes

#### Children and youth

- Cater to children (eg. pools).
- More facilities for children sports centre, youth centre.
- Facilities for young people.
- Cater for younger generation.

#### **Pedestrian accessibility**

- Accessibility - station, overpasses etc.

- Increase / enhance links between components.
- Interlinked pathways throughout the centre.
- Bridges / tunnels across railway and highway.
- Poor pedestrian links.

#### Rail air-space development

- Open space built over railway.
- Development using air space of railway line.

#### Views

Use rooftops for views.

#### Green

Roof gardens, as much green as possible.

#### **Community services**

- New library and community facilities (better facilities).
- Keep library.
- Comprehensive range of health and community services.
- Health and community services.

#### **Public transport**

- Improve access to public transport.
- Train station with bus interchange, car parking and a lift to the platform.

#### **Pacific Highway**

Widen Pacific Highway

### 5. Components of the Vision

By grouping the headings identified above we can identify common themes:

Paragraph 1: Village atmosphere Public space and parks

Paragraph 2: Mix of uses - viability and vitality Community services Children and youth

Paragraph 3:
Reorientate shops
Create centralised retail core
Views
Greenness
Pacific Highway

Paragraph 4: Pedestrian accessibility Public transport

# Paragraph 5: Traffic and Parking

#### Notes:

- The idea of rail air-space development has been discounted as the scale of such development (eg St Leonards) is considered inappropriate for Turramurra.
- The idea of a practical realistic plan will be included as a fundamental planning principle rather than in the vision ie development is required to fund public and community improvements.

#### **APPENDIX J**

# TURRAMURRA TOWN CENTRE PLANNING Consultations

7.30am 7 April 2005

#### Introduction

Thanks to KNOX - SRC & John Starreveld for interest and assistance. Looking to the future of Turramurra town centre ...10- to 20 year horizon

Six outreaches by Council – Household Survey 8000 homes; resident groups consultations, business consultations, young person's consultations, retirement village consultation, shopper survey.

Acknowledge attendance of Cr Andrew.

Today's session – KNOX reps will be asked a series of questions. We will seek perspectives and experiences – *survey results on kmc website*.

### How long have you lived in or near your suburb in Ku-ring-gai?

- 1. Turra 13
- 2. Turra 2
- 3. Gordon -12
- 4. SI 8
- 5. 3
- 6. 2 Pv.
- 7. 14+ tu,
- 8. 3,
- 9. 3 Go

# Name a good thing about shopping at your suburb in Ku-ring-gai?

- 1. Turra Close
- 2. Easy access
- 3. Gordon meets most needs
- 4. SI good for elderly, skatebowl is good
- 5. Not as busy as Westfield
- 6. Turramurra is a versatile area
- 7. Pymble is convenient
- 8. Turramurra has good VCR and Pizza
- 9. Gordon is a good size with good variety

#### Name a bad thing about shopping at your suburb in Ku-ring-gai?

- 1. Turra divided needs to be on one side
- 2. Turra not convenient, parking and access are poor
- 3. Gordon bit tired and old, not like Chatswood
- 4. SI Crowded at non-school times, space is limited
- 5. Gordon convenience, duplication of some shops
- 6. SI Crowded and busy
- 7. Gordon mid range size makes it a bit of a problem as a centre

### What could be done to improve your suburb in Ku-ring-gai?

- 1. Turra Sport shop and Gym
- 2. Turra no video store
- 3. Gordon not very organised as a location no link to rail station
- 4. Turra roads are a problem for town centre
- 5. Turra a surf shop and restaurants would be good
- 6. Turra too many bread-shops, need some restaurants
- 7. SI same kind of shops, lots of duplication of shops for older persons, add some sports shops

# Please give your thoughts about strip shopping along main roads?

- 1. Turra parking is mostly OK for these shops
- 2. Turra not under one roof; strip shops have easy access
- 3. Gordon kerb parking not on car parks OK
- 4. Turra video and newsagent and bakery need good quick access
- 5. SI parking and access to/from Memorial Ave is dangerous
- 6. Gordon is efficient in many ways but Lindfield has better strip access
- 7. Pymble shops off the highway works well
- 8. Turra good centre with close parking off highway for little strip shops

#### Final Point

- 1. Turra need to focus on a fitness centre for area
- 2. Turra Food and fast food would be good for young and ret village people
- 3. Pymble good redevelopment is needed behind the railway station
- 4. Gordon is tired people go to bigger places like Westfield
- 5. SI need facilities on highway lie squash
- 6. Gordon Pymble pool is OK another in the north of Kgai would be good
- 7. Pymble basketball hoops would be good in parks social hub for youth
- 8. Turra Fitness centre and gym would be good
- 9. SI youth clothing outlets need to be available
- 10. Gordon keep our town centres mid-size, with sports centres and meeting places for youth; few young persons shops eg fashion shops.

#### Vote of thanks

Expressed thanks on behalf of Council, Cr Andrews and myself for time and perspectives given this morning. Noted household survey results would be available on kmc website – weblink forwarded to Mr Starreveld later that morning with emailed note of thanks to Knox./cc Cr Andrew

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# TURRAMURRA TOWN CENTRE PREFERRED LAND **USE OPTIONS**

# **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To have Council consider the consultation and planning outcomes for the Turramura centre and to seek Council's endorsement of the recommended option and to prepare a draft Local Environmental Plan and draft Development Control Plan to rezone certain lands in and around the Turramurra Centre to set more detailed planning and

development controls for the area.

**BACKGROUND:** 

The Minister has directed Council to prepare plans for additional housing in and around its town centres and to provide for retail and commercial activities to meet the needs of the local community. This report outlines the proposed/land uses for he Turramurra Centre as the first planning stage for this centre.

COMMENTS:

Council has adopted an integrated place based approach to planning for Turramurra. This will ensure that maximum community benefit is achieved from redevelopment. Studies have been prepared and extensive consultation has been undertaken with the community and other stakeholders to identify issues, to establish a vision for Turramurra and to assess options for retail and commercial development, residential development, options for traffic management, community facilities and open space. A recommended option is put forward for Council's consideration and endorsement, prior to developing the plans for the next stage.

RECOMMENDATION:

That Council prepare a Local Environmental Plan and a Development Control Plan for Turramurra Centre in line with the recommendations included in this report.

#### PURPOSE OF REPORT

To have Council consider the consultation and planning outcomes for the Turramurra centre and to seek Council's endorsement of the recommended option and to prepare a draft Local Environmental Plan and draft Development Control Plan to rezone certain lands in and around the Turramurra Centre to set more detailed planning and development controls for the area.

#### **BACKGROUND**

In a letter dated 27 May, the State Government gave a direction (under section 55 *Environmental Planning and Assessment Act*) to Council to prepare an LEP in relation to areas in and around existing retail and commercial centres in the Rail / corridor and St Ives Centre as Stage 2 of its Residential Development Strategy.

This requires Council to prepare plans for additional medium density housing, including shop top housing and re-evaluation of density controls on existing medium density zones. It also requires Council to provide for retail and commercial activities in town centre to cater for the needs of the local community. In line with this direction, Council has substantially commenced the planning for St Ives town centre, Turramurra centre and commenced the preliminary planning work for the Gordon Town centre. The information for this report has been drawn from the **Turramurra Commercial Centre Background Report November 2005.** (Attachment A)

This report represents a comprehensive summary of the first stage of the integrated planning process for the Turramurra Commercial Centre. It provides an outline of the extensive stakeholder consultation and its outcomes; an overview of the site opportunities and constraints; it identifies the key design principles that will guide the planning process; documents planning and traffic options for the town centre; and concludes with a recommended option.

#### **Development under RDS Stage 1**

In stage 1 of Council's residential development strategy new areas were identified for medium density housing. The suburb of Turramurra is expected to have an additional 1163 dwellings with an estimated additional population of approximately 2,070 persons. The rezoned areas are generally in proximity to the Turramurra centre although some site are dispersed further along the Pacific Highway, both to the north and south.

#### **Integrated Planning Approach**

Council has commenced integrated place-based planning for the existing commercial retail centres along the Railway Corridor Pacific Highway and the St Ives Centre.

This process will not only focus on increasing opportunities for residential development in each centre as required by the Minister but will also seek to achieve identified social, economic, environmental and amounty objectives. The integrated planning approach will focus on improving the viability and liveability of each centre, improving traffic and parking, providing new open space (where appropriate), improving public domain, improving safety, improving accessibility of each

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centre etc. Parallel to this work Council and community facilities will be reviewed to identify opportunities for upgrading facilities and / or including new facilities.

This approach also seeks to ensure that there is maximum community benefit derived from the redevelopment of the Turramurra centre.

The project is being run as an integrated planning exercise involving all departments of Council. Council staff are managing the core components of the project with specialist input from consultants as required.

Council's 2005-2009 Management Plan sets out the direction of Council in relation to planning for the commercial centres.

#### In the longer term

With Ku-ring-gai being a vibrant place while maintaining its unique character, natural environment and heritage. Integration of Council's planning will improve the liveability and vitality of local communities and the sustainability of the area. Council must respond to state government and community demands for additional housing, greater housing choice and associated facilities.

In the short term Council's management plan identifies the following actions relevant to planning for the Turramurra Centre;

- Continue to implement stage 2 of the Residential development strategy by preparing plans for major commercial centres.
- Review classifications of community landholdings in association with Stage 2 of the residential development strategy
- Prepare a comprehensive public domain plan
- Develop plans for traffic management and other forms of transport in the main centres

Measuring our achievements in 2005/2006 (KPI)

• finalise the integrated plan for Turramurra commercial centre

In general Turramurra centre project will:

Produce a DCP and LEP for the Turramurra Centre consistent with the community's values
and vision, with requirements of the Ministers S55 direction, LEP 194 and DCP 55 and in
and vision, with requirements of the Ministers S55 direction, LEP 194 and DCP 55 and in accordance with best practice planning principals and SEPP 65 and the NSW Residential Fla
Design Code and the new Draft NSW standard LEP template.
Involve and effectively engage the Council, community and relevant stakeholders in the preparation of plans; and

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☐ Following the exhibition of a draft DCP and LEP, review submissions and finalisation of a suite of planning documents for adoption by Council, including new Section 94 plan, and plans for public domain, traffic and parking, community facilities etc.

# **Preliminary Consultation**

COMMENTS

Consultation has been in line with best practice and has included consultation methods based on "Ideas for Community Consultation" a report prepared by NSW DUAP February 2001.

The consultations to date have been completed in 4 phases

- 1. Initially, with established local groups and interested residents,
- 2. Consultation workshop to develop a Vision for Turramurra town centre,
- 3. Options workshops' consultations, and most recently
- 4. Public displays in the town centre seeking feedback on a Planning Option.

A chronology of surveys and consultations is attached in Attachment B.

Consultation has involved working extensively to establish and develop contact with interested stakeholders in the Turramurra Commercial Centre. Positive links with the Turramurra Chamber of Commerce have been notable. Others have included:

- Householders from Turramurra and Warrawee
- Business-owners and retailers in Turramurra
- Shoppers at Turramurra
- Established local resident groups
- Young people
- Persons in retirement villages.

A large survey was posted to some 8000 householders in the Turramurra/Warrawee postcode 2074 area in February 2005. Survey results yielded information & opinion from nearly 2000 of these residents, on:

- Demographics
- Opinion on shops & business
- Shopping location choices
- Opinion about Turramurra
- Sport & recreation choices
- Planning for the future.

The consultations and householder survey allowed the collation of an extensive e-mail register of persons interested in keeping informed of progress. This has been used to provide updated information quickly about Turramurra town centre planning, and to seek feedback to Council via on-line surveys on a range of local and Council-wide issues.

In addition to the above, local paper publicity and distribution of The Turramurra News (August) and The Ku-ring-gai News (October) by Council throughout the postcode 2074 area, provided progressive details of town centre planning.

Over the past month Council has received correspondence from the public both as letters and emails on the planning for the Turramurra centre. This information has been passed to on staff and relevant consultants for consideration in planning process.

The correspondence has indicated a mixture of support, objection and areas that require further assessment. This correspondence has been acknowledged and the persons have been informed of the report going to Council.

### **Development of a vision for Turramurra Centre**

A vision statement identifies the characteristics of a place that residents envisage for the future and identifies what the community consider important about a place and should be protected and enhanced. The vision also identifies opportunities for change and improvements to meet community needs in the future.

A vision workshop was convened in central Turramurra on Thursday 5 May 2005. It included 50 Turramurra & Warrawee householders who had volunteered their availability to attend consultations when they completed the above resident survey. These householders were invited as a sample to range across age; time lived in the locality; and gender so as to provide a broad array of contributions to the workshop.

Each of the themes identified in the Vision workshop were used to build a sentence or phrase to describe the desired outcome. A survey of residents' opinion about the distilled results from the above workshop was then emailed to the 50 above participants, plus another 150 householders who had provided their email address for such purpose. Responses were sought within 7 days and some 75 out of a possible 200 were received.

The Vision survey responses from 75 Turramurra/Warrawee householders gave very strong support (over 60 out of a possible 75) to each of the vision elements proposed.

### Vision for Turramurra centre

Turramurra Centre will have a strong village atmosphere with a green landscape character, gardens and tall trees and village squares surrounded by cafes, shops and community facilities providing meeting places for the community.

The centre will offer a mix of uses including shop-top housing, retail, commercial and offices, community and open spaces. Cafes and restaurants will encourage night-time vitality. A comprehensive range of community facilities will include a library, youth and aged facilities. Health services will be available.

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The shops will be orientated away from the highway onto village squares. Future development will step down in height to the village squares to enhance solar amenity for residents and community. New developments will be set back from the highway to allow widening of the road and improved pedestrian amenity. Heritage items and significant buildings will be protected and integrated into the town centre encouraging reuse.

Pedestrian and cycle routes will provide strong connections between the main shopping areas to minimise the impediments of the highway and railway. Cycle routes to the centre will also be integrated with the regional networks. The bus interchange and train station will be upgraded to operate efficiently, be user friendly and be accessible to all.

The local road network will have improved traffic flows and reduced delays. Some car parking will be located underground to provide greater public space and pedestrian amenity within the town centre.

# Development of Principles and Objectives/for Turramurra Centre

The planning principles for Turramurra have been developed from information gained from a series of workshops involving staff, Councillors and consultants. Information gained from preliminary consultation has also assisted with the development of planning principles.

The design principles for the centre are set out below. These principles have been developed in response to a range of parameters including:

- The community aspirations identified through stakeholder consultation and the community vision
- Councillors issues and opportunities
- issues, constraints and opportunities identified by Council staff and consultants

#### **Principles for Turramurra Centre**

- Create a pedestrian oriented centre calm traffic reduce area of surface car parking
- Plan to minimize the inconvenience of 3 separate retail centres
- Increase retail by 4000sqm to cater for existing and new residents under current LEP 194 zoning
- Provide additional retail to cater for RDS stage 2 residents as per retail strategy recommendations
- Improve traffic circulation in the area
- Create new opportunities for open space in and around the town centre
- Provide two new public spaces on the eastern and western sides of the town centre either side of the railway
- Ensure new public spaces are largely green with trees to respond to garden character of the area
- Provide a strong pedestrian link between the two public spaces via improved and widened pedestrian bridge over railway
- Provide other small public places within the centre for people to sit and eat, relax and rest.

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- Provide improved community facilities in a centralised location
- Retain and extend the tall tree character on the western side of the town centre
- Retain items of heritage significance and other significant buildings
- Limit buildings heights adjoining public spaces to minimise overshadowing and overlooking impacts
- Retain and upgrade the existing bus interchange.
- Provide building setbacks along the highway frontage to allow for widening of the highway and for wider pedestrian footpaths
- Improve Rohini Street amenity and safety by reducing traffic flows and expanding and upgrading the public domain
- Retain and improve Cameron Park
- Investigate opportunities for reconfiguring roadways to improve pedestrian access and traffic flows including a new through link between Eastern Road and Turramurra Road to take through traffic out of the town centre.
- Investigate realignment of William Street with Kissing Point Road to improve linkages across the highway

#### STUDIES INFORMING THE DEVELOPMENT OF LAND USE OPTIONS

Specialist consultants were engaged to evaluate traffic and transport issues and retail and economic factors and community facilities. The following is a summary of the key issues; opportunities and constraints; and recommendations identified by the consultants.

# Retail Study Recommendations for Turramurra/Centre

The Ku-ring-gai Retail Centres Study prepared by Hill PDA recommends a retail strategy and retail hierarchy for Ku-ring-gai including recommendations on the amount of retail floor space (in terms of "net letable area") to be provided in each of the 6 main centres. The retail strategy recommended by this study was endorsed by Council on 19 July 2005.

The Retail Study categorises Turramurra as a large neighbourhood centre with around 112 shop-front premises of which 30 are used for commercial services. Total shop front space is around 16,000sqm of which 12,400sqm is used for retail and 3300sqm is used for commercial services.

According to the Retail Study, Turramurra is currently trading at around 10% above the national average. This is well below the performance of Gordon, Lindfield and St Ives, which are currently trading around 30% to 50% above the national average.

The Retail Study recommends that, in order to adequately cater for its existing population, as well as for the expected population increase under stage 1 of Council's Residential Strategy (RDS), Turramurra expand its retail floor space by up to 4,000sqm (including space for shop front commercial services). Some of this would be in the expansion of the two existing supermarkets, which are both undersized for modern supermarkets.

In addition to the retail expansion recommended by the Retail Study, provision should also be made for additional retail floor space to service the expected increase in dwellings within the town centre under RDS stage 2. In Australia every new household increases demand for retail by around 5

square metres of retail floor space. In Turramurra that figure is around 6/2 square per household because of higher than average household expenditure correlated with higher than average income levels. Neighbourhood centres at the scale of Turramurra can expect to capture around 35% to 40% of their neighbourhood's expenditure – the remainder being captured by higher order retail centres. Further to this is demand for shop front space for non-retail commercial users such as banks, travel agents, real estate agents, community uses, medical services and the like. In strip neighbourhood centres of this size these uses usually make up around 20% of total shop front space

Based on the preliminary urban design estimates, the potential dwelling increase in Turramurra under RDS stage 2 will be approximately 550 to 650 dwellings. This would require an additional 1200 to 1400sqm of retail floor space and 250 to 300sqm of shop front commercial floor space be provided.

Therefore the total expansion of retail ground floor space in Turramurra, sufficient to cater for both RDS Stage 1 and RDS Stage 2 growth, is approximately \$700sqm (including shop front commercial space but not including commercial office space found on the upper levels of buildings)

The retail study warns against the removal of retailing on the southern side of the highway (ie Turramurra plaza area) as it would result in an undersupply for the trade area south of the Highway. Turramurra residents north of the highway have good access to a range of centres including Hornsby and St Ives, whereas residents south of the Highway are less serviced. Removing the retail south of the Highway would undermine convenience and accessibility for these households, forcing them to travel further and/or travel across the highway. Feedback resulting from the exhibition of the options strongly supported the retention of viable retail on the southern side of the highway.

The Retail Study does not consider the impact of the recently opened Thornleigh Marketplace in Hornsby Shire due to the timing of the study. Anecdotal evidence suggests that this new centre is capturing significant supermarket trade from the South Turramurra and Fox Valley areas. If Council is to ensure that a supermarket on the south side of the highway remains viable, it will need to ensure that retail expansion allows the development of a modern, competitive and accessible supermarket supported by a range of specialty shops to service the residents in that trade area.

Figures contained in the Retail Study indicate that only 35% of Turramurra and Warrawee resident north of the railway use Turramurra centre for their food and grocery shopping, with most other residents using supermarkets in St Ives or Hornsby. This compares to over 50% of residents south of the railway using Turramurra centre for their food and grocery shopping. The reason for this lower level of service provided to residents north of the railway can be attributed to the location of both the existing supermarkets on the south side of the railway and their size. Part of the future retail expansion in Turramurra should be aimed at better servicing those residents in Turramurra and Warrawee north and east of the railway.

# **Community Services and Implications**

Future planning for community facilities is based on a number of criteria including future usage needs and population projections:

#### **Branch Library**

Space requirements and siting criteria for the Turramurra Branch library have been provided by Dr David J. Jones, Building and Planning Advisory Service, State Library of NSW.

The space requirements were derived using benchmarks provided by the Library Council of NSW (2000). The population-based benchmark was used, which allows for a certain floor area per thousand population, with different calculations for branch and central libraries.

It should be noted that these space requirements are intended as minimum requirements only for a library facility, and local community needs, such as exhibition areas and community activities spaces, may exceed the minimum specified.

Compliance with these guidelines is also a prerequisite for applications for Library Development Grants from the State Library of NSW.

Based on the identified catchment areas, the minimum space requirement, using the population-based formula, for Turramurra Branch library is 1527 sq meters. The current library is 700 sq meters, a space shortfall of 790 sq meters. This space shortfall is considerable, and to reach the benchmarked floor area, a branch library serving the Northern catchment, would need to be more than twice the size of the current library building. This need is also clear from the Consultant's observation and inspection of the facility.

Specifically a larger branch library at Turramorra would provide all the facilities and services expected from a modern branch library, including distinctive children's areas, discrete spaces for young adults, extensive informal seating, adequate numbers of study seats, including quiet study space, more access to computers, groups study and meeting rooms, wide isles, lower shelves, a collection that meets the needs of the community, display shelving and space for exhibitions or displays.

The Library Council of NSW, in its publication People Places: a guide for public buildings in NSW (2000) provides the following criteria for assessing library sites:

- 1. Proximity to Shops in a main street or shopping area location which is highly visible, particularly from the shopping area.
- 2. Street Frontage on a street frontage, and not hidden from the road by trees or other buildings
- 3. Transport within walking distance to public transport
- 4. Site area/expansion site able to accommodate future expansion if required
- 5. Parking access to adequate and secure parking
- 6. Vehicle access accessible for deliveries and other vehicles
- 7. Accessibility a site which will enable easy ground floor access.
- 8. Safe and attractive pedestrian access particularly for people with disabilities, older people, children, and parents with prams
- 9. Local criteria other local factors that may be important to specific communities such as within a cultural precinct

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It should be noted that a site which is suitable may not necessarily score the maximum in all categories.

Within the Northern Catchment area, the Consultant considered the general location of the current library performed reasonably well against the criteria. The site is large, reasonably central and readily accessible from all parts of the catchment. It is close to a railway line, has a street frontage, is close to a shops and supermarkets, near bus routes, and adjacent to a car park.

### Home and Community Care (HACC) Facility, Gilroy Road, Turyamurra

Ku-ring-gai's ageing population will see an increasing demand for home support services to assist older residents to stay in their homes longer. This increase in population will place further strain on existing services.

The existing HACC facility in Gilroy Road houses offices, function space, and meeting rooms for a number of HACC support services, which target older people in the community. Services housed in the HACC centre include Easy Care Gardening, Community Transport, Senior's Centre, Meals on Wheels, Volunteers Service and a diving room.

The anticipated additional space requirements to meet future service demands are 2200 sq metres. The existing area is 727sq metres.

There is also a heavy demand for car parking as a majority of the work is carried out by volunteers, and is car based. Parking and garaging (for buses), therefore, is a major consideration. There is also a need for additional administrative office space and storage space for services catering for the needs of frail older people and people with disabilities.

Turramurra is the ideal location for the HACC facility as it is centrally located and close to Hornsby. Co-location of facilities is important and provides many benefits to services and clients.

#### Life Start, Cameron Park

Life Start is ideally located on the edge of Cameron Park, however demand is rapidly growing for extra space, as they have already outgrown their current facility. Council is in the process of locating a site for a multi-purpose children's centre, which could potentially incorporate Life Start at a later stage.

#### **Hill View**

There is scope for future co-operative arrangements with the State Government service providers based at Hill View, which offer a range of specialist services. These services are not necessarily committed to staying in Hill View, which is owned by the Department of Health. Council staff has had preliminary meetings with departmental representatives, who will be in a better position to provide space requirements for services in early 2006.

# Traffic and Parking Study and Implications for Turramurra Centre

A traffic and parking study was commissioned to assess the current traffic and parking conditions and develop options to best manage future traffic generation through the Turramurra Centre

associated with the Stage 2 Residential Development Strategy. The study also modelled the impact on the road network likely to be generated from the residential redevelopment under LEP 194. A summary note, traffic generation tables and economic analysis is provided in Attachment C.

Based on existing traffic conditions, the preliminary findings of the study found that intersections such as Pacific Highway and Rohini Street and Pacific Highway and Ray Street experience excessive delays during certain peak traffic times but mainly for the side streets, given that the Roads and Traffic Authority gives high priority to Pacific Highway traffic.

At this stage, the parking demands have not been fully examined but it is intended that the number of public parking spaces be retained and increased where possible and appropriate.

With the inclusion of all the proposed residential development under LEP 194, traffic modelling was undertaken to determine what the traffic generation from the new residential developments will have on the existing network. The major finding of this part of the traffic modelling was that the intersection of Ray Street and Rohini Street with the Pacific Highway will experience significant delays unless traffic flow and access improvements are implemented.

With the likely increase in residential, retail and potential increase in community facilities, this will place additional pressure on the side streets, as the RTA will not reduce the level of service for peak traffic flow on the Pacific Highway. Furthermore, the RTA would look favourably at removing the tidal flow arrangement on the Pacific Highway by Council, including provisions for widening the Pacific Highway to allow dedicated right turn bays and maintaining six lanes for through traffic.

Details on what traffic options to overcome the issues raised above are covered further in this report.

# **Traffic Options**

A traffic analysis of the various planning options has been carried out to assess the likely impact of these options on the existing network.

Traffic generations using RTA guidelines were used to assess the likely impact of traffic on each of the planning options. Results of the traffic analysis is in the form of an annual cost, which is an estimate of the collective yearly cost that motorists would experience when travelling through that section of the road network, in terms of vehicle operating costs and delay (time) costs (Attachment C). This is related to the average vehicle delays and is another form of showing a comparison of the model. Other forms of comparison relates to the levels of service for the various intersections.

The annual cost result can indicate the best overall performing option, based on the above parameters, subject to the performance being acceptable during the peak periods. Typically, when considering arterial road network changes, the RTA would compare the annual cost of a proposal against the existing annual cost.

Below is a summary showing the comparison between the existing traffic conditions compared with the proposed in terms of annual costs. It should be noted that the annual cost of the signalised intersections of Pacific Highway (in Turramurra) in their current configuration is \$7.38 million.

The annual costs with the impacts of gazetted LEP194 are calculated at \$9.54M. This is effectively the baseline for future planning.

#### Option A – 2 supermarkets at Ray Street and Community Facilities at Gilroy Street.

The SCATES modelling for this option showed a significant increase in the annual route costs (\$21.93 million). This is primarily due to the delays likely to be experienced at Ray Street caused by the traffic generated from the supermarkets.

# Option B – Supermarkets at Ray Street and Gilroy Street Community Facilities at Gilroy Street and Library at Ray Street.

The SCATES modelling showed an increase in the annual route costs to \$19.56 million. This is primarily due to the delays likely to be experienced at Ray Street from the traffic generated from the supermarket and the community facilities.

# Option C – Supermarkets at Ray Street and Stonex Street, Community Facilities at Gilroy Street and Leisure Centre at Ray Street

The SCATES modelling for this option showed a significant increase in the annual route costs (\$27.71 million). This is caused by the high traffic generation form the expanded supermarket and the leisure centre. It should be noted that in this option, the traffic generation rate used for the leisure centre was conservatively higher than in the other options.

# Option D – Supermarkets at Turramurra Avenue and Stonex Street, Community Facilities at Gilroy Street, Leisure Centre and Library at Ray Street.

The SCATES modelling indicates that this is the best overall option for traffic generation, even though there is still an increase in the annual route costs to \$16.17 million compared with the base level.

# Option E – Supermarkets at Ray Street and Stonex Street, Community Facilities at Gilroy Street and Library at Ray Street.

With annual route costs of \$19.39, the SCATES modelling for this option showed a slightly higher increase compared to Option D. This is primarily due to the delays likely to be experienced at Ray Street from the traffic generated from the expanded supermarket.

To improve the performance of the land use options, 4 possible improvement measures were identified:

#### 1. New intersection with Pacific Highway

This involves the addition of a new set of traffic signals with a right turn bay from the Pacific Highway into Turramurra Avenue. The purpose of this new intersection is to direct traffic away from Rohini Street which is heavily used by pedestrians, commuters and people visiting the retail centre. It is not intended to make Turramurra Avenue the dominant link and with the

new link to Eastern Road, it is intended to make Turramurra Avenue one way south from Boomerang Street.

This new intersection will need to be assessed by the Roads and Traffic Authority to ensure that peak traffic flows along Pacific Highway are not adversely delayed by the proposed signalisation of the intersection.

# 2. Conversion of Rohini Street to Left in and Left Out with the removal of traffic signals and providing a new link to Turramurra Avenue

Because of the close proximity of the railway station and the retail frontage, motorists experience delays with the pedestrian crossing, parking of vehicles and the traffic signals at the Pacific Highway. In order to overcome the delays, it is intended to remove the traffic signals and only allow a left in and left out arrangement. Furramurra Avenue currently operates under this arrangement and the delays are not significant. The relocation of the pedestrian crossing to Turramurra Avenue will allow vehicles to exit Rohini Street and only concentrate on Pacific Highway traffic. The provision of the new link to Turramurra Avenue will allow for the circulation of traffic around the shopping centre precinct.

# 3. Provision of a direct connection from Kissing Point Road to William Street and a one way link to Ray Street via Forbes Lane

The purpose of this change is to allow a direct vehicular and pedestrian link from Kissing Point Road to the railway station and the facilities proposed for this precinct. This will allow better access and remove one of the turning pays on the Pacific Highway. Widening of the Pacific Highway will allow for a dedicated right turn bay into Ray Street and therefore allow removal of the tidal flow arrangement on the Pacific Highway. Variations to the circulation movements and drop off arrangements are still to be finalised.

### 4. A new connection from Kissing Point Road to Duff Street

While there is an indirect link from Kissing Point Road to Duff Street through the shopping centre car park, it is proposed to formalise this link through a new road. This will assist traffic heading north along the Pacific Highway rather than being delayed by the traffic signals at Kissing Point Road and the Racific Highway.

#### 5. Removal of tidal flow on Pacific Highway

As mentioned above, removal of the tidal flow arrangements would enable dedicated right turn bays and maintain six lanes (3 in each direction) for through traffic. While 3 lanes are currently provided on the peak direction under tidal flow arrangement, some additional capacity would be obtained through the removal of the tidal flow.

These measures were tested on the best two performing options (options D and E, above) to determine the effects on the route. The results of the modelling show that the annual cost of Option D would be \$11.56/million while the annual cost of Option E would be \$13.81 million.

Further information relating to the levels of service of the various intersections will be provided in the traffic report.

#### PLANNING OPTIONS

The preparation of design options or scenarios is an important part of the planning process whereby the community is given a number of viable alternatives that can be debated in terms of the advantages and disadvantages of each. All options took account of the site analysis; community responses and vision; planning principles and objectives; input from staff across Council; and Councillors and consultants involved in retail study, traffic study and urban design study. The following options for planning the Turramurra centre were exhibited in August 2005 (refer Attachment B for details of dates).

# **Land Use Options:**

#### 1. Mixed use and retail

- A. Two mixed use centres retail centralised
- B. Two mixed use centres retail distributed
- C. Three mixed use centres

# 2. Community Facilities and Open Space

- A. Community facilities combined
- B. Current locations of facilities retained
- C. Distributed community facilities including new leisure centre

# **Traffic Options:**

# 3. William St & Kissing Point Road

- A. Align William Street and Kissing Point Road Ray Street/Forbes Lane loop
- B. Align William and Kissing Point Road in/out from William Street
- C. Do not align William Street and Kissing Point Road, widen Forbes Lane

# 4. Duff Street & Kissing Point Road

- A. No access between Duff Street and Kissing Point Road
- B. Access between Duff Street and Kissing Point Road via new street
- C. New street linking/Kissing Point Road and the highway

# 5. Access around Rohini Street

- A. Two way Rohini Street and extension of Wonga Wonga Street
- B. One way Rohini Street, new straight cross street
- C. Rohini/Street mall
- D. Complete one way system

A full description and assessment of exhibited options taking into account the retail strategy, open space and recreation, community facilities, traffic and transport, planning and urban design, environmental assessment and community consultation feedback is provided in the Turramurra Commercial Centre Background Report November 2005 (Attachment A).

## **Consultations on Options**

To promote consultation, some 8000 copies of the *Turramurra News* (August) were distributed locally, giving background material and inviting participation in the Options Survey on the 5 Planning Options traversed above.

Three Options Workshops were convened during August & September 2005. A stratified sample of residents, who had offered their availability via survey, plus resident-group representatives and businesses, attended the first workshop. A further 20 self-selected people also attended. A similar workshop was convened with commercial land-owners in the Turramurra town centre. A third, publicly advertised workshop of some 40 persons, comprised self-selected people, local Church members, augmented with household survey respondents.

Supplementing this was a series of public planning Options Displays held during August and September 2005 in the Turramurra town centre. The options survey was distributed at 3 consultations, 4 displays and was accessible at Council's web-site, www.kmc.nsw.gov.au. E-mail advice of the above was also sent to some 700 persons those who had registered interest, during surveys or consultations.

#### THE RECOMMENDED PLANNING OPTION-FOR TURRAMURRA CENTRE

Council has been working closely with a number of specialist consultants to develop a land use option to guide the long term planning for Turramurra centre. The recommended option takes into account the results of:

- Preliminary community consultation
- The community vision
- Community feedback on planning and traffic options
- Councillor issues and opportunities
- Traffic assessment
- Retail assessment
- Urban design input

The full details of the assessment process are documented in Attachment A - Turramurra Commercial Centre Background Report. Option D is shown in Attachment D.

The recommended planning option (Option D) proposes:

- Turramurra will be a Local Centre with a total of approximately 21500sqm net floor area (NFA) of retail.
- The total retail comprises approximately 16,000sqm NFA existing; an additional 4000sqm NFA of retail to eater for the existing population, as well as for the expected population increase under RDS stage 1; approximately 1500sqm NFA of retail to cater for potential dwelling increase in Turramurra under RDS stage 2.

- The centre will comprise two main retail areas one on the southern side of the highway serving south Turramurra residents and one on the eastern side of the railway near Turramurra Avenue serving residents to the north and east of the centre.
- Between the two retail areas (in the centre) are the rail station and a community facilities "hub".
- Community facilities are to be consolidated within the Ray Street precinct to create a community hub
- Two supermarkets with a combined total of 4,500sqm one located in each of the retail areas
- Potential for a 4000sqm leisure centre in the Ray Street precinct subject to community consultation and Council approval
- Retaining the strip shops fronting onto the Pacific Highway and allowing commercial and retail uses
- new cafes, restaurants and speciality shops at the rear of the centre facing north onto new public spaces at Gilroy Lane and at William Street
- a total of 5000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical services and the like. This includes approximately 3700sqm NFA of existing floor area and an allowance of 30% for future growth.
- Residential shop top housing in all retail areas.

# Option D is recommended for the following reasons:

- Option D satisfies the objectives of the Minister's Directive by providing shop top housing in the centre
- The proposal is comprehensive taking into account a wide range of factors and meets Council's resolution to prepare an Integrated Plan for Turramurra
- Option D is a combination of the exhibited land use options 1C and 1B which were the two most preferred options by the community.
- The land use arrangement locates the highest traffic generators (supermarkets) in the areas with the least traffic constraints and as a result it has the lowest Economic costs (Annual Route Costs) and the lowest Delay Averages for both side streets and the highway.
- Option D provides a good retail model with the two supermarkets at either end of the centre creating major attractors that will draw people from one side of the centre to the other. Between the two is a network of enhanced public spaces that is bounded by speciality retail. The rationale is to put the supermarkets where the majority of people can access them easily and where they cause the least traffic impact.
- Option D consolidates community facilities. This has been noted as the preferred arrangement by staff given the synergies and economic benefits of co-locating.
- Option D provides the opportunity in the future for a leisure centre to be located in Turramurra centre if the community determines this is the best location

#### ALTERNATIVE LANDAUSE OPTION E

This option has arisen because there has been significant community concern about the possibility of a new supermarket on Council's Turramurra Avenue car park as per land use option D. Particular concern was shown by the Uniting Church as the new location for the supermarket adjoins their site. In response Council requested staff explore an alternative land use option that retains the existing supermarkets in their current location, this has been named land use option E. Option E has

undergone traffic assessment with the same assumptions as option D so that it is possible to directly compare the impacts of each with the other.

The land use Option E proposes:

- Turramurra will be a Local Centre with a total of approximately 21/500sqm NFA of retail
- Two main retail areas one on the south side of the Pacific Highway off Kissing Point Road the other centrally located in the Ray Street area
- Community facilities are distributed through the Ray Street area and the Gilroy Lane area
- two expanded supermarkets with a combined total of 4,500sqm
- No provision for a leisure centre
- Strip shops are retained fronting onto Pacific Highway with commercial and retail uses
- new cafes restaurant and speciality shops at the rear of the centre facing north onto new public spaces
- Total of 5000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical services and the like.
- Residential shop top housing in all retail areas

**Option E** is not recommended for the following reasons:

- in traffic terms it retains one of the highest traffic generators (supermarket) in a location that is highly constrained.
- has higher Economic costs (Annual Route Costs) and higher Delay Averages than option D. Most significantly the delay averages on the Pacific Highway are more than double that of Option D and would not be acceptable to the RTA.
- in retail terms the existing retailer would prefer to stay in the Ray Street precinct. However, given traffic limitations in this location, there is only minimal potential for an increase in retail floor space. This may or may not be acceptable to the retailer.
- The only potential for major traffic improvements to Option E is the introduction of a new road bridge at Ray Street over the rail line connecting to Rohini Street. This however will require a lot more work to determine viability and impacts.
- Community facilities are distributed rather than consolidated.
- It does not provide flexibility to accommodate a leisure centre in the future should Turramurra centre be determined as the most appropriate location.

# **CONCLUSION**

Option D is the recommended option as it provides, on balance, the best outcomes from a range of perspectives. It is recognised there is community concern regarding option D, particularly regarding the proposed location of supermarkets. However Option D meets the Minister Direction; Council's resolution to undertake an integrated planning process; and satisfies strategic planning and traffic planning objectives.

Option E is very similar to option D the main difference being the location of the supermarkets. While Option E provides similar benefits to option D, the traffic issues are of significant concern. Therefore option E cannot be recommended at this stage without further investigation, particularly

further investigation of

with regard the benefits of a new bridge at Ray Street over the rail line and further investigation of the Ray Street / Pacific Highway intersection.

#### RECOMMENDED TRAFFIC OPTION FOR TURRAMURRA

The recommended traffic option for Turramurra is Option 3SV as documented in Attachment C. It is important to note that not all changes will happen at the same time rather the changes will be made progressively as development takes place over the next 20 or so years.

The following traffic changes and stages are recommended as part of Option 3SV:

#### **Short term**

- Minor alterations to the intersection of Ray Street and Pacific Highway restricting the left turn from Ray Street onto the highway
- Creating a no stopping zone at the top of Rohini Street to provide for a dedicated left turn onto the highway

#### **Medium term**

- New Street (Two Way) between Kissing Point Road and Duff Street along the alignment of the existing access way
- Realign Forbes Lane (One Way) with new connection at Kissing Point Road.
- No right turn permitted from Forbes Lane into Pacific Highway. (This movement is catered for via Kissing Point Road, Stonex Street and Duff Street.)
- No left turn from Pacific Highway into Forbes Lane.
- Rohini Street (Signals removed, left in left out only)
- New Street between Gilroy Road and Turramurra Avenue (Two Way)
- Turramurra Avenue one way south from Boomerang Street. (Two Way)
- New Signals at Turramurra Avenue/Pacific Highway
- Left Turn Bays on Pacific Highway at Turramurra Avenue and Kissing Point Road.

# Long term

- Further investigation of the Ray Street Bridge to determine benefits and impacts

# **OTHER ISSUES**

This report seeks Council's endorsement for the recommended option and recommended zonings. This section sets out further key sites and issues that will require further investigation and additional study, assessment and consultation prior to further recommendations being made to Council.

# 1. Improved pedestrian access along the Pacific Highway

#### Key issues:

- Pedestrian access paths along the Pacific Highway traveling east to west or vice versa have poor amenity. Footpaths are old and relatively narrow given the volume of traffic
- The highway bridge over the railway line has dangerous pedestrian conditions. Footpaths are very narrow and there is no protection for pedestrians from vehicles

# For further investigation:

- potential for new pedestrian access bridge cantilevered off the existing highway road bridge
- Costs and funding sources need to be determined
- building setbacks along the highway through the commercial area to allow for widening of footpaths, removal of power lines and street tree planting to improve amenity

#### 2. New street between Eastern Road and Turramurra Avenue

# Key issues:

- as per land use options D and E a new road is required between Eastern Road and Turramurra Avenue to reduce through traffic impacts on Turramurra Avenue, Rohini Street and Gilroy Lane
- A new road is supported by traffic modeling for both options
- The preferred location is close to the commercial centre to reduce impacts on Turramurra Avenue. The current location being explored is along the northern edge of the Uniting Church
- The Uniting Church has shown clear opposition to this proposal

# For further investigation:

- Impacts on Church need to be further considered and addressed as part of site planning
- Further traffic modeling, assessment and consultation with landowners required to determine final alignment
- Mechanisms for securing new street including funding, Section 94 and other planning mechanisms

#### 3. New leisure centre

#### Key issues:

- Council's Consultant has identified a strong community need for a leisure/aquatic facility in Ku-ring-gai LGA
- The consultant has identified the Ray Street precinct as one of three preferred sites in the LGA
- the site is preferred because it is close to public transport, it is located in the northern half of the LGA, the site is Council owned and can accommodate the building footprint
- possible relocation of existing supermarket creates opportunity for development of a community hub in this area
- traffic assessment of option D indicates that the leisure centre has a lesser impact on Ray Street when compared with a supermarket (option E) or a mix of uses with no leisure (option DA)
- A Leisure centre could potentially support other community facilities by acting as an "anchor"

#### For further investigation:

Whether a leisure centre is located in Turramurra centre at Ray Street is the subject of further traffic modeling, further assessment by leisure centre consultant, community survey and consultation and finally Council endorsement

# 4. New road bridge over railway at Ray Street

# Key issues:

- Option identified by community during options exhibition period.
- Subsequently traffic consultant has raised the option as means of addressing traffic constraints in the town centre
- The main benefit would be to remove all right turns from the highway expect at Turramurra Avenue. All traffic accessing the centre would go via Turramurra Avenue, proposed new street to Gilroy Road, then Rohini Street and over a new bridge to the Ray Street area.
- The bridge would provide additional pedestrian and cycle link over railway

# For further investigation:

- Require preparation of concept plan and cost estimate for the bridge
- Cost benefit analysis required
- Implications for traffic network and road hierarchy will need to be considered
- Undertake further feasibility assessment and traffic modeling as required
- Mechanisms for securing new street including funding, Section 94 and other planning mechanisms

## 5. New Village Green (eastern side of the centre on Gilroy Lane)

- The possible relocation of existing community facilities (HACC) buildings in Option D creates an opportunity for new park in the town centre
- Existing croquet lawn could be retained as part of new park
- Existing building(s) could be retained/modified as part of park setting for commercial use such as restaurant or café however this would compromise amount of useable open space available

# For further investigation:

- The extent and area of park still to be determined
- Land use, ownership and management

# 6. New Turramurra Village Park (western side of centre on Ray/William Streets)

- Possible relocation of Turramurra Village Park from highway to William street car park area as per option D
- The new location will provide new park in quiet protected location centrally located and useable
- Potential to incorporate "railway gardens"
- Turramurra Village Park has lost its function and amenity due to traffic on highway and is not well used.

#### For further investigation:

Relocation of Turramurra Village Park partly relates to decision to realign William Street

- Will require reclassification of land from community to operational land and rezoning

- Extent of new Village Park still to be determined through site planning process for DCP

- Land use, ownership and management

#### 7. Hillview and surrounds

#### **Key Issues:**

- Hillview estate sits within a larger precinct defined by Kissing Point Road, Pacific Highway, Boyd Street and the railway.
- The area contains a number of heritage items both listed, potential and awaiting gazettal. It also contains the former road corridor land in which the RTA and DOP have an interest. This land has potential to yield some public open space and a public access way from Boyd Street to the highway
- The Hillview estate is a smaller area within this precinct. The area is zoned 2(d) and therefore falls within the Ministerial Directive
- The Hillview estate is currently occupied by Hornsby Ku-ring-gai Area Health. Discussions with representatives from Area Health indicate that the existing Hill View building is not an appropriate facility to run a health service
- Area Health wants to move from the building however they cannot give any timelines at this stage. Funding the relocation needs to be resolved
- The area is not envisaged as a commercial / mixed use zone. In planning terms the objective is to consolidate the commercial zone therefore a residential zone is seen as more appropriate.

# For further investigation:

- Further assessment of heritage within the area
- An appropriate future use for the Hillview building needs to be determined
- Appropriate use of the road corridor land to the satisfaction of the RTA/DOP
- Potential for adaptive re-use of heritage buildings

# 8. Turramurra Rail Station – Pedestrian Bridge Easy Access Upgrade

The identified Planning Principles for Turramurra Centre identify objectives of improving pedestrian access to and through the centre as well as improving the connectivity of both sides of the railway.

A part of the East Access Upgrade Program the Rail Corporation is proposing to build a new pedestrian bridge over the rail time at Turramurra Rail Station. The bridge links Rohini Street with William Street.

The current proposed design is 3.75 metres wide and provides for minimum access requirements for people to safely and easily access the station platform. Discussions with Rail Corp have identified the opportunity to build a wider bridge to cater for pedestrians moving between the eastern and western sides of Turramurra centre.

A width of approximately 7.5 metres is considered optimum. This is the width at Gordon Station and provides a comfortable width for circulation and access to the station. Shops are preferable as they provide passive surveillance to the bridge, provide a sense of linkage between centre and are also a potential funding source.

The table below outlines the various options for development of the new bridge. Each option with the exception of the currently proposed 3.75 wide bridge will require additional funding.

Table 1 Comparative cost of pedestrian bridge options

Proposal	Total Cost	Additional Funding Required by Council
DA Version 3.75 metres wide, canopy, no shop	\$887,500	(/)) -
DA Version + one shop	\$932,500	
5 metres wide, with canopy, no shop	\$1,452,000	\$564,500
with 2 shops	\$1,542,000/	/
7.5 metres wide, with canopy, no shop	\$1,715,000/	\$827,500
with 2 shops	\$1,805,000	
10 metres wide, with canopy, no shop	\$1,975,000	\$1,087,500

Note: shops approximately \$45,000 each. Rail Corp proposing to build one shop as part of DA. Council will be required to fund additional shops as required.

#### Recommendation:

Council fund the additional costs associated with the construction of a 7.5 metre wide pedestrian bridge including a canopy and 2 shops.

Total estimated costs \$1,805,000.

Rail Corp funding \$932,500

Funding by Council \$917,500

# 9. Open Space Zoning/Acquisition Principles

Much of the discussion relating to open-space within the Turramurra centre has revolved around the creation of two new town squares. Existing open space sited within the centre include Turramurra Village Park sited on the highway. Cameron Park, Hillview and The Lookout.

Just outside the study area, but reasonably well connected to city centre is Karuah Park and Turramurra Memorial Park, heavily utilised as sports ground and identified within Council's current section 94 plan for embellishment. On the southern side of the highway is the bushland reserve containing Blue Gum High Forest.

The Turramurra centre is not particularly well served by open space areas. Council's planning for open space should recognise the limitations of the existing provisions and seek to add value to existing space where appropriate as well as acquire further land for open space where opportunities allow.

Similar to the approach advocated within the St Ives Centre, rezoning of land identified as potential future open space is not recommended within this report with the exception of lands owned by Council

Opportunities highlighted within the study as being worthy of future effort by Council include seeking opportunities to increase the size of the bushland reserve adjacent to Turramurra Plaza (this requires further assessment in terms of ownership and mechanisms for acquisition), adding to the existing Karuah/Turramurra Memorial Park, the retention and enhancement of Cameron Park, seeking opportunity to increase open space within the Hillview site and improving the linkage within and access to The Lookout.

Turramurra Village Park located on the highway does not provide for quality open space. Its value is predominantly the aesthetic qualities and opportunities for access to the town centre it provides.

Consistent with the opportunities outlined in the report, Council's Open Space Acquisition Strategy, Council could seek to enter discussions and negotiations with owners of appropriate sites at market rate. Where owners do not wish to consider sale of land for additional open space, the purchase of that land need not be pursued. Opportunities may also exist within integrated developments within the core of the centre to add to the public domain as a component of development.

As part of the Turramurra centre site analysis and urban design studies, heritage matters have been considered. The information has been sourced from Ku-ring-gai Heritage and Neighbourhood study 2000 Godden McKay Logan- Keys Young, with particular reference to Part B detailed analysis of Study areas – Turramurra. This report has investigated the history, neighbourhood character values, built heritage values and landscape values.

Reviews of this information have been made with Council's Heritage adviser, Senior Urban Design, Urban design consultant and planning staff. Current items of heritage significance (existing and items for further review) are identified in the Turramurra Commercial Centre Background Report.

Following Council's adoption of the recommended option, additional heritage assessment for particular sites will be undertaken to complement the planning and urban design work for the Turramurra centre.

#### PROPOSALS FOR ZONING

# **Turramurra Centre Planning Options**

Rezoning of land in the Turramurra centre will need to be done in accordance with the zones provided under the draft standard LEP. The rezoning process will take the form of an amendment to the new Ku-ring-gai (Town Centres) Local Environmental Plan which is currently being drafted to apply to the St Ives centre.

The proposed zonings and future development standards to be incorporated into the LEP will provide the statutory framework for the implementation of the final overall planning option for the Turramurra centre./It is/important to note that the proposed zoning scheme presented below

provides sufficient scope to implement either planning Option D or planning Option E without further amendments to this zoning scheme.

It is proposed that the 'Local Centre' zone provided under the draft standard LEP be used for the core of the Turramurra centre. This zone will permit developments with a mix of retail, commercial, residential and associated community facilities, consistent with the Minister's direction. The reason for not using the 'Mixed Use' zone as proposed for St Ives, is that the Local Centre zone distinguishes Turramurra as a lower order centre than St Ives. This is consistent with the retail centres hierarchy recommended in the Retail Study endorsed by Council on 19 July 2005.

It should be noted that the Local Centre zone does not mean that shop top housing or retail development will cover all of the lands zoned as, unlike the Mixed Use zone, residential flat buildings is not a mandated permissible use on all land within the zone. The Local Centre zone will provide flexibility in identifying and preparing the areas suitable for shop top housing, taking into account the range of planning matters such as urban design, heritage, traffic and transport, etc. Further details of these aspects will be incorporated into the draft LEP and DCP.

It is proposed that mixed use retail/commercial/residential development within the Local Centre zone will be in the range of 3 to 5 storeys. However, final development standards relating to height, floor space ratio and built upon area to be incorporated into a draft LEP cannot be determined until the desired draft planning option and associated master plan controls are finalised by Council.

Other zones proposed to be used include 'Residential - High Density' (with densities similar to 2(d3)), 'Local Open Space – Public' and 'Infrastructure – Place of Public Worship'. The details of the proposed rezonings for each property is outlined in Table 2 below and shown on the map in Attachments E, F and G.

Table 2: Proposed Turramurra Centre Zoning Scheme

Precinct Description	Addresses	Existing Use	Existing Zones	Proposed Zones
Proposed mixed use retail precinct on	1A, 1 , 3 Kissing Point Road	Shops, medical practice	3(a)-(A2) Retail Services	Local Centre
southern side of highway between Duff Street and Kissing	1364, 1370-1378, 1390, 1392, 1396 Pacific Highway	Shops	3(a)-(A2) Retail Services	Local Centre
Point Road.	1380-1388 Pacific Highway	Turramurra Shopping Village (Franklins)	3(a)-(A2) Retail Services	Part Local Centre Potential Part Local Open Space - Public
	1408 Pacific Highway, 2 Duff Street	Petrol Station, Commercial premises	3(a)-(A2) Retail Services,	Local Centre
	4 Duff Street, 3 Stonex Lane	Council Car park, open space	Part 3(a)-(A2) Retail Services, Part 6(a) Recreation	Part Local Centre Part Local Open Space - Public
Hillview Precinct	1334,1340 Pacific Highway	Hillview – health services, Car parking	Residential 2(d), Reservation – County Road Proposed	Residential - High Density - Potential additional permitted uses: health centre; community facilities;
	1356, 1358, 1360, 1362 Pacific Highway, 2 Kissing Point Road	Shops, commercial premises,	Part 3(a)-(A2) Retail Services, & Part Reserved	commercial; open space public access

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Precinct Description	Addresses	Existing Use	Existing/Zones	Proposed Zones
i recinci Description	Addiesses	medical practice	County Road	i Toposeu Zones
		medicai practice	Widening	
			VVIdCIJIIIIg	
Future residential	1335, 1337 Pacific	Shops(Freedom),	3(a)-(A2)	Residential - High
corner Ray St and	Highway	commercial	Retail Services	Density
Pacific Hwy	Tilgilway	premises	itelali Services	Delisity
<b>Распіс німу</b>		premises		
Proposed mixed use	1275 Pacific Highway,	Turramurra	6(a) Recreation	Local Centre
retail, commercial,	Turramurra	Village Park	Existing	Local Certife
community facilities	1293, 1295, 1297-9,	Shops, //	3(a)-(A2)	
hub in Ray and	1301, 1305, 1307, 1311,	Commercial	Retail Services,	
Williams Street	1315, 1319, 1323, 133	Premises	ixelali Services,	
precinct	Pacific Highway	riellises		
precinct		Coles	\(\frac{1}{2}\) \(\frac{1}{2}\)	
	1 Ray Street, Turramurra	Coles	/β(a)-(A2)	
	F. Doy, Chrook, Turrorourro	T.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Retail Services,	
	5 Ray Street, Turramurra	Turramurra (\//	/3(a)-(A2)	
	4, 6, 8, 10, 12 William	Library	Retail Services, 3(a)-(A2)	
		Shops		
	Street, Turramurra		Retail Services,	
Dranged Mixed He-	4 2 5 7 0 47 40 24 22	Dakini Oklant	2(a) (A2)	Local Contro
Proposed Mixed Use	1-3, 5-7, 9, 17, 19, 21, 23,	Rohini Street	3(a)-(A2)	Local Centre
retail, village green in	25, 29, 31, 33, 35, 37, 39	Shops	Retail Services,	
Rohini Street, Gilroy	Rohini Street		0( ) (10)	
Lane, Turramurra Ave	1251, 1253, 1255, 1257,	Turramurra	3(a)-(A2)	
precinct	1259, 1263, 1267, 1269,	Arcade, Shops,	Retail Services,	
	1271, 1273 Pacific	Commercial		
	Highway	Premises	a (1 ) (Da)	
	1-7 Gilroy Road,	Ku-ring-gai	3(b)-(B2)	
	Turramurra	Support and	Commercial	
	//	Services Centre	Services,	
		//HACC,		
		Turramurra		
		Senior Citizens		
	0.07	Centre	0(1) (D0)	
	2-8 Turramurra Avenue,	Turramurra	3(b)-(B2)	
	Turramurra	Avenue Car Park	Commercial	
	$\sim$		Services,	
	0 4 4 T	+	=( \ 0 : 1	
	9-11 Turramurra Avenue,	Turramurra	5(a) Special	Infrastructure –
	9-11 Turramurra Avenue,	Turramurra Uniting Church	5(a) Special Uses A	Place of Public
	9-11 Turramurra Avenue,		· / I	
Fotoma Dani Israela		Uniting Church	Usés Á	Place of Public Worship.
Future Residential cnr	1233, 1243, 1245, 1247	Uniting Church Turramurra	Uses A 3(a)-(A2)	Place of Public Worship. Residential – High
Turramurra Ave and		Uniting Church  Turramurra Masonic Centre,	Usés Á	Place of Public Worship.
	1233, 1243, 1245, 1247	Uniting Church  Turramurra Masonic Centre, Former Petrol	Uses A 3(a)-(A2)	Place of Public Worship. Residential – High
Turramurra Ave and	1233, 1243, 1245, 1247	Uniting Church  Turramurra Masonic Centre,	Uses A 3(a)-(A2)	Place of Public Worship. Residential – High
Turramurra Ave and Pacific Hwy	1233, 1243, 1245, 1247 Pacific Highway	Turramurra Masonic Centre, Former Petrol Station	Uses A  3(a)-(A2) Retail Services,	Place of Public Worship. Residential – High Density
Turramurra Ave and Pacific Hwy  Eastern Road mixed	1233, 1243, 1245, 1247	Uniting Church  Turramurra Masonic Centre, Former Petrol Station  Residential Flat	3(a)-(A2) Retail Services,	Place of Public Worship.  Residential – High Density  Residential - High
Turramurra Ave and Pacific Hwy	1233, 1243, 1245, 1247 Pacific Highway 47- 49 Rehini Street	Uniting Church  Turramurra Masonic Centre, Former Petrol Station  Residential Flat Building	3(a)-(A2) Retail Services, 3(a)-(A2) Retail Services,	Place of Public Worship.  Residential – High Density  Residential - High Density
Turramurra Ave and Pacific Hwy  Eastern Road mixed	1233, 1243, 1245, 1247 Pacific Highway 47- 49 Rehini Street 2, 4, 8, 10, 14, 20 Eastern	Uniting Church  Turramurra Masonic Centre, Former Petrol Station  Residential Flat Building Former petrol	3(a)-(A2) Retail Services, 3(a)-(A2) Retail Services, 3(a)-(A2)	Place of Public Worship.  Residential – High Density  Residential - High
Turramurra Ave and Pacific Hwy  Eastern Road mixed	1233, 1243, 1245, 1247 Pacific Highway 47- 49 Rehini Street	Uniting Church  Turramurra Masonic Centre, Former Petrol Station  Residential Flat Building Former petrol station, shops,	3(a)-(A2) Retail Services, 3(a)-(A2) Retail Services,	Place of Public Worship.  Residential – High Density  Residential - High Density
Turramurra Ave and Pacific Hwy  Eastern Road mixed	1233, 1243, 1245, 1247 Pacific Highway 47- 49 Rehini Street 2, 4, 8, 10, 14, 20 Eastern	Uniting Church  Turramurra Masonic Centre, Former Petrol Station  Residential Flat Building Former petrol	3(a)-(A2) Retail Services, 3(a)-(A2) Retail Services, 3(a)-(A2)	Place of Public Worship.  Residential – High Density  Residential - High Density

# **Existing Medium Density sites**

The Minister's Directive requires Council to review all existing medium density zones including 2d, 2e and 2h to determine which areas area appropriate for rezoning to higher densities similar to those under the 2(d3) zone in LEP 194. The sites identified in Table 3 below and shown on the map in Attachment F have been identified for further assessment of there potential to rezone for a high

density, as required by the Ministers directive. The assessment of the potential of these properties for higher densities will cover a range of planning matters including:

- Economic viability;
- Heritage assessment and potential impacts on heritage items within the areas or adjoining;
- Traffic impacts;
- Potential interface impacts on adjoining low density zones.

Councillors will be consulted on any recommendation for rezoning of these existing medium density sites via Council's Planning Committee. Final recommendations on rezoning of these sites will be subject to a further Council resolution before incorporating them into the draft LEP

Table 3 – Existing Medium Density sites for further investigation for rezoning

Precinct	Address	Current Zoning
Area bounded by Ray Street,	1345, 1351, 1359	Residential 2(d)
Pacific Highway, Cherry Street	Pacific Highway //	
and railway line.	6, 8 10, 12, 1/4/, 16/,/18	Residential 2(d)
	Ray Street.	
	2 Cherry Street	Residential 2(d)
Corner of Pacific highway and Duff	1A Duff Street, 1416,	Residential 2(d)
Street	1420 Pacific Highway	
Corner of Kissing Point Road and	4-6, 8 Kissing Point	Residential 2(e)
Boyd Street	Road, Turfamurra	
	2-4, 6 Boyd Street,	Residential 2(e)
	Turrarhurra //	
Area bounded by Rohini Street,	51,53 Rehini Street	Residential 2(d)
Eastern Road, King Street,	22, 24, 26, 28 Eastern	Residential 2(d)
pathway between King and Cherry	Road //	
Streets and railway line.	6 King Street	Residential 2(d)

#### INTERFACE SITES

Council has identified the following sites within Turramurra Centre study area that are defined as interface sites. Council resolved on 18<sup>th</sup> October, 2005 that the following sites be investigated as part of the stage 2 Turramurra centre study:

- 30 Turramurra Avenue, Turramurra
- 37 & 39 Gilroy Road, Turramurra
- 3 Wonga Wonga Street, Turramurra
- 1 & 3 Nulla Nulla Street/Turramurra
- 5 Duff Street, Turramurra
- 2 Nulla Nulla Street, Turramurra

The assessment of these sites for potential rezoning is yet to be completed. In addition to these sites already nominated by Council, other sites which are currently zoned 2(c) or 2(c2) with potential interface implications from the final planning option are being identified and assessed. The assessment of all sites will use the same methodology identified in the interface sites report presented to Council on 18 October 2005 and will include a detailed heritage assessment of any

existing or potential heritage items that are included. Councilors will be consulted on the recommendation for rezoning of interface sites within the Turramurra centre study area via Council's Planning Committee. Final recommendations on rezoning of interface sites will be subject to a further Council resolution before incorporating them into the draft LEP.

#### **Reclassification of Land Council Owned Land**

Land which is owned by or under the control of a local council (with some exceptions, such as roads and crown reserves) must be classified as either 'community land' or 'operational land' under the *Local Government Act 1993*. Community land will ordinarily be land which is open to the public, such as a park, bushland reserve or sportsground, while operational land may be held by council as an asset or used for other purposes such as works depots or garages.

The purpose of the 'community land' classification is to identify council owned land which should be set aside for use by the general public. Community land cannot be sold by the council and can only be leased for certain purposes. There are a number of restrictions on the way councils can deal with community land:

- community land cannot be sold;
- a council can grant a lease over community land, but only for certain purposes which are authorised by the plan of management for the land;
- community land must be managed in accordance with a plan of management; and
- community land may only be dedicated as a public road where the road is necessary for enjoyment of the land.

Normally, land can only be reclassified from community land to operational land by making a new LEP. The procedures for making an LEP must be complied with, including public exhibition of the plan and consideration of submissions from members of the public. The plan must be made by the Minister for Planning.

In the case where reclassification of the land is carried out by an LEP it will also require a public hearing to be conducted under section 68 of the EP&A Act and section 29(1) of the Local Government Act. It is intended that the public hearing will be conducted during the public exhibition period of the DLEP.

The following Council owned lands have been identified as potential sites that may be considered in the future for possible reclassification;

Item	Address	Property	Description
No.			
1	1275 Pacific Highway,	Lot 1 DP 81994	Turramurra Village Park
	Turramurra		
2	5 Ray Street, Turramurra	Lot 2 DP 221290	Turramurra Library
	((// ))		
3	5-7 Eastern Road,	Lot B DP 358184	Cameron Park, Turramurra Early
	Turramurra /	Lots 19, 20 and 21 DP 6494	Childhood Intervention Centre –
	2(		Lifestart
4	1-7 Gilroy Road,	Lot 1 DP 840070	Ku-ring-gai Support and Services
	Turramurra		Centre – HACC, Turramurra
			Senior Citizens Centre
5	2-8 Turramurra Avenue,	Lot 2 DP 840070	Turramurra Avenue Car Park
	Turr/a/mur/ra/		

Reclassification of Council owned land at this stage will be deferred until a planning option is endorsed by Council, in conjunction with more detailed planning controls for the various land uses, locations and building envelopes is developed. It may well be that only a portion of each site may need reclassification.

More detailed background information on the history, size, encumbrances, land values and other information that may affect these sites will be prepared and reported back to Council, via Council's planning committee.

# **Development Control Plan**

A draft Town Centre Development Control Plan (DCP) template has been prepared for all 6 town centres in Ku-ring-gai, including Turramurra Centre (**Attachment I**). However the overall structure and contents of this DCP may change subject to the draft NSW standard LEP template to be released either late 2005 or early 2006.

# Calculation of development yield

Once more detailed plans are developed and prior to a draft LEP and DCP being brought back to Council for a resolution to exhibit, staff will calculate anticipated development yields for the residential component of the redevelopment based on building envelopes as proposed. A consultant will also be engaged to calculate the feasibility to demonstrate that the controls as included in the draft documents are such that would give sufficient incentive to the redevelopment of land.

Based on the preliminary urban design analysis the potential dwelling increase in Turramurra will be approximately 550 to 650 dwellings resulting in a potential population yield of 1,000 to 1,200 people over the life of the plan. It should be noted this is a preliminary estimate only.

#### CONSULTATION

This has been summarised in this report and fully documented in the Turramurra Commercial Centre Background Report November 2005.

# FINANCIAL CONSIDERATIONS

All primary costs are met by the Departments operational and projects budgets. Additional funding opportunities for new and enhanced public facilities will be sourced through the preparation of a new section 94 plan, potential grant funding and other planning mechanisms. Detailed Economic feasibility assessments will be undertaken as part of the next phase of the project including developing building envelopes and controls.

Other funding sources will also be incorporated into the project, including a new section 94 plan and potential grant funding.

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#### PROJECT PROGRAM

In accordance with the RDS Stage 2 Town Centre Planning Timetable provided to the Department of Planning and the Minister the next stage for the Turramurra centre is the Draft DCP, LEP and Section 94 plan to Council for endorsement in March 2006. Formal exhibition in May 2006 and the final plan submitted to the Department of Planning for gazettal June, 2006.

In order to meet these tight timeframes following Council's resolution on this report, all information will immediately be distributed to the urban design team and specialist consultants with a request that the analysis is progressed and information submitted to staff for the presentation of a Draft LEP & DCP to Council in March 2006.

It is not considered that time is available for a preliminary exhibition of the Draft LEP prior to the formal reporting to Council seeking resolution to exhibit that document.

# TURRAMURRA CENTRE PROJECT PROGRAM

Preparation of building envelopes, public domain master plan, S94 plan, DCP and LEP

1	Notification to DIPNR of Council resolution 15 <sup>th</sup> Dec (S54)	Dec 05
2	Notify relevant government agencies (S62)	Dec 05
3	Commence preparation draft building envelopes and public domain concept	Dec 05 – Jan 06
4	Undertake and complete consultation with landowners of key sites	Dec 05 -Jan 05
5	Engage S94 consultant to prepare town centre plan	Jan 06
6	Engage economic consultant for feasibility modelling	Jan 06
7	Present draft building envelopes and public domain concept plans to PC meeting (1st in February)	Feb 06
8	Finalise building envelopes and public domain plans. Commence preparation of DCP and LEP	
9	Present final draft building envelopes and public domain to PC meeting 1 <sup>st</sup> meeting in March	March 06
10	Finalise Draft LEP, DCP and S94 documents	
11	Council meeting to resolve to exhibit Draft LEP, DCP and S94 Plan (2 <sup>nd</sup> meeting in March)	March 06
12	Amend and revise Draft LEP, DCR and \$94 following Council resolution.  Prepare for exhibition	April 06
13	Formal exhibition of Draft DCP/LEP (6 WEEKS)	May 06
14	To Department of Planning for Gazettal	June 06

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The integrated planning approach has ensured input from all Council departments throughout the project.

# **SUMMARY**

Council has adopted an integrated planning approach to planning of the Turramurra Centre and has embarked on a process of extensive community and stakeholder consultation to ensure that the

requirements of the Minister's direction are met in a way which improves the amenity of the Turramurra centre and which maximises the benefits to the community of redevelopment.

This will ensure that existing problems, such as traffic and parking are addressed and new open space, public domain improvements and new and improved community facilities are provided and that current and future retail, commercial and local business and employment needs of the local community are met.

The first stage of implementation of plans for Turramurra Centre requires the preparation of a new LEP and a new DCP to guide future redevelopment of the centre.

The report provides an overview which sets out a preferred option for future development of retail and commercial activities and assesses other sites that are currently zoned for medium density development for suitability for rezoning for medium density development consistent with the provisions of LEP 194.

The report also identifies sites that interface sites that were rezoned under LEP 194 and which would benefit from rezoning to medium density and other sites which have special circumstances that make them suitable for rezoning to medium density and makes recommendations for their rezoning.

It also considers Council owned land and proposes that certain sites be reclassified from community to operational land to provide for more flexible use in the future consistent with plans for the Turramurra centre.

The draft LEP and DCP will be brought back to Council for further resolution to exhibit the documents as presented. This report will outline further consultation strategies for the exhibition of these documents and will present plans for other aspects of planning for the Turramurra centre area, such as a public domain plan, traffic / parking management proposal, proposals for community facilities and open space so that these can be considered and, where appropriate included in a schedule of works for a section 94 plan and or for inclusion in future capital works schedules so that the overall vision for Turramurra Centre can be progressively achieved.

All recommendations arising from this report will be subjected to further detailed analysis and assessment by Council staff and specialist consultants, this will include economic feasibility analysis, traffic and transport assessments, urban design and planning analysis, and land information assessment. The results of these assessments and review will be brought back to Council's planning committee and Council where appropriate and in some cases there may be a demonstrated need to vary from the recommended option.

# Overview of the recommended planning option (Option D)

The proposed landuse changes for option D included:

• Turramurra will be a Local Centre with a total of approximately 21500sqm net floor area (NFA) of retail.

• The total retail comprises approximately 16,000sqm NFA existing an additional 4000sqm NFA of retail to cater for the existing population, as well as for the expected population increase under RDS stage 1; approximately 1500sqm NFA of retail to cater for potential dwelling increase in Turramurra under RDS stage 2.

- Two supermarkets with a combined total of 4,500sqm one located in each of the retail areas
- The centre will comprise two main retail areas one on the southern side of the highway serving south Turramurra residents and one on the eastern side of the railway near Turramurra Avenue serving residents to the north and east of the centre.
- Between the two retail areas (in the centre) are the rail station and a community facilities "hub".
- Community facilities are to be consolidated within the Ray Street precinct to create a community hub
- Potential for a 4000sqm leisure centre in the Ray Street/precinct subject to community consultation and Council approval
- Retaining the strip shops fronting onto the Pacific Highway and allowing commercial and retail uses
- new cafes, restaurants and speciality shops at the rear of the centre facing north onto new public spaces at Gilroy Lane and at William Street
- a total of 5000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical services and the like. This includes approximately 3700sqm NFA of existing floor area and an allowance of 30% for future growth.
- Residential shop top housing in all retail areas. Based on preliminary Urban design analysis this will result in approximately 550 to 650 additional dwellings or approximately 100 to 1200 additional residents in total over the life of the plan.

Proposed traffic improvements associated with this option include:

- New signalised intersection with Pacific Highway at Turramurra Avenue
- Conversion of Rohini Street to Veft in and Left Out with the removal of traffic signals and providing a new road link between Gilroy Road and Turramurra Avenue.
- Provision of a direct connection from Kissing Point Road to William Street and a one way link to Ray Street via Forbes Lane.
- A new road connection from Kissing Point Road to Duff Street.
- Road widening to remove the tidal flow on Pacific Highway

#### RECOMMENDATION

- A. That Council adopt in principle the recommended option (option D) as outlined in this report and in Attachment D to guide future development of retail, residential, community and commercial activity within the Turramurra Centre.
- B. That Council commence preparation of a Draft Local Environmental Plan to rezone land consistent with Council's preferred option and notify the Department of Planning of its resolution under Section 54 of the Environmental Planning and Assessment Act.

C. That Council notify relevant government agencies of its intention to prepare a Local Environmental Plan as required under Section 62 of the Environmental Planning and Assessment Act.

D. That the Draft Local Environmental Plan propose rezoning of lands in accordance with the following table and as outlined in this report.

Land Description	Addresses	Proposed Zones
Land Bound By Duff Street,	1A, 1, 3 Kissing Point Road	Local Centre
Pacific Highway and Kissing	1364, 1370-1378, 1390, 1392, 1/396	Local Centre
Point Road.	Pacific Highway	
	1380-1388 Pacific Highway	Part Local Centre
	$\langle \alpha / \zeta \rangle$	Potential Part Local
	(( // ))	Open Space - Public
	1408 Pacific Highway, 2 Duff Street	Local Centre
	4 Duff Street, 3 Stonex Lane	Part Local Centre
		Part Local Open Space
		- Public
Land Land Land Land Control Bridge	4004 (11111 / ) / (040, 4050, 4050	Destruction 1891
Land bound by Kissing Point	1334 (Hillyiew), 1340, 1356, 1358,	Residential - High
Road, Pacific Highway and	1360, 1362 Pacific Highway, 2 Kissing	Density – Potential
Railway line	Point Road	additional permitted uses: health centre;
		community facilities;
		commercial
		Commercial
Land on corner of Ray Street	1335, 1337 Pacific Highway	Residential - High
and Pacific highway		Density
3 ,	((/)	Í
Land bounded by Ray Street,	1275/1293, 1295, 1297-9, 1301, 1305,	Local Centre
Pacific Highway and Railway	1307, 1311, 1315, 1319, 1323, 133	
Line	Pacific Highway, 1& 5 Ray Street, 4, 6,	
	8, 10, 12 William Street,	
	))	
	<u> </u>	
Land Bounded by Rohini	1251, 1253, 1255, 1257, 1259, 1263,	Local Centre
Street, Eastern Road, Gilroy	1267, 1269, 1271, 1273 Pacific	Local Certife
Road, Uniting Church and	Highway,1-3, 5-7, 9, 17, 19, 21, 23, 25,	
Turramurra Ave.	29, 31, 33, 35, 37, 39 Rohini Street,1-7	
	Gilroy Road, 2-8 Turramurra Avenue.	
	, , , , , , , , , , , , , , , , , , , ,	
	9-11 Turramurra Avenue,	Infrastructure – Place
	9-11 Tulialiulia Avellue,	of Public Worship.
		or rabile vvorstrip.
Land on Corner Pacific	1233, 1243, 1245, 1247 Pacific	Residential – High
Highway and Turramurra	Highway	Density
Avenue ////		'
Land on corner of Eastern	47- 49 Rohini Street	Residential - High
Road and Rohini Street.		Density
1	2, 4, 8, 10, 14, 20 Eastern Road	Local Centre
	4 Duff Street, 3 Stonex Lane	Part Local Centre
		Part Local Open Space
		- Public

E. That Council prepare a Draft Development Control Plan for the Turramurra Centre in accordance with the table of contents outlined in Attachment I.

- F. That Council adopt the work programme as outlined in the report including the timeframe for the final submission of an adopted Local Environmental Plan to the Minister for Planning.
- G. That Council formally consider the Draft Local Environmental Plan and Draft Development Control Plan prior to them being placed on public exhibition.
- H. That this report consider reclassification of community land within the Turramurra centre
- I. That the following be prepared for the Turramurra Centre:
  - i. A public domain concept plan.
  - ii. An action plan for traffic and parking management.
  - iii. Proposals for community facilities.
  - iv. Other proposals for a schedule of works for inclusion in a Draft Section 94 Plan.
- J. That the development of a Section 94 Development Contributions strategy be commenced.
- K. That Council inform Rail Corp of its support for a 7.5 metre wide pedestrian bridge over the railway at Turramurra Station, subject to further negotiation regarding the financial aspects, and provide a turther report to Council on funding matters associated with making this commitment.
- L. That creation of a new roads generally as indicated on the map in Attachment H be further considered by Council prior to inclusion in the Draft Local Environmental Plan and Draft Development Control Plan.
- M. That final controls and rezoning of land within the Turramurra Centre as outlined in this report is subject to economic feasibility assessment by a suitably qualified consultant and further consideration and investigation and review as outlined within this report.
- N. That a further report be brought back to Council on the assessment of the potential to rezone properties currently zoned residential 2d and 2e to higher densities similar to those under the 2(d3) zone in LEP 194. This report is to specifically address the properties identified in the table below and as outlined in Attachments E and F and include recommendations on which properties should be included for rezoning in the draft Turrasquira Centre LEP.

Precinct	Address
Area bounded by Ray Street, Pacific	1345, 1351, 1359 Pacific Highway
Highway, Cherry Street and railway line.	6, 8 10, 12, 14, 16, 18 Ray Street.
	2 Cherry Street
7	

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	$\Gamma$
Precinct	Address
Corner of Pacific highway and Duff	1A Duff Street, 1416 and 1/420 Pacific Highway
Street	7
Corner of Kissing Point Road and Boyd	4-6, 8 Kissing Point Road, Turramurra
Street	2-4, 6 Boyd Street, Turramurra
	(( ))
Area bounded by Rohini Street, Eastern	51, 53 Rohini Street
Road, King Street, pathway between	22, 24, 26, 28 Eastern Road
King and Cherry Streets and railway	6 King Street
line.	

O. That a further report be brought back to Council on the assessment of interface properties and include recommendations on which properties should be included for rezoning in draft Turramurra LEP. This report is to included the properties identified in Council's resolution on 18 October 2005 as well as any other properties in Residential 2(c) or 2(c2) zones that may be impacted by the resolved preferred draft planning option for the Turramurra centre.

Steven Head

**Director Open Space & Planning** 

Greg Piconi

**Director Technical Services** 

Bill Royal

Senior Urban Designer

/Antony Fabbro

Manager Urban Planning

Attachments: Attachment A - Turramurra Commercial Centre Draft Background

Report November 2005.

Attachment B - Chronology of Surveys and Consultations. Attachment C - Turramurra Town Centre Traffic Study.

Attachment D - Recommended Option D - map.
Attachment E - Land zoning proposed core - map.

Attachment F - General study area land zoning proposed - map.

Attachment G Open space and heritage - map.
Attachment H Roads to be closed / open - map.
Attachment I - Draft DCP template - Town Centres.

# RESOLUTION OF ORDINARY MEETING OF COUNCIL 06 DECEMBER 2005

# Turramurra Town Centre Preferred Land Use Options

File: S04038

# The following members of the public addressed Council:

**G Kemp** 

**B** Irwin

**P Edwards** 

**S** Wesley

**G** Coulter

**V** Harris

**C** Wratt

**M Thomas** 

L Fowler

**D** Newbrun

R Koziol

To have Council consider the consultation and planning outcomes for the Turramurra centre and to seek Council's endorsement of the recommended option and to prepare a draft Local Environmental Plan and draft Development Control Plan to rezone certain lands in and around the Turramurra Centre to set more detailed planning and development controls for the area.

#### Resolved:

(Moved: Councillor Cross/Shelley)

- A. That Council adopt in principle Option E as outlined on Page 17 this report to DIRECT future development of retail, residential, community and commercial activity in the Turramurra Village Centre, noting that the "21,500sqm NFA of retail Page 17 of the report" actually means 21,500 retail INCLUDING shop front commercial.
- B. That Council commence preparation of a Draft Local Environmental Plan to rezone land consistent with Council's preferred option and notify the Department of Planning of its resolution under Section 54 of the Environmental Planning and Assessment Act.
- C. That Council notify relevant government agencies of its intention to prepare a Local Environmental Plan as required under Section 62 of the Environmental Planning and Assessment Act.

- Note: A, B and C to be carried out in conjunction with H which is the reclassification of Community Land Report.
- D. That the Draft Local Environmental Plan propose rezoning of lands in accordance with the following table and as outlined in this report, but removing the Land Bound by Kissing Point Road, Boyd, railway and Highway precinct including Hillview. This precinct to be the subject of a further detailed report based on the "Hillview Garages and Historic Precincts Conservation Plan: and any other studies and consultation.

Land Description	Addresses	Proposed Zones
Land Bound By Duff Street,	1A, 1, 3 Kissing Point Road	Local Centre
Pacific Highway and	1364, 1370-1378, 1390, 1392,	Local Centre
Kissing Point Road.	1396 Pacific Highway	
	1380-1388 Pacific Highway	Part Local Centre
		Potential Part Local Open
		Space - Public
	1408 Pacific Highway, 2 Duff	Local Centre
	Street	
	4 Duff Street, 3 Stonex Lane	Part Local Centre
		Part Local Open Space -
		Public
Land on corner of Ray	1335, 1337 Pacific Highway	Residential - High Density
Street and Pacific highway		
Land bounded by Ray	1275, 1293, 1295, 1297-9, 1301,	Local Centre
Street, Pacific Highway and	1305, 1307, 1311, 1315, 1319,	
Railway Line	1323, 133 Pacific Highway, 1& 5	
	Ray Street, 4, 6, 8, 10, 12 William Street.	
	Street,	
Land Bounded by Rohini	1251, 1253, 1255, 1257, 1259,	Local Centre
Street, Eastern Road,	1263, 1267, 1269, 1271, 1273	Local Gentre
Gilroy Road, Uniting	Pacific Highway,1-3, 5-7, 9, 17,	
Church and Turramurra	19, 21, 23, 25, 29, 31, 33, 35, 37,	
Ave.	39 Rohini Street,1-7 Gilroy Road,	
7.00.	2-8 Turramurra Avenue.	
	2 5 . 3.74.714.714.014.0.	
	0.44 Turrorous Avenue	Infractructure Discost
	9-11 Turramurra Avenue,	Infrastructure – Place of
		Public Worship.
Land on Corner Pacific	1222 1242 1245 1247 Basifia	Posidential High Density
	1233, 1243, 1245, 1247 Pacific Highway	Residential – High Density
Highway and Turramurra Avenue	Filgriway	
Avenue		
Land on corner of Eastern	47- 49 Rohini Street	Residential - High Density
Road and Rohini Street.	2, 4, 8, 10, 14, 20 Eastern Road	Local Centre
	_, ., c, 10, 11, 20 2dotom 10dd	2000. 0011110
	l .	

- E. That Council prepare a Draft Development Control Plan for the Turramurra Centre in accordance with the table of contents outlined in Attachment I.
- F. That Council adopt the work programme as outlined in the report including the timeframe for the final submission of an adopted Local Environmental Plan to the Minister for Planning, plus a compulsory Preliminary Exhibition prior to a Draft LEP coming to Council for Adoption as a draft.

- G. That Council formally consider the Draft Local Environmental Plan and Draft Development Control Plan prior to them being placed on public exhibition. This is to include a preliminary exhibition to residents.
  - Councillors are to receive the material for the draft a minimum of one week, preferably ten days prior to the matter coming to Council.
- H. That the FURTHER report consider reclassification of community land within the Turramurra Centre in conjunction with A, B and C and in conjunction with staff recommendations concerning the public domain plan, proposals for community facilities, green space and traffic/parking management as per I below.
- I. That the following be prepared for the Turramurra Centre:
  - i. A public domain concept plan.
  - ii. An action plan for traffic and parking management.
  - iii. Proposals for community facilities.
  - iv. Other proposals for a schedule of works for inclusion in a Draft Section 94 Plan.
- J. That the development of a Section 94 Development Contributions strategy be commenced.
- K. That Council inform Rail Corp of its support for a 7.5 metre wide pedestrian bridge over the railway at Turramurra Station, subject to further negotiation regarding the financial aspects, and provide a further report to Council on funding matters associated with making this commitment.
- L. That a best case traffic plan be prepared for Option E, both including and excluding a road bridge from Rohini Street to Ray Street. This is to be considered by Council separately prior to inclusion in the Draft LEP and Draft DCP.

That creation of new roads generally as indicated on the map in attachment H be further considered by Council prior to inclusion in the Draft LEP and Draft DCP but that no new roads be included in the Rohini Street/Turramurra Avenue precinct.

M. That final controls and rezoning of land within the Turramurra Centre as outlined in this report is subject to economic feasibility assessment by a suitably qualified consultant and further consideration and investigation and review as outlined within this report.

Traffic considerations and contraindications should also be taken into account on any recommendation or decision on increasing densities.

If there is to be any variation to the controls and rezonings as proposed, a report must come to Council before any variation occurs.

N. That a further report be brought back to Council on the assessment of the potential to rezone properties currently zoned residential 2d and 2e to higher densities similar to those under the 2(d3) zone in LEP 194. This report is to specifically address the properties identified in the table below and as outlined in Attachments E and F and include recommendations on which properties should be included for rezoning in the draft Turramurra Centre LEP. Traffic considerations and contraindications should also be taken into account on any recommendation or decision on increasing densities.

Precinct	Address
Area bounded by Ray Street, Pacific	1345, 1351, 1359 Pacific Highway
Highway, Cherry Street and railway line.	6, 8 10, 12, 14, 16, 18 Ray Street.
	2 Cherry Street
Corner of Pacific highway and Duff	1A Duff Street, 1416 and 1420 Pacific
Street	Highway
Corner of Kissing Point Road and Boyd	4-6, 8 Kissing Point Road, Turramurra
Street	2-4, 6 Boyd Street, Turramurra
Area bounded by Rohini Street, Eastern	51, 53 Rohini Street
Road, King Street, pathway between	22, 24, 26, 28 Eastern Road
King and Cherry Streets and railway	6 King Street
line.	

O. That a further report be brought back to Council on the assessment of interface properties and include recommendations on which properties should be included for rezoning in draft Turramurra LEP. This report is to include the properties identified in Council's resolution on 18 October 2005 as well as any other properties in Residential 2(c) or 2(c2) zones that may be impacted by the resolved preferred draft planning option for the Turramurra centre.

Traffic considerations should be taken into account in any recommendation or decision on rezoning of interface properties.

P. That the Aquatic Study come to Council at the earliest opportunity, preferably the first meeting of 2006 with further recommendations for an indoor leisure centre at a location outside the Turramurra Town Centre.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross, Innes & Shelley

Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane & Ryan

The voting being EQUAL, the Mayor exercised her Casting Vote IN FAVOUR of the Motion

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

(Moved: Councillors Ebbeck/Andrew)

- A. That Council adopt in principle the recommended option (option D) as outlined in this report and in Attachment D to guide future development of retail, residential, community and commercial activity within the Turramurra Centre.
- B. That Council commence preparation of a Draft Local Environmental Plan to rezone land consistent with Council's preferred option and notify the Department of Planning of its resolution under Section 54 of the Environmental Planning and Assessment Act.
- C. That Council notify relevant government agencies of its intention to prepare a Local Environmental Plan as required under Section 62 of the Environmental Planning and Assessment Act.
- D. That the Draft Local Environmental Plan propose rezoning of lands in accordance with the following table and as outlined in this report.

Land Description	Addresses	Proposed Zones
Land Bound By Duff	1A, 1, 3 Kissing Point Road	Local Centre
Street, Pacific Highway	1364, 1370-1378, 1390,	Local Centre
and Kissing Point Road.	1392, 1396 Pacific Highway	
	1380-1388 Pacific Highway	Part Local Centre
		Potential Part Local Open
		Space - Public
	1408 Pacific Highway, 2 Duff Street	Local Centre
	4 Duff Street, 3 Stonex Lane	Part Local Centre
		Part Local Open Space -
		Public
Land bound by Kissing Point Road, Pacific Highway and Railway line	1334 (Hillview), 1340, 1356, 1358, 1360, 1362 Pacific Highway, 2 Kissing Point Road	Residential - High Density – Potential additional permitted uses: health centre; community facilities; commercial, potential open space, public access
Land on corner of Ray Street and Pacific highway	1335, 1337 Pacific Highway	Residential - High Density
Land bounded by Ray Street, Pacific Highway and Railway Line	1275, 1293, 1295, 1297-9, 1301, 1305, 1307, 1311, 1315, 1319, 1323, 133 Pacific Highway, 1& 5 Ray Street, 4, 6, 8, 10, 12 William Street,	Local Centre
Land Bounded by Rohini Street, Eastern Road, Gilroy Road, Uniting Church and Turramurra Ave.	1251, 1253, 1255, 1257, 1259, 1263, 1267, 1269, 1271, 1273 Pacific Highway,1-3, 5-7, 9, 17, 19, 21, 23, 25, 29, 31, 33, 35, 37, 39 Rohini Street,1-7 Gilroy Road, 2-8 Turramurra Avenue.	Local Centre  Infrastructure – Place of
	,	Public Worship.
Land on Corner Pacific	1233, 1243, 1245, 1247	Residential – High

Land Description	Addresses	Proposed Zones
Highway and Turramurra Avenue	Pacific Highway	Density
Land on corner of Eastern Road and Rohini Street.	47- 49 Rohini Street	Residential - High Density
	2, 4, 8, 10, 14, 20 Eastern Road	Local Centre

- E. That Council prepare a Draft Development Control Plan for the Turramurra Centre in accordance with the table of contents outlined in Attachment I.
- F. That Council adopt the work programme as outlined in the report including the timeframe for the final submission of an adopted Local Environmental Plan to the Minister for Planning.
- G. That Council formally consider the Draft Local Environmental Plan and Draft Development Control Plan prior to them being placed on public exhibition.
- H. That this report consider reclassification of community land within the Turramurra centre
- I. That the following be prepared for the Turramurra Centre:
  - i. A public domain concept plan.
  - ii. An action plan for traffic and parking management.
  - iii. Proposals for community facilities.
  - iv. Other proposals for a schedule of works for inclusion in a Draft Section 94 Plan.
- J. That the development of a Section 94 Development Contributions strategy be commenced.
- K. That Council inform Rail Corp of its support for a 7.5 metre wide pedestrian bridge over the railway at Turramurra Station, subject to further negotiation regarding the financial aspects, and provide a further report to Council on funding matters associated with making this commitment.
- L. That creation of new roads generally as indicated on the map in Attachment H be further considered by Council prior to inclusion in the Draft Local Environmental Plan and Draft Development Control Plan.
- M. That final controls and rezoning of land within the Turramurra Centre as outlined in this report is subject to economic feasibility assessment by a suitably qualified consultant and further consideration and investigation and review as outlined within this report.
- N. That a further report be brought back to Council on the assessment of the potential to rezone properties currently zoned residential 2d and 2e to

higher densities similar to those under the 2(d3) zone in LEP 194. This report is to specifically address the properties identified in the table below and as outlined in Attachments E and F and include recommendations on which properties should be included for rezoning in the draft Turramurra Centre LEP.

Precinct	Address
Area bounded by Ray Street, Pacific	1345, 1351, 1359 Pacific Highway
Highway, Cherry Street and railway	6, 8 10, 12, 14, 16, 18 Ray Street.
line.	2 Cherry Street
Corner of Pacific highway and Duff Street	1A Duff Street, 1416 and 1420 Pacific Highway
	3 -7
Corner of Kissing Point Road and Boyd	4-6, 8 Kissing Point Road, Turramurra
Street	2-4, 6 Boyd Street, Turramurra
Area bounded by Rohini Street,	51, 53 Rohini Street
Eastern Road, King Street, pathway	22, 24, 26, 28 Eastern Road
between King and Cherry Streets and	6 King Street
railway line.	

- O. That a further report be brought back to Council on the assessment of interface properties and include recommendations on which properties should be included for rezoning in draft Turramurra LEP. This report is to include the properties identified in Council's resolution on 18 October 2005 as well as any other properties in Residential 2(c) or 2(c2) zones that may be impacted by the resolved preferred draft planning option for the Turramurra centre.
- P. That there is no retail or commercial development within 25 metres of the Uniting Church boundary except within the existing buildings.
- Q. That the draft LEP includes consideration of the road bridge from Ray Street to Rohini Street.

# RESOLUTION OF ORDINARY MEETING OF COUNCIL 07 FEBRUARY 2006

# 19 Turramurra Town Centre Preferred Land Use Options

File: S04038

## The following members of the public addressed Council:

**G** Kemp

E Sanhueza

P Roach

#### **Councillor Hall returned during addresses**

**M Thomas** 

A Parr

**V** Harris

S Wesley

**D** Newbrun

Notice of Rescission from Councillors N Ebbeck, A Andrew, T Hall, A Ryan & M Lane dated 27 January 2006.

#### We move:

That Parts A, L & P of Council's resolution for Turramurra Town Centre (6 December 2005) be rescinded (*vide Minute No 522*).

#### We further move:

- "A. That Turramurra will be a local centre with a total of approximately 21,500sqm NFA of retail, including shop front commercial.
  - Two main retail centres, one on the south of Pacific Highway and the other on the eastern side around the Gilroy Lane and Turramurra Avenue area; small retail and shop front commercial in the Ray Street precinct.
  - Community facilities are located around the Ray Street precinct to create a community hub.
  - Two expanded supermarkets with a combined total of 4,500sqm.
  - Future consideration given by Council of a leisure centre.
  - Strip shops are retained fronting onto Pacific Highway with commercial and retail uses.
  - New cafes, restaurants and specialist shops at the rear of the centre facing north onto new public spaces.
  - Total of 5000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical service and the like.
  - Residential shop top housing in all retail areas.

L. That a best case traffic plan be prepared for the option as adopted, both including and excluding a road bridge from Rohini Street to Ray Street. This is to be considered by Council separately prior to inclusion in the Draft LEP and Draft DCP.

That creation of new roads generally as indicated on the map in attachment H be further considered by Council prior to inclusion in the Draft LEP and Draft DCP.

P. That the Aquatic Study come to Council at the earliest opportunity with recommendations for an indoor pool/leisure centre."

#### Resolved:

(Moved: Councillors Ebbeck/Andrew)

That the above Notice of Rescission as printed be adopted.

For the Resolution: Councillors Andrew, Ebbeck, Hall, Lane & Ryan

Against the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross & Shelley

(Moved: Councillors Ebbeck/Hall)

- A. That Turramurra will be a local centre with a total of approximately 21,500sqm NFA of retail, including shop front commercial.
  - Two main retail centres, one on the south of Pacific Highway and the other on the eastern side around the Gilroy Lane and Turramurra Avenue area; small retail and shop front commercial in the Ray Street precinct.
  - Community facilities are located around the Ray Street precinct to create a community hub.
  - Two expanded supermarkets with a combined total of approximately 4,500sqm.
  - Future consideration given by Council of a leisure centre.
  - Strip shops are retained so as to maximise amenity for the community and viability for local businesses.
  - New cafes, restaurants and specialist shops at the rear of the centre facing north onto new public spaces so as to maximise amenity.
  - Total of 5,000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical services and the like.
  - Residential shop top housing in all appropriate retail areas.
- L. That a best case traffic plan be prepared for the option as adopted, both including and excluding a road bridge from Rohini Street to Ray Street. This is to be considered by Council separately prior to inclusion in the Draft LEP and Draft DCP.

That creation of new roads generally as indicated on the map in attachment H be further considered by Council prior to inclusion in the Draft LEP and Draft DCP.

P. That the Aquatic Study come to Council at the earliest opportunity with recommendations for an indoor pool/leisure centre."

For the Resolution: Councillors Andrew, Ebbeck, Hall, Lane & Ryan

Against the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross & Shelley

The second part of the above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: The Mayor, Councillor Malicki/Councillor Bennett)

- A. Turramurra will be a local centre with a total of approximately 21,500sqm NFA of retail including shop front commercial:
  - Two main retail centres, one on the south of the Pacific Highway and the other on the eastern side, around the Gilroy Lane and Turramurra Avenue area, except that a major supermarket (currently Coles) will be located in the Ray Street precinct, along with the library.
  - Two expanded supermarkets with a combined total of approximately 4,500sqm.
  - Strip shops are retained fronting away from the Pacific Highway with commercial and retail uses.
  - New cafes, restaurants and specialist shops at the rear of the centre facing north onto new public spaces.
  - Total of 5,000sqm commercial (located on the upper floors rather than the ground floor) to cater for small local businesses, professional services, medical services and the like.
  - Residential shop top housing in appropriate retail areas.
- L. That a best case traffic plan be prepared for the option as adopted, both including and excluding a road bridge from Rohini Street to Ray Street. This is to be considered by Council separately prior to inclusion in the Draft LEP and Draft DCP.
- P. That the Aquatic Study come to Council at the earliest opportunity with recommendations for an indoor pool/leisure centre outside of Turramurra Town Centre.

During the debate, a Motion was moved by Councillors Hall & Ebbeck to put the Motion to the vote in accordance with Clause 250 of the Local Government (General) Regulations, 2005.

For the Motion: Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan

& Shelley

Against the Motion: The Mayor, Councillor E Malicki & Councillor

Bennett

1/1

S04038 17 March 2006

# TURRAMURRA CENTRE DRAFT LOCAL ENVIRONMENTAL PLAN AND DRAFT DEVELOPMENT CONTROL PLAN

# EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To have Council consider and adopt the Draft

Local Environmental Plan (LEP), Draft
Development Control Plan (DCP) and

associated strategies for the Turramurra Centre, and submit the Draft Plans to the Department of Planning to seek their approval for formal

exhibition of the Draft LEP and DCP.

BACKGROUND:

That Minister has directed Council to prepare Plans for additional housing in and around its town centres and to provide for retail and commercial activities to meet the needs of the local community.

**COMMENTS:** 

Council has adopted an integrated, place-based approach to planning for the Turramurra Centre.

RECOMMENDATION:

That Council endorse the Draft Plans for formal public exhibition as outlined in the

recommendations.

S04038 17 March 2006

## PURPOSE OF REPORT

To have Council consider and adopt the Draft Local Environmental Plan (LEP), Draft Development Control Plan (DCP) and associated strategies for the Turramutra Centre, and submit the Draft Plans to the Department of Planning to seek their approval for formal exhibition of the Draft LEP and DCP.

## **BACKGROUND**

Following Council's resolution of 6 December 2005 and 28 February 2006, this report provides further detailed planning and urban design analysis, building envelopes, and feedback from further range of studies on traffic, economic feasibility studies and stakeholder consultation. The key planning controls and documentation for the Turramurra Centre are presented including a Draft LEP & DCP for adoption for formal public exhibition.

In a letter dated 27 May, the State Government gave a direction (under Section 55 of the Environmental Planning and Assessment Act) to Council to prepare an LEP in relation to areas in and around existing retail and commercial centres in the Rail / Road corridor and St Ives Centre as Stage 2 of its Residential Development Strategy.

This requires Council to prepare Plans for additional medium density housing, including shop-top housing and re-evaluation of density controls on existing medium density zones. It also requires Council to provide for retail and commercial activities in town centre to cater for the needs of the local community. In line with this direction, Council has finalised the planning for the Turramurra Centre as a Draft LEP and DCP and associated strategies for Council's consideration prior to submitting the Draft Plans to the NSW Department of Planning seeking permission to formally exhibit the Draft Plans.

Following, Council's resolution of 6 December 2005 and 28 February 2006, this report provides the further detailed planning and urban design analysis, building envelopes and feedback from a further range of studies, feasibility studies and stakeholder consultation and responses. The key planning controls and documentation for the Turramurra centre are presented as attachments, including a Draft LEP & DCP for adoption for formal public exhibition.

The planning documentation has been prepared by Council's integrated town centres team and specialist consultants. It includes traffic, parking and transport modelling, comprehensive urban design analysis, community facilities and open space plan, the framework for a preliminary public domain concept plan and independent economic feasibility analysis/testing of proposed development scenarios. A development contributions strategy is also being prepared to identify and allocate funding mechanisms to implementation. Continuing community engagement will relate these to whole-of-community aspirations for the Turramurra Centre.

Council's 2005-2009 Management Plan sets out the direction of Council in relation to planning for the commercial centres.

S04038 17 March 2006

# Where do we want to be in 5 years?

"This planning will provide a good foundation for Ku-ring-gai being a vibrant place to live in the decades ahead, while maintaining its unique character, natural environment and heritage. Integration of Council's planning will improve the liveability and vitality of local communities and the sustainability of the area. Council must respond to NSW Government and community demands for additional housing, greater housing choice and associated facilities, mindful of the need to enhance quality of life at Ku-ring-gai in the 21<sup>st</sup> century"

# What we will do this year

Council's Management Plan identifies the following actions relevant to planning for the Turramurra Centre:

- Continue to implement Stage 2 of the Residential Development Strategy by preparing Plans for major commercial centres.
- Review classifications of community landholdings in association with Stage 2 of the Residential Development Strategy.
- Prepare a comprehensive Public Domain Plan.
- Develop Plans for Traffic Management and other forms of transport in the main centres.

Measuring our achievements in 2005/2006

• Finalise the Integrated Plan for Turramurra Centre.

Council considered and adopted a report on 7 February 2006 that sets out the key processes to have all 6 centres finalised by the end of 2006, including the Turramurra Centre.

# The Turramurra Centre Integrated Plan will:

- Produce a DCP and LEP consistent with the community's values and vision, with requirements of the Ministers Section 55 Direction, LEP194 and DCP55, in accordance with best practice planning principals and SEPP65 and the NSW Residential Flat Design Code, the Draft NSW standard LEP template and the Metropolitan Strategy.
- Seek, engage and build-in/community and relevant stakeholder values, during the formal exhibition of the draft plans.
- Following the exhibition of a Draft LEP and DCP, review submissions and finalise a suite of
  planning documents for final adoption by Council and submission to the NSW Department of
  Planning, including new a new Development Contribution Strategy, and action plans for
  Public Domain, Traffic & Parking, and Community Facilities.

#### **COMMENTS**

Summary of Council's resolved position on 28 February 2006:

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- That Turramurra will be a local centre with a total of approximately/21,500sqm NFA of retail, including shop front commercial.
- Two main retail centres, one on the south of Pacific Highway and the other on the eastern side around the Gilroy Lane and Turramurra Avenue area; small retail and shop front commercial in the Ray Street precinct.
- Community facilities are located around the Ray Street precinct to create a community hub.
- Two expanded supermarkets with a combined total of approximately 4,500sqm.
- Future consideration given by Council of a leisure centre.
- Strip shops are retained so as to maximise amenity for the community and viability for local businesses.
- New cafes, restaurants and specialist shops at the rear of the centre facing north onto new public spaces so as to maximise amenity.
- Total of 5,000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical services and the like.
- Residential shop top housing in all appropriate retail areas.
- That a best case traffic plan be prepared for the option as adopted, both including and excluding a road bridge from Rohini Street to Ray Street. This is to be considered by Council separately prior to inclusion in the Draft LEP and Draft DCP.
- That creation of new roads generally as/indicated on the map in Attachment H be further considered by Council prior to inclusion in the Draft LEP and Draft DCP.
- That the Aquatic Study come to Council at the earliest opportunity with recommendations for an indoor pool/leisure centre.
- a range of properties including residential dwellings, institutional buildings and Hillview estate have been identified as heritage items under the new Turramurra centre plan.

Copies of Council's reports and resolutions of 6 December 2005 and 7 and 28 February 2006 are included in Attachment 1.

# **Draft Development Control Plan**

The proposed DCP to apply to the Turramurra centre will take the form of an amendment to the Draft Ku-ring-gai Town Centres Development Control Plan.

Recent amendments to Part 370 Environmental Planning and Assessment Act have resulted in Council only being able allowed to have one DCP applying to land covered by the Draft Ku-ringgai (Town Centres) DLEP. This has resulted in the draft town centre DCP being drafted as a comprehensive DCP, containing all development controls to apply to land covered by the DLEP. It is proposed to only amend Part 2 (Vision, Objectives and Strategies), Part 3 (Public Domain Controls) and Part A Primary Development Controls) of the DDCP to incorporate the relevant master planning provisions for the Turramurra centre. The remaining general provisions contained in the other parts of the DDCP (parts 1 and 5 to 9) will also apply to Turramurra and it is not proposed make any amendment to those provisions.

The new section 74C the EP&A Act, also clarifies that a DCP may not duplicate the provisions of an LEP, be inconsistent with an LEP or contain provisions that prevent compliance with an LEP. Every effort has been made to ensure that the DDCP provisions applying to Turramurra satisfy the

## **Extraordinary Meeting of Council - 27 March 2006**

#### Item 1

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requirements of the Act, with the controls contained in the DDCP being consistent with the development standards contained in the DLEP.

# Proposed DCP provisions for the Turramurra centre

A copy of the DDCP provisions to apply specifically to Turramurra are contained in **Attachment 2**. These consist of the following components.

Part 2: Vision, Objectives and Strategies

This part contains the vision for the Turramurra centre developed in conjunction with the community. It also presents a series of objectives and strategies guiding future character, form and function to help achieve the vision. It is intended that this part sets out a framework for the proposed controls and guidelines in Parts 3 and 4 by providing an understanding of the development context.

#### Part 3: Public Domain Controls

This part contains a set of controls and guidelines to help guide the public domain improvements in conjunction with the development of private land. It provides a strategic guidance for the desired future character of the public open space (existing and proposed) and streets within the Turramurra centre.

The public domain controls are in the form of street by street controls and include controls/guidelines for street definition, parking, paving, street tree planting, street furniture, lighting and powerlines, whilst taking into consideration the potential of adjoining properties and public spaces. A Public domain Manual and Town Centre Style Guide is also to be developed that will address detailed design requirements for public domain improvements and ensure consistency of design within and across centres.

# Part 4: Primary Development Controls

Part 4 of the DDCP contains the provisions of the final detailed master plan that has been developed for the Turramurra centre. The development standards contained in the DLEP are consistent with the master plan provisions and facilitate the enforcement of the master plan.

Part 4 of the DDCP includes site specific building envelope controls for the each of the key sites within Turramurra. There is a focus on both mixed use and straight residential development areas, to ensure desired built form outcome. These controls specifically respond to the resolutions of Council from 6 December 2005 & 28 February 2006 and link these to the objectives and strategies set out in Part 2 that define the future urban structure for Turramurra.

The site specific controls are in the form of building envelopes which establish the allowable bulk, height and the position of development on each site. The primary development controls include controls for building use and ground floor activities, site amalgamation, building height, building depth and separation, building setback, building articulation, active frontage, vehicle access and



deep soil zone/private open space. It is intended that this urban form methodology provides a greater certainty of outcome for Council, community and site owners.

The building envelope control drawings are expressed through a combination of drawings (plans and sections) and text. Three-dimensional diagrams will also be used to assist in the interpretation of the development guidelines and controls. It is important to note that a building envelope is not a building, but a three dimensional zone that limits the extent of a building in any direction. It defines the extent of the overall building zone in plan and section within which a future building can be located.

A detailed discussion on how the proposed DDCP provisions respond to the planning considerations of the key sites is included below. This section is structured to provide a detailed account and analysis of the process of resolving the final building envelopes which form Part 4 of the Draft DCP as it applies to Turramurra.

#### Each subsection contains:

- Background (specific to the planning topic).
- Issues and Opportunities (assessment, feedback from testing and solutions).
- Final analysis and recommendations (including the relevant LEP/DCP Controls or recommended actions).

The final outcomes of this discussion are illustrated in Part 4 of the Draft DCP (DDCP).

The analysis is undertaken on a precinct basis. Turramurra Centre has been divided into a number of precincts these are shown in **Attachment 3**.

Precincts A, B, C, D, E and H comprise a mix of uses including residential, retail and commercial and in some cases community uses:

Precincts F, G, M, I comprise residential uses only.

Precincts J, K and L heritage related issues and are addressed briefly in this report and in detail in the report to Council meeting of 28 February 2006.

The draft site master plans have been determined through stakeholder consultation, a thorough urban design analysis and economic assessment. A feasibility model for the sites is provided in the confidential **Attachment 4**—Turramurra Centre Economic Feasibility Hill PDA Pty Ltd. The controls are also consistent with the Retail Strategy for Turramurra. Council's economic feasibility consultant has provided preliminary verbal advice that economic testing is generally feasible in line with site model testing.

## Precinct A - William Street

## Background

The site is broadly defined by Ray Street, William Street and Forbes Lane. The site comprises 1 Ray Street (supermarket) and 5 Ray Street (Council car park and library), 4-10 William Street (shops) and 12 William Street (Council car park). These lands are currently zoned 3(a) Business-

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retail services and falls within the Minister's Direction. The site also includes the William Street and Higgs Lane road reserves.

Council has resolved that this area be a mix of uses including community uses, residential, retail and commercial and open space. The precinct is important as it will be a place of strong community focus, centred on a large Village Green (incorporating the railway gardens) with retail and community uses fronting the green. A number of community facilities are to be relocated to this precinct including the Senior Citizens, the HACC facilities within new and enlarged premises. The Turramurra library is to remain in the vicinity but relocate to a new and enlarged building. A proportion of Council's car parking will be relocated to basement parking with some retained at grade.

Traffic analysis of urban design scenarios prepared by Council's consultants indicated that development of this area would be heavily constrained by the Ray Street/Pacific Highway intersection and that a supermarket (which is a high trip generator) is not a recommended use. The adopted traffic option (3DSV) indicates the preferred use for this site as a mix of residential units and community uses (which are both relatively low trip generators), as well as minor retail uses.

Issues and opportunities

During the development of the built form controls for the site the following issues were considered:

- Coles Myer has indicated they may/not relocate and the plans must allow capacity for redevelopment of the site independently of Council's land.
- The supermarket must have the ability to continue to operate on the site at the current scale.
- Forbes Lane requires widening to provide improved vehicle access, this directly impinges on the supermarket site.
- A component of at grade parking must be retained to service the community facilities.
- The residential component must be configured to achieve good solar access for residents.
- Building heights must be stepped to minimise overshadowing of the Village Green as per the vision.
- Council has resolved "that the travel agent site on 10 William Street Turramurra be identified for retention within the draft Turramurra town centre DCP and that appropriate built form controls be provided for the site within the draft DCP" and "That an independent heritage report for 6, 8 and 10 William Street be undertaken".

Final analysis and recommendation

The draft building envelope and controls for the site are shown in the Draft Turramurra Centre DCP Part 4 Precinct A. In summary they are:

- 2100sqm NFA of retail comprising in the short term an allowance for the existing supermarket and in the longer term allowing for speciality shops, cafes and restaurants oriented to the Village Green.
- Residential buildings with approximately 82 units facing Ray Street and north east over the railway.
- 5,500sqm GFA of community uses including a new Library and a new HACC premises (note: the current envelopes do not include provision for an aquatic centre).

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- Maximum building heights of 5 storeys.
- A curved alignment to the face of the podium addressing the Village Green.
- Retention of 10 William Street as a stand alone building with potential use as a café, restaurant or similar.
- A large Village Green (2800sqm in area) forming the central public space for Turramurra Centre with a combination of trees and grass and paved areas.
- Incorporation of the "Railway Gardens" area into the proposed Village Green.
- Provision of approximately 50 off-street at grade car parking spaces at the northern end of Ray Street.

The Draft DCP shows the long term proposal for the creation of a new town square in the vicinity of William Street and Higgs Lane. Within this context the retention of the properties 6 and 8 William Street is not recommended as the preferred outcome is a large public open space. Council resolved on 28 February 2006 to investigate the heritage significance of 6, 8 and 10 William Street, Turramurra. Council's Heritage Consultant has provided preliminary verbal advice that these properties have limited heritage significance primarily due to changes to their fabric, relatively isolated with limited contextual value compared to the more substantial group of heritage items in the Rohini Street precinct and parts of the Pacific Highway. A consultants report is being finalised following further historical research on this matter and will be separately circulated (Attachment 5 heritage assessment of 6, 8 and 10 William Street, Turramurra –circulated separately). The existing properties will retain their current development rights under the new Town Centre LEP. Acquisition of these properties using Section 94 funds is the most likely method of achieving the desired outcome in the longer term.

In terms of existing parking there is currently 184 Council off street car parking spaces in this precinct. It is proposed to retain 50 of these spaces at-grade and relocate the remainder underground. This equates to retention of approximately 30% of spaces parking at-grade.

## **Precinct B - Forbes Lane**

Background

Precinct B is defined by the Pacific Highway to the south, the railway line to the east, Forbes Lane to the north and Ray Street to the west. The area includes the strip shops at 1293 – 1333 Pacific Highway; Turramurra Village Park, 1275 Pacific Highway; and part of the William Street road reserve.

Precinct B is important as in the future it will allow widening of the Pacific Highway and realignment of William Street with Kissing Point Road. Turramurra Village Park is proposed to be relocated to the William Street precinct as part of a new Village Green.

Landowners in this precinct have been contacted and a meeting has been held with the owner of 1297-1299 and 1301-1305 Pacific Highway. Contact has also been made with a number of business owners in this precinct.

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Discussions have also been held with representatives of the RTA regarding the transferring of the road widening easement from the southern side of the highway to the northern side within the Forbes Lane Precinct. The RTA have indicated support for the proposal.

Issues and opportunities

The main issues for this precinct relate to the implementation of the road widening and relocation of William Street. This will require a number of methods to secure the public benefits including:

- land swaps;
- sale of public land currently zoned open space (Turramurra Village Park) and classified community use;
- setbacks for road widening;
- amalgamation of small landholdings.

Final analysis and recommendations

The final building envelope and controls for the site are shown in the Draft Turramurra Centre DCP Part 4 Precinct B. In summary they are:

- 2350sqm NFA of retail space on the ground floor;
- 6100sqm GFA of commercial space to eater for small professional offices;
- residential buildings with north aspect looking over a new Village Green and addressing the Highway with potential for approximately 36 units;
- maximum building heights of 5 storeys.

The relocation of William Street and realignment of Forbes Lane will necessitate the relocation of the existing drop off zone further to the west. This will require pedestrians to walk an additional 30 -40 metres to the pedestrian bridge leading to the station. This proposal has implications for accessibility and would need to be checked by Council's Access Committee and checked that it meets Australian Standards.

## **Precinct C - Stonex Lane**

Background

Precinct C is defined by the Pacific Highway, Kissing Point Road, Stonex Lane and a new street (called Stonex Street for this report) and includes No's 1364-1369 Pacific Highway (strip shops and the Turramurra Plaza) No's 9 and 1A -3 Kissing Point Road (Council car park and a doctors surgery). All these lands are currently zoned 3(a) retail and fall within the Ministers Direction.

The precinct is a key site because it will in the future provide a role as a retail anchor for the south side of Turramurra Centre, serving a retail catchment to the south and west.

Council has resolved to retain a retail component in the area on the southern side of the Highway, commonly called the "Franklins site", including an expanded supermarket and other speciality stores in accordance with the Ku-ring-gai Retail Strategy adopted by Council.

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A series of meetings have been held with the landowners through December 2005 and January to February 2006. The landowners also provided Council with preliminary feasibility analyses indicating a preferred FSR for the site. This information has been forwarded to Hill PDA, council's consultant, for comment and review as part of the process of preparing independent feasibility studies for the site.

Council's urban design consultant has prepared a number of options for this site which have been reviewed by Hill PDA and presented to the landowners for comment.

## Issues and opportunities

- The sites are currently owned by a small group/who are interested in amalgamating to facilitate redevelopment of the whole area.
- High commercial rentals in the area constrain redevelopment of the site.
- The site is a key retail area which has potential to expand and provide an equivalent amount of retail to that proposed on Turramurra Avenue, thereby balancing the Turramurra Centre and providing improved service to South Turramurra residents.
- There is potential to provide active retail and commercial frontage to Stonex Street (a new street) with views to the adjoining bushland.
- There is potential for a new passive park on the site of the current Franklins building (where it overhangs the car park).
- There is an opportunity to create a new pedestrian link via a modified Stonex Lane between Ray Street and the bushland and new park on Stonex Street.
- Opportunity for new public square on the corner of Kissing Point Road and the Highway.
- Council currently owns car park in this area and while it provides public parking it is steep and does not meet current standards. There is potential to incorporate this land in the site redevelopment and relocate car parking underground.
- Part of the land on the southern side of the site falls within a Bushfire Prone Land Categories 1 and 2.

## Final analysis and recommendations

The Draft building envelope and controls for the site are shown in the Draft Turramurra Centre DCP Part 4 Precinct C. In summary they are:

- 6,300sqm NFA of retail space including a supermarket of around 2000sqm NFA and an internal retail arcade for speciality stores.
- 2,500sqm GFA of commercial space to cater for a medical centre and offices.
- maximum building heights of 5 storeys.
- Residential buildings facing south over the bushland, north addressing the Highway and east addressing Kissing Point Road with approximately 83 units.

New public open space, with a total area of almost 2110sqm, consisting of:

• a new public arcade, open to the sky, linking the highway and Stonex Street (920sqm);

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- a new public square on the corner of the Pacific Highway and Kissing Point Road (550sqm);
- a new passive park on the southern side of Stonex Street adjoining the bushland park (640sqm);
- rezoning of existing bushland area from 3(a) to open space;

Further detail will be required to determine the bushfire impacts on the site.

## Precinct D - Rohini Street

Background

Precinct D is generally defined by the intersection of Rohini Street with the highway to the northeast; the railway line to the west; Gilroy Lane to the east; and the intersection with Eastern Road to the north.

This precinct is important because Rohini Street has a distinctive main street character and low scale which is important to retain and enhance into the future.

The precinct includes all the strip shops along the eastern side of Rohini Street (No's 1-39) as well as a parcel of land, currently owned by Rail Estate and occupied by a flower and pot shop, on the western side of Rohini Street near the intersection with the highway. All properties except the rail land are zoned 3(a) and fall under the Ministers Direction.

Letters have been sent to all landowners in this precinct and some discussions have been held however generally the area is typified by a large number of individual owners. The shops and offices in this street appear to be highly sort after and have high rental values.

Issues and opportunities

- A number of buildings have been identified within this strip as possible contributory items for retention. These are 35-39 Rohini Street, 1-3 Rohini and 17 Rohini Street.
- The community has noted this area as important in terms of retaining the scale and character of Rohini Street.
- The precinct incorporates railway land near the intersection with the Pacific Highway which is in a highly prominent/position and currently does not present well.
- The sites are long and narrow and back onto Gilroy Lane at the rear and there is the opportunity of allowing redevelopment at the rear of these shops to encourage activity.
- It is desirable to create an enhanced public walkway from Rohini Street to Gilroy Lane and the future town square.

Final analysis and recommendations

A number of scenarios have been tested for this area. Economic advice suggests that given the ownership patterns and high rents significant redevelopment of this strip is unlikely, certainly for the foreseeable future. The recommended option encourages redevelopment at the rear of the sites, which is more feasible in the medium term, with minimal redevelopment to the Rohini Street frontage of the sites.

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The final building envelope and controls for the site are shown in the Draft Turramurra Centre DCP Part 4 Precinct D. In summary they are:

- 3 storey maximum building heights along Rohini Street with heights up to 4 storeys fronting Gilroy Lane.
- 2,800sqm NFA of retail space generally along the Røhini Street frontage.
- Residential buildings with up to 110 units facing Rohini Street and Gilroy Lane and Gilroy Road / Cameron Park.
- Two storey retail commercial building on railway land at the corner of the Pacific Highway and Rohini Street.
- A new public open space incorporating the croquet lawn and associated building on the former HACC site (refer Precinct B).

#### Precinct E - Turramurra Avenue

Precinct E is defined by the Pacific Highway to the south, Turramurra Avenue to the east and the Uniting Church to the north. The site incorporates the Council owned car park at 2-8 Turramurra Avenue and the strip shops (lots 1251 - 1273) along the Pacific Highway as well as part of the Gilroy Lane road reserve. Council's car park is currently zoned 3(b) and the shops 3(a) and fall under the Minister's Direction.

Precinct E is a key site because in the future it will play an important role as a retail anchor for the Turramurra Centre. The site is also in gateway location on the highway at the corner of Turramurra Avenue.

Council has resolved to rezone the area around Turramurra Avenue and Gilroy Lane to encourage a greater retail component that would provide an anchor for the eastern side of Turramurra centre and serve residents to the north and east. The resolution includes an allowance for a new supermarket around 2500sqm NFA in size.

A number of scenarios have been developed for the location of a supermarket in this precinct. The final recommended option locates the supermarket to the south of the precinct partly within the Council car park land and partly within private land. This scenario locates a supermarket partly below ground and will require amalgamations of the strip shops and incorporation of Council land into a larger development site, to achieve the desired outcome. This option is preferred on balance as it minimises impacts on the Uniting Church.

Issues and opportunities

During the development of the built form controls for the site the following issues were considered:

- Concern from the Uniting Church regarding loss of public parking adjoining their site and the
  possible impacts of potential bulk and scale of development on council's car park.
- The topography of the site allows for the supermarket to be largely located at basement level at the southern end of the site thereby reducing its visual impact on the area.

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- The existing strip shops on the highway are under capitalised, many are only one storey. The footpath area is narrow and dominated by overhead power lines.
- The shops occupy a key site at the entrance to Turramurra Centre and redevelopment of the shops would greatly benefit the overall character of the area.
- Incorporation of these shops into a large amalgamated site with a large supermarket provides greater economic benefits for landowners and therefore will encourage redevelopment.
- Closure of Gilroy Lane is possible with the inclusion of a new street on the northern side of the Uniting Church linking Turramurra Avenue and Giroy Road. This further facilitates a large development site.

Final analysis and recommendations

The Draft building envelopes and controls for the site are shown in the Draft Turramurra Centre DCP Part 4 Precinct E. In summary they are:

- 5,000sqm NFA of retail space including a supermarket of around 2500sqm NFA.
- 1500sqm GFA of commercial space to cater for a small scale offices and services.
- A range of building heights from 3 storeys at the northern stepping up to a maximum building height of 5 storey at the highway.
- Residential buildings comprising approximately 95 units.
- Public and private parking underground.

New public open space totalling 3150sqm including:

- A new town square on the current site of Council's HACC facilities.
- A new public square on Turramurra Avenue associated with the Church entrance.
- A 12m wide landscape corridor linking Turramurra Avenue with the new town square.
- A new public landscape corridor from Turramurra Avenue linking east to Rohini Street.
- A new public arcade, open to the sky, linking the highway and Gilroy Road.

The consultant has recommended the provision of a new public park (with seating and gardens and possible child playground) and 12m wide public access way and landscape corridor along the southern side of the Church. The consultant also recommends a lift access from the underground parking to serve the Church. Staff are currently reviewing this proposal in the light of the Church's concern for a loss of parking adjacent to the Church entry. At this stage the preferred outcome remains the park and public access way. It is recommended that a Parking Management Plan be prepared for the area around the Church to investigate the provision of on-street parking. One option may be time limited parking in the area. It should also be noted that the new street proposed for the north of the Church will provide increased on street parking.

The consultant has recommended a new vehicle entry to the proposed underground parking at the corner of Gilroy Road where it meets the Uniting Church. This proposal may create a concentration of traffic at this point which may conflict with the activities of the Church and child care centre. Staff will review this proposal and explore alternative locations for an entry to underground parking either from Turramurra Avenue or Gilroy Lane.

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#### Precinct F - Masonic Hall

## Background

• Precinct F is located on the northern side of the Pacific Highway between Turramurra Avenue and Ku-ring-gai Avenue.

• It is currently zoned 3(b) Business- Commercial Services and falls within the Ministers Direction.

• The area is currently occupied by the Masonic Hall (heritage item) 1247 Pacific Highway, a sub-station, some small shops (1243-1245 Pacific Highway) and a demolished petrol station (1233 Pacific Highway).

Adjoins residential zones to north and east.

## Issues and opportunities

• The precinct is a prominent gateway location at the southern entry to the Centre.

• Opportunity to convert the area to residential only consistent with the overall planning principle of consolidating the retail and commercial areas and minimise impacts on surrounding dwellings.

Retention of Masonic Hall as landmark building.

Final analysis and recommendations

The draft building envelopes and controls are shown in the Draft DCP Part 4 Precinct F Built Form Controls. In summary:

• Residential building envelopes with controls similar to DCP 55 including 12 metre setbacks to the highway.

• 4.6 storeys building height.

• Retention of Masonic Hall as Heritage Item.

## Precinct G - Gilroy Road

#### Background

• Existing 2(d3) residential zones along Turramurra Avenue, Gilroy Road and Eastern Road.

• The intention is to rezone the sites under the Town Centre LEP to high density residential.

• Council can thereby introduce building envelopes for the sites based on DCP 55 controls. This will provide greater certainty of outcome to Council and the community.

## Issues/opportunities

• Council's resolution requires the provision of a new road along the northern side of the Uniting Church.

New building envelopes are required to show how the road way can be achieved without loss
of development rights to the landowners and minimising the financial implication for Council.



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• Requirement to address interface issues for 37-39 Gilroy Road properties.

• Overlooking and overshadowing issues related to 5 storey apartments adjoining Cameron Park.

## Final recommendation

The draft building envelopes and controls are shown in the Draft DCP Part 4 Precinct G Built Form Controls. In summary:

- 5 storey residential development separated from the church by a new road.
- Similar controls to DCP 55 Ku-ring-gai multivanit Housing.
- Reduced setback to new street and reduced deep soil zone to achieve new street with no loss of development potential and minimising the financial implication for Council.
- New on-street parking for church and childcare centre.
- 3 storey interface development at the northern edge of the precinct.

The consultant has recommended reduced setbacks of 3 metres to Cameron Park to provide a more urban address to the park however staff have reviewed this approach and consider that larger setbacks are more appropriate in this context. Buildings to the north of the park require up to 9 metre setbacks to minimise overshadowing and protect tree root zones. Buildings on the eastern side require a minimum of 6 metres to provide a landscape setback. It should be noted that these requirements will reduce the street setbacks to Gilroy Road.

#### Precinct H - Olive Lane

## Background

- Precinct H is a relatively small area on the corner of Eastern Road and Rohini Street.
- It is currently zoned 3(a) and falls under the Ministers Direction.
- The area comprises a 3 storey strata title commercial building on 14-20 Eastern Road and a number of other smaller retail/commercial buildings on 2-10 Eastern Road.
- There is a DA pending for 2 Eastern Road for a small mixed use development.
- A number of meetings have been held with the representatives of the owners of properties between 2-10 Eastern Road.

Issues and opportunities

- The strata title building at 14-20 Eastern Road is unlikely to redevelop.
- The site is not a key site in the context of the town centre although it is an important corner site terminating the Rohini Street retail precinct.

Final recommendation

The draft building envelopes and controls are shown in the Draft DCP Part 4 Precinct H Built Form Controls. In summary they are:

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• 5 storey buildings.

• Ground floor retail with a first floor of retail/commercial and 3 floors of residential (approximately 28 units).

## Precinct I – Finlay Road and Duff Street

### Background

• Existing 2d3 zone defined by Finlay Road to the north, the Pacific Highway to the east and Duff Street to the south.

• This area was the subject of both the *Interface Sites Study* and a *Special Area Urban Design Study* to prepare 'nominated area controls' for the Residential 2(d3) sites under DCP55.

- Draft DCP55 controls for the precinct were publicly exhibited and were subsequently amended following a detail vegetation assessment of the sites and further discussions at the Planning Committee. These are yet to be reported back to Council.
- Area also includes heritage items and significant vegetation as well as medium density zones under the KPSO.
- Background information and discussion was provided in the Council report on 28 February 2006 (Attachment 1).
- Council resolved on the 28 February 2006:

"that land between Duff Street and Finley Road, Turramurra currently zoned 2(d3) be included the Draft Local Environmental Plan for the Turramurra town centre. This land is to be zoned Residential High density with development standards equivalent to the 2(d3) zone.

Draft development controls for this land based on the revised draft nominated area controls previous proposed for DCP 55 are to be in included in the draft town centre DCP."

• Council also resolved on the 28 February in relation to 1428, 1458 Pacific Highway to list them as heritage items and rezone them for High Density in the Draft Local Environmental Plan for the Turramurra town centre,

## Issues and Opportunities

- The proposed draft DCP 55 controls to apply to the precinct cannot be finalised by Council in time to satisfy the statutory requirements for amending DCPs prior to 31 April 2006 set be the Department of Planning. Therefore if Council wishes to achieve the proposed bushland regeneration area in the precinct they must bring the sites under the town centres LEP and DCP.
- Removing the precinct from LEP 194 will result in the 50% deep soil landscaping requirement becoming a DCP control rather than an LEP standard. This needs to be weighed up against the ability to achieve the bushland regeneration area.
- The issue of the potential widening of the Pacific Highway in the vicinity of Finlay Road to create a third north bound lane has been raised. To achieve the additional lane it would require a strip along the front boundary of 1458 Pacific Highway (corner Finlay Road): ranging from zero width at the southern corner, and tapering to 2m wide at the northern corner of the site. This would have a minor impact of the curtilage of this heritage item).

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• To implement the road widening, it would also require a strip outside Warrawee Public School, starting from 2.5m wide at the southern corner of the school site, tapering to zero width about 80m further north. This matter is discussed further in the section on Traffic below.

Final analysis and recommendation

The draft building envelopes and controls are shown in the Draft DCP Part 4 Precinct I - Built Form Controls. These are based on the revised nominated area controls that were developed for incorporation into DCP55. In summary:

- Residential high density zone.
- Incorporation of a bushland buffer zone along the western boundary to protect properties along the interface in Finlay Road and Denman Street.
- Envelope controls to address interface issues for 5 Duff Street.
- New raised private road between Lamond Drive and Finlay Road to minimise access roads an address hydrology issues.
- Retention of heritage items at 1428 and 1458 Pacific Highway and incorporation into redevelopment sites to provide the opportunity for a more sympathetic curtilage and ensure protection and restoration.
- Similar controls to DCP55 and LEP194 including setbacks, building heights and site coverage and deep soil planting.

Further investigation is required, in liaison with the traffic consultant and urban design consultant, to determine the full extent of the traffic advantages of widening the Pacific Highway at Finlay Road, the extent of setbacks required and the impacts this will have on the site FSR and how the DCP controls will be modified.

## Precincts J, K and L - Hill View Precinct

## Background

- This precinct is defined by the Pacific Highway, Kissing Point Road, Boyd Street and the rail line.
- The site includes a number of heritage items and draft heritage items including Hill View and the Garages, 8 Kissing Point Road and commercial properties at 1356 to 1360. It is also proposed to list 2-4 Boyd Street as a draft heritage item.
- The sites at 4-6 and 8 Kissing Point Road and 2-4 and 6 Boyd Street are currently zoned 2(e) and subject to zoning review to increase densities by Ministers s55 Direction.
- Background and discussion provided in Council report for 28 February including heritage issues, potential for adaptive reuses and proposed site controls

Final analysis and recommendations

The draft building envelopes and controls for the site are shown in the Draft Turramurra Centre DCP Part 4. In summary they are:

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#### Precinct J:

- Site to be included in high density residential zone with additional permitted uses for offices, commercial premises and restaurants.
- Site controls consistent with those recommended to Council in the report on 28 February 2006
- A new three storey building (maximum) situated on the existing gravel car park facing the Pacific Highway, between Hillview cottage and the western driveway.
- A new two storey building adjoining the Hillview garage building, five storey residential building at the south west corner of the site on the Boyd Street frontage.
- Retention of Hillview cottage and garages and an appropriate adaptive re-use.
- A new public space on the highway around 500sqm in size and a new public access way linking south through the site to Boyd Street

#### Precinct K

• Properties at 1356, 1356a, 1358-1360, 1362 Pacific/Highway and 2 Kissing Point Road be included in the local centre zone to reflect their current retail and commercial uses.

#### Precinct L

- Included in the Draft LEP as part of the high density residential zone.
- An L-shaped five storey residential building with approximately 36 units.
- Retention and restoration of the heritage by ldings at 8 Kissing Point Road and 2-4 Boyd Street. Potential re-use as offices or residential.

## **Precinct M - Ray Street (west)**

#### **Background**

- This precinct runs along the western edge of Ray Street and includes the Freedom store at 1337 Pacific Highway zoned 3(b) and nos. 6-18 Ray Street zoned 2(d) both zones fall within the Ministers Direction.
- Council resolved on the 28 February that 8 Ray Street be included as draft heritage items in Schedule 6 of the Draft Local Environmental Plan for the Turramurra Town Centre.
- Council resolved on the 28 February that Draft Local Environmental Plan for the Turramurra town centre include the rezoning of nos. 6-18 Ray Street as High Density residential.

## Issues and opportunities

- To improve the amenity and character of Ray Street.
- Protect heritage building as part of redevelopment process.
- Removal of retail from this precinct and consolidation into core retail areas.

Final analysis and recommendations

The draft building envelopes and controls are shown in the Draft DCP Part 4 Precinct M - Built Form Controls. In summary:

• 5 storey apartment buildings with controls consistent with LEP 194.

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• Protection of heritage Item at 8 Ray Street and incorporation into development site.

## **OPEN SPACE SUMMARY**

Table 1 summarises the amount of open space proposed in the draft/LEP/DCP, on a precinct by precinct basis, in comparison to the existing situation. The table shows a potential increase in open space within the town centre of around 8700sqm this represents an increase of over 300%. This calculation does not include expansion of existing open space areas within close proximity to the centre such as Karuah Park. Additional areas for future potential acquisition as open space have been identified within Part 2, Vision Objectives and Strategies of the Draft DCP.

TABLE 1: SUMMARY OF THE AMOUNT OF PROPOSED PUBLIC OPEN SPACE

Precinct Open space areas (m²)	Existing	Draft LEP/ DCP	Variation
A+B	847	2788	+
C+M		2110	+
D		1554	+
E		3153	+
G	2821//	/)/ 2821	0
J		// 460	+
Total	3668 <sup>L</sup>	12461	+8773

#### **SUMMARY OF YIELDS**

The following tables provide a summary of the yields for residential dwelling numbers, retail floor space and commercial floor space. The tables also show the changes in yields during the process of design development of the concept option adopted by Council when compared to the *Turramurra Town Centre Traffic and Parking Study* prepared by GTA Volume 2 Appendix C. The report to Council on 6 December 2005 estimated the residential yield would be approximately 550-650 dwellings resulting in a yield of 1,000 to 1,200 new people over the life of the plan.

Table 2: Summary of Residential Dwellings

Residential dwellings by precinct	Traffic option 3DSV	Draft LEP/ DCP	Variation
A+B	80	95	+
C+M	99	110	+
D+E	179	165	-
F	19	24	+
Н	69	23	-
K, L, J	22	82	+
N	59	113	+
Total	527	612	+89
Total net floor area	63,240	67,320	+4100sqm

#### Note:

- 1. Precinct references refer to precinct based built form Controls in the Town Centre DCP.
- 2. All numbers in the traffic option 3dsv column are calculated on the basis of an average of 120sqm per dwelling.

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- All numbers in the Draft LEP/DCP column are calculated on the basis of an average of 110sqm per dwelling.
- Precincts shown indicate areas of proposed residential dwellings as part of RDS Stage 2 in addition to LEP 4. 194/200.

Table 2 shows a proposed residential yield of 612 dwellings. There has been an overall increase in the number of residential dwellings proposed of some 89 dwellings when compared to the Turramurra Town Centre Traffic and Parking Study. This can be partly explained by the use of different dwelling sizes. The traffic report prepared by GTATUSES 120sqm per dwelling whereas Council uses 110sqm per dwelling. In terms of actual net floor/area the difference equates to only 4000sqm (36 units) increase in net residential floor area across the town centre.

Shop top housing has been allocated in appropriate retail areas, consistent with Councils resolution on 7 February 2006.

**Table 3: Summary of Retail Floor Space** 

Precinct Net retail	Existing	traffic option 3DSV	Draft LEP/ DCP	Variation
sqm				
A+B		5721	4432	-
C+M		2779	6976	+
D+E		/// <u>6</u> 310	8288	+
Н		( <i>U</i> //// o	1600	+
K		0	800	+
N		820	0	•
Total	16000	15630	22096	+5920

#### Notes:

- Retail areas are net letable floor area (NLFA)
- 2. Precinct references refer to precinct based built form controls in the Town Centre DCP Precinct references refer to precinct based built form Controls in the Town Centre DCP.

Table 3 shows a total retail yield of 22,000sqm NLFA. The total retail floor space proposed for Turramurra Centre is in line with Council's resolution of 7 February:

"That Turramurra will be a local centre with a total of approximately 21,500sqm NFA of retail, including shop front commercial.

Two main retail centres, one on the south of Pacific Highway and the other on the eastern side around the Gilroy/Lane and Turramurra Avenue area; small retail and shop front commercial in the Ray Street precinct."

The total retail floor space shown in Table 3 proposed for Turramurra Centre is also consistent with the Ku-ring-gai Retail Strategy adopted by Council. The strategy recommends provision of up to 4000sqm of ground floor retail/commercial space plus an additional 2.5sqm of retail floor space per new dwelling proposed as part of RDS Stage 2. Table 1 shows an additional 612 new dwellings are proposed this their equates to an additional 1530sqm of retail space giving a total requirement for approximately 21,500 shop front retail/commercial (16000+4000+1500).

Table 3 shows there has been an overall increase in the retail floor space proposed in the DCP/LEP of approximately 5900sqm when compared to the amount of retail modelled in the traffic option 3DSV.

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This variation can be explained by a comparison with Table 4. The traffic model assumed a higher proportion of commercial office space to retail space, the total combined floor space modelled was about 26,600sqm. The draft DCP proposes a commercial/retail total of approximately 31,500sqm a difference of about 5,000sqm across the whole centre. As discussed below there may need to be a review of the total commercial space provision. Reductions, if and as required, in commercial space as discussed below will bring these two figures more in line with the traffic model.

The most significant increase has been in precinct C where an additional 4,000sqm of retail has been added to provide for a larger supermarket floor plate, to ensure economic feasibility and to better balance the retail provision in precincts D and E<sub>1</sub>

Table 4: Summary of Changes to Commercial/Floor Space

Precinct Net sqm Commercial	Existing	traffic option 3DSV	Draft LEP/ DCP	Variation
(upper floors)				
A+B		5721	4888	
C+M		1279	1960	
D+E	[[/	/)/ 3310	1544	
F		<i>//</i> 0	0	
Н	_	0	560	
K		7 0	816	
N		820	0	
Total	approximately3700	11130	9768	- 1362

## Notes:

- 1. commercial areas are net letable floor area (NLFA)
- 2. precinct references refer to precinct based/built form controls in the Town Centre DCP

Table 4 shows the total commercial floor space proposed in the Turramurra Centre DCP is around 9,500sqm NFA. There has been a small decrease (1300sqm) in the overall commercial floor space proposed when compared to the amount modelled in the *Turramurra Town Centre Traffic and Parking Study*.

In relation to first floor commercial space Council resolved on 7 February to provide:

"Total of 5000sqm NFA commercial (located on the upper floors rather than ground floor) to cater for small local businesses, professional services, medical service and the like."

The DCP is currently allowing for some 4500sqm of commercial space above the Council resolution. The resolution was based on a staff recommendation for a 30% increase on the existing commercial floor area of 3,700sqm. It should be noted that the current amount of existing commercial floor space has not been accurately quantified. The figure given is an estimate only and further work is required to more accurately estimate the existing commercial floor space available in the centre to ensure an adequate amount is provided to cater for future demand.

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In order to manage the supply of available commercial space, Council would be able to strategically hold all or part of the Turramurra Village Park, which is proposed for tezoning to commercial (with up to 2,800sqm of floor space). Holding the land until there has been full take up of other commercial areas will minimise oversupply impacts and allow further traffic modelling. This option may prevent the relocation of William Street in the short to medium term and would need to be considered in the context of potential land swap or other planning mechanism.

## **Draft Local Environmental Plan**

The Draft Ku-ring-gai (Town Centres) Local Environmental-Plan Council (DLEP) is the statutory planning instrument that will control what can be developed on various parcels of land. The DLEP is complemented by the draft development control/plan (DDCP) which will provide the controls for the detailed planning and design issues. The controls contained in the DDCP must be consistent with any provisions of the Draft LEP.

The DLEP that has been prepared to implement the recommend future development outcomes for Turramurra takes the form of an amendment to the base DLEP previously adopted to apply to the St Ives centre. It will be known as Draft Ku-ring-gai (Town Centres) Local Environmental Plan (Amendment No 1) (DLEPA1). This amending DLEP will bring land in and around the Turramurra centre under the base DLEP and introduce appropriate zonings, development standards and additional provisions to implement the overall master plan that has been developed for Turramurra.

A copy of the proposed Draft Ku-ring-gai (Town Centres) Local Environmental Plan (Amendment No 1) is included as **Attachment 6**. Details  $\phi f$  the key components of DLEPA1 are discussed below.

# Components of Draft Ku-ring-gai/(Town Centres) LEP – (Amendment No.1)

The DLEPA1 only contains the new provisions to be added to the base DLEP. All existing provisions in the DLEP will also apply. The DLEPA1 includes amendments to the written LEP instrument and introduces new land application, zoning and development standard maps which cover land to which the DLEP is to apply.

## Written instrument

The written instrument contains the detailed planning provisions that will apply to land covered by the DLEP. This includes such things as aims, standard zone descriptions and zone objectives, permitted land uses, development standards, subdivision provisions and numerous miscellaneous provisions. The draft Standard LEP introduced by the State Government mandates provisions that are to be included in all future written instruments of LEPs.

DLEPA1 introduces/the following additional provisions to the base DLEP:

Amendments to Clauses 3, 11, 37, 38 and 47 to make reference to the new land application, zoning, building height, FSR and site coverage maps respectively. The proposed changes to the respective maps are discussed in more detail below.

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Introduce a 'Local Centre' zone to apply to the core retail/commercial area of Turramurra. The Local Centre zone distinguishes Turramurra as a lower order centre than St Ives, which adopts 'Mixed Use' zone. This is consistent with the retail centres hierarchy recommended in the Retail Study endorsed by Council on 19 July 2005.

The DLEPA1 includes a set of zone objectives for the local centre zone which are to be included in clause 10 of the DLEP and a set of permissible land uses to be incorporated into the land use table under clause 12.

The local centre zone will permit developments with a mix of retail, commercial, residential and associated community facilities, consistent with the Minister's direction and the master plan principles for the area. It should be noted that the Local Centre zone does not mean that shop top housing will cover all of the lands/zoned as, unlike the Mixed Use zone, residential flat buildings is not a mandated permissible use on all land within the zone.

Introduce the 'Local Open Space – Public' zone which is to apply to Council owned land adjacent to the Turramurra Forest off Duff Street, which is currently zoned Commercial 3(a) under the (KPSO).

The DLEPA1 includes a set of permissible land uses for the Local Open Space – Public' zone to be included in clause 12 of the DLEP.

Amendments to Clause 37 of the DLEP which relates to development standards for the height of buildings. It is proposed to include provisions to ensure that maximum number of storeys of buildings within the Residential High Density zone is linked to the site area in a manner that is consistent with the application of LEP 194 to the Residential 2(d3) zone. This involve including a subclause which states that in the case of the High Density residential zone, the maximum number of storeys shown on the "Height of Buildings Map" in the DLEP is subject to the maximum number of storeys contained in the subclause, i.e. site areas less than 1800sqm have a maximum of 3 storeys, sites 1800sqm or more but less than 2400sqm a 4 storey maximum and sites over 2400sqm a 5 storey maximum.

This subclause was not included in the DLEP applying to St Ives as it was possible to map the height of buildings within the High Density Residential zone more accurately due to known or potential amalgamation patterns.

DLEPA1 also proposes to make amendments to a number of the schedules contained in the DLEP. These amendments are as follows

Schedules 3 and 4/7 Additional permitted uses and additional prohibited uses

Schedule 3 of the DLEP contains a table which identifies additional permitted uses that are permissible on particular parcels of land that would not otherwise be permitted on that land. The additional permitted uses identified in schedule 3 of the DLEP principally relate to avoiding potential complications arising from existing use rights on land where the zoning is changing from its current use.



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Additional permitted uses to be included in DLEPA1 are as follows:

Site	Proposed zoning	Additional permitted uses
1334 &1340 Pacific Highway, Turramurra (Hillview)	Residential- High Density	Commercial premises; offices; restaurants.
1335 Pacific Highway	Residential- High Density	Commercial premises; offices;
1337 Pacific Highway	Residential- High Density	Shops
1408 Pacific Highway	Local Centre	Service station

Schedule 4 of the DLEP identifies sites where particular uses that are otherwise permitted under the zoning of the site will be prohibited uses on that site. It should be noted that it is not possible to prohibit uses that are deemed to be mandatory permitted uses under the standard LEP template.

Additional prohibited uses to be included in DLEPA1 are as follows:

Site	Proposed zoning	Additional prohibited uses
1275, 1293 Pacific Highway, 2 Rohini Street.	Local Centre	Residential flat buildings
4, 6, 8, 10 William Street	Local Centre	Residential flat buildings

## Schedule 5 - Classification and reclassification of public land

Schedule 5 of the DLEP includes a list of the Council own land that is to be considered for reclassification from 'community land to operational land' as part of the LEP making process. There are statutory procedures required by the Local Government Act and the Environmental Planning and Assessment Act that must be followed during the exhibition period of the DLEP to facilitate the reclassification of this public land.

The sites to be added to Schedule 5 by DLEPA1 and the reclassification process is discussed in further detail below.

## Schedule 6 - Environmental/Heritage

Schedule 6 list sites to be included as heritage items under the DLEP. On 28 February 2006 Council considered a report on the heritage study that had been undertaken for the Turramurra centre. A copy of the Council report and resolution are included as **Attachment 1**.

The heritage study has assessed all existing heritage items under the KPSO, draft heritage items awaiting gazettal and potential heritage items under investigation. Following consideration of this report Council resolved to include the following properties as heritage items in the under DLEPA1.



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Property Address	Description
1247 Pacific Highway Turramurra.	Masonic Temple,
1334 Pacific Highway, Turramurra	Hillview
1340 Pacific Highway, Turramurra	Hillview Garages
1356 Pacific Highway, Turramurra	Former Commonwealth Bank
1358 and 1360 Pacific Highway	Turramurra Pair Federation Shops
1428 Pacific Highway, Turramurra	Inter-war Tudor style dwelling
1458 Pacific Highway, Turramurra	Dwelling
10 Turramurra Avenue, Turramurra	Uniting Church
8 Kissing Point Road, Turramurra	Federation dwelling
2-4 Boyd Street, Turramurra.	Semi detached Federation dwellings
8 Ray Street, Turramurra	Inter-war Georgian Revival/Mediterranean dwelling
17A Eastern Road, Turramurra	St Margaret's Church

(Note: 2 Nulla Nulla Street, Turramurra remains a heritage item under the provisions of the KPSO.)

## Land Application Map (Refer Attachment 7)

This map shows which land in Turramurfa will be rezoned by the Ku-ring-gai (Town Centres) LEP Amendment No. 1. This includes those sites that were identified in the resolutions of Council from 6 December 2005 and 28 February 2006 for inclusion in the Draft LEP for Turramurfa. These are sites where it is proposed to change the land use and or residential density under Council's adopted preferred planning option for the Turramurfa centre. All sites to be rezoned and the proposed zones of these sites are listed below under the section of the zoning map.

The DLEPA1 includes a number of sites that are currently zoned Residential 2(d3). The reason for including these sites is to be able to incorporate site specific development controls for these sites into the DCP that will address potential interface impacts from the development of these sites. This includes sites in Turranturra Avenue, Gilroy Road, Eastern Road and the 2d(3) zoned land between Duff Street and Finlay Road.

The DLEPA1 also includes a number of sites that are currently zoned Residential 2(d) or 2(e) under the KPSO. These sites were identified for zoning for higher densities in accordance with the Minister's Section 55 Direction which requires Council to determine which areas are appropriate for improved development standards so as to encourage the redevelopment of land in the existing medium density zones. In accordance with Council's resolution of 28 February 2006 these nominated sites are to be included in the residential high density zone Development standards similar to those under the 2(d3) zone.



The planning controls on all other land not identified in the Land Application Map will remain unchanged and the Ku-ring-gai Planning Scheme Ordinance (KPSO) will continue to apply.

## Zoning Map (Refer **Attachment 7**)

This map shows the zones that will apply to the land covered by Ku-ring-gai (Town Centres) LEP Amendment No. 1.

The DLEPA1 introduces two new zones that have not been included in the DLEP. This includes the Local Centre Zone and the 'Local Open Space – Public' zone

The 'Local Centre' zone is to apply to the core retail/commercial area of Turramurra. The Local Centre zone distinguishes Turramurra as a lower order centre than St Ives, which adopts 'Mixed Use' zone. The local centre zone will permit developments with a mix of retail, commercial, residential and associated community facilities, consistent with the Minister's direction.

Council's previous resolution proposed to rezone the Hillview and Hillview garages site 1334, 1340 Pacific Highway to Local Centre to enable the uses on the site to included a combination of residential and commercial uses, but excluding retail. A closer examination of the local centre zoning has identified that it would not be possible to prohibit retail uses on land zoned Local Centre, as shops are one of the mandatory permissible uses under the draft LEP template. As a result it is proposed to rezone the sites to High Density Residential and allow the desired commercial uses for the site, by listing them in schedule 3 of the DLEP.

The 'Local Open Space – Public' zone which is to apply to Council owned land adjacent to the Turramurra forest off Duff Street, which is currently zoned Commercial 3(a) under the (KPSO).

The DLEPA1also uses zone which are already contained in the DLEP. These include the high density residential and medium density residential zone is intended to provide for medium density housing in the form of villas or townhouses and generally has a height limit of 2 to 3 storeys.

The details about the various zones, zone objectives and permitted land uses in the zones are described in the LEP written instrument.

Site Description (/////	Addresses	Proposed zoning
Hillview and Hillview Garages	1334, 1340, Pacific Highway,	Residential- High Density
site (/		
Corner Pacific Highway and	1356, 1356a, 1358, 1360 1362	Local Centre
Kissing Point Road.	Pacific Highway, 2 Kissing Point	
	Road	
Corner of Kissing Point Road and	4-6, 8 Kissing Point Road, 2-4, 6	Residential - High Density
Boyd Street	Boyd Street	
Land Bound By Duff Street,	1A, 1, 3 Kissing Point Road	Local Centre
Pacific Highway and Kissing	1364, 1370-1378, 1390, 1392,	Local Centre
Point Road	1396 Pacific Highway	
	1380-1388 Pacific Highway	Part Local Centre
		Potential Part Local Open Space -



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C		
Site Description	Addresses	Proposed zoning
		Public
	1408 Pacific Highway, 2 Duff	Local Centre
	Street	
	4 Duff Street, 3 Stonex Lane	Part Local Centre
	14	Part Local Open Space - Public
Land bounded by Ray Street,	1275, 1293, 1295, 1297-9, 1301,	Local Centre
Pacific Highway and Railway	1305, 1307, 1311, 1315, 1319,	~
Line	1323, 1333 Pacific Highway 1&	
	5 Ray Street, 4, 6, 8, 10, 12// //	
	William Street,	
Area bounded by Ray Street,	1335, 1337, 1345/1351, 1359	Residential - High Density
Pacific Highway, Cherry Street	Pacific Highway, 6, 8/10, 12, 14,	
and railway line	16, 18 Ray Street, 2 Cherry	
	Street.	
Land Bounded by Rohini Street,	1251, 1253, 1255, 1257,/1259,	Local Centre
Eastern Road, Gilroy Road,	1263, 1267, 1269, 1271, 1273	
Uniting Church and Turramurra	Pacific Highway, 2, 1-3, 5-7, 9,	
Ave.	17, 19, 21, 23, 25, 27, 29, 31, 33,	
	35, 37, 39 Rohini Street, 1-7	
	Gilroy Road, 2-8 Turramurra	
	Avenue.	
	10 Turramurra Avenue,	Infrastructure – Place of Public
		Worship.
Land on corner of Eastern Road	47- 49 Rohini Street	Residential - High Density
and Rohini Street.	2, 4, 8, 10, 14, 20 Eastern Road	Local Centre
Area bounded by Rohini Street,	51, 53 Rohini Street, 22, 24, 26,	Residential - High Density
Eastern Road, King Street,	28 Eastern Road 6 King Street	
pathway between King and		
Cherry Streets and railway line		
	(( ))	
Land on Corner Pacific Highway	1233, 1243, 1245, 1247 Pacific	Residential – High Density
and Turramurra Avenue	Highway	
Existing 2(d3) Zoned land in	1, 3, 5, 7, 9, 11, 15, 17, 19, 21, 12,	Residential - High Density
Turramurra Avenue, Gilroy Road	14, 16, 18, 20, 22, 24, 26, 28	
and Eastern Road	Turramurra Avenue, 1 Wonga	
	Wonga Street, 15, 17, 19, 21, 23,	
	25, 27, 29, 31, 33, 35, 2, 4, 6, 8,	
$\bigcap_{\Lambda}$	10, 12, 14, 16 Gilroy Road, 9, 11,	
$\mathcal{L}$	15, 17 Eastern Road.	
Interface sites in Turramurra/ )/	30, 32 Turramurra Avenue, 37,	Residential - Medium Density
Avenue and Gilroy Road	39 Gilroy Road	I C
St Margaret's Church	17A Eastern Road	Infrastructure – Place of Public
G 6B 16 11 A	11 D 66 G 111 G	Worship.
Corner of Pacific Highway and	1A Duff Street, 1416 and 1420	Residential - High Density
Duff Street	Pacific Highway	
Land between Duff Street and	1426 to 1458 Pacific Highway, 1,	Residential – High Density
Finlay Road, Turramurra	3 Duff Street, 1A, 1, 3, 5, 7, 9,	
currently zoned 2(d3) including	11, 15, 17, 2, 4, 8 Lamond Drive,	
heritage items currently zoned	2, 4, 4A Finlay Road	
2(c)		

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## Building Height Map (refer to **Attachment 7**)

This map shows the maximum height of buildings permitted on any parcel of land. The heights range from 2 up to 5 storeys, which is reflected by the building envelope controls contained in the DDCP. There will be a requirement that, for any building of three storeys or more, the area of top storey will be limited to 60% of the area of the storey below it. This is consistent with the approach adopted under LEP 194 and is reinforced by the floor space ratio provisions in the DLEPA1 and the controls contained in the DDCP.

## Floor Space Ratio Map (refer to **Attachment 7**)

This map shows the maximum floor space ratio (FSR) that can be developed on each parcel of land. FSR is the gross floor area of a building as a ratio to the total site area. The FSR standards have been derived from the detailed building envelopes developed in the DDCP, ensuring consistency between the two plans.

In the case of land in the High Density Residential zone, the prescribed FSR standard reflects the density of development that would be permitted in the 2(d3) zone under LEP 194.

The FSR controls also specify minimum and maximum amounts of retail and commercial floor space that can be developed on sites in the Local Centre zone where these uses are permitted. Minimum FSR standards are included to ensure that some retail/commercial space will be provided on particular sites as required by the overall planning strategy for Turramurra. Maximum retail/commercial FSRs place a cap on the maximum amount of floor space for these uses, consistent with the adopted planning strategy for the centre. The maximum FSR identified for each site refers to the total floor space for all uses including residential, retail and/or commercial.

## <u>Draft LEP – Building Site Coverage Map (refer to Attachment 7)</u>

The building site coverage map shows the maximum percentage of a site that any future building can cover. The Building Site Coverage percentages contained in the map have been derived from the detailed building envelopes developed in the DDCP. Generally, those sites to be zoned residential high density have the same 35% site coverage standard that currently applies to the 2(d3) zone under LEP 194.

## TRAFFIC & PARKING

A Traffic Study has been prepared for the Turramurra Town Centre and was considered by Council in December 2005 and March, 2006. This report provided further advice on the likely traffic generation associated with the preferred option for the redevelopment of the centre and the option for including a bridge over the railway line to link Ray and Rohini Streets.

Below is an extract of the summary of the proposed traffic changes for the preferred Town Centre Option:

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## 1. New intersection with Pacific Highway and Turramurra/Avenue

This involves the addition of a new set of traffic signals with a right turn bay from the Pacific Highway into Turramurra Avenue. The purpose of this new intersection is to direct traffic away from Rohini Street which is heavily used by pedestrians, commuters and people visiting the retail centre. It is not intended to make Turramurra Avenue the dominant link and with the new link to Eastern Road via Gilroy Road, it is intended to make Turramurra Avenue one way southbound around Nulla Nulla Street.

This new intersection will need to be assessed by the Roads and Traffic Authority to ensure that peak traffic flows along Pacific Highway are not adversely delayed by the proposed signalisation of the intersection.

# 2. Conversion of Rohini Street to Left In and Left Out with the removal of traffic signals and providing a new link to Turramurra Avenue

Because of the close proximity of the railway station and the retail frontage, motorists experience delays with the pedestrian crossing, parking of vehicles and the traffic signals at the Pacific Highway. In order to overcome the delays, it is intended to remove the traffic signals and only allow a left in and left out arrangement. Turramurra Avenue currently operates under this arrangement and the delays are not significant. The relocation of the pedestrian crossing to Turramurra Avenue will allow vehicles to exit Rohini Street and only concentrate on Pacific Highway traffic.

# 3. Provision of a direct connection from Kissing Point Road to Forbes Lane and a link to Ray Street via Forbes Lane

The purpose of this change is to allow a direct vehicular and pedestrian link from Kissing Point Road to the railway station and the facilities proposed for this precinct. This will allow better access out of the precinct. Widening of the Pacific Highway will allow for a dedicated right turn bay into Ray Street and therefore allow removal of the tidal flow arrangement on the Pacific Highway. Variations to the circulation movements and drop off arrangements are still to be finalised and further consideration will be given to providing a direct link from Kissing Point Road into Forbes Lane. However, this will depend on the likely queue lengths and RTA requirements.

## 4. A new connection from Kissing Point Road to Duff Street (Stonex Street)

While there is an indirect link from Kissing Point Road to Duff Street through the shopping centre car park, it is proposed to formalise this link with a new road. This will assist traffic heading north along the Pacific Highway rather than being delayed by the traffic signals at Kissing Point Road and the Pacific Highway.

## 5. Removal of tidal flow on Pacific Highway

As mentioned above, removal of the tidal flow arrangements would enable dedicated right turn bays and maintain six lanes (3 in each direction) for through traffic. While 3 lanes are

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currently provided on the peak direction under tidal flow arrangement, some additional capacity would be obtained through the removal of the tidal flow.

In the case of staging of construction and the potential impact on the supply of local public parking needs further consideration.

A detailed parking management plan is intended to be prepared to assist with the allocation and use of parking within the centre.

The bus access and circulation in Gilroy Road and the new road connecting Gilroy Road with Turramurra Avenue could be facilitated through appropriately designed kerb returns and implementation of parking restrictions at corners/intersections, to give adequate clearance for turning buses.

The possibility of a dedicated left turn lane in Kissing Point Road, at Pacific Highway could be incorporated if direct connection across Kissing Point Road in both directions is not incorporated in the plan. A dedicated left turn lane in Kissing Point Road is estimated to require minimum road reserve widening of 2.2m (leaving a 3.6m wide nature strip/shoulder on the western side of Kissing Point Road). To replicate the existing 5m wide nature strip/shoulder, 3.6m of widening would be required. According to the SCATES analysis for the proposed improvements without bridge over railway line from Rohini Street to Ray Street, the average queue length in Kissing Point Road would be 54-60m, therefore a dedicated left turn lane could possibly be this long. This would result in a left turn lane that would start at Pacific Highway and end at approximately the northern corner of 1 Kissing Point Road. However, if the widening is to be implemented, it is recommended to widen the road reserve to the southern end of the car park entrance, as the footpath/nature strip is already narrow (down to 1.4m) near the car park entrance due, to presence of the right turn bay into the car park. This would require setting all the proposed buildings along the northern side of Kissing Point Road back a further 3.6 m. This widening would also reduce the public open space on the corner of Kissing Point Road and the Highway from 550sqm to 442sqm

The possibility of road widening on Pacific Highway to provide three northbound lanes past Finlay Road has been raised as part of the controls for Precinct I. Currently, there is a merge from 3 lanes to 2 lanes in the northbound direction on Pacific Highway, in the vicinity of Finlay Road. The merge on the northbound side is required to accommodate a right turn bay in the southbound direction. Further north (in the northbound direction), 3 lanes are formed outside Warrawee Public School. Beyond this, the kerbside lane becomes a 'Left Lane Must Turn Left' lane (into Fox Valley Road). The estimated road carriageway widening required to accommodate 3 continuous lanes past Finlay Road would be:

- a. Outside 1458 Pacific Highway (corner Finlay Road): A strip starting from zero width at the southern corner, and tapering to 2m wide at the northern corner of the site.
- b. Outside Warrawee Public School: A strip starting from 2.5m wide at the southern corner of the school site, tapering to zero width about 80m further north.

The benefit of the current arrangement is that a left turn into Fox Valley Road requires a change of lane (to the left), whereas with 3 continuous lanes, unfamiliar motorists in the kerbside lane wishing

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to proceed north may get caught in the left lane. The benefit of the proposed widening would be reduced delays and conflicts, due to merging. Also, traffic is out of the shopping centre precinct when it gets to this location.

#### Reclassification of Land Council Owned Land

A report has been prepared on the various property holdings within the Turramurra Centre. The report includes details relating to the site's ownership, current leases, acquisition details and restrictions on the use of the land. To alter the current use zoning or character, Council will need to proceed through a number of processes.

A copy of the report of Council's property holdings for Turramurra Centre is included as **Attachment 8** to this report.

In order to deliver on the planning outcomes for the recommended option, there are currently a number of Council owned sites within the Turramurra Centre that are affected by the recommended option. The majority of these sites are currently classified as community land under the Local Government Act.

## Classification of Land

Land which is owned by or under the control of a local council (with some exceptions, such as roads and crown reserves) must be classified as either 'community land' or 'operational land' under the *Local Government Act 1993*. Community land will ordinarily be land which is open to the public, such as a park, bushland reserve or sportsground, while operational land may be held by Council as an asset or used for other purposes such as works depots or garages.

The purpose of the 'community land' classification is to identify council owned land which should be set aside for use by the general public. Community land cannot be sold by the council and can only be leased for certain purposes. There are a number of restrictions on the way councils can deal with community land:

- community land cannot be sold;
- a Council can grant a lease over community land, but only for certain purposes which are authorised by the plan of management for the land;
- community land must be managed in accordance with a plan of management; and
- community land may only be dedicated as a public road where the road is necessary for enjoyment of the land.

Normally, land can only be reclassified from community land to operational land by making a new LEP. The procedures for making an LEP must be complied with, including public exhibition of the plan and consideration of submissions from members of the public. The plan must be made by the Minister for Infrastructure, Planning and Natural Resources.

In the case where reclassification of the land is carried out by an LEP it will also require a public hearing to be conducted under section 68 of the EP&A Act and section 29(1) of the Local

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Government Act. It is intended that the public hearing will be conducted during the public exhibition period of the Draft LEP.

## Land Proposed to be reclassified

In order to deliver on the planning outcomes for the recommended option presented in this report, it is recommended that the following Council owned lands be Reclassified from "Community" to "Operational" land:

		1 4/	
Item	Address	Property	Description
No.			1
1	2-8 Turramurra Avenue	Lot 2, DP840070/	Turramurra Avenue Car Park
2	1-7 Gilroy Road	Lot 1, DP840070 //	Turramurra Senior Citizens
			Centre; Ku-ring-gai Support and Services Centre – HACC
_	1055 0 10 11 1	To a Department	
3	1275 Pacific Highway	Lot 1, DP81994	Turramurra Village Park
4	12 William Street	Lot 1, DP519532	William Street Car Park
5	5 Ray Street	Lot 2, DP221290	Ray Street Car Park;
			Turramurra Library
6	1A-3 Kissing Point	Lot 2, DP500761, Lot 2,	Kissing Point Road Car Park
Ü	Road	DP500077, Løt 2,	C
		DP502388, Lot A,	
		DP391538 & Lot B	
		DP435272	
7	3 Stonex Lane & 4 Duff	Lot 2, DP\$50866 & Lot 1,	Stonex Street, Duff Street car
	Street	DP807766	park

It should be noted that the site at 1-7 Gilroy Road containing the Senior Citizens Centre and HACC facility was classified as 'operational land' under the blanket classification undertaken by Council in 1994 following the implementation of the Local Government Act 1993. They remain classified as operational land at present. It is proposed that the this land by included in the DLEP to reaffirm their operational classification.

## CONSULTATION

## Consultations and Surveys

The consultation and survey information is fully documented in the Turramurra Commercial Centre Background Report November 2005, and the subsequent report to Council on 6 December 2005.

## **Initial Consultation**

The consultations to date were completed in 4 phases:

- 1. Initially with established local groups and interested residents.
- 2. Consultation workshop to develop a Vision for the Turramurra centre.
- 3. Options workshops' consultations.
- 4. Public displays in the Turramurra centre seeking feedback on a Planning Option.

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Consultation has involved working extensively to establish and develop contact with interested stakeholders and community representatives in the Turramurra Commercial Centre.

A large survey was posted to some 8000 householders in the Turramurra/Warrawee postcode 2074 area in February 2005. Survey results yielded information & opinion from nearly 2000 of these residents

The consultations and householder survey allowed the collation of an extensive e-mail register of persons interested in keeping informed of progress. This has been used to provide updated information quickly about Turramurra centre planning, and to seek feedback to Council via on-line surveys on a range of local and Council-wide issues.

In addition to the above, local paper publicity and distribution of The Turramurra News (August) and The Ku-ring-gai News (October) by Council throughout the postcode 2074 area, provided progressive details of the commercial centre planning.

During December 2005, Council received correspondence from the public both as letters and emails on the planning for the Turramurra centre. This information has been passed to on staff and relevant consultants for consideration in planning process.

## Development of a vision for Turramurra Centre

A vision workshop was convened in central Turramurra on Thursday 5 May 2005. It included 50 Turramurra & Warrawee householders who had volunteered their availability to attend consultations when they completed the above resident survey. These householders were invited as a sample to range across age; time lived in the locality; and gender so as to provide a broad array of contributions to the workshop.

Each of the themes identified in the Vision workshop were used to build a sentence or phrase to describe the desired outcome. A survey of residents' opinion about the distilled results from the above workshop was then emailed to the 50 above participants, plus another 150 householders who had provided their email address for such purpose. Responses were sought within 7 days and some 75 out of a possible 200 were received.

## **Workshops for Turramurra Centre**

The planning principles for Turramurra have been developed from information gained from a series of workshops involving staff, Councillors and consultants. Information gained from preliminary consultation has also assisted with the development of planning principles.

The design principles for the centre are set out in the Appendix below. These principles were developed in response to a range of parameters including:

- The community aspirations identified through stakeholder consultation and the vision development.
- Councillors' issues and opportunities.
- Issues, constraints and opportunities identified by Council staff and consultants.



## Further consultation – Draft Development Control & Local Environment Plans

Council has indicated that it will mount a initial public exhibition of the Draft DCP and LEP for the Turramurra centre so that interested and affected persons can have the opportunity to see the plans and time to consider the implications, before formal exhibition commences. This is scheduled during March at the Turramurra Library and on Council's web-site.

With formal statutory exhibition of the Draft town centre plans for Turramurra, the Council will have displays at the Turramurra Library and on its web-site. An exhibition survey to glean feedback comments and opinions will be available at the library and at Council's web-site. Exhibition and survey web-links will be sent to all persons who have provided their email address to Council, to be kept informed about Turramurra centre planning. This is scheduled for May/June 2006 following NSW Planning Department approval to exhibit. The use of additional consultation and awareness for the centres planning is being undertaken eg. through the use of information flyers, centres posters and other displays at prominent locations- consistent with Council's resolution on consultation for the town centres program.

In accordance with Council's resolution the relevant state government agencies and surrounding Councils were notified under Section 62 of the EP&A Act a summary of response is provided below:

State	Comments/Notes (V/ //		
Agencies/Councils			
Hornsby Shire Council	Council has no comment on the draft plan.		
Warringah Council	Council raises no objection to the proposed amendment.		
Sydney Catchment Authority	The Sydney Catchment Authority has no responsibility for, nor interest in, developments in Turramurra and requested Council to take the Authority off the mailing list for similar matter in future.		
Ryde City Council	Noted and has not provided any comment on the draft plan.		
NSW Rural Fire Service	<ul> <li>It is noted that a portion of land included in the above rezoning proposal is affected by the Ku-ring-gai Bush Fire Prone Land Map.</li> <li>Any future development applications for subdivision or residential development will be subject to the requirements of Section 100B of the Rural Fires Act 1997</li> <li>and Section 79BA of the EP&amp;A Act.</li> </ul>		
	Future subdivision of bush fire affected land will need to fully comply with the requirements of Planning for Bushfire Protection 2001 to ensure the successful issue of a Bush Fire Safety Authority. In particular, the provision of Asset Protection Zones in Section 4.2; the provision of access in Section 4.3.2; and the provision of water for fire fighting activities in Section 6.4.3 of Planning for Bushfire Protection 2001.		

# Response to Section 62 Comments by the NSW Rural Fire Service

It is acknowledged that a portion of the land, generally in the vicinity of Stonex Lane, is affected by the Ku-ring-gai Bushfire Prone Land Map. The development of these lands will be affected by the requirements of the Rural Fires Act (Section 100B) and the Environmental Planning and

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Assessment Act (Section 79BA). Future development will need to address the provisions of "Planning for Bushfire Protection 2001".

Council's DCP for the Turramurra Town Centre will need to be responsive to the Bushfire Map and "Planning for Bushfire Protection 2001". The provision of Asset Protection Zones, access provision and water for fire fighting, will be important and buildings will need to meet appropriate performance standards. It will be relevant to consider the placement of buildings and the nature of their use and construction.

The RFS is directly involved in the process and needs to agree to the progression of the Draft LEP (vide Minister's 117 Direction No. 19) to ensure its meets "Planning for Bushfire Protection 2001" requirements.

In accordance with Council's management the Bush five prone Land Map is currently being reviewed, and future development on these sites will need to be consistent with the revised map.

All landowners and occupiers in the Turramurra centre have been notified of this report going to Council. In addition the person on council's consultation email register have also been notified.

## FINANCIAL CONSIDERATIONS

All primary costs are met by the Department's operational and projects budgets. Additional funding opportunities for new and enhanced public facilities will be sourced through the preparation of a new Section 94 Plan, potential grant funding and other planning mechanisms.

Other funding sources will also be incorporated into the project, including a new Section 94 Plan and potential grant funding.

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The integrated planning approach has ensured input from all Council departments throughout the project.

## SUMMARY

The Minister has directed Council to prepare plans for additional housing in and around its town centres and to provide for retail and commercial activities to meet the needs of the local community. Following Council's resolutions on 9 December 2005, 7 February 2006 and 28 February 2006, this report provides the further detailed planning and urban design analysis, building envelopes, planning controls and feedback from further range of studies on traffic and transport, economic feasibility studies, community facilities and further stakeholder consultation. A development contributions strategy is also being prepared to assist with funding the new services and facilities created by the plans. The key planning controls and documentation for the Turramurra Centre are presented including a draft LEP & DCP for adoption for public exhibition. The DLEP and DCCP will then be presented to the Department of Planning seeking their formal endorsement for formal public exhibition.

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## RECOMMENDATION

- A. That Council adopt the Draft Ku-ring-gai (Town Centres) Local Environmental Plan Amendment No 1 for the Turramurra Centre for exhibition as attached to this report.
- B. That Council adopt the Draft Ku-ring-gai (Town Centres) Development Control Plan for the Turramurra Centre including further minor amendments as necessary to ensure consistency with Council's adopted Draft Local Environmental Plan and with the final NSW standard template LEP.
- C. That Council write to the Director General, Department of Planning under Section 64
  Environmental Planning and Assessment Act requesting that a Certificate under
  Section 65(2) be issued for exhibition of the Draft Turramurra Centre Local
  Environmental Plan.
- D. That subject to a Certificate under Section 65(2) being issued, Council exhibit for a minimum period of 28 days the Draft Local Environmental Plan and Draft Development Control Plan as amended as required by the Environmental Planning and Assessment Act 1979.
- E. That following the exhibition period a further report be presented to Council with an assessment of submissions and a final Local Environmental Plan and Development Control Plan for adoption.
- F. That any changes to the Draft Ku-ring-gai (Town Centres) Local Environmental Plan Amendment No 1 mandated by the final standard NSW Local Environmental Plan are to be consistent with the adopted development standards for the Turramurra Centre and consistent with the associated Draft Ku-ring-gai (Town Centres) Development Control Plan.
- G. That the economic feasibility information be released to the Department of Planning on a confidential basis to support Council's request for a Certificate to exhibit the Draft Plan.
- H. That Council acknowledge those who have made submissions and that they be informed of Council's resolution.
- I. That the Draft Local Environmental Plan propose reclassification of the following sites from community land to operational land:

Item No	Address	Property	Description
1 2	2-8 Turramurra Avenue 1-7 Gilroy Road	Lot 2, DP840070 Lot 1, DP840070	Turramurra Avenue Car Park Turramurra Senior Citizens Centre; Ku-ring-gai Support and Services Centre – HACC

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3	1275 Pacific Highway	Lot 1, DP81994	// Turramurra Village Park
4	12 William Street	Lot 1, DP519532	William Street Car Park
5	5 Ray Street	Lot 2, DP221290	Ray Street Car Park;
			Turramurra Library
6	1A-3 Kissing Point Road	d Lot 2, DP500761/,	) Kissing Point Road Car Park
		Lot 2, DP50007/7,	//
		Lot 2, DP502388,	$\supset$
		Lot A, DP391538 \	
		& Lot B DP435272	
7	3 Stonex Lane &	Lot 2, DP550866 &	Stonex Street,
	4 Duff Street	Lot 1 DP807766	Duff Street car park

J. That the Draft Local Environmental Plan be exhibited in accordance with the requirements of Local Environmental Plans and *Council Land Best Practice Guideline* (January 1997).

K. That a public hearing be conducted as part of the Local Environmental Plan exhibition in accordance with the relevant provisions of the Local Government Act 1993.

L. That a Parking Management Plan be prepared and reported to Council prior to gazettal of the Draft Local Environmental Plan for the Turramurra Centre.

Steven Head

**Director Open Space & Planning** 

Greg Piconi

**Director Technical Services** 

Antony Fabbro

**Manager Urban Planning** 

Craige Wyse

Senior Urban Planner

Bill Royal

Senior Urban Designer

**Attachments:** 

- 1. Council reports and resolutions of 6 December 2005, 7 February 2006 (rescission motion) and 28 February 2006.
- 2. Turramurra Centre Draft Development Control Plan.
- 3. Turramurra Precinct Map.
- 4. Confidential Economic Feasibility assessment Hill PDA Pty Ltd (circulated separately).
- Heritage assessment 6, 8 and 10 William Street, Turramurra (circulated separately).
- 6/Draft LEP Town Centres Amendment No.1 Turramurra Centre.
- 7. Praft LEP maps land application map, zoning map, building height map, FSR map and (DLEP site cover map circulated separately).
- 8. Council land holdings (circulated separately).

## RESOLUTION OF EXTRAORDINARY MEETING OF COUNCIL

## 27 MARCH 2006

# EMC5 Turramurra Centre Draft Local Environmental Plan & Draft Development Control Plan

File: S04038

The following members of the public addressed Council:

P Roach	P Edwards
T Pennington	A Parr
S Wesley	V Harris
<b>G</b> Charny	<b>B</b> Irwin
A Alder	M Gibbeson
L Fowler	R Bestic
J Roberts	R Sicha
E Sandelowsky	E Sanhueza
M Thomas	W Taylor
M Sandford	H Hayward
	•

**D** Warner

To have Council consider and adopt the Draft Local Environmental Plan (LEP), Draft Development Control Plan (DCP) and associated strategies for the Turramurra Centre, and submit the Draft Plans to the Department of Planning to seek their approval for formal exhibition of the Draft LEP and DCP.

Council adjourned for a short interval at 8.50pm after a Motion moved by Councillors Cross & Ebbeck was CARRIED UNANIMOUSLY and the Chairperson ruled accordingly.

The Meeting resumed at 9.05pm

Those present were:

The Mayor, Councillor Malicki

Councillor Andrew

Councillor Bennett

Councillor Hall

Councillor Cross

Councillor Ebbeck

**Councillor Shelley** 

Councillor Anderson

Councillor Lane

Councillor Ryan

## Resolved:

(Moved: Councillors Ebbeck/Ryan)

A. That Council adopt the Draft Ku-ring-gai (Town Centres) Local Environmental Plan - Amendment No 1 for the Turramurra Centre for exhibition as attached to this report and amended below.

For the Resolution: Councillors Andrew, Ebbeck, Hall, Lane & Ryan

Anderson

Against the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross & Shelley

B. That Council adopt the Draft Ku-ring-gai (Town Centres) Development Control Plan for the Turramurra Centre including further minor amendments as necessary to ensure consistency with Council's adopted Draft Local Environmental Plan and with the final NSW standard template LEP and subject to the following amendments:

For the Resolution: Councillors Andrew, Ebbeck, Cross, Hall, Lane,

Ryan, Shelley & Anderson

Against the Resolution: The Mayor, Councillor E Malicki & Councillor

Bennett

1. That the Draft LEP and Draft DCP controls for precinct K be amended as per the revised Site specific Controls precincts J,K,L diagram 4.5.7 (attached) to require the following:

- i. A 2 metre setback for the new buildings on Kissing Point Road, Turramurra.
- ii. Amalgamation of all properties within precinct K prior to development and a single vehicular site access off Kissing Point Road.

#### CARRIED UNANIMOUSLY

- 2. That the Draft LEP and Draft DCP controls for precinct G be amended as per the revised Site specific Controls precincts G diagram 4.5.6 (attached) to require the following:
  - A minimum side boundary setback of 6 metres to Cameron Park for the new residential development to the east and a minimum of 9 meters on the new residential development to the north of Cameron Park.
  - ii. A new public pedestrian link from Gilroy Road to Cameron Park as shown in the revised diagram 4.5.6.

#### CARRIED UNANIMOUSLY

- 3. That the Draft LEP and Draft DCP controls for precinct C be amended as per the revised Site specific Controls precincts C diagram 4.5.4 (attached) to require the following:
  - i. A 2 metre setback be provided on the western side of Kissing Point Road (in combination with 2 metre setback in precinct K) to provide a 24 metre road reservation.
  - ii. Final design for Stonex Street is to eliminate or minimise the potential impacts on vegetation.

## **CARRIED UNANIMOUSLY**

(Moved: Councillors Cross/Shelley)

iii. That the building envelope of the building on the corner of Kissing Point Road and Pacific Highway in precinct K be amended so that the setbacks to the Pacific Highway and the first 6 metres of Kissing Point Road be increased to facilitate sight lines for traffic at the intersection and to assist traffic movement.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross, Ebbeck & Shelley

Against the Resolution: Councillors Andrew, Hall, Lane, Ryan & Anderson

The voting being EQUAL, the Mayor exercised her Casting Vote IN FAVOUR of the Motion

C. That Council write to the Director General, Department of Planning under Section 64 Environmental Planning and Assessment Act requesting that a Certificate under Section 65(2) be issued for exhibition of the Draft Turramurra Centre Local Environmental Plan.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley &

Anderson

Against the Resolution: Councillor Bennett

D. That subject to a Certificate under Section 65(2) being issued, Council exhibit for a minimum period of 28 days the Draft Local Environmental Plan and Draft Development Control Plan as amended as required by the Environmental Planning and Assessment Act 1979.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley &

Anderson

Against the Resolution: Councillor Bennett

E. That following the exhibition period a further report be presented to Council with an assessment of submissions and a final Local Environmental Plan and Development Control Plan for adoption.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley &

Anderson

Against the Resolution: Councillor Bennett

F. That any changes to the Draft Ku-ring-gai (Town Centres) Local Environmental Plan – Amendment No 1 mandated by the final standard NSW Local Environmental Plan are to be consistent with the adopted development standards for the Turramurra Centre and consistent with the associated Draft Ku-ring-gai (Town Centres) Development Control Plan.

For the Resolution: Councillors Andrew, Bennett, Cross, Ebbeck, Hall,

Lane, Ryan, Shelley & Anderson

Against the Resolution: The Mayor, Councillor E Malicki

H. That Council acknowledge those who have made submissions and that they be informed of Council's resolution.

#### **CARRIED UNANIMOUSLY**

I. That the Draft Local Environmental Plan propose reclassification of the following sites from "community land" to "operational land":

Item No	Address	Property	Description
1	2-8 Turramurra Avenue	Lot 2, DP840070	Turramurra Avenue Car Park
2	1-7 Gilroy Road	Lot 1, DP840070	Turramurra Senior Citizens Centre; Ku-ring-gai Support and Services Centre – HACC
4	12 William Street	Lot 1, DP519532	William Street Car Park
5	5 Ray Street	Lot 2, DP221290	Ray Street Car Park; Turramurra Library
6	1A-3 Kissing Point Road		Lot 2, DP500761, Kissing Point Road Car Park
		Lot 2, DP500077, Lot 2, DP502388, Lot A, DP391538 & Lot B DP435272	
7	3 Stonex Lane &	Lot 2, DP550866 &	Stonex Street,

4 Duff Street Lot 1, DP807766 Duff Street Car Park

For the Resolution: Councillors Andrew, Ebbeck, Hall, Lane, Ryan &

Anderson

Against the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross & Shelley

J. That the Draft Local Environmental Plan be exhibited in accordance with the requirements of Local Environmental Plans and *Council Land Best Practice Guideline* (January 1997).

#### CARRIED UNANIMOUSLY

K. That a public hearing be conducted as part of the Local Environmental Plan exhibition in accordance with the relevant provisions of the Local Government Act 1993.

#### CARRIED UNANIMOUSLY

L. That a Parking Management Plan be prepared and reported to Council prior to gazettal of the Draft Local Environmental Plan for the Turramurra Centre.

## **CARRIED UNANIMOUSLY**

M. For the new proposed buildings in the Stonex Lane precinct within the Bush Fire Prone lands, the proposed controls be discussed with the NSW Rural Fire Service and the potential impacts on the existing vegetation be further assessed and this be reported to Council following the exhibition period.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley &

Anderson

Against the Resolution: Councillor Bennett

N. That a revised economic feasibility assessment be undertaken on Council's adopted draft LEP and DCP and the revised assessment be submitted to the Department of Planning on a confidential basis prior to the public exhibition of the draft LEP and DCP and a copy circulated to all Councillors on a confidential basis.

#### CARRIED UNANIMOUSLY

O. That the development controls for the sites adjoining the railway be reviewed to ensure compliance with the State Rail Authority and Rail Infrastructure Corporations guidelines for development near railway corridors.

#### CARRIED UNANIMOUSLY

P. That the location of the proposed pedestrian access between Turramurra Ave and Gilroy Road be further reviewed during the exhibition period and reported back to Council.

#### **CARRIED UNANIMOUSLY**

Q. That a report be brought to Council, before or during the exhibition period, on a more appropriate entrance to the underground parking from Gilroy Road, be provided which will minimise the impacts on Turra Tots.

#### **CARRIED UNANIMOUSLY**

(Moved: Councillors Malicki/Hall)

R. Remove the 5 storey building (on the council car park) facing Turramurra Avenue, identify the land as open space and include in the design, at grade car parking for approximately 40 spaces and landscaped/green open space areas.

If there is any imperative to replace the yield from this building, it should be replaced in precincts D and E.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Andrew, Bennett, Cross, Ebbeck, Hall, Ryan &

Anderson

Against the Resolution: Councillors Lane & Shelley

Part R of the Resolution was carried as an Amendment to the Original Motion. The Original Motion was:

R. Remove the 5 storey building (on the council car park) facing Turramurra Avenue, identify the land as open space and include in the design, at grade car parking for approximately 40 spaces and landscaped/green open space areas.

(Moved: Councillors Cross/Shelley)

S. That the Turramurra Village Park be retained as open space under the KPSO.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross, Ebbeck, Hall, Shelley & Anderson

Against the Resolution: Councillors Andrew, Lane & Ryan

(Moved: Councillors Cross/Shelley)

T. That Nos 6 and 8 William Street be identified for retention and appropriate controls be provided in the DCP.

For the Resolution: The Mayor, Councillor E Malicki, Councillors Hall,

Bennett, Cross, Ebbeck, Shelley & Anderson

Against the Resolution: Councillors Andrew, Lane & Ryan

(Moved: Councillors Cross/Shelley)

U. That existing access from the Pacific Highway to William Street and Forbes Lane be maintained and that properties previously identified for road widening/demolition along the Pacific Highway be assigned appropriate FSR heights and built-upon areas.

For the Resolution: The Mayor, Councillor E Malicki, Councillors

Bennett, Cross, Hall & Anderson

Against the Resolution: Councillors Andrew, Ebbeck, Lane, Ryan & Shelley

The voting being EQUAL, the Mayor exercised her Casting Vote IN FAVOUR of the Motion

(Moved: Councillors Cross/Shelley)

W. That the final redesign of the public domain in precinct A consider the most appropriate location for commuter drop off, to access the rail station which includes access for people with disabilities which would be significantly closer than that which is currently proposed.

#### **CARRIED UNANIMOUSLY**

*Part X of the Motion when put to the vote was LOST.* 

(Moved: Councillors Malicki/Bennett)

X. That a public meeting be held on the Turramurra Town Plan as soon as possible.

For the Motion: The Mayor, Councillor E Malicki, Councillors

Andrew, Bennett & Cross

Against the Motion: Councillors Ebbeck, Hall, Lane, Ryan, Shelley& Anderson RDC 2006-1903

**Andrew Popoff** 



The General Manager Ku-ring-gai Council DX 8703 GORDON

**Attention: Joseph Piccoli** 

# PROPOSED ADDITIONS TO SUPERMARKET AT I RAY STREET, TURRAMURRA.

Dear Joseph,

I refer to your letter of 16 August 2006 (Council Ref. DA 0581/06), concerning the above mentioned Development Application referral to the Roads and Traffic Authority (RTA) for comment in accordance with the provisions of State Environmental Planning Policy No 11 (SEPP 11).

The RTA has reviewed the development proposal and offers the following comments to Council in its determination of the development application:

- 1. The RTA notes that the draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) limits retail FSR within the subject site to a maximum of 0.55:1, whilst the proposal provides a FSR of 0.695:1. Therefore, Council should be mindful of this exceedence when determining the development application.
- Comments from the Police have indicated that as the proposed changes would increase traffic to the supermarket, more work would be required in order to address the current struggling traffic problem during the peak periods and weekends.

The abovementioned traffic issue is also highlighted within the Turramurra Town Centre Traffic and Car Parking Study which notes that currently during the PM peak the delays for the Ray Street approach at the Pacific Highway is at a Level of Service (E).

This development proposal (if approved) would only worsen the existing level of delays and congestion within Ray Street during the peak periods. To address this concern the RTA requires that the developer enter into a Planning Agreement with Council to contribute towards the upgrading of the Pacific Highway / Ray Street intersection similar to that depicted within the attached plan (Detail 1).

3. It is also noted that concern has been raised about the safe manoeuvring of service vehicles to the loading dock. This issue should be addressed to Council's satisfaction. A suggestion may be to impose time restrictions on service vehicles (within Forbes Lane) to when the Supermarket can be serviced.

Roads and Traffic Authority ABN 64 480 155 255

RDC 2006-1903.doc



- 4. The layout of the car parking areas associated with the subject development (including, ramp grades, turn paths, sight distance requirements, aisle widths, and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for any servicing areas.
- 5. All work associated with the proposed development shall be at no cost to the RTA.

In accordance with State Environmental Planning Policy No. 11, it is essential that a copy of Council's determination on the proposal (conditions of consent if approved) is forwarded to the Committee at the same time it is sent to the developer.

Any inquiries in relation to this development application can be directed to the nominated assessment officer, Andrew Popoff, on telephone 8814 2180 or facsimile 8814 2107.

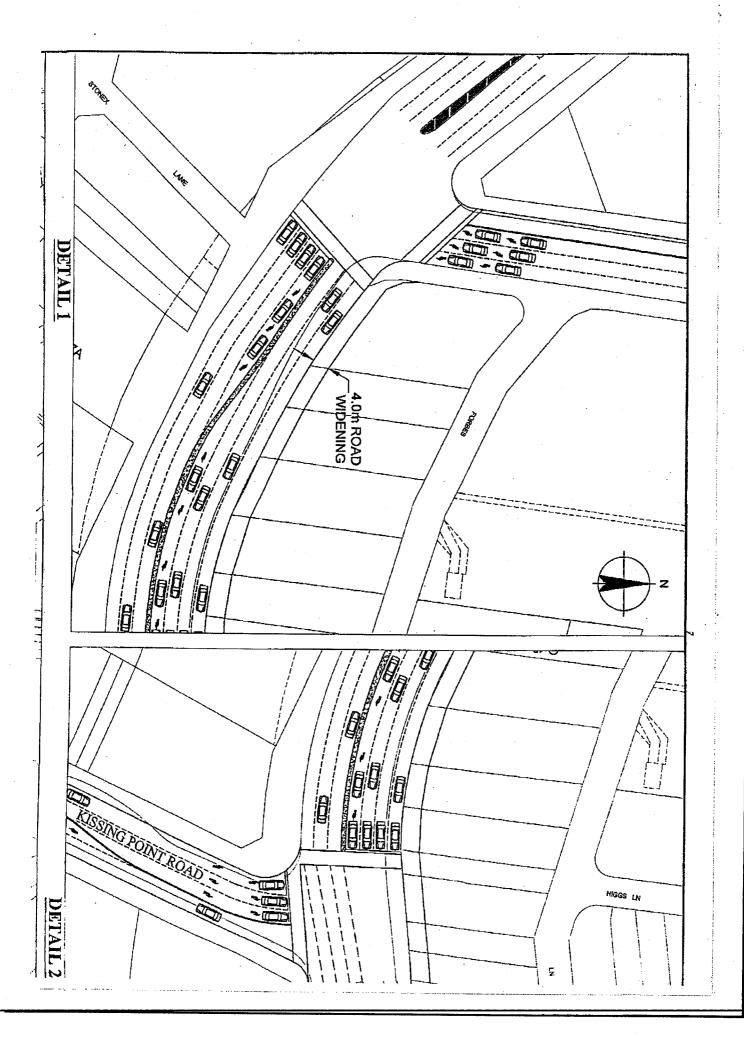
Yours sincerely,

Charles Wiafe

Land Use Development Manager

Sydney Region

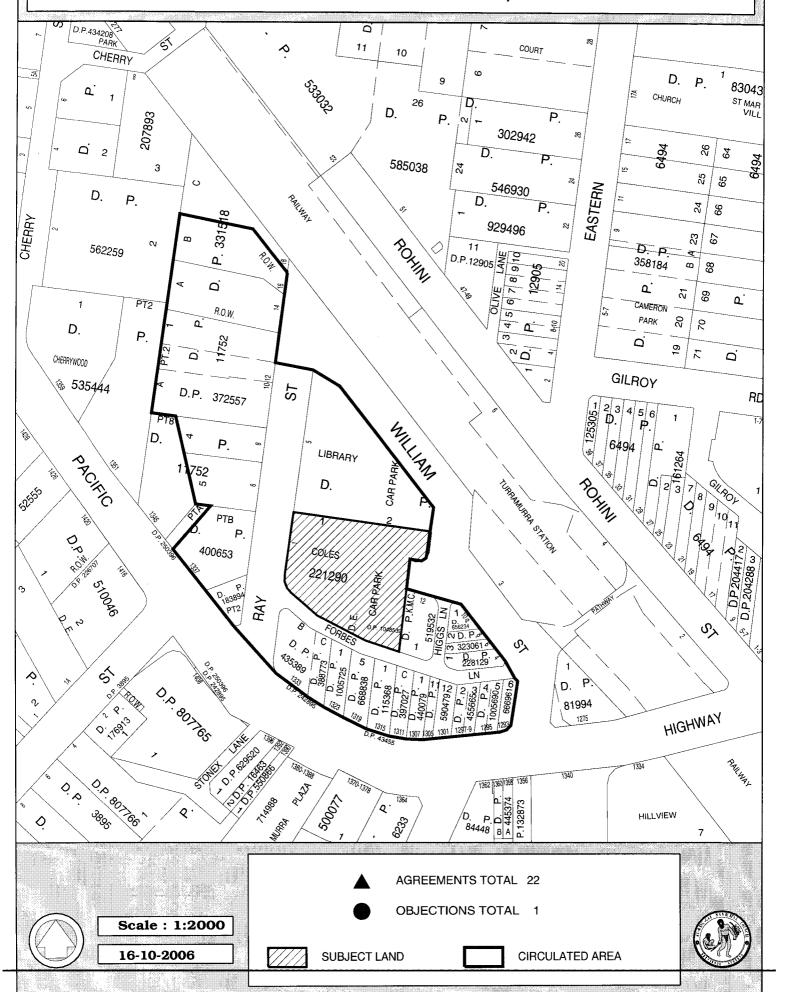
19 September 2006



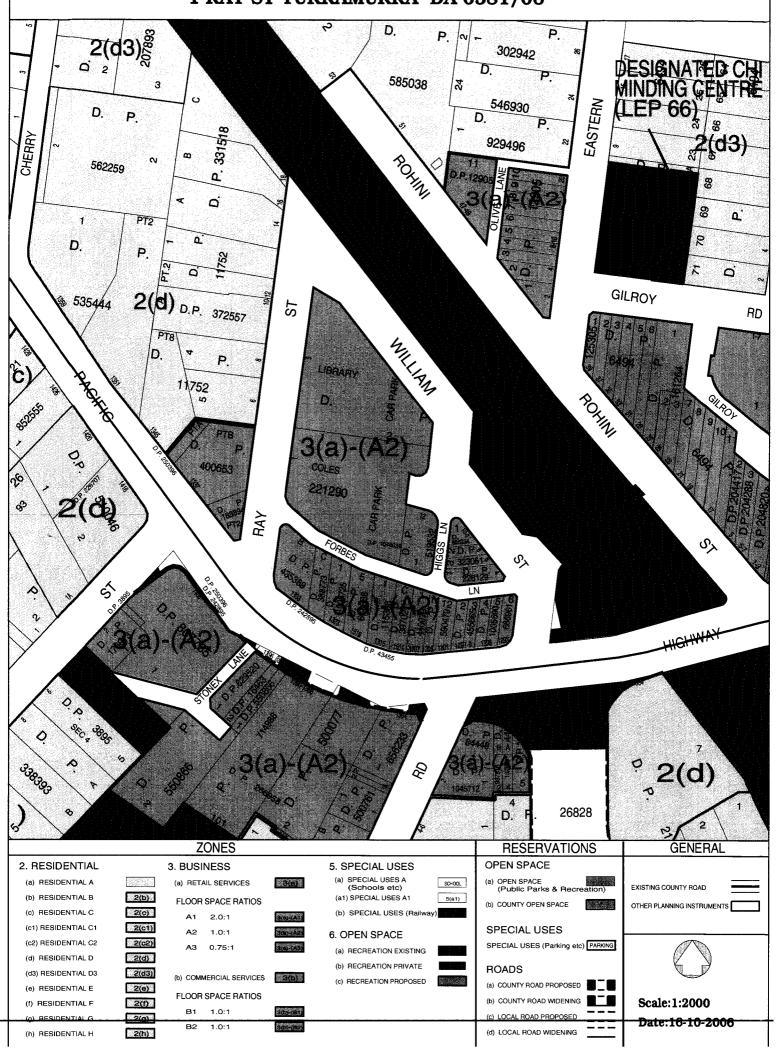
## **LOCATION SKETCH**

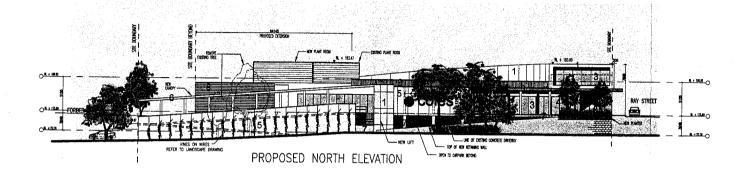
## 1 RAY STREET TURRAMURRA

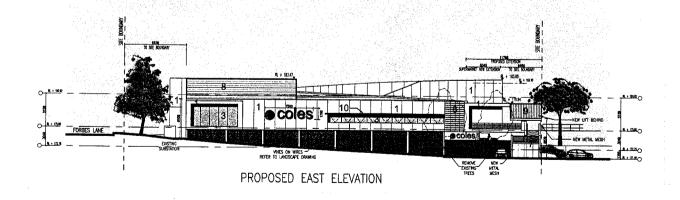
**DEVELOPMENT APPLICATION No 581/06** 



# Zoning Extract 1 RAY ST TURRAMURRA DA 0581/06







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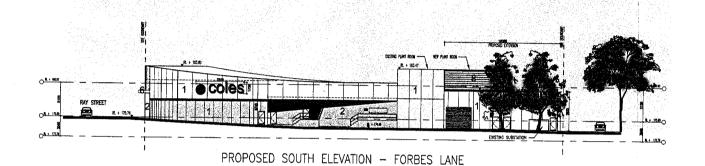
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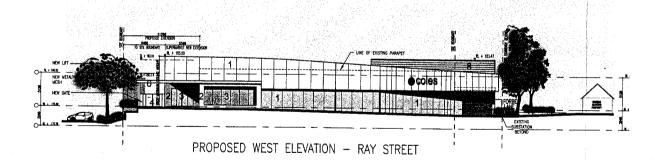
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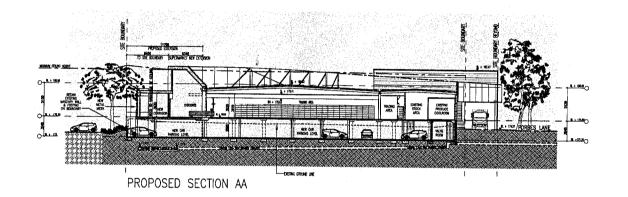
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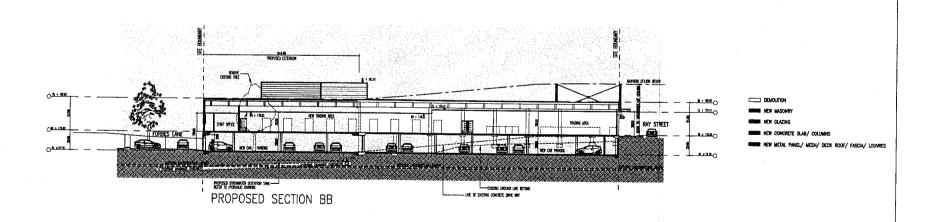
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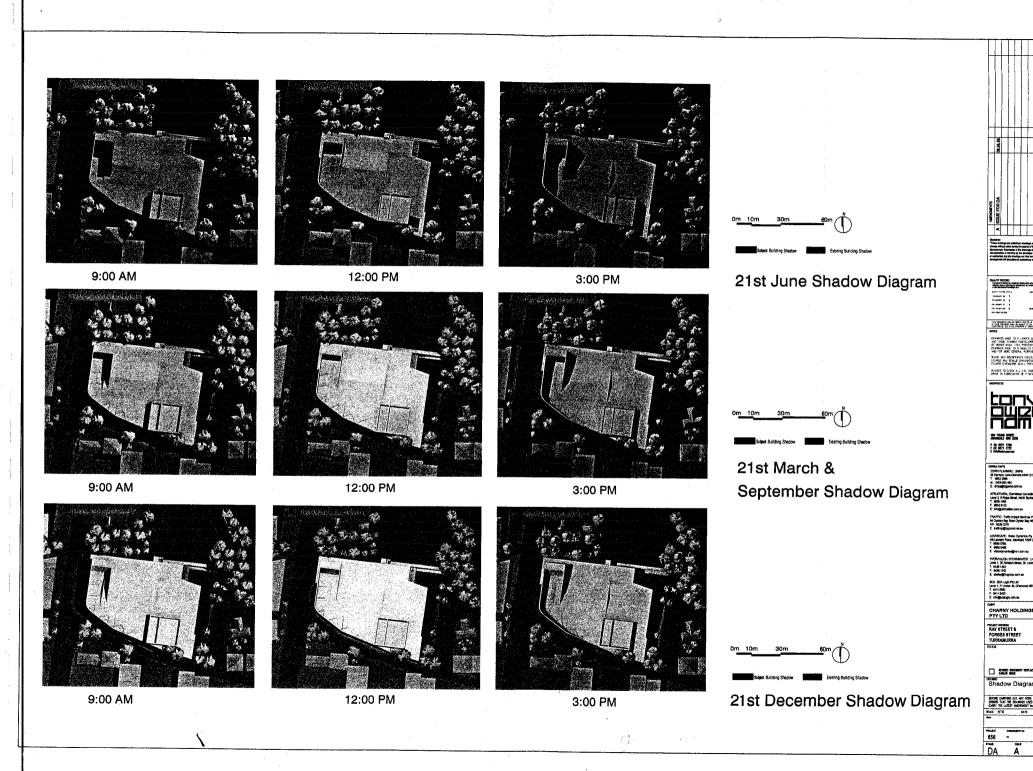
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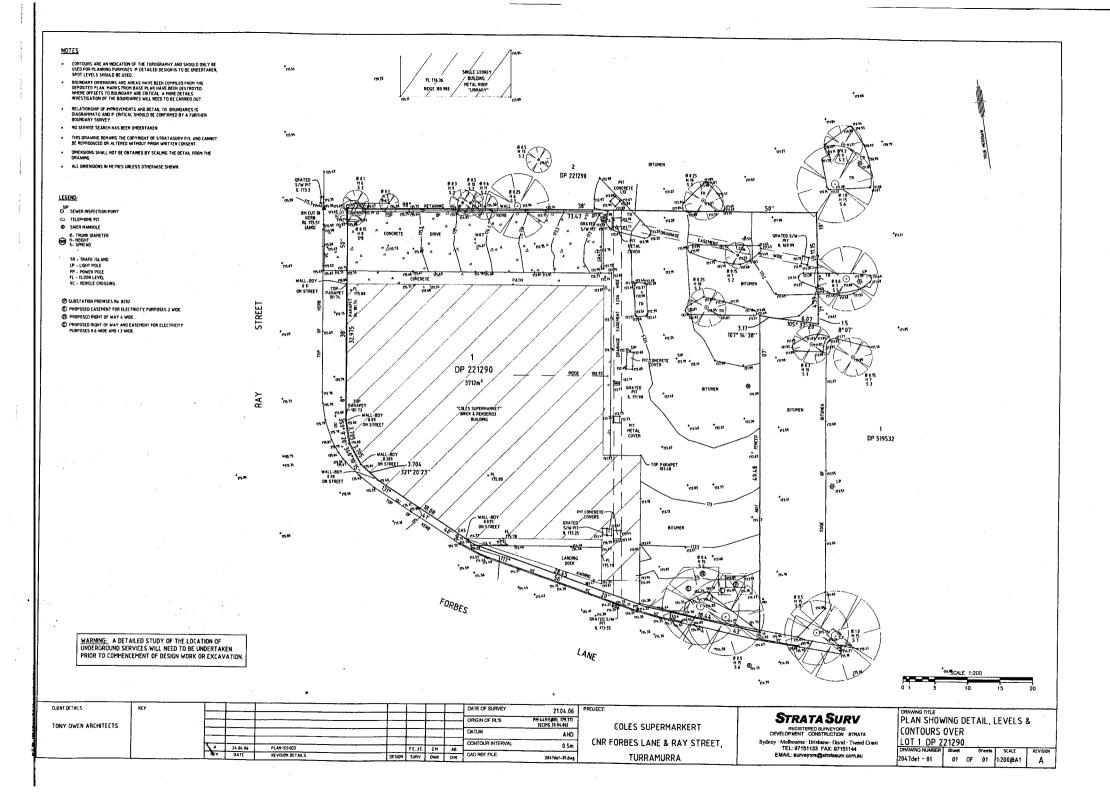
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# RETAIL DEVELOPMENT

RAY STREET & FORBES STREET, TURRAMURRA



CHARNY HOLDINGS PTY LTD



# CIVIL

# **SERVICES**

#### **DRAWING SCHEDULE**

- COO COVER SHEET & LEGEND
- CO1 STORMWATER CONCEPT PLAN -GROUND FLOOR
- CO2 STORMWATER CONCEPT PLAN -LEVEL 1
- CO3 STORMWATER CONCEPT PLAN -ROOF
- CO4 LONGITUNDINAL SECTION AND DETAIL
- SEDIMENT & EROSION CONTROL PLAN

#### PROPOSED DEVELOPMENT

#### RELOCATION OF EXISTING DRAINAGE EASEMENT

AREA - 0.80he 100 YEAT ARI - DISCHARGE 0.600m²/e

#### **LEGEND**

#### STORMWATER SERVICES

STORMHATER DRAWAGE IN CROUMS SUB SOIL DRAINGE AG PIPE SUB-SOIL ORANAGE ATLANTIS CELL STORMUTER DRAWGE SINSHMEN RESING MAIN

INSPECTION EYE EXISTING DOWNERS MATERIAL LEVEL PET & HICK LEVEL

DMISSED CLOSE LOSS AFDUCED LEVEL RETAINING WALL PIFE DOWN PIPE UP DIDE DOCUM

FLOW DISPERSION OVERET ON

CRATER TREACH

STORMANTS CRATED PIL

SERVICE INDENTIFICATION

#### EROSION & SEDIMENT CONTROL

SEDIMENT CONTROL FENCE/ GROTHE OR SAUSAGE — SEDIMENT TRAP FORMED BY ROCK OR BLUE METAL WRAPPED IN GEOTEXTILE (BIDIM A24)

FLOW DIRECTION ARROW (CONSTRUCT DIVERSION DRAIN AS REQUIRED)

- 1. THIS DRAWING SHALL BE READ IN COMMANTION WITH ALL ACCURETURES AND OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND WITH SHOUTHER WITHIN INSTRUCTIONS AS MAY BE SESSED DURING THE COURSE OF THE CONTRACT, ALL DISCORPANCES SHALL BE RESERVED TO THE SUPERIORIZED FOR DECISION BEFORE PROCESSION BETWEEN THE WORK.
- 2. DIMENSIONS SHALL NOT BE OBTAINED BY SCALING OF THESE DRAWNINGS
- 3. SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE VERBELD BY THE CONTRACTOR.
- 4. ALL WORNMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT SAA CODES AND THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITIES.
- 5. WHERE NEW WORKS ABUT EXISTING THE CONTRACTOR SHALL ENSURE THAT A SMOOTH EVEN PROFILE, FREE FROM ABRUPT CHANGES IS
- 8. IN ADDITION TO THESE NOTES, LOCAL COUNCIL CIVIL WORKS SPECIFICATIONS SHALL APPLY TO ALL WORKS WITHIN PUBLIC AREAS
- If is the contractor's responsibility to have in place & maintain traffic facilities at all times during construction. DRAINAGE PIPES

existing pipes which form no part of the dramage system shall be removed or sealed as indicated on the plans.

PIPES UP TO 300 DAMETER SHALL BE SEWER GRADE UPVC WITH SOLVENT WELDED JOINTS (U.N.O.). ALL PIPE JUNCTIONS AND TAPERS SHALL BE VA PURPOSE MADE FITTINGS.

WHERE DOWNPIPE DRAINAGE PASS UNDER FLOOR SLABS SEWER GRADE UPVC WITH RUBBER RING JOINTS ARE TO BE USED.

MINIMUM GRADE TO DRAINAGE PIPES TO BE 1% U.N.O., MIN. SZZE 100 DAMETER U.N.O.

CONTRACTOR TO SUPPLY AND INSTALL ALL FITTINGS AND SPECIALS INCLUDING VARIOUS PIPE ADAPTORS TO ENSURE PROPER CONNECTION BETWEEN DISSIMILAR PIPEWORK. DRAINAGE PITS

PITS DEEPER THAN 1200mm TO BE FITTED WITH STEP IRONS AT 300 CENTRES.

ALL EXPOSED EDGES TO SE ROUNDED WITH 20mm RADIUS, OR CHAMFERED 20mm X 20mm.

PIT REINFORCEMENT — RF 81, LAP TO BE 400mm MIN. CLEAR COVER 40 MIN. CAST AGAINST BLINDING OR FORMYORK. CORNER RETURNS MAY BE FABRIC OR EQUIVALENT BARS.

BENCHING TO BE HALF OUTGOING PIPE DEPTH, CONCRETE FOR BENCHING TO BE 20Mpg MASS CONCRETE. APPROVED PRECAST PITS MAY BE LISED.

grates in carpark area — Heavy Duty Grates in Landscaping area & Footpath — Light Duty SUBSOIL DRAINAGE

SUBSOIL DRAWAGE SHALL BE LAID AT A MIN GRADE OF 0.5% U.N.O.

#### **EROSION & SEDIMENTATION CONTROL**

- CONTRACTOR SHALL PROVIDE SEMBENT FENCING MATERIAL DURING CONSTRUCTION TO THE LOW SDE OF THE WORSE. THE SEMBENT FENCING MATERIAL TO CYCLOR WIRE SEQUENT FENCE. SEDMENT CONTROL. PRINCE, SHALL EN AM APPROVIDE MATERIAL (S.C. HUARES PROPEYS SELL SHAMES SHAMEN SHOWN AS DECEMBER (S.C. HUARES PROPEYS SELL SHAMES SHOWN SHOWN AS EXTENSIONS 150 SINCE REQUIRED.
- Existing drains located within the site shall also be isolated by sediment fencing material
- NO PARKING OR STOCKPILING OF MATERIALS IS PERMITTED ON THE LOWER SIDE OF THE SEDIMENT
- Grass verges shall be maintained as much as practical to provide a Buffer zone to the construction site.
- CONSTRUCTION ENTRY/EXIT SHALL BE WA THE LOCATION NOTED ON THE DRIWING, CONTRACTOR SHALL ENERGY BLUE PROPERED SOL & SEDILENT IS REJUCED PROFIT TO CONSTRUCTION TRAFFIC ENTRIES THE CONTRACTOR SHALL ENERGY ALL CONSTRUCTION TRAFFIC ENTERNOR & LEARNING THE SITE DO SO IN A FORMAND ORDERITION.

#### CLAY SOILS

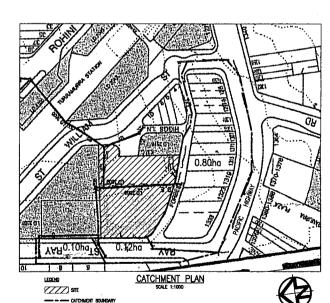
- A SYSTEM SHALL BE INSTALLED TO EITHER:
- TRANSPORT STORMWATER RUNOFF WITH SUSPENDED SOLIDS FROM SITE VIA PUMP
- TREAT THE STORMMATER RUNOFF WITH SUSPINIOED SOLDS SO THE DISCHMORE WATER GUALITY TO COUNCE STORMMATE PORMANGE SYSTEM HAS A MAXIMUM CONCENTRATION OF SYSTEM HAS A MAXIMUM CONCENTRATION OF SUSPINIOED SOLDS THAT DOES NOT EXCEED SO MILLIFIAMS FER LITTE IN ACCIONANCE WITH THE PROTECTION OF THE E DIMPONANCE OF THE THE STORMATE OFFERTOM ACT (POED 1997) AND SHALL BE APPROVED BY LOCAL COUNCE.

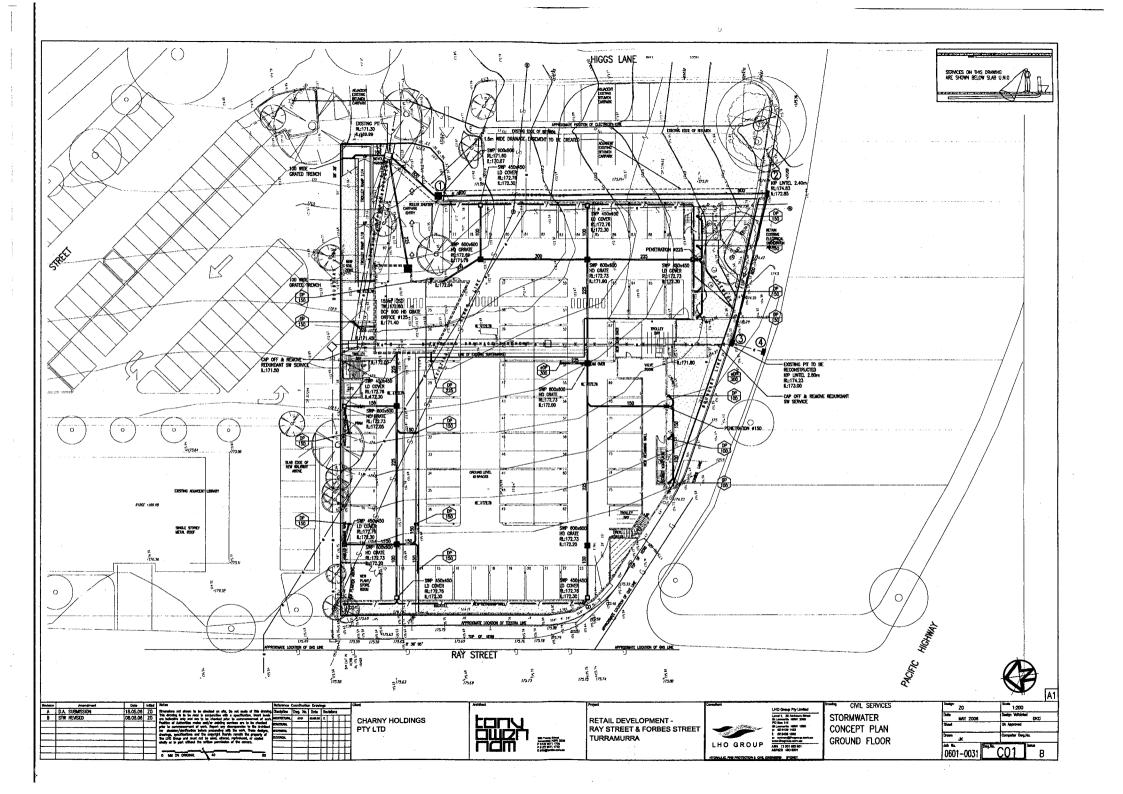
#### MAINTENANCE PROGRAM

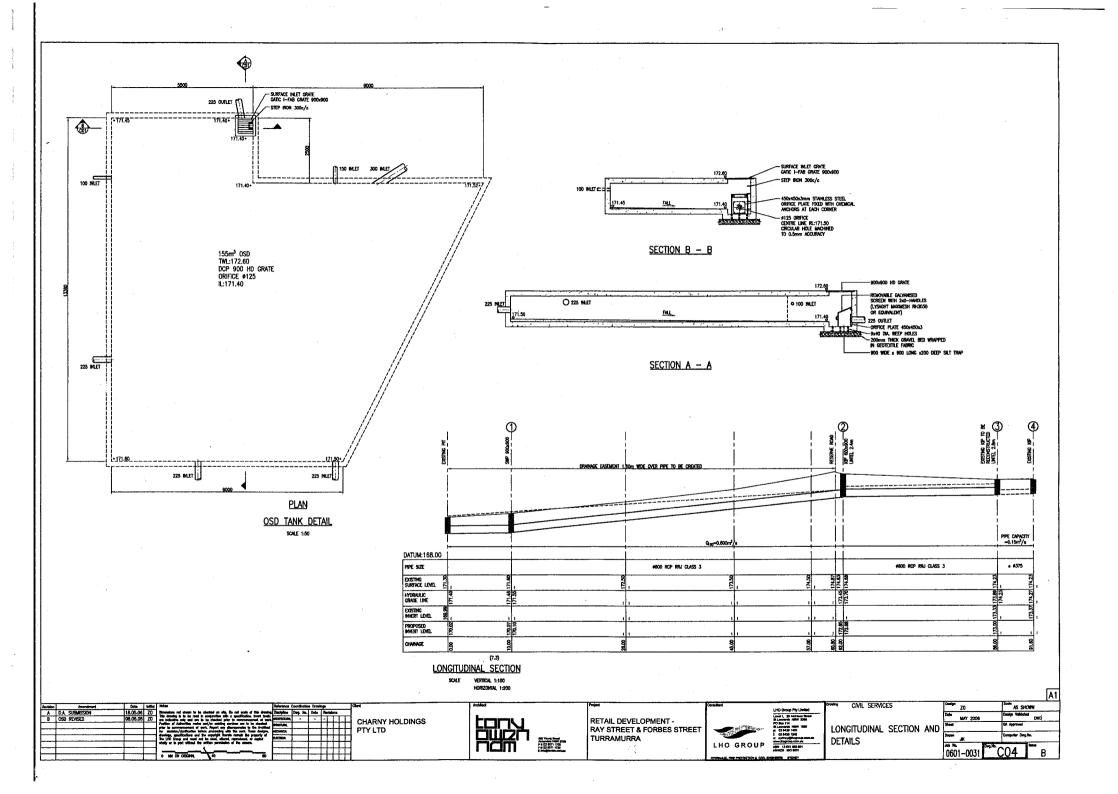
- SEDIMENT TRAPS AND FENCES TO BE CHECKED AND MAINTAINED ON A WEDLY BASIS AT LEAST AND AFTER EVERY STORM EVENT TO ENSURE ADEQUATE OPERATION

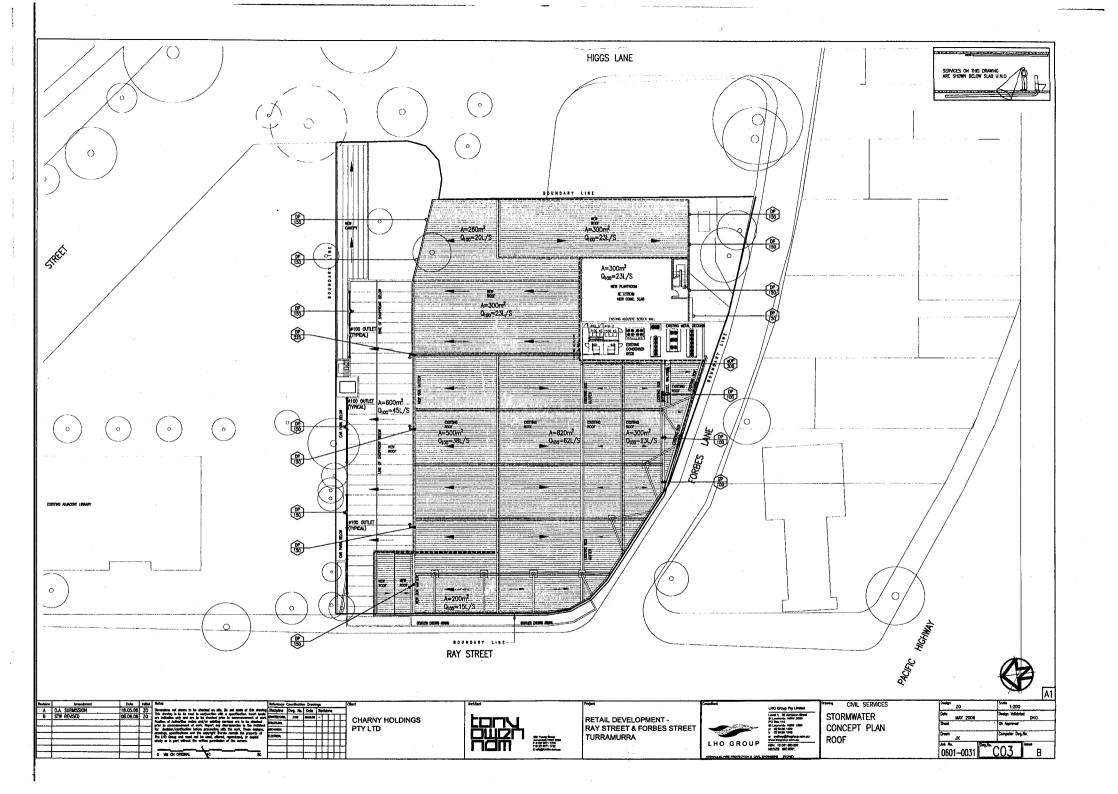
- Work to be phased, truck movement minimised on disturbed areas and ground surface to be kept damp (not wet) to limit dust emssions
- BINS TO BE EMPTIED ON A WEEKLY BASIS AT LEAST.
  WASTE TO BE DISPOSED OF IN AM APPROVED MANNER REPAIR AREAS OF EROSION AS REQUIRED

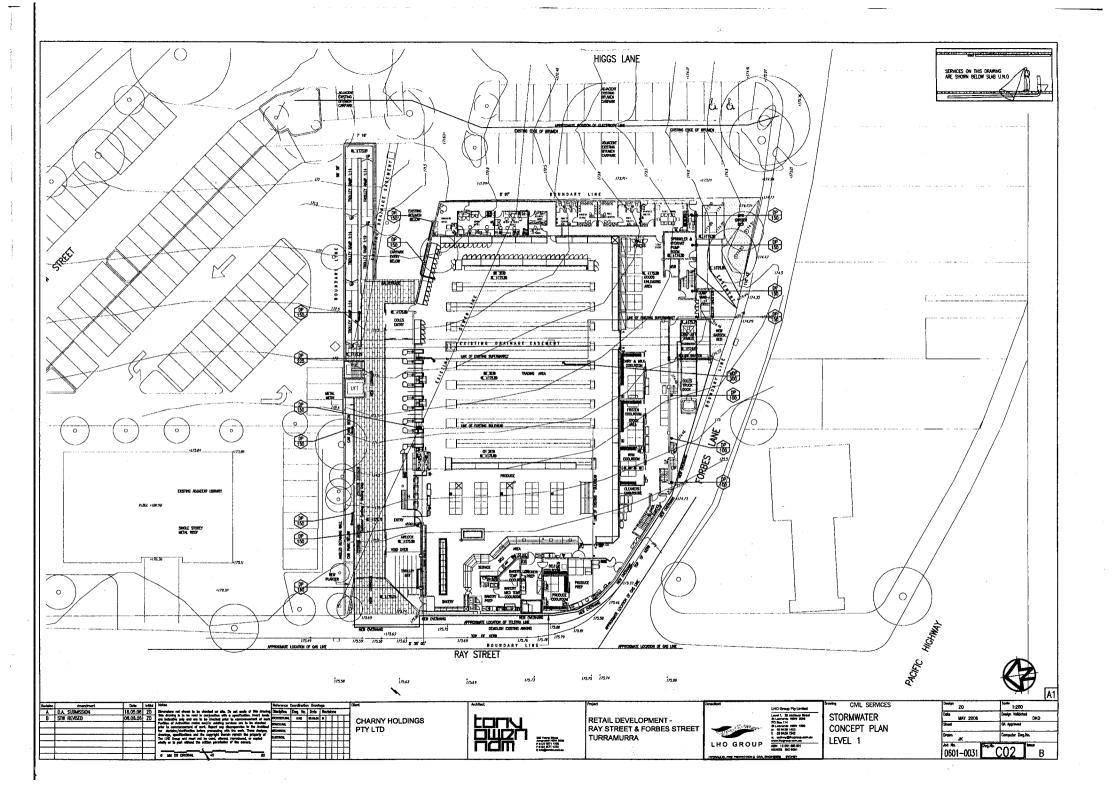
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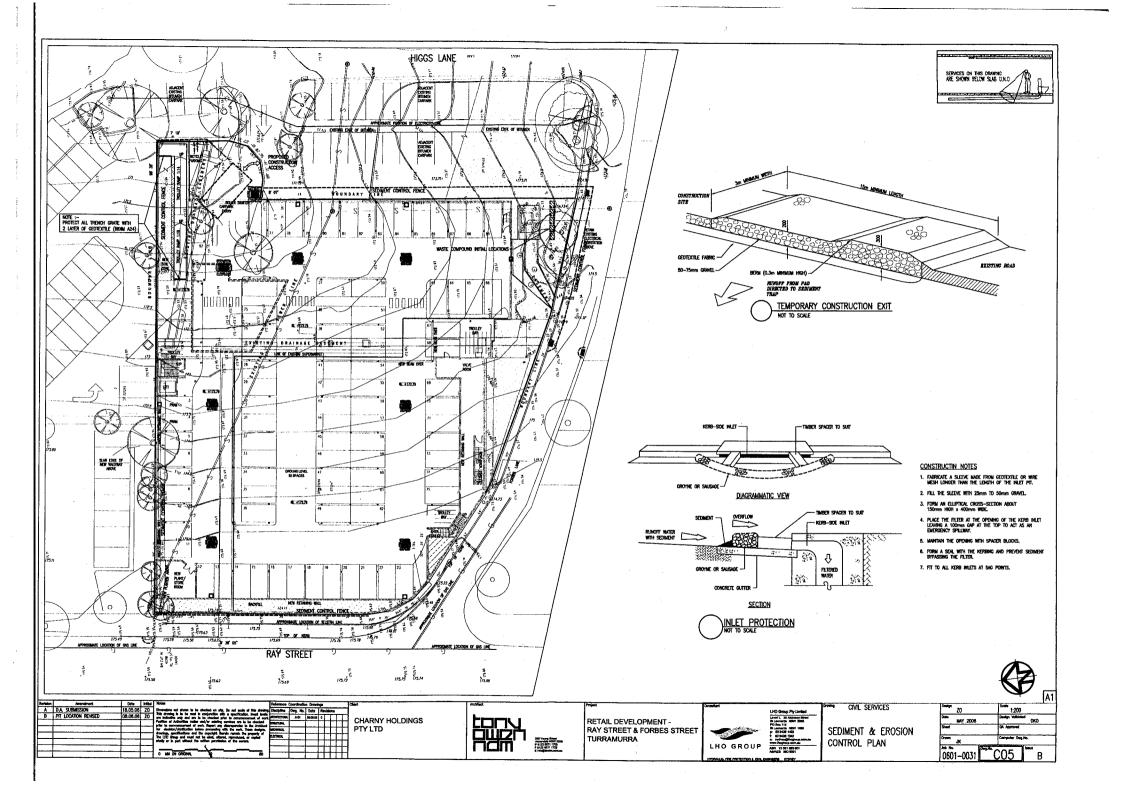


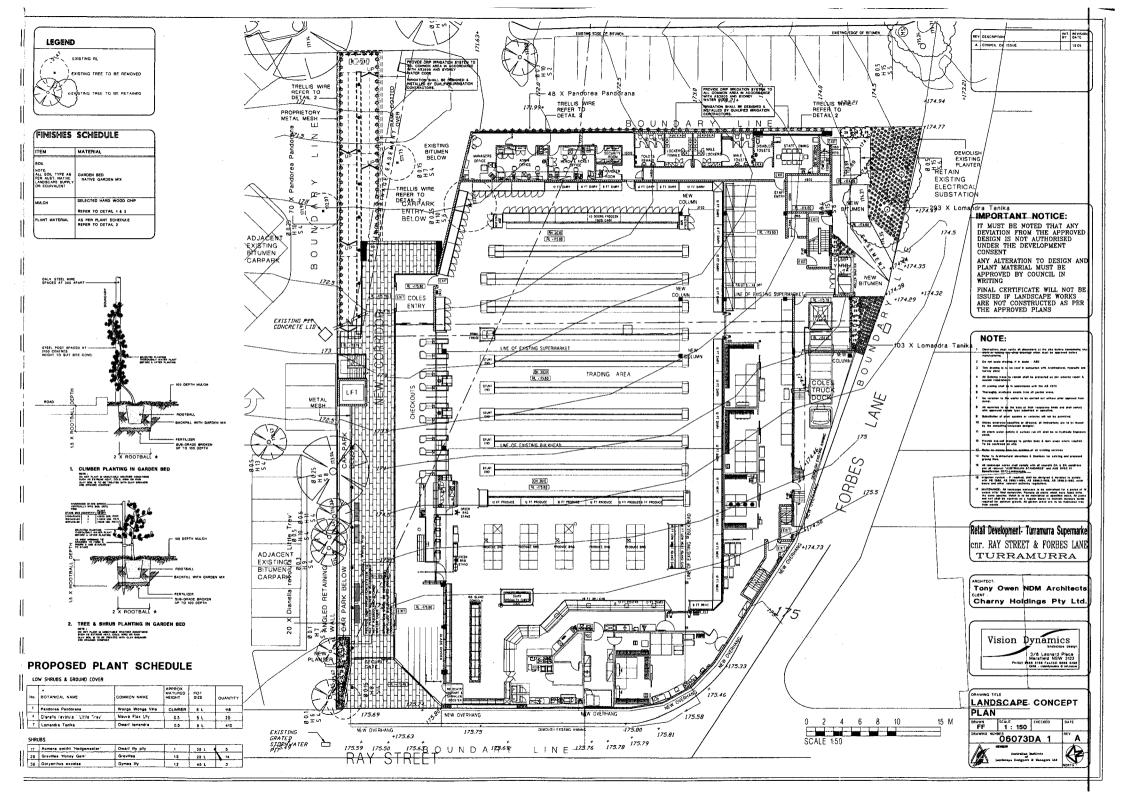


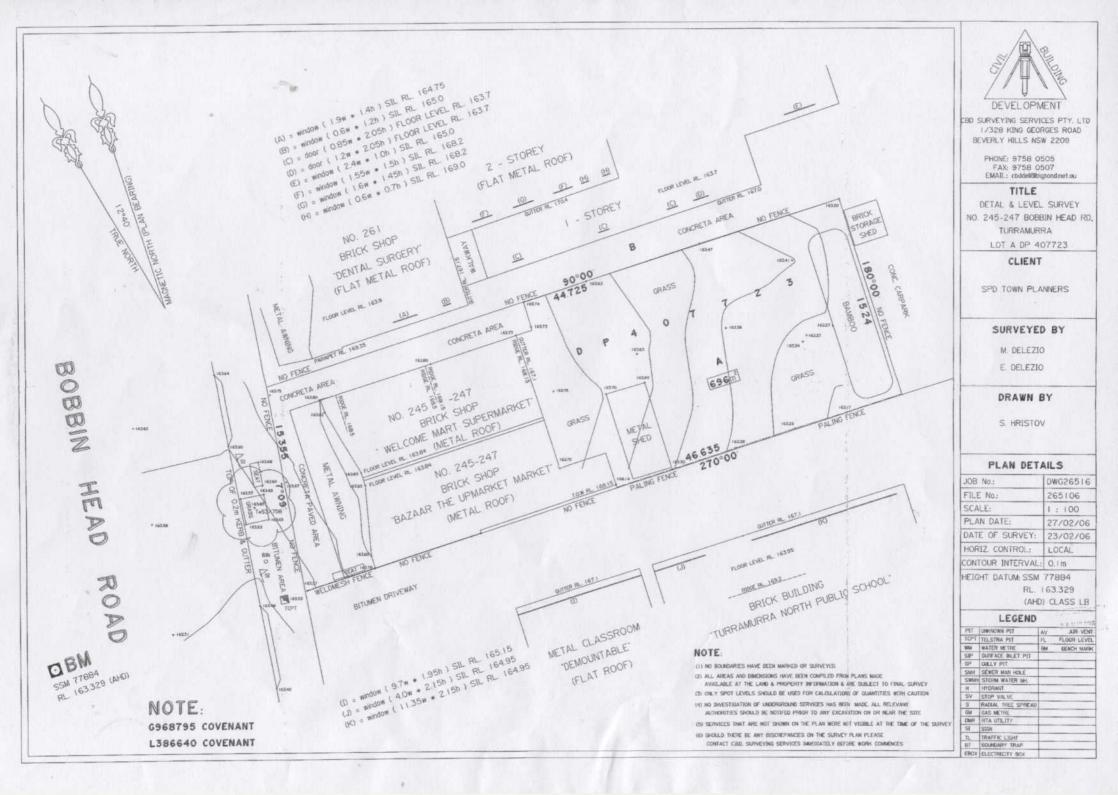


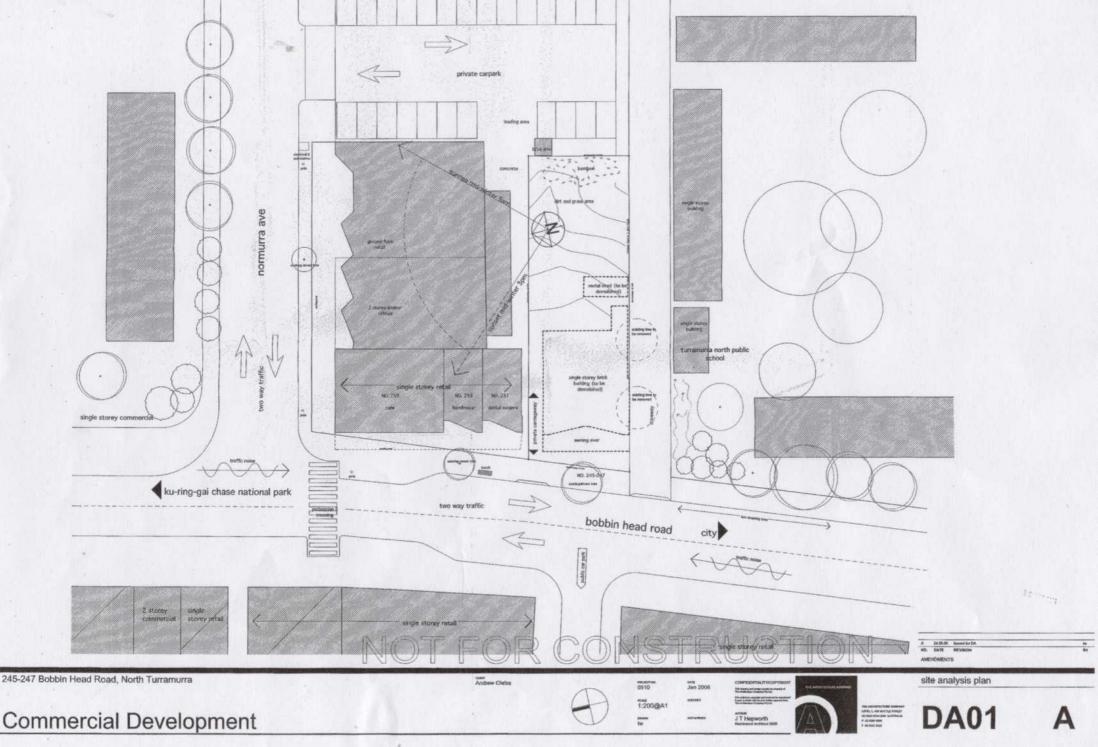


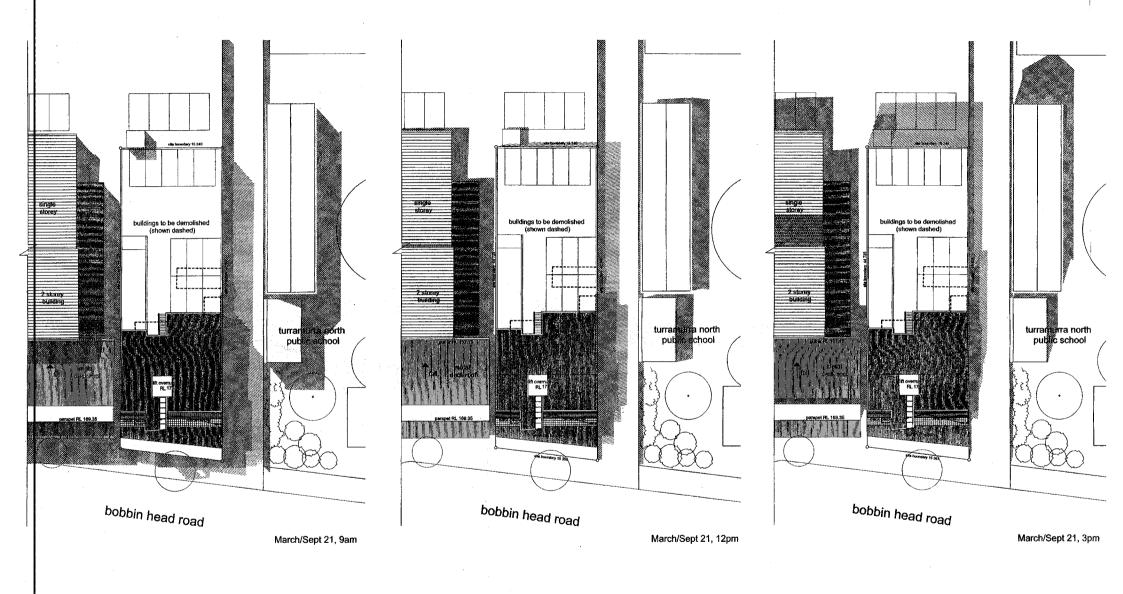












245-247 Bobbin Head Road, North Turramurra



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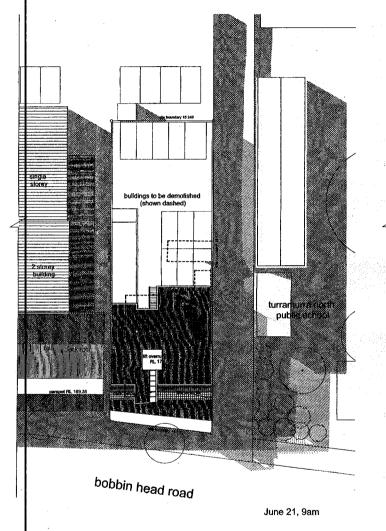
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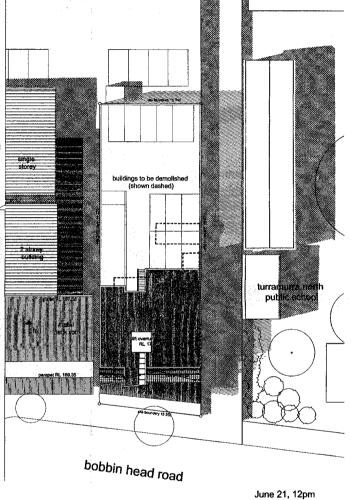
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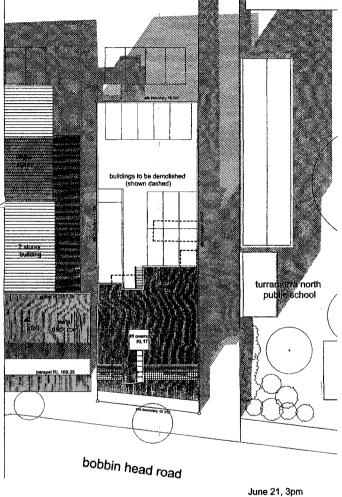
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245 247 Bobbin Head Road, North Turramurra

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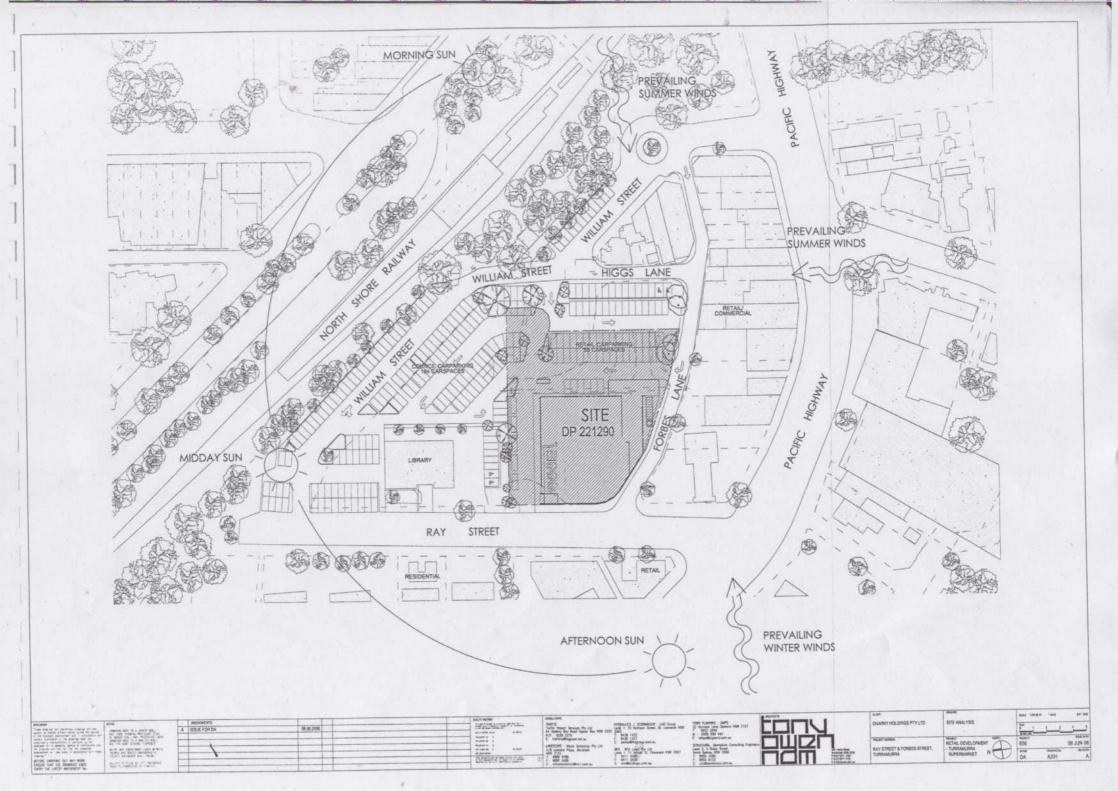
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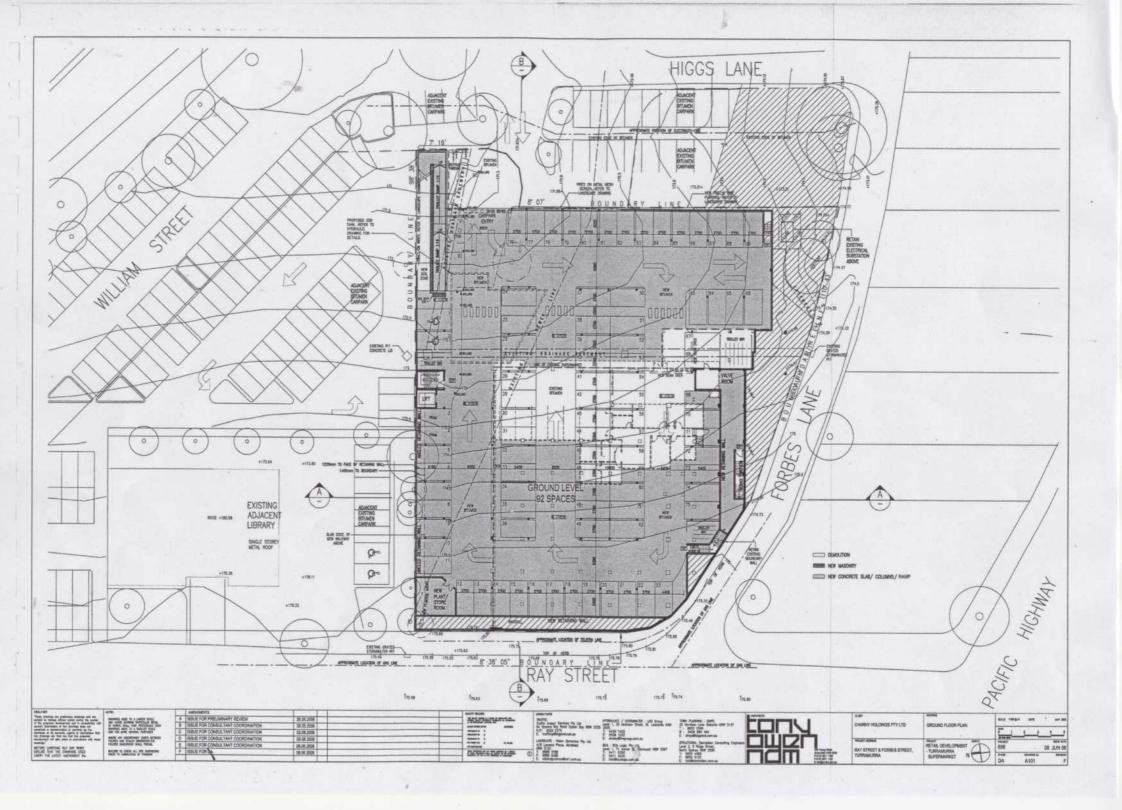


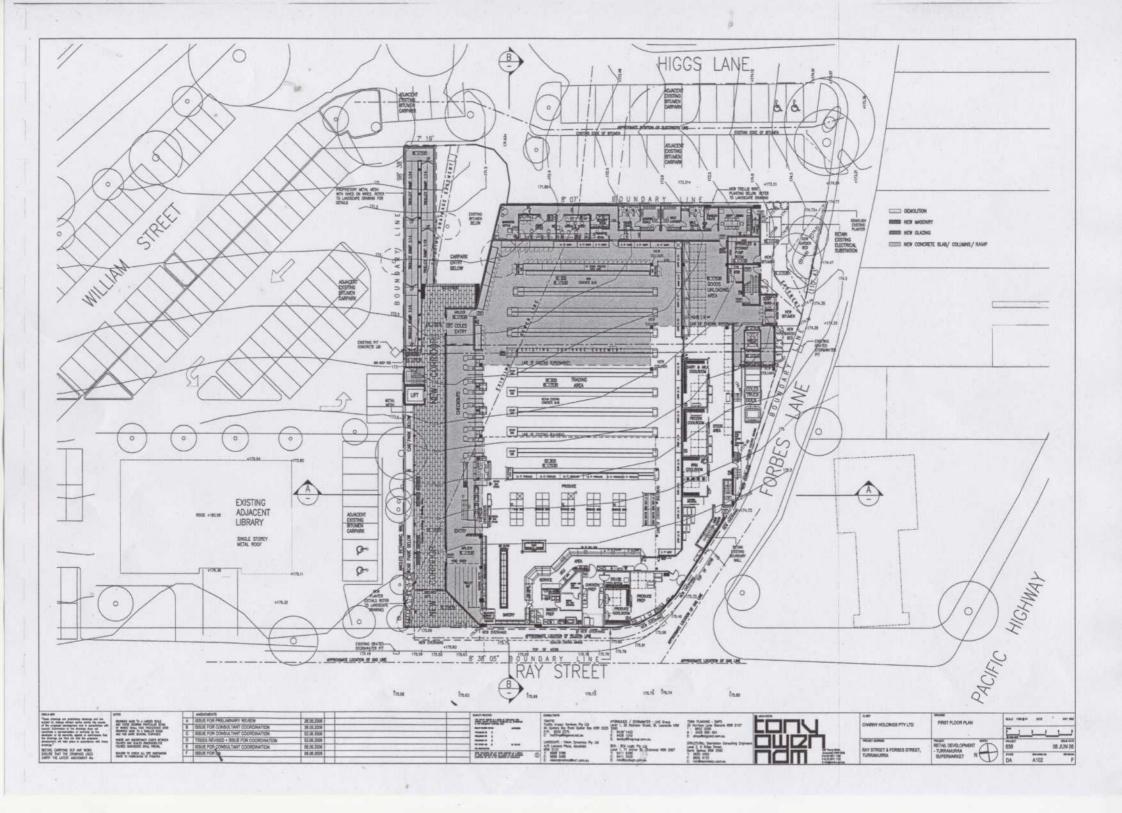
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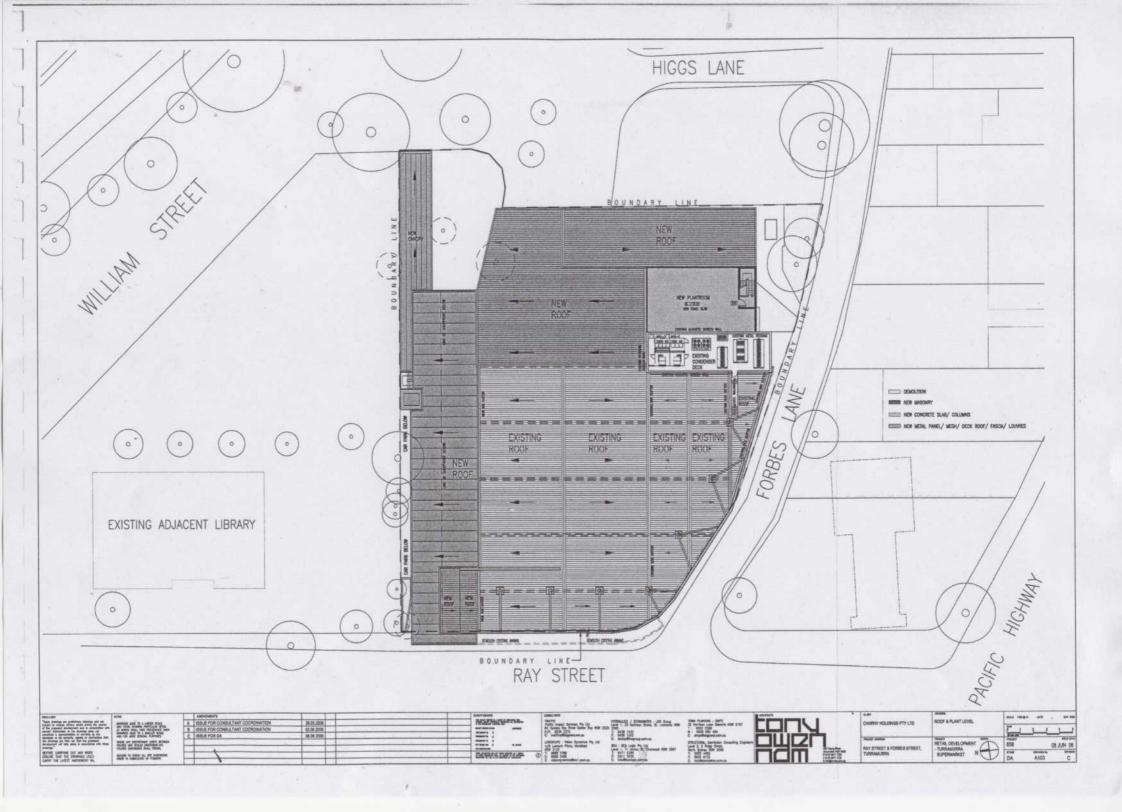
**DA06** 











## **DEVELOPMENT APPLICATION**

#### **SUMMARY SHEET**

**REPORT TITLE:** 245 TO 247 BOBBIN HEAD ROAD.

TURRAMURRA - DEMOLITION AND CONSTRUCTION OF A COMMERCIAL BUILDING CONTAINING GROUND FLOOR MINI MARKET, FIRST FLOOR OFFICE SPACE, EMPLOYEE CAR PARKING AND

**SIGNAGE** 

WARD: Wahroonga

**DEVELOPMENT APPLICATION N<sup>o</sup>:** 509/06

SUBJECT LAND: 245 to 247 Bobbin Head Road, Turramurra

**APPLICANT:** Mr Andrew Chriss c/- SPD Town Planners

OWNER: Terry and Toula Chriss
DESIGNER: The Architecture Company

**PRESENT USE:** Convenience store and gift shop **ZONING:** Business 3(a) - (A3) Retail Services

HERITAGE: No

PERMISSIBLE UNDER: Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES APPLICABLE: KPSO, DCP 14- Business, DCP 28- Advertising

Signs, DCP 43- Car parking, DCP 47- Water

Management, DCP 31- Access

**COMPLIANCE WITH CODES/POLICIES:** No

GOVERNMENT POLICIES APPLICABLE: SEPP 55, SEPP 1, DRAFT SEPP (Development

No

Standards), SEPP 64, SREP 20

COMPLIANCE WITH GOVERNMENT

**POLICIES:** 

**DATE LODGED:** 29 May 2006 **40 DAY PERIOD EXPIRED:** 8 July 2006

**PROPOSAL:** Demolition and construction of a commercial

building containing ground floor mini market, first floor office space, employee car parking and

signage

**RECOMMENDATION:** Refusal

245 to 247 Bobbin Head Road, Turramurra DA0509/06 13 October 2006

Item 3

DEVELOPMENT APPLICATION NO 509/06

PREMISES: 245-247 BOBBIN HEAD ROAD,

**TURRAMURRA** 

PROPOSAL: DEMOLITION AND CONSTRUCTION OF A

COMMERCIAL BUILDING CONTAINING GROUND FLOOR MINI MARKET, FIRST FLOOR OFFICE SPACE, EMPLOYEE CAR

**PARKING AND SIGNAGE** 

APPLICANT: MR ANDREW CHRISS C/- SPD TOWN

**PLANNERS** 

OWNER: TERRY AND TOULA CHRISS DESIGNER THE ARCHITECTURE COMPANY

#### PURPOSE FOR REPORT

To determine development application No 509/06 which seeks consent for the demolition of existing structures and construction of a two storey commercial development with basement level for a mini market at ground level and two offices at the first floor

This application was called to Council by Councillor Cross.

#### **EXECUTIVE SUMMARY**

**Issues:** Loading facilities, car parking, and floor space

ratio.

**Submissions:** Five (5) submissions and two (2) petitions were

received.

Land & Environment Court Appeal: No appeal lodged to Land & Environment Court

has been lodged.

**Recommendation:** Refusal.

#### **HISTORY**

#### DA1500/03

Council received development application No 1500/03 on 18 November 2003. The application involved the demolition of the existing supermarket and construction of two storey commercial development compromising a ground floor supermarket with offices at first floor, 10 parking bays and a delivery goods area. Council officers identified issues of inadequate car parking, street setback and traffic. The application was withdrawn by the applicant on 29 January 2004.

#### **Pre-DA** meeting

Prior to lodging the current application, a pre-DA meeting was held with Council officers on 13 December 2005. Issues identified at the meeting were traffic, signage and building design.

### Current proposal - DA0509/06

The current application was lodged with Council on 29 May 2006.

The application was notified to the surrounding property occupants and owners on 9 June 2006 for a period of 30 days. The application was also advertised in the local newspaper.

On 17 August 2006, Council wrote to the applicant identifying the following issues:

### 1. Traffic and car parking

The proposal fails to comply with the car parking requirements of Council's Car Parking Development Control Plan (DCP 43) and would result in a shortfall of 25 parking spaces. In addition to insufficient off-street parking, the proposal does not provide for on-site loading and unloading of vehicles.

The proposal will therefore rely upon surrounding on-street parking for loading and unloading of delivery vehicles and to accommodate excess customer parking. This is not suitable given the current parking demands in the area and the likely traffic conflicts with North Turramurra Public School.

#### 2. Suitability of the site

The proposal is considered to be an overdevelopment of the site as it exceeds the maximum floor space ratio of 0.75:1 as stipulated by Clause 30B(2) of the KPSO. The development also fails to provide adequate off-street parking to cope with the likely parking demand generated by the proposed supermarket use.

The applicant was offered 14 days to withdraw the development application with a further extension of 14 days provided from 24 August 2006. The applicant failed to respond to the issues raised by Council and sought a meeting to discuss the issues raised in Council's letter.

### Meeting with the applicant – 21 September 2006

A meeting with Councillor Cross and the applicant took place on 21 September 2006. The issues raised with the applicant included inadequate car parking, no loading zone and excessive floor area. Councillor Cross requested the matter be referred to full Council for consideration.

#### THE SITE AND SURROUNDING AREA

#### The site

Zoning: Business 3(a) - (A3) Retail Services Visual Character Study Category: (Business and Commercial areas)

Lot Number: A

DP Number: 407723

Area: 696m<sup>2</sup>
Side of Street: Eastern

Cross Fall: Site generally level, slight fall to rear

Stormwater Drainage: To street
Heritage Affected: No
Required Setback: Yes
Integrated Development: No
Bush Fire Prone Land: No
Endangered Species: No
Urban Bushland: No

Contaminated Land: No

The site is rectangular in shape and is located within the North Turramurra neighbourhood shopping strip on the eastern side of Bobbin Head Road, Turramurra.

The site has an area of 696m<sup>2</sup> and is currently occupied by a convenience store and gift shop.

A metal shed and some vegetation are located to the rear of the existing building and are separated by a vacant area of approximately 300m<sup>2</sup>. No formal car parking arrangements are provided, although vehicular access to the rear is available via a concrete driveway between 261 and 245- 247 Bobbin Head Road.

#### SURROUNDING DEVELOPMENT

A privately owned car park with a total of 25 car spaces and loading area is located to the west of the site.

Turramurra North Public School is located to the south of the site. The southern boundary of the site adjoins a driveway belonging to the school.

A row of shops comprising of a dental surgery, hairdresser and café are located to the north of the site.

A two storey development containing a real estate agency and restaurant is located to the east.

Existing development outside the North Turramurra shopping strip is characterised by low density, one and two storey residential development.

#### THE PROPOSAL

The proposed development involves the demolition of existing structures and the construction of a two storey development with basement level including a mini market at ground level and two offices at the first floor level. Employee car parking with ten (10) car spaces and one (1) disabled car space is located at roof top level. Storage for the mini market is provided in the basement.

The proposed signage is as follows:

- Flush wall sign containing the red and white IGA logo located on the front façade 1770mm x 1135mm; and
- Four fascia signs containing red outlined IGA 250mm high lettering on the front awning.

#### **CONSULTATION - COMMUNITY**

In accordance with Council's Notification DCP No 56, adjoining owners were given notice of the application. In response four (4) submissions were received, as follows:

- 1. Andrew Mitchell, President of North Turramurra Public School P & C Association On behalf of Parents and Citizens of the North Turramurra Public School.
- 2. Laurel Cakebread, 4 Normurra Avenue, North Turramurra.
- 3. Tania Kaye, 266 Bobbin Head Road, North Turramurra.
- 4. North Turramurra Action Group, PO Box 3071, North Turramurra.

The submissions raised the following issues:

Management plan on noise level, dust and pollution be submitted and approved by Council as well as managing construction traffic outside of school zone traffic times

Should the application be approved, issues relating to construction management, noise and dust could be dealt with by conditions of consent.

#### Asbestos

Should the application be approved, a condition of consent would be required to ensure any asbestos materials found within existing buildings is removed in accordance with Workcover guidelines.

#### Hours of construction

Should the application be approved a condition of consent would be required to restrict hours of construction.

#### Vehicular access including car parking, garbage and delivery access

Inadequate car parking and loading facilities have been provided on site. This will have a detrimental impact on the shopping strip and surrounding street network.

## Hours of operation

The hours of operation are Monday to Sunday, 8am to 7pm. The proposed hours of operation are considered reasonable given the business zoning and are commensurate with the operating hours of surrounding businesses. The proposed hours will not adversely impact upon the residential amenity of the surrounding properties.

#### Streetscape and height of proposal

The proposed development complies with the building height control outlined in the KPSO and DCP14. The proposed height is also consistent with the adjoining development within the North Turramurra centre.

#### Removal of trees

The existing street tree at the front of the proposal is to be retained. The landscape plan submitted to Council identifies two trees situated on the adjoining property to the south proposed to be removed. No owners consent has been provided as part of this application to permit their removal and therefore cannot be considered under the current application.

#### Advertising signs

Full details of the proposed advertising signs were submitted with the development application and are addressed within the body of this report.

#### **Petitions**

The following submissions were also received after the formal notification period:

- 1. North Turramurra Action Group (NTAG)
  - NTAG supports the proposal provided parking does not have a significant effect and access does not affect the safety of children from the neighbouring school.
- 2. The applicant- SPD Planners Petition 1
  - Petition received 6 October in support of the proposal signed by 14 Residents
- 3. The applicant SPD Planners Petition 2
  - Petition received 10 October 2006 in support of the proposal signed by 240 residents. The petition presented by the applicant on both occasions was signed subject to the following statement:

"I am in favour of an IGA Convenience Store to be located on 245-247 Bobbin Head Road North Turramurra. It will significantly improve the level of convenience for local residents and I urge Council to approve the proposal"

The 3 (a) zoning allows for a range of retail/ commercial uses to meet community demands and needs. Council does not oppose the provision of a new mini market and office development in North Turramurra on this basis. However the scale and intensity of the current proposal is not

suitable for the subject site. In particular, car parking and loading facilities have not been provided on site to cater for the extent of the current proposal.

#### **CONSULTATION - WITHIN COUNCIL**

#### Landscaping

Council's Landscaping Team Leader, Ian Francis supports the application subject to standard conditions of consent relating to landscaping being imposed.

#### **Building**

Council's Building Surveyor, Steve Murray made the following comments with respect to the proposal:

"The proposed development of an IGA supermarket with office and car parking area can be constructed satisfying the deemed to satisfy provisions of the Building Code of Australia. No objection is raised to the proposed development in regards to compliance with the Building Code of Australia."

#### Health

Council's Environmental Health Officer, David Mitchell raised no objection to the proposal and provided standard conditions of consent relating to health and hygiene.

#### **Engineering**

Council's Development Engineer, Ross Guerrera has made the following comments in respect of the proposal:

"The application is for the demolition of the existing building and construction of a part one (1) and part two (2) storey building containing a mini-market at ground floor, office at first floor, and off-street car parking at roof top level.

The following comments are made with regard to engineering and stormwater issues.

#### Stormwater disposal

The stormwater runoff is to be collected and conveyed to an on-site detention tank located beneath the proposed vehicular access ramp with a  $2m^3$  rainwater tank to be provided within the car parking area. The storage from the rainwater tank has been deducted from the OSD storage volume. A pump out system for the driveway has been provided with the rising main directed to the OSD system, which is acceptable. The overflow from the OSD is to discharge to the kerb and gutter in Bobbin Head Road. This is considered a satisfactory system for this development.

#### Site access

Vehicular access to the car parking area is in the same location as the existing driveway with pedestrian access to the proposed mini-market provided directly from the Bobbin Head Rd footpath, adjoining the site.

A 12m long loading zone is proposed / suggested by the applicant on Bobbin Head Rd, adjoining the site. However this solution would not allow for adequate loading space for a large rigid truck within the area dedicated at the front of the site, due to the location of the existing driveway crossing and location of the bus zone.

The turning maneuverability within the car parking area complies with AS2890.1:2004 B85 design template allowing vehicles to leave the site in a forward manner, however the required numbers of parking spaces have not been provided as per Council's Car Parking Code – DCP No.43. This has not been justified in the traffic report.

# Traffic impacts

Traffic and Parking report (Ref. 5716/2 dated March 2006) has been prepared by Colston Budd Hunt & Kafes Pty Ltd.

The parking spaces provided do not meet the minimum required by Council's DCP No.43 for Retail – Shops. Hence there is a shortfall of 25 spaces which is considered to be quite significant. The balance of parking requirements would therefore need to be accommodated on street or the nearby council car park which will have significant effect on the operation and amenity of the surrounding road network.

## Geotechnical investigations

A geotechnical report (No. 11027/1-AA dated 21/3/06) has been prepared by Geotechnique Pty Ltd which includes details in relation to subsurface conditions.

## Recommendations

The development cannot be supported on the grounds of parking provision and service vehicle arrangements."

## **Traffic Engineer**

Council's Traffic Engineer, Joseph Piccoli has made the following comments in respect to the proposal:

"The proposal has been assessed to identify the impacts on parking and traffic generation. AS2890, Council's Car Parking Code - Development Control Plan (DCP) No. 43 and the Roads and Traffic Authority's Guide to Traffic Generating Developments have been used/referred to for assessing the application.

# On-site parking provision

Below is an assessment of the parking required for the office and commercial land uses in accordance with Council's Car Parking Code (DCP43):

Standard	Parking Provision Criteria	Calculation based on	Number Parking Spaces Required
DCP 43	1 space per 33m <sup>2</sup> gross floor area plus 1 space if resident manager or caretaker.  For development in excess of 200m <sup>2</sup> gross floor area,	2	
(office and commercial)	1 courier space to also be provided in a convenient location.	194m <sup>2</sup> gross floor area	6 (office)
	Servicing facilities to be provided to the satisfaction of Council's Director Development		
DCP 43 (Retail - Shops)	1 space per 17m <sup>2</sup> gross floor area. For minor additions to existing shops or conversion of existing premises to shops, 1 space per 28m <sup>2</sup> .  Servicing facilities to be provided to the satisfaction of	508m <sup>2</sup> gross floor area	30 (retail)
	provided to the satisfaction of Council's Director Development Control		

The overall parking requirement for the site is considered to be 36 car spaces. This is in contrast to the traffic assessment, which states that only 24 spaces are required due to consideration of only the increase in retail floor area and office floor area contributing to the parking requirement.

The above assessment calculates parking requirement of the supermarket based on the ground floor retail space. That is, the area of the basement storage is not included in the calculation. As a comparison, the RTA parking rates for supermarkets indicates that the supermarket component of the application would require 16 spaces (vs. 30 spaces from DCP43). However, this is for supermarkets in a large retail environment (eg shopping centre mall) where the supermarket is supported by other specialty shops, slow/fast retail trade and offices/medical suites. Therefore, the RTA rate is considered to be less suitable.

# Traffic impacts

The traffic assessment notes that, "access to [the rear of] the site is provided from Bobbin Head Road via a three metre wide driveway with no formal parking provided. Servicing of the shop occurs on street". While it is acknowledged that no formal parking currently exists on the site, the 3m wide driveway gives access to the rear of the shops, which is undeveloped. It is considered that this area could currently be accommodating some 10 spaces, and aerial photographs indicate that this area is used by vehicles for parking.

11 car parking spaces are proposed on the site, which is effectively accommodating the existing car parking capacity of the site. It is proposed that these spaces accommodate the staff parking only of the office and retail uses. There is a shortfall of 25 spaces (mostly retail customer parking) which would have to be accommodated on-street or in surrounding car parks.

A survey of the availability of surrounding on-street and off-street (public and private) parking was undertaken by the applicant. At times of peak demand, the survey found that 35% (or some 80 spaces) of the parking stock was available for parking, although utilisation of the Council car park off Valley Park Crescent was generally higher. The extent of on-street parking surveyed is not given in the assessment, therefore the practical on-street parking (in close proximity to the site) may be less. Concern is raised that the majority of the parking space requirement for the proposal is intended to be absorbed by the surrounding on-street and off-street parking.

## Service vehicle provision

No on-site servicing facilities have been provided, and the proposal would be relying on Council to formalise an existing arrangement (whereby apparently servicing currently occurs on-street, on the Bobbin Head Road frontage) through the introduction of part-time kerbside 'Loading Zone' restrictions outside the site.

The Roads and Traffic Authority's Interim Guide to Signs and Markings notes (in part) the following in relation to Loading Zones:

... Specifically designated loading zones should not be provided unless off-street loading facilities are not available and the competition for kerbside spaces is such that general kerbside space is not readily available for goods vehicles...

However, Council's Traffic and Transport Policy notes that:

"... New developments ... should provide for their own parking and other needs to minimise their impact on the surrounding area..."

This is also the general intent of Council's DCP 43. As an example, a similar mini supermarket site in Ku-ring-gai, the Wahroonga IGA, has a loading dock located at the side of the site.

The Statement of Environmental Effects notes that goods would be moved between the service vehicle and the site using hand trolleys, and that fork-lifts or other motorised vehicles would not be used. Also, waste collection is likely to occur on the Bobbin Head Road frontage of the site.

Although not encouraged, the existing loading arrangements are considered to be currently operating without particular concern due to their relatively low intensity and scale. However, with a mini-supermarket operating at the site, the intensity and scale of loading and unloading goods would increase, therefore impacting on pedestrian access, safety and amenity, and impacting on on-street parking availability outside the site. This is despite the applicant's willingness to restrict deliveries to outside of peak school set down and pick up.

In 2003, Council approved the introduction of No Stopping restrictions (affecting 2 car spaces) on the western side of Bobbin Head Road between Valley Park Cr and Normurra Ave (outside No.270). There was concern expressed by shopkeepers as to the loss of parking, however, these alterations were required for safety reasons, to improve visibility to the pedestrian crossing. A loading zone on the site frontage will further reduce the amount of kerbside parking on Bobbin Head Road by 2 spaces.

It has been suggested that service vehicle access could be gained from the rear of the site, through the car park of the adjoining property. However, this would require some form of right-of way, or agreement with the adjoining property owner. A site with separate side/rear service vehicle access would be more suitable for the proposal.

#### **Conclusion**

- 1. It is considered that there is a shortfall of 25 car parking spaces (based on the parking requirements in DCP43), and there is concern that the majority of the parking requirement for the site is intended to be accommodated on the surrounding road network.
- 2. On-site servicing facilities have not been provided.

Based on the above, the parking provision and service vehicle arrangements are not supported."

The concerns raised by the traffic engineer confirm that the site is not suitable for the scale and intensity of development proposed and is likely to result in detrimental impacts upon the surrounding locality.

## STATUTORY PROVISIONS

# State Environmental Planning Policy 55 - Contaminated Land (SEPP 55)

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

Clause 7 of the Policy requires that Council consider whether the proposed use of the land is suitable in its current state or whether the site must be remediated in order that the site be made suitable for the proposed use.

The subject land has historically been used for commercial premises and Council's records do not indicate contamination on the subject site. It is not considered that the proposal will require remediation of the site or further site investigation given it continues as a non-residential use. The site is therefore deemed to be suitable for the proposed development.

# State Environmental Planning Policy 64 - Advertising and Signage (SEPP 64)

The proposed signage is consistent with the objectives of the SEPP and satisfied the assessment criteria specified in Schedule 1 of SEPP64 for the following reasons:

• Character of the Area

The proposed signage is consistent with other signage in the shopping strip.

• Special Area

The proposed signage does not detract from the amenity or visual quality of the adjoining residential and school zone.

Views and Vistas

The proposed new signs will not obscure or compromise views or vistas, and will not impede on the viewing rights of other advertisers.

• Streetscape, Setting or Landscape

The scale, proportion and form of the proposed signs are appropriate for the streetscape and setting. Although, signage above awning height is not encouraged by Council, the sign is not inconsistent with the surrounding shopping strip.

• Site and Building

The proposed signs are compatible with the characteristics of the proposed building.

Associated devices and logos with advertisements and advertising structures

No associated devices and logos have been proposed.

• Illumination

The proposed signage is not to be illuminated.

Safety

The proposed signage is not considered to reduce safety by obscuring sightlines and will not reduce the safety of drivers, pedestrians and cyclists using public roads.

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

The proposal involves the provision of an on-site detention system and a rainwater tank to minimise and control stormwater. Should the application be approved, the proposal would be subject to conditions, consistent with the provisions of SREP 20.

## **KU-RING-GAI PLANNING SCHEME ORDINANCE**

# **Permissibility**

The proposed use of the premises for a shop (mini market) and commercial premises is permissible within the Business 3a (A3) zone.

## Aims and objectives for the Business 3a (A3) Zones

The development does not satisfy the objectives of the zone being:

- (a) to identify existing business centres within the Municipality, the principal functions of which are to satisfy the retail and community service demands of the community which they serve;
- (b to permit, within the business centres' hierarchy, business and office premises of a scale and character which do not threaten the role of the business centres as described in (a) above;

The proposed development is an overdevelopment of the site and is inconsistent with the scale and context of the surrounding pattern of commercial/ retail use of the neighbourhood centre. Sufficient off street parking and loading should be provided to meet the demand. It is likely that the proposed development will disadvantage the surrounding development in terms of the overall parking and loading available in the area, along with the safety of the surrounding pedestrians and users of the centre.

COMPLIANCE TABLE			
Development Standard	<b>Proposals Numeric Compliance</b>	Complies	
Site Areas: 692m <sup>2</sup>			
Height of Buildings			
Building Height: 8m	6.2m	YES	
• 2 storeys from			
streetscape			
<b>FSR</b> 0.75:1 (max)	1.35:1 (939.77m <sup>2</sup> )	NO	

# Floor space ratio (cl.30B)

The proposal does not comply with the maximum allowable FSR of 0.75: 1 as required by Cl.30B of the KPSO. The applicant has submitted a SEPP 1 objection to address the non-compliance. An assessment against SEPP 1 provisions is detailed below:

## Is it a development standard?

Clause 30(B) of KPSO details the maximum floor space ratio for business zones. This is a development standard as defined by Section 4 of the Environmental Planning and Assessment Act.

## Purpose of the development standard

As outlined Clause 30B of the KPSO states:

- "30B. (1) The objective of this clause is to establish a hierarchy of business centres for the following purposes:
  - (c) in floor space zone A3, the neighbourhood retail and community service centres within the Municipality, to provide a reasonable level of service to the surrounding neighbourhood of each centre;

and which relate to the existing size, character and level of activity and to the existing and potential infrastructure capacity of individual centres."

The principal purpose of the floor space zone of A3 is to encourage new development that is in keeping with level A3 'neighbourhood' centres. The scale of business uses within the A3 zone should be consistent with the intended operation of a 'neighbourhood' centre. That is, to provide basic goods and services to the surrounding residential neighbourhood without significant detrimental impacts. The maximum FSR requirement of 0.75:1 is consistent with the intended operation of the shopping strip as a neighbourhood centre. This FSR limitation represents a scale which relates to both the existing and desired size, character and activity levels of the business area.

## Is compliance unreasonable or unnecessary?

Compliance with the development standard for floor space ratio is necessary in this instance to ensure that the new development is consistent with the existing operation of the North Turramurra shopping strip as a local neighbourhood centre. The proposal significantly exceeds the maximum FSR requirement by 417.8m<sup>2</sup> and would result in a significant impact on the operation of the shopping strip as a 'neighbourhood' centre in terms of the inability to provide compliant loading facilities and car parking sufficient to meet the demand of the development.

Given the proposal is a redevelopment of the site, the proposal must provide adequate facilities on site to cater for the proposed use and comply with the intent of the development standard for floor space ratio by servicing the scale of the development proposed.

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

The proposal is inconsistent with the objects specified in section 5 (a) (i) and (ii) of the Act.

Overall, the proposal exceeds the floor space ratio outlined by the KPSO and fails to provide compliant car parking and loading facilities to cater for the intensification of the site. The proposed non compliance will therefore adversely impact on the existing neighbourhood centre at North Turramurra. The SEPP1 Objection is not well founded and cannot be supported in this instance.

## **Draft State Environmental Planning Policy - Application of Development Standards**

The draft SEPP was made in 2004 but has not yet been adopted. Clause 7 (2) provides that a variation must be justified by demonstrating:

- "(a) that the proposed departure from the development standard will result in a better environmental planning outcome than that which could have been achieved on the site had the standard been complied with, and
- (b) that the proposed development will be in the public interest by being consistent with any aims and objectives expressed in, or implied from:
  - (i) the zone in which the development is proposed to be carried out,
  - (ii) the development standard, or in any relevant environmental planning instrument.
- (3) For the purposes of subclause (2) (a), a better environmental planning outcome will not be demonstrated unless the element of the proposed development that is inconsistent with the relevant development standard:
- (a) is necessary because of unusual site characteristics, or
- (b) comprises any one or more of the following:
  - (i) exceptional design quality,
  - (ii) social benefit to the community,
  - (iii) economic benefit to the community, which is above and beyond that which could have been achieved had the development standard been complied with, or both."

The development does not satisfy the provisions of clause 7(2) (a) & (b) as the proposal does not provide adequate levels of car parking and loading facilities in the redevelopment of the site. Furthermore, there has been no justification from the applicant that the development results in a better planning outcome than a complying development (i.e. complies with FSR and provides on-site parking).

## **Development considerations (cl. 30 C)**

The development fails to satisfy the following matters for consideration under Clause 30C:

(a) the carrying out of the development is consistent with the general aims for business zones, the objectives of this Part and any Development Control Plan applying to the land;

The proposal is inconsistent with the general aims for business zones as it does not provide adequate loading facilities and car parking in keeping with the town centre hierarchy.

(e) the development will minimise nuisance to adjoining residential development by way of traffic movements, parking, security lighting or the like;

The proposal will result in nuisance to adjoining residential development as inadequate car parking and service areas for loading vehicles have been provided on site to satisfy parking and traffic demands. Furthermore it is likely that the development will conflict with the adjoining public school and surrounding street network.

(g) sufficient (as determined by the Council) off-street parking is supplied by the development to meet the demand generated by the development;

The proposal fails to provide sufficient off-street parking to meet the demand generated by the development with a shortfall of 25 car parking spaces.

(h) traffic generated by the development is safely accommodated by the road system and does not unreasonably affect the amenity of surrounding localities;

Inadequate car parking has been provided on site and therefore the proposal does not ensure that traffic generated by the development is safely accommodated by the road system and does not unreasonably affect the amenity of surrounding localities.

(i) adequate space and facilities have been provided, wherever site conditions reasonably permit, for the loading and unloading of goods and materials on the development site;

The proposal does not provide adequate car parking and loading facilities on the site.

## **POLICY PROVISIONS**

## Development Control Plan No 14 - Development in Business Zones

COMPLIANCE TABLE			
Development Control Proposals Numeric Compliance Complies			
<b>Site Characteristics</b>			
Site Area = $696$ m <sup>2</sup>			
Controls			
<b>Height of Buildings (Part 12)</b>			
Building Height: 8m	6.2m	YES	
FSR (Part 13)			
• Max FSR: 0.75:1	1.35:1 (939.77m <sup>2</sup> )	NO	
<b>Building Setbacks (Part 14)</b>			

COMPLIANCE TABLE				
<b>Development Control</b>	Proposals Numeric Compliance	Complies		
Building Line: - prevailing-	2.9m	YES		
approx 2.3- 3.8m				
Car Parking (Part 18)				
• No. of parking spaces:		NO		
- Office- 1 Space per 33sqm- 6	10 spaces plus one disabled space			
spaces	The applicant has not identified the			
- Shop- 1 Space per 17sqm- 30	allocated use of the provided car spaces			
spaces				

The following is a detailed discussion of further relevant matters:

## Clause 11 - Development considerations

Clause 11 provides development considerations by which a new development should be assessed. Development should be consistent with the general aims of the KPSO with respect to business zones and should be consistent with the provision of relevant planning controls. Any elevation facing a residential area should be reasonably compatible with surrounding development and should maintain/enhance the streetscape. Development should retain a reasonable level of solar access, privacy and acoustic amenity for surrounding properties. Sufficient off street parking should be provided to meet demand. Traffic generated by the development should be reasonably accommodated by the existing road network and adequate space and facilities should be provided for safe loading and off loading. New development should be energy efficient and reduce stormwater impacts.

The development fails to satisfy the development considerations outlined in Clause 30C and Part 11.2 of the DCP in that it fails to provide adequate on-site car parking and loading facilities.

## Clause 13 - Floor space ratio

The proposed floor space ratio exceeds the KPSO. The resultant impacts will have a detrimental effect on the shopping centre and adjoining residential zones.

## Clause 14 - Building setbacks

The prevailing building line along the street is the primary determination of the building line in the subject business zone. The proposal will have a minimum setback of 2.9 metres. This is consistent with the existing setback along the eastern side of Bobbin Head Road.

## Clause 15 - Landscaping

A landscape plan has been provided as part of the application which includes planting to a maximum height of 2 metres along the southern elevation. The existing street tree forward of the site is to remain. Planting tubs are also provided along the front edge of the proposed first floor deck. Council's Landscaping Officer has raised no objection to the proposal, and provided standard

conditions of consent. The landscape plan submitted to Council identifies two trees situated on the adjoining property to the south proposed to be removed. No owners consent has been provided as part of this application to permit their removal and therefore cannot be considered under the current application.

## Clause 17 - Vehicular access and circulation

Vehicular access to roof top parking is provided from Bobbin Head Road. Roof top parking is only for staff of the supermarket and for the offices. The turning manoeuvrability within the car parking area allows for the cars to leave the site in a forward direction.

Loading and unloading facilities have not been provided on the site for service vehicles. The existing arrangements associated with the existing convenience store require delivery vehicles to park on the street adjoining the site and move goods into the site by hand. The applicant has proposed that the existing arrangements continue, despite the supermarket significantly increasing in size and intensity.

The applicant has suggested that a loading zone (approximately 12 metres long) be provided on the eastern side of Bobbin Head Road along the frontage of the site. It is also suggested that the loading zone operate during business hours outside of school set down and pick up times (8.00am to 9.30am and 2.30pm to 4.00pm).

Council's engineer does not support this arrangement. The proposal involves a significant increase in the current floor space and no loading facilities have been provided on the site to support this increase. The proposal should reflect the proposed floor space and use by providing the appropriate facilities on site to cater for the use.

## Clause 18 - Car parking

The proposal provides inadequate parking. Refer to discussion of DCP 43.

## Clause 19 - Developer contributions

As no adequate on-site service vehicle provision and car parking have been provided in the redevelopment of the site, to facilitate the scale of development proposed, Council cannot consider a development contribution to compensate for any reduction in car parking. In addition, Council's Strategic Planner, Craig Wyse has indicated that there is no S94 plan for the North Turramurra area in relation to car parking, therefore contributions for the shortfall are not possible.

## Clause 21 - Urban design

In accordance with Part 21, the proposed building has followed the existing streetscape pattern with the façade being suitably modulated. The proposal has also followed the existing streetscape pattern with the use of a continued awning.

#### Clause 24 - Plant

While no plant rooms are shown on the provided plans is noted that the lift overrun is approximately 1.1m higher than the finished roof height as viewed from the streetscape. Despite this, the lift overrun is setback 8 metres from the street and should not detract from the overall building presentation and does not warrant refusal in this regard.

## Clause 27 - Facilities for the disabled and the elderly

At grade access is provided to the premises and adequate access is provided to the first floor offices via the lift. One disabled car space has been provided on the first floor, only available to employees. This does not comply with Council's controls given that access to the disabled car parking spot will only be available to staff of the mini market and offices.

# **Development Control Plan 31- Access**

An access report prepared by Andrew Chriss of Morris - Goding Accessibility Consulting has been provided as part of the application. The proposal provides at grade access from the footpath into the premises and a continuous path of travel for access.

One disabled/ accessible car space is provided for employees on the first floor. Access from the first floor is available via the lift.

The proposal does not meet the requirements of DCP31 as the proposed disabled car parking space is accessible only to employees of the site and is not available to patrons of the mini market.

## **Development Control Plan 43 - Car parking**

The proposal fails to comply with the provisions of DCP43 and results in a significant shortfall of car parking spaces.

The aims of DCP43 include the following:

- "ensure that adequate parking is provided for developments in Ku-ring-gai, firstly to
  minimise the overflow of parking onto surrounding streets, and secondly to ensure that a high
  standard of parking and access to commercial developments is provided, to support their
  viability;
- provide objectives and guidelines for the design of parking and service areas, to ensure that these areas are safe, efficient and consistent with the desirable characteristics and environmental standards expected in the Ku-ring-gai area"

As detailed in Council's traffic engineer's comments, the proposal is inconsistent with the aims of DCP43 as it does not provide for adequate car parking and services areas on site. As a result, the proposal will have an adverse impact on the surrounding streets.

The basement area has been included as floor space within the building but has been excluded from the car parking calculation as this area will not generate any additional patronage of the mini

market. Irrespective of this, the proposal fails to achieve the minimal car parking requirement of DCP43 and cannot be supported.

In addition to failing to provide adequate car parking on site, the proposal does not provide any onsite service area for loading vehicles. DCP43 provides that services areas should be designed to ensure that development can be adequately serviced on-site, without the need for service vehicles to park on- street and without conflict with other site traffic. It also outlines that service areas should be easily accessed and freely available for use at all times so that on-street servicing is discouraged. The proposal does not provide for a service area within the site and there are limitations to when the proposed loading zone that Council is to provide can be accessed due to the adjoining school.

## **Development Control Plan 28 - Advertising Signs**

The proposal includes the following signage for the purpose of business identification:

- Flush wall sign containing the red and white IGA logo located on the front façade 1770mm x 1135mm
- Four fascia signs containing red outlined IGA 250mm high lettering on the front awning

Existing signage within the North Turramurra shopping strip is predominantly located at or below awning level. Although wall signs above awning heights are generally discouraged, the proposed 'IGA' wall sign is of appropriate design in relation to the proposed building and the existing shopping strip townscape.

## **Development Control Plan 40 - Construction and Demolition Waste Management**

If recommended for approval, conditions for construction and demolition waste management would be provided.

# **Development Control Plan 47 - Water Management**

Council's Development Engineer has assessed the application in regards to water management on site as detailed above.

#### LIKELY IMPACTS

The proposal will result in an adverse impact on the surrounding streets as it fails to provide adequate car parking and loading facilities on site.

## SUITABILITY OF THE SITE

The site is not suitable for the proposed development as the site area is insufficient to sustain the scale of the proposed supermarket and offices without significant impacts to the existing shopping centre in terms of parking demand, vehicle access and loading facilities.

## CONCLUSION

The proposed development fails to provide adequate car parking and loading facilities for the scale of development proposed. As a result, the surrounding shopping strip, adjoining school and residential streets will be adversely impacted. Therefore, the proposed development is recommended for refusal.

#### RECOMMENDATION

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

THAT Council, as the consent authority, refuse development consent to development application No 509/06 for demolition and construction of a commercial building containing ground floor mini market/ office space, car parking and signage on land at 245- 247 Bobbin Head Road, North Turramurra, as shown on plans numbered DA01A to DA05A inclusive, prepared by the Architecture Company, dated January 2005 and received by Council on 29 May 2006 for the following reasons:

## Traffic and car parking

1. The proposed development provides insufficient off-street parking, does not provide for loading and unloading of vehicles and would result in an unsatisfactory impact on local traffic and parking conditions.

#### **Particulars**

- (i) The proposal fails to comply with the car parking requirements of Council's Car parking Development Control Plan (DCP 43) and would result in a shortfall of 25 parking spaces. The development would rely upon surrounding on-street parking to accommodate excess customer parking demand.
- (ii) The proposal does not provide any loading and unloading facilities within the site and would rely upon the surrounding street network for loading and unloading of delivery vehicles.
- (iii) The development will result in adverse traffic impacts on the surrounding street network and nearby North Turramurra Public School particularly before and after school hours.
- (iv) The proposal is inconsistent with the objectives of the zone in that the development would result in an adverse impact on parking in the surrounding area, and is likely to threaten the operation of the shopping strip.
- (v) The proposal is inconsistent with the considerations for development within the business zones as provided by subclause (a), (e), (g), (h) and (i) of Clause 30C of the Ku-ring-gai Planning Scheme Ordinance.

# Suitability of the site

2. The proposal is an overdevelopment of the site.

#### **Particulars**

- (i) The proposal exceeds the maximum floor space ratio of 0.75:1 as stipulated by Clause 30B (2) of the Ku-ring-gai Planning Scheme Ordinance. The proposed supermarket and offices result in a total floor space area of 946.4m2 and a floor space ratio 1.35:1.
- (ii) The proposal is inconsistent with the objectives of the zone in that the development is of an excessive scale for the site that would result in an adverse impact on parking in the surrounding area, and is likely to threaten the operation of the shopping strip.
- (iii) The proposal is inconsistent with the considerations for development within the business zones as provided by subclause (a), (e), (g), (h) and (i) of Clause 30C of the Ku-ring-gai Planning Scheme Ordinance.

# **SEPP 1 Objection**

3. The SEPP 1 objection to the provisions of Clause 30B(2) 'Floor space ratio' of the Ku-ring-gai Planning Scheme Ordinance submitted with the application is not acceptable as the development does not provide sufficient off-street car parking or loading facilities within the site and would have an undue impact on the operation of the local street network.

#### **Particulars**

- (i) The proposal exceeds the maximum floor space ratio of 0.75:1 as stipulated by the KPSO with a proposed floor space ratio of 1.35:1
- (ii) The SEPP 1 Objection is not well founded and has not demonstrated that the objective or purpose of the standard has been satisfied.
- (iii) Compliance with the provisions of Clause 30B(2) is reasonable and necessary to ensure that development within the shopping strip does not have an adverse impact on the operation of the shopping strip as a business centre, or surrounding streets.

Karen Rae R Kinninmont M Prendergast **Development Team Leader Acting Director** 

Assessment Officer Development Assessment - Development & Regulation

Central

**Attachments:** Location Sketch & Zoning Extract - 683312

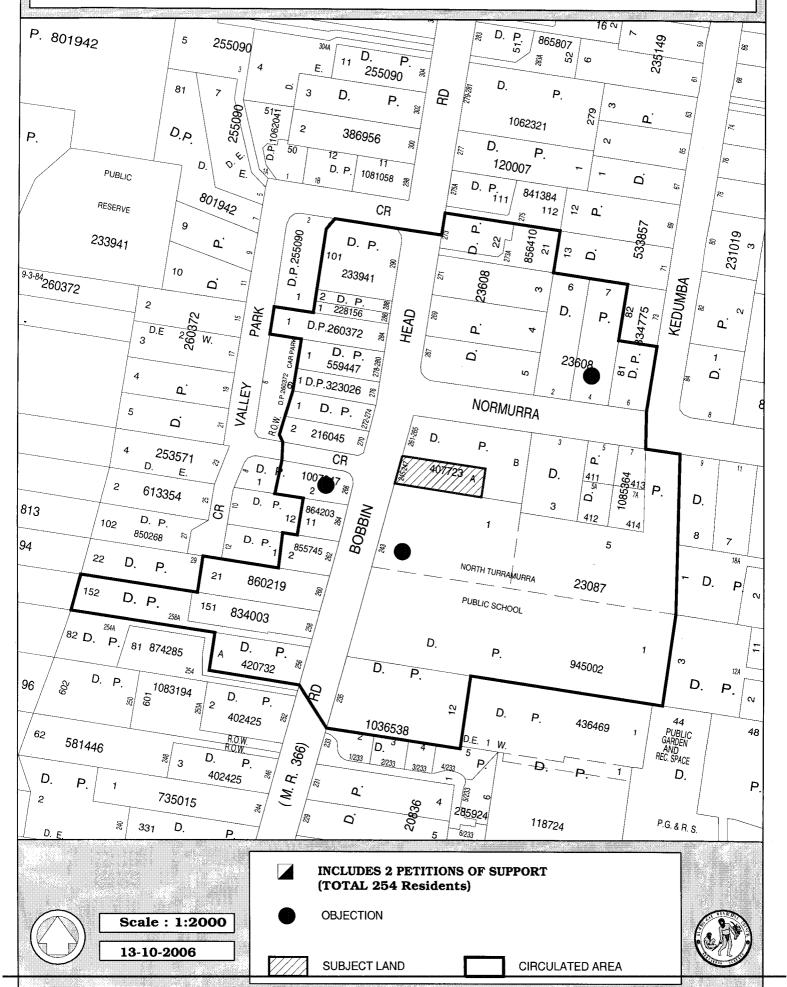
Site Plan, Survey Plan & Shadow Diagrams - 683315

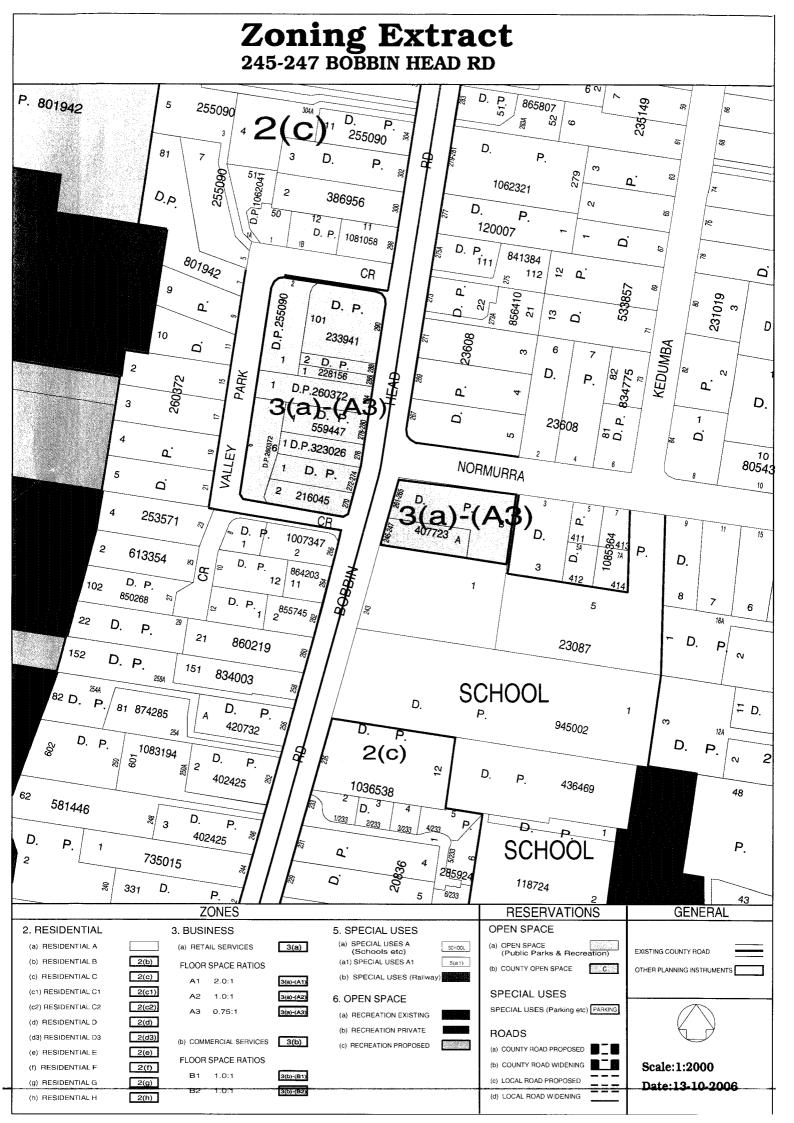
Floor plans, Elevations & Sections - 683320

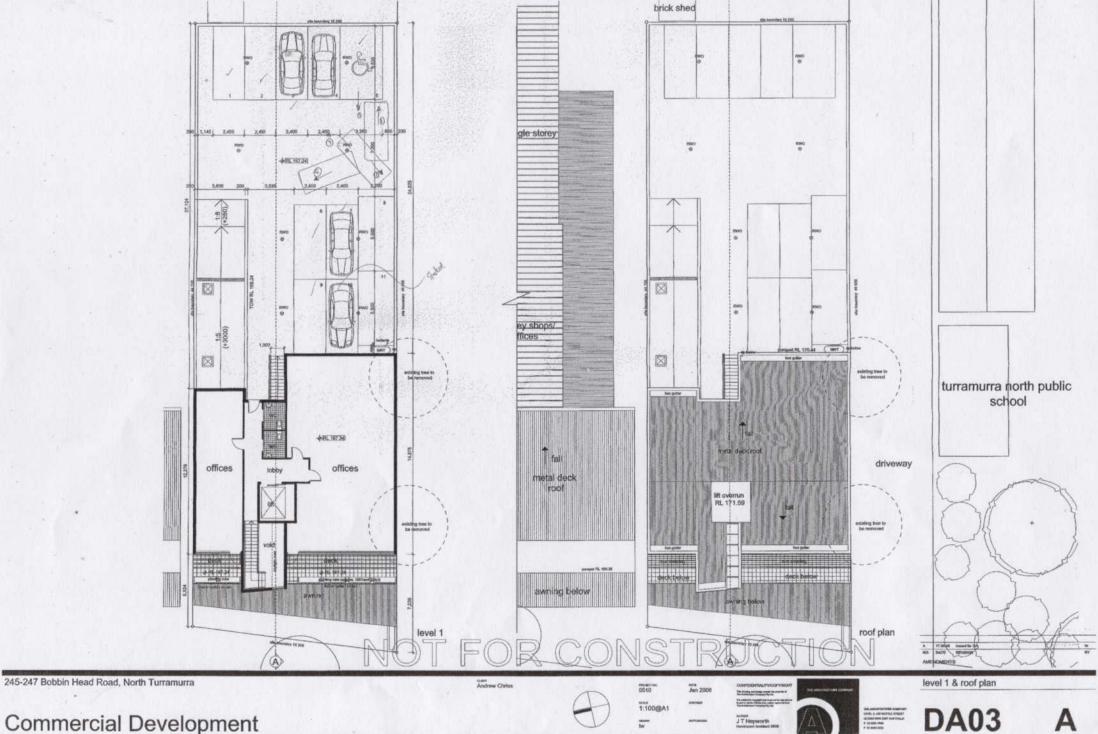
# **LOCATION SKETCH**

# 245-247 Bobbin Head Road, NORTH TURRAMURRA

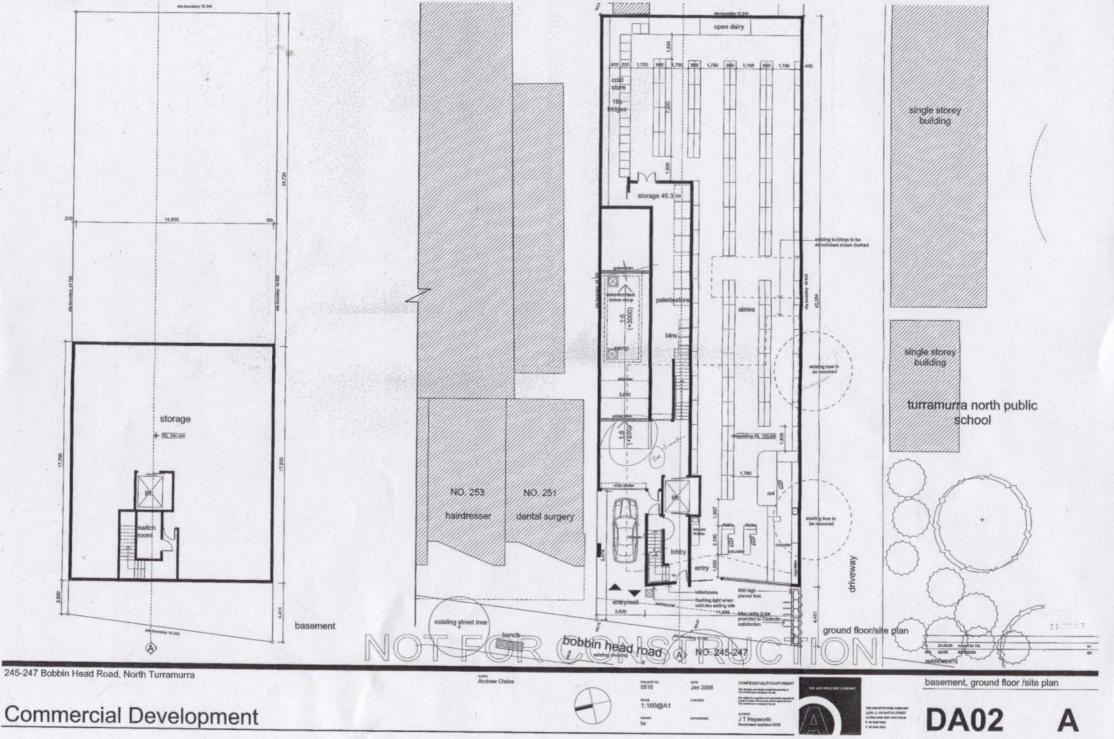
DEVELOPMENT APPLICATION No 509/06

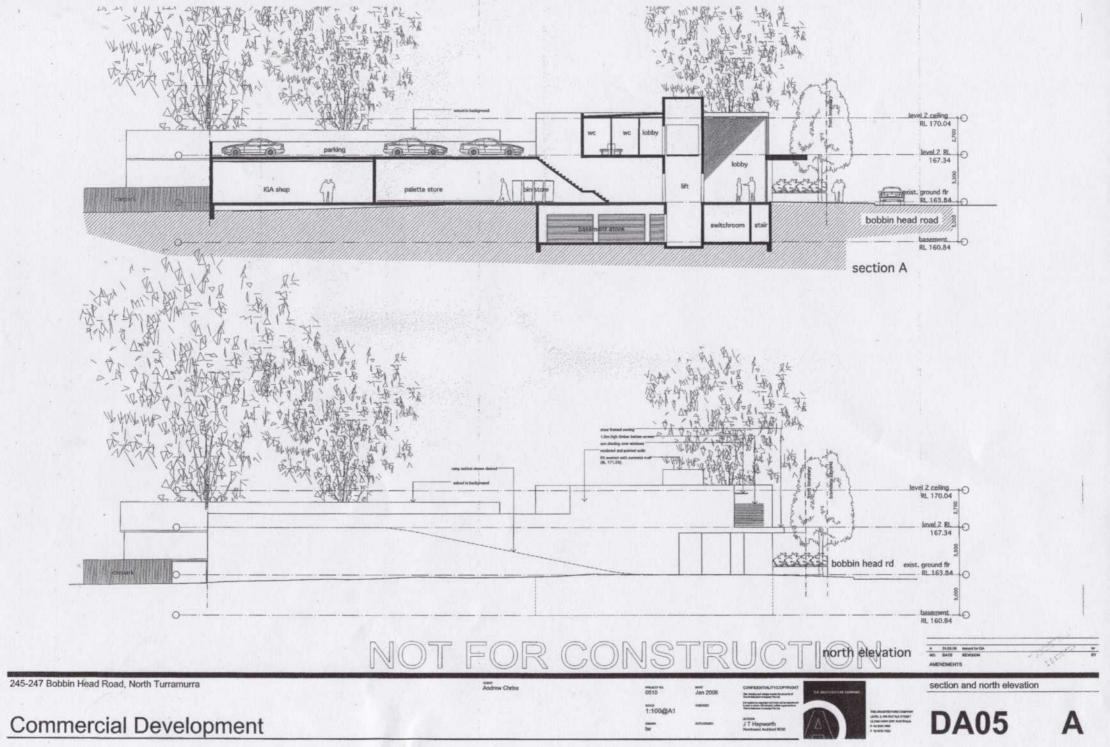


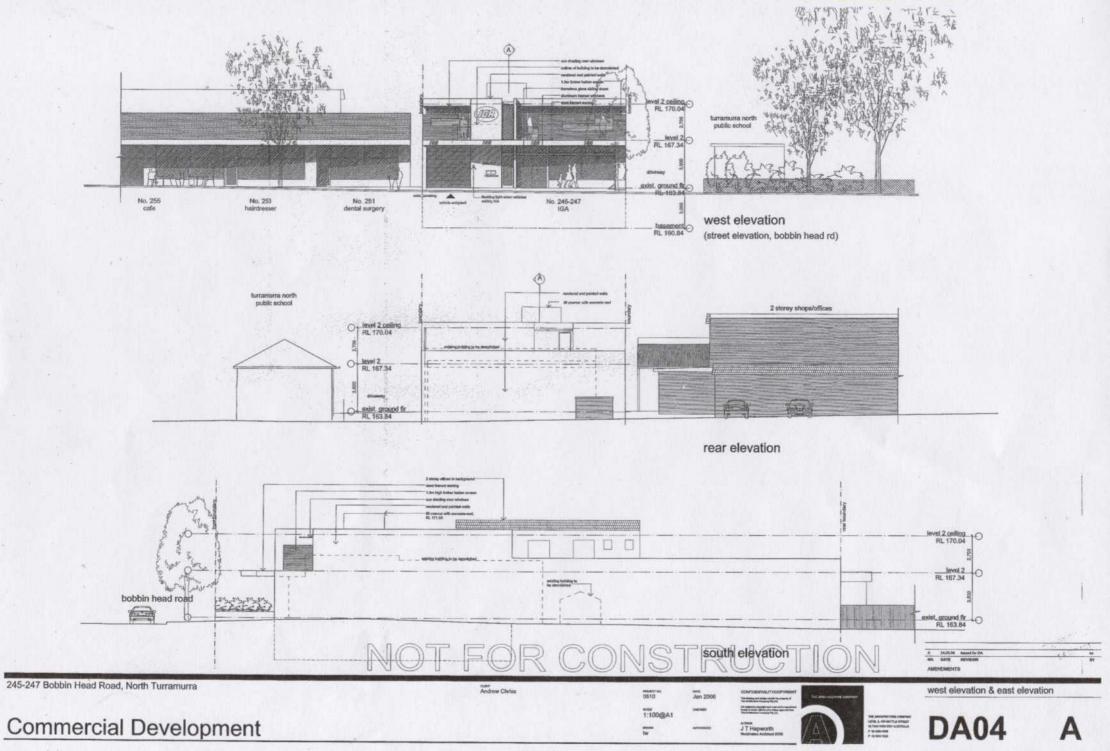




**Commercial Development** 







# 212, 214 & 216 MONA VALE ROAD, ST IVES -CONSTRUCTION OF TWO RESIDENTIAL FLAT BUILDINGS

Ward: St Ives

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To respond to issues raised at the Council site inspection

of 7 October 2006 and seek Council's determination of

development application No. 338/06.

**BACKGROUND:** • Application lodged 12 April 2006

• Council considered a report at its meeting of 26

September 2006

• A site inspection was conducted on 7 October 2006

**COMMENTS:**To address matters raised at the site inspection and issues

raised in the further submissions to Council.

**RECOMMENDATION:** Approval

# PURPOSE OF REPORT

To respond to issues raised at the Council site inspection of 7 October 2006 and seek Council's determination of development application No. 338/06.

## **BACKGROUND**

- Application lodged 12 April 2006.
- Report considered by Council at meeting 26 September 2006.
- Determination was deferred pending site inspection which took place on 7 October 2006.

## **COMMENTS**

## A. Site inspection

The following issues were raised at Council's on site meeting of 7 October 2006:

## 1. Draft LEP 2006 (St Ives Town Centre)

a. Clarification as to whether part of the subject site is located within the Draft LEP (St Ives Town Centre) currently being considered by Council.

The site is comprised of three residential properties identified as Nos 212, 214 & 216 Mona Vale Road, St Ives. All sites are currently zoned Residential 2(d3) under LEP 194. The current zoning confers a maximum development potential for residential flat development up to 5 storeys

No. 212 and No. 214 Mona Vale Road (Lot 13 & Lot 14), have been included within the Draft LEP (St Ives Town Centre) currently being considered by Council and are included within the proposed Residential 'R4' (High Density Residential) zone. The proposed 'R4' zone permits residential flat development up to 5 storeys in height.

The remaining allotment (No. 216 Mona Vale Road), a battle-axe allotment, has not been included within the Draft LEP.

## **Development Standards – LEP 194 (as existing)**

The proposed development complies with all currently applicable development standards as required by LEP 194 including deep soil landscaping, site coverage and building height.

The proposed development also satisfies all development controls contained within DCP 55.

# **Development Standards – Draft LEP 2006 (St Ives Town Centre)**

The development standards applicable to the site under the Draft LEP differ from those which currently apply to the site under LEP 194. The core development standards which apply to the site under the Draft LEP include a maximum building height of 5 storeys, and a maximum floor space ratio of 1.3:1.

Should the Draft LEP be adopted in its current form, the minimum 50% deep soil landscaping requirement currently applicable under LEP 194 would no longer apply to sites included within the Residential 'R4' (High Density Residential) zone. The maximum 35% site coverage would also no longer apply.

## **Consideration of Draft LEP 2006 (St Ives Town Centre)**

S.79C of the Environmental Planning and Assessment Act 1979 requires that a Council have regard for the Draft LEP in its consideration of this development application.

The proposed development complies with the relevant development standards contained within the Draft LEP and is consistent with the objectives of the proposed Residential 'R4' (High Density Residential) zone. The proposed development is therefore deemed to be satisfactory with regard to Draft LEP 2006 (St Ives Town Centre).

## 2. Traffic

a. Clarification of the potential for traffic conflict resulting from vehicles exiting Stanley Street onto Mona Vale Road, having regard to the proposed access to the subject site.

Council's Development Engineer, Kathy Hawken, has considered the proposed development and has had regard for the traffic report prepared by Masson Wilson Twiney, dated 6 April 2006. This assessment has had regard for the location of the proposed driveway and its proximity to the Stanley Street intersection with Mona Vale Road.

Council's Development Engineer has advised that the proposed driveway arrangement is restricted to left turn movements only, including entry and exit to and from the site, owing to the median strip along Mona Vale Road. Entry and exit to the site would also be restricted by the timing of lights at the Stanley Street intersection and will not conflict with existing traffic movements from this street.

The proposed driveway arrangement is not considered likely to have an adverse impact on traffic safety and is considered to be satisfactory.

# 3. Landscaping

a. Clarification of the characteristics of the proposed trees along the frontage of the development and in particular, describe the characteristics of the proposed Eumundi Ouondong tree.

Council's Landscape Development Officer has undertaken a detailed assessment of the suitability of the proposed landscaping and has provided additional comment on the proposed trees to be planted along the front of the site and clarification of the characteristics of the species *Elaeocarpus eumundii* (Eumundi Quandong).

The proposed trees along the street frontage include a mixture of canopy trees and shrub plantings described as follows:

Species	Characteristics	Height	Qty.
Nyssa sylvatica (Tupelo)	Deciduous, pyramidal form	13m	2
Eucalyptus microcorys	Local endemic species	20m	3*
(Tallowwood)			
Elaeocarpus eumundii	Evergreen tree endemic to	8-10m	5
(Eumundi Quandong)	Queensland		
Cedrus deodara	Existing trees to be retained	-	2
(Himalayan Cedar)			

<sup>\*</sup> To be installed in nature strip (required by condition).

A condition has also been recommended to require three additional canopy trees to be installed in the front setback of the site.

Council's Landscape Development Officer has advised that the proposed *Elaeocarpus eumundii* (Eumundi Quandong) is an evergreen tree endemic to Queensland. The proposed tree has a mature height of 8-10 metres and a canopy spread of 3 metres. The tree has glossy green and dark brown leaves and a non-invasive root system. It is unlikely that the trees grow to 20 metres height as shown on the landscape plan as differing soil conditions and rainfall would limit growth in the Ku-ring-gai area.

A condition has been recommended to require changes to the landscape plan to ensure suitable landscaping is provided within the site. (**Refer Condition No 83**).

b. Clarification as to whether the large 35 to 60 metre high trees proposed within the 6 metre side setback areas are appropriate for the proposed development.

The proposed landscape plan includes a large number of canopy trees to be planted in the front and side setbacks of the site. Council's Landscape Development Officer has advised that the landscape plan indicates incorrect mature heights for the following trees:

Species	Height Shown	Correct mature height
Syncarpia glomulifera (Turpentine)	60 metres	20-25 metres
Eucalyptus pilularis (Blackbutt)	40 metres	20-30 metres
Eucalyptus saligna (Sydney Blue Gum)	20-35 metres	20-30 metres

In regard to the appropriateness of the landscaping to be implemented within the north-eastern setback, a condition has been recommended to require changes to the landscape plan to ensure suitable landscaping and effective screen planting is provided within the site. (**Refer Condition No 83**).

c. Clarification of the extent to which landscaping relies upon adjoining trees, particularly within the north eastern side boundary area at the rear of the site. If so, what guarantee is available that the adjoining vegetation will not be removed.

The proposed landscape design includes a large number of canopy trees and other screening vegetation within the side setbacks to the proposed development side boundaries. Council's Landscape Development officer has recommended that additional screen planting be established within the side and rear setback to Building B and has advised that the proposed landscape design provides sufficient deep soil landscaping to ensure the establishment of effective landscaping in this part of the site. (**Refer Condition No 83**).

## 4. Amenity Impact

a. Council staff are requested to advise of the setback between habitable rooms of the proposed development and the existing dwelling at Lot 1 DP 512730 Memorial Avenue as this distance appears to be less than 12 metres.

The proposed Building B is setback of between 11 metres and 18 metres from the existing dwelling on Lot 1 DP 512730 (No. 13 Memorial Avenue).

The proposed development complies with the minimum setback requirement of 6.0 metres from the rear boundary as required by DCP 55 and is situated at an angle to the rear boundary with the adjoining property to the north. The adjoining site is similarly zoned Residential 2(d3) and is capable of sustaining residential flat development up to 5 storeys. A minimum 6.0 metre setback would be required for new residential flat development on the adjoining allotment.

b. Clarification of whether there are any restrictions that the proposal may have on the existing dwelling located at Lot 4 DP 29167 Memorial Avenue or any adverse impacts on the likely future development potential of the adjoining site.

The adjoining property at No. 5A Memorial Avenue is a battle-axe allotment, located to the south-west of proposed Building B. The adjoining property is roughly triangular in shape and

has two common boundaries with the subject site along its northern and eastern boundaries. The adjoining property has also been zoned Residential 2(d3) and has a development potential for residential flat development up to 5 storeys. The adjoining site also adjoins properties in Memorial Avenue and is not isolated.

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

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

Approval of the subject application does not hinder future development of adjoining land in accordance with Council's controls.

## B. Additional submission from Mr. J Levitt, 5A Memorial Avenue

A further submission was received by Council at the site inspection. Councillor Hall tabled written comments on behalf of Mr. Levitt which requested that the issues discussed in the report to Council's meeting of 26 September 2006 be addressed as part of the supplementary report to Council.

The submission raised the following additional concerns:

Whether the cumulative amenity impacts to adjoining sites have been considered as a part of the assessment of proposed residential flat development.

The cumulative impacts of the proposed development on adjoining properties have been considered in the previous report to Council, including the likely impacts in terms of overshadowing, privacy and bulk and scale. It was noted in this assessment that all adjoining sites are similarly zoned Residential 2(d3) and are capable of sustaining residential flat development up to 5 storeys.

The impacts of the proposed development are consistent with the form of development envisaged in the Residential 2(d3) zone and the design guidelines of DCP 55 and LEP 194.

Whether these cumulative impacts would impinge on the development potential for adjoining sites.

The impacts of the development are commensurate with those anticipated under the zoning, the development controls contained in LEP 194 and the design guidelines of DCP 55. The proposal does not unreasonably impact on adjoining sites in terms of their future development potential.

## SUMMARY

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

## RECOMMENDATION

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

THAT the Council, as the consent authority, grant development consent to DA 338/06 for demolition of 3 dwelling houses and construction of two residential flat buildings, comprising 52 units, basement car parking for 105 vehicles and associated landscaping and drainage on land at 212-216 Mona Vale Road, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

## **GENERAL CONDITIONS**

1. The development must be carried out in accordance with plans identified in the following schedule and endorsed with Council's approval stamp, except where amended by the following conditions:

Dwg No	Issue	Description	Author	Dated	Lodged
A2.01	В	Basement Level Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.02	В	Lower Basement Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.03	C	Site/Ground Floor Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.04	A	Level 2-4 Plan (Typical)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A2.05	В	Level 5 Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.06	A	Roof Plan	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A4.01	A	Section A-A	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.01	A	Elevations (Sheet 1)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.02	A	Elevations (Sheet 2)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.03	A	Colours and finishes	Marchese and Partners Intl	11 Apr 2006	12 Apr 2006
0501	a06	Landscape plan	dem	4 Aug 2006	15 Aug 2006
0502	a06	Landscape plan	dem	4 Aug 2006	15 Aug 2006

2. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision

Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.

- 3. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.
- 4. To avoid the proliferation of plant equipment that is visible to the street, individual air conditioning units shall not be installed on any unit balcony or on the roof of any residential flat building. All air conditioning condenser equipment shall be contained within the basement levels of the building and all ducting contained wholly within the building.
- 5. All building works shall comply with the Building Code of Australia.
- 6. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
- 7. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
- 8. For the purpose of health and amenity, the disposal of backwash and/or the emptying of a swimming pool into a reserve, watercourse, easement or stormwater drainage system is prohibited. These waters are to discharge via a permanent drainage line into the Sydney Water's sewer. Permission is to be obtained from the Sydney Water prior to the emptying of any pool to the sewer.
- 9. The swimming pool is to be made safe during all demolition work by the erection of temporary safety fence to the satisfaction of the Principal Certifying Authority.
- 10. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
- 11. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

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

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

- 13. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
- 14. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
- 15. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
- 16. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
- 17. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

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

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

- 18. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- 19. The fence and footings shall be constructed entirely within the boundaries of the property.
- 20. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
- 21. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
- 22. Where a new development is not commencing immediately following demolition, the demolition shall be limited to the extent of the footprint of the building/s on the site and no excavation shall be carried out.
- 23. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
- 24. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
  - The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.
- 25. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
- 26. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.

- b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
- 27. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
- 28. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
- 29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
- 30. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the WorkCover guidelines to prevent personal and environmental contamination.
- 31. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

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

This clause does not apply to:

- a. building work carried out inside an existing building, or
- b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 32. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
- 33. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the rainwater tank system, and the prescribed re-use of the water on site, must satisfy the BASIX commitments.

- 34. In addition to the mandatory rainwater retention and re-use system provided, an on-site stormwater detention system must be provided for the development to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 (DCP 47) having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The design of the on-site detention system must be performed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in appendix 5 of DCP 47.
- 35. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanized grate is to be provided in front of the garage door/basement parking slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.
- 36. To control surface runoff all new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details for such measures shall be shown on the approved Construction Certificate issue drawings, to the satisfaction of the Principal Certifying Authority.
- 37. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to manage and control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority.
- 38. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant **after** the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
- 39. Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of 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.

- 40. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.
- 41. The provision of temporary sediment and erosion control facilities and measures must be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
- 42. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with the minimum requirements of Australian Standard 2890.1 (2004) "Off-Street car parking".
- 43. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act* 1994. An application must be made through an authorised Water Servicing Coordinator. The Applicant is to refer to "Your Business" section of Sydney Water's web site at <a href="https://www.sydneywater.com.au">www.sydneywater.com.au</a> then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
- 44. In order to allow **unrestricted access at all times** for Ku-ring-gai Council waste collection vehicles into the basement garbage collection area no doors, grilles, gates or other devices are to be provided in the access driveways to the basement carpark which would prevent this service.
- 45. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure. Geotechnical aspects of the development work, namely:
  - Appropriate excavation methods and techniques,
  - Vibration management and monitoring,
  - Support and retention of excavated faces,
  - Hydrogeological considerations,

must be undertaken in accordance with the recommendations of the report 20166Vrpt by Jeffery and Katauskas and all subsequent geotechnical inspections carried out during the excavation and construction phase. Approval must be obtained from all affected property owners, including Ku-ring-gai Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.

- 46. The geotechnical and hydrogeological works implementation, inspection, testing and monitoring program for the excavation and construction works must be in accordance with the report by Jeffery and Katauskas. Over the course of the works a qualified Geotechnical/hydrogeological Engineer must complete the following:
  - Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
  - Further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary,
  - Written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.
- 47. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
- 48. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
- 49. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
- 50. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
- 51. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
- 52. Removal or pruning of the following trees is not approved as part of this Development Application. A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report.

Tree/Location

Ginkgo biloba (Maiden-hair Tree) Tree 1 Eucalyptus microcorys (Tallowood) Tree 3 Eucalyptus scoparia (Willow Gum) Tree 4

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

Tree/Location	Tree Works
Cupressocyparis x leylandii (Leyland Cypress) Trees 9	Removal
Jacaranda mimosifolia (Jacaranda) Tree 10	Removal
Cupressus macrocarpa 'Brunniana' (Golden Cypress) Tree 11	Removal
Araucaria columnaris (Cook's Pine) Tree 12	Removal
Melaleuca sp. (Paperbark) Tree 16	Removal
Lagerstroemia indica (Crepe Myrtle) Tree 19	Removal
Tiboucina granulosa (Lasiandra) Tree 20	Removal
Michelia champaca (Golden Champaca) Tree 21	Removal
Eucalyptus nicholii (Small Leaved Peppermint) Tree 22	Removal
Eucalyptus nicholii (Small Leaved Peppermint) Tree 23	Removal
Agonis flexuosa (Willow Myrtle) Tree 24	Removal
Nerium oleander (Oleander) Tree 26	Removal
Nerium oleander (Oleander) Tree 27	Removal
Jacaranda mimosifolia (Jacaranda) Tree 32	Removal
Callitris rhomboidea (Port Jackson Pine) Tree 33a	Removal
Melaleuca styphelioides (Prickly Paperbark) Tree 34	Removal
Pittosporum undulatum (Sweet Pittosporum) Tree 35	Removal
Betula pendula (Weeping Birch) Tree 38	Removal
Cupressus torulosa (Bhutan Cypress) Tree 41	Removal
Cupressus torulosa (Bhutan Cypress) Row of 10 / Tree 42	Removal
Cupressocyparis x leylandii (Leyland Cypress) Tree 44	Removal
Cupressocyparis x leylandii (Leyland Cypress) Tree 45	Removal
Cupressocyparis x leylandii (Leyland Cypress) Tree 46	Removal
Virgilia oroboides (Virgilia) Tree 47	Removal
Lagerstroemia indica (Crepe Myrtle) Tree 52	Removal

54. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

# Tree/location Time of inspection

All existing trees located on site being retained Prior to demolition

At the completion of demolition
Prior to excavation works
At the completion of excavation works
Prior to the start of construction works
At monthly intervals during construction
At the completion of construction works
At the completion of all works on site

55. Canopy pruning of the following tree/s which may be necessary to accommodate the approved building footprint shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate. All other branches are to be tied back and protected during construction as recommended in the arborist report, under the supervision of a qualified arborist.

Tree/Location

Pinus patula (Mexican Pine) Tree 25 Cedrus deodara (Himalayan Cedar) Tree 28 Cedrus deodara (Himalayan Cedar) Tree 29 Lophostemon confertus (Brushbox) Tree 35 Persea Americana (Avocado Pear) Tree 58

56. Removal/pruning of the following tree/s from Council's nature strip shall be undertaken at no cost to Council by an experienced Tree Removal Contractor/Arborist holding Public Liability Insurance amounting to a minimum cover of \$10,000,000.

Tree/Location *Ginkgo biloba (Maiden-hair Tree)* Tree 2

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

Tree/Location Tree Works

Pinus natula (Mexican Pine) Tree 7

Root pruning

Pinus patula (Mexican Pine) Tree 7	Root pruning
Pinus patula (Mexican Pine) Tree 25	Root pruning
Cedrus deodara (Himalayan Cedar) Tree 28	Root pruning
Cedrus deodara (Himalayan Cedar) Tree 29	Root pruning
Liquidambar styraciflua (Liquidambar) Tree 33b	Root pruning
Lophostemon confertus (Brushbox) Tree 35	Root pruning
Lophostemon confertus (Brushbox) Tree 36	Root pruning
Persea americana (Avocado Pear) Tree 58	Root pruning

- 58. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate
- 59. No mechanical excavation for the approved driveway shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location Radius From Trunk

Eucalyptus microcorys (Tallowwood) Tree 3 6m Eucalyptus scoparia (Willow Gum) Tree 4 6m

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

Tree/Location	Radius From Trunk
Pinus patula (Mexican Pine) Tree 7	5m
Pinus patula (Mexican Pine) Tree 25	6m
Cedrus deodara (Himalayan Cedar) Tree 28	8m
Cedrus deodara (Himalayan Cedar) Tree 29	8m
Liquidambar styraciflua (Liquidambar) Tree 33b	7m
Lophostemon confertus (Brushbox) Tree 35	5m
Lophostemon confertus (Brushbox) Tree 36	6m
Persea Americana (Avocado Pear) Tree 58	5m

61. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system

Tree/Location	Radius From Trunk
Pinus patula (Mexican Pine) Tree 7	5m
Pinus patula (Mexican Pine) Tree 25	6m
Cedrus deodara (Himalayan Cedar) Tree 28	8m
Cedrus deodara (Himalayan Cedar) Tree 29	8m
Liquidambar styraciflua (Liquidambar) Tree 33b	7m
Lophostemon confertus (Brushbox) Tree 35	5m
Lophostemon confertus (Brushbox) Tree 36	6m
Persea Americana (Avocado Pear) Tree 58	5m

- 62. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
- 63. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Turramurra Ave as an evenly spaced avenue planting. The tree/s used shall be a minimum 25 litre container size specimen/s trees:

Tree Species	Quantity
Eucalyptus microcorys (Tallowood)	2

- 64. Following removal of Tree 2 from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council at no cost to Council.
- 65. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

66. The following noxious and/or environmental weed species shall be removed from the property prior to completion of the proposed building works

Plant Species

Asparagus densiflorus (Asparagus Fern) Hedera helix (English Ivy) Tradescantia albiflora (Wandering Jew) Chlorophytum comosum (Spider Plant) Ochna serrulata (Ochna) Jasminum polyanthum (Jasminum) Nephrolepis cordifolia (Fishbone fern)

67. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

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

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

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

- 69. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
- 70. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent

public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

- 71. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
- 72. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FORTY-NINE (49) ADDITIONAL DWELLINGS IS CURRENTLY \$906,093.62. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1.	Community Facilities	\$1,117.76
2.	Park Acquisition and Embellishment Works - St Ives	\$6,574.28
3.	Sportsgrounds Works	\$1,318.32
4.	Aquatic / Leisure Centres	\$27.82
5.	Traffic and Transport	\$150.28
6.	Section 94 Plan Administration	\$100.04

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

#### OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm) 1.27 persons

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

- 73. Prior to issue of the Construction Certificate the Applicant must consolidate the existing Torrens lots which will form the development site. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate. This condition is imposed to ensure continuous structures will not be placed across separate titles.
- 74. Prior to issue of the Construction Certificate, driveway and associated footpath levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

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

- 75. The Applicant proposes to carry out the following infrastructure works in the Public Road:
  - a. construct a new kerb inlet pit over the existing underground stormwater drainage pipe in Mona Vale Road.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF** *THE ROADS ACT 1993* for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council and/ or the Roads and Traffic Authority has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

- NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.
- NOTE 2: An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.
- NOTE 3: Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.
- 76. Prior to issue of the Construction Certificate the Applicant must submit, for approval by the Principal Certifying Authority, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements clearly dimensioned. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:
  - All parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply in full with Australian Standard 2890.1 2004 "Off-street car parking".
  - A clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement.
  - No doors or gates are provided in the access driveways to the basement carpark which
    would prevent unrestricted access for internal garbage collection at any time from the
    basement garbage storage and collection area.
     The vehicle access and accommodation arrangements are to be constructed in
    accordance with the certified plans.
- 77. Prior to issue of the Construction Certificate and prior to commencement of any works that may be subject to erosion, the applicant must submit, for approval by the Principal Certifying

Authority, a Soil and Erosion Control Plan prepared in accordance with the Landcom document "*Managing Urban Stormwater – Soils and Construction, Volume 1*" (2004). A qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management Development Control Plan 47.

- 78. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
  - Exact location and reduced level of discharge point to the public drainage system.
  - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).
  - Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
  - Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the Ku-ring-gai Council Development Control Plan 47 and/or BASIX commitments.
  - Details of the required **on-site detention** tanks required under Ku-ring-gai Council Water Management DCP 47 including dimensions, materials, locations, orifice and discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements).
  - Details of water quality measures as required by DCP 47 Chapter 8.
  - The required basement stormwater pump-out system to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design).

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

79. Prior to issue of the Construction Certificate the Applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate. Any structures or other requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

- 80. Prior to issue of the Construction Certificate the applicant must make contact with all relevant utility providers whose services will be impacted upon by the approved development. A written copy of the requirements of each provider, as determined necessary by the Principal Certifying Authority, must be obtained. All utility services or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage must be provided by the developer in accordance with the specifications of those supply authorities.
- 81. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.
  - A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.
- 82. Paving works within the specified radius of the trunk/s of the following tree/s shall be of type and construction to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be prepared by a suitably qualified professional and submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate:

Tree/Location	Radius From Trunk
Pinus patula (Mexican Pine) Tree 7	5m
Pinus patula (Mexican Pine) Tree 25	6m
Cedrus deodara (Himalayan Cedar) Tree 28	8m
Cedrus deodara (Himalayan Cedar) Tree 29	8m
Liquidambar styraciflua (Liquidambar) Tree 33b	7m
Lophostemon confertus (Brushbox) Tree 35	5m
Lophostemon confertus (Brushbox) Tree 36	6m
Persea Americana (Avocado Pear) Tree 58	5m

83. The submitted landscape plan la-0501/a06 and la-0502/a06 prepared by DEM and dated 4/08/06 is not approved. An amended, detailed plan of the proposed landscape works for the site shall be prepared by a Landscape Architect or qualified Landscape Designer. The plan must be submitted to, and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate. The landscape works shall be carried out and installed in accordance with the approved landscape plan/s.

The following amendments to the plan shall apply:

- > Existing levels are to be retained beneath the canopy drip lines of all trees to be retained on site and adjoining properties. Particular attention is given to Trees 35 and 36 where level changes are proposed.
- > Proposed planting of all canopy trees, to be minimum 5 metres from any building.
- > Plantings of Eucalyptus saligna(Sydney Blue Gum) and Angophora floribunda(Roughbarked Apple) to be substituted with tree species representative of the Sydney Turpentine Ironbark Forest.
- > Proposed planting of Eucalyptus pilularis(Blackbutt) and Eucalyptus saligna(Sydney Blue Gum) where only 6 metre setback of building to be substituted with more upright

- endemic trees representative of the Sydney Turpentine Ironbark Forest such as Allocasuarina torulosa(Forest Oak), Eucalyptus paniculata (Grey Ironbark) or Syncarpia glomulifera(Turpentine). Plantings of Eucalyptus pilularis(Blackbutt) to be restricted to the front setback and larger communal open space areas.
- > Two additional tall endemic canopy trees, capable of attaining a minimum height of 13m, are to be planted with a minimum spacing of 5m, to Building A along north-eastern site boundary.
- > Three additional tall endemic canopy trees capable of attaining a minimum height of 13m are to be planted with a minimum spacing of 5m, to Building B along north eastern site boundary
- > Two additional endemic canopy trees are to be located in the front setback, one in the eastern corner of the site and two to the south of the main entry.
- > One additional endemic canopy tree is to replace one of the *Michelia champaca* located to the south-east of Tree 58
- > Proposed planting of 2 Tristania laurina and located along the south western elevation of Building A to be substituted with 2 Syncarpia glomulifera (Turpentine)
- > Proposed planting of 2 *Tristania laurina* and 1 *Elaecarpus eumundii* located along the south-western elevation of Building A to be substituted with *Syncarpia glomulifera* (Turpentine)
- 84. To maximise landscape amenity for the site, the following private courtyards are to be amended to ensure that proposed screen planting and tree replenishment is within the ownership of the body corporate. The private courtyards are to be reduced in size as detailed by the following;
  - The courtyard for Units A102 within the side setback are to not encroach closer than 3.5m to any south-western site boundary. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.
- 85. To preserve the ongoing viability of the following trees, the private courtyards to Unit A107 and A106 to be set back a minimum of 4m from trees 35 and 36, as measured from centre of trunk. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location

Lophostemon confertus (Brushbox) Tree 35 Lophostemon confertus (Brushbox) Tree 36

86. To preserve the health and condition of the following tree excavation for the driveway ramp is not to be within the specified radius. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location Radius From Trunk

Eucalyptus microcorys (Tallowood) Tree 3

4.5m

87. A CASH BOND/BANK GUARANTEE of \$10 000 shall be lodged with Council as a Landscape Establishment Bond prior to release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan/s and other landscape conditions.

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

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

88. A CASH BOND/BANK GUARANTEE of \$7 500 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

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

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

Bond Value (\$)
\$2,500
\$2,500
\$2,500

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

- 89. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
- 90. In order to ensure the development does not detract from the appearance of adjoining buildings and surrounding areas, a schedule of colours and finishes for all external works shall be submitted to the Principal Certifying Authority and approved in writing prior to the release of the Construction Certificate. All external materials, finishes and colours shall be consistent with the schedule of colours and finishes submitted with the development application. All external surfaces shall be finished to the final satisfaction of the Principal Certifying Authority.

- 91. Prior to the commencement of any works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of the following structures:
  - Residence at 220 Mona Vale Road;
  - Residence and tennis court at 5a Memorial Avenue.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports on adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. Upon submitting a copy of the dilapidation report to Council (or certification that no report is required), a written acknowledgment from Council development engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

92. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

## A plan view of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- Location of any proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

 The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible and if not possible, an estimate of the number of on-street parking spaces necessary and an alternative legal on-street location for employee parking.

## Traffic Control Plans for the project

- All traffic control plans are to be prepared by a person accredited to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided. Routes for construction vehicles travelling south, or approaching the site from the north are to be indicated.

- Light traffic roads and those subject to a load or height limit must be avoided unless otherwise approved.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.

In addition, the plan must address:

- Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Rd.
- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- Minimising construction related traffic movements during school peak periods.

The Construction Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.

93. If a Works Zone is proposed, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the 'Work Zone'. Approval for a Works Zone on

Mona Vale Road is not guaranteed and the final decision would rest with the Roads and Traffic Authority.

The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

- 94. Prior to the commencement of any works on site the applicant shall submit to Ku-ring-gai Council a full dilapidation report on the visible and structural condition (**including a photographic record**) of the following public infrastructure:
  - Half road pavement width, including kerb and gutter, of Mona Vale Road northbound.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *existing* damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

- 95. If the use of temporary rock anchors extending into the road reserve is proposed, then approval must be obtained from Council and/or the Roads and Traffic Authority in accordance with Section 138 of the Roads Act 1993. The Applicant is to submit details of all the work that is to be considered and the works are not to commence until approval has been granted. The designs are to include details of the following:
  - RTA concurrence to the proposed temporary rock anchors
  - How the temporary rock anchors will be left in a way that they will not harm or interfere with any future excavation in the public road
  - That the locations of the rock anchors are registered with Dial Before You Dig
  - That approval of all utility authorities likely to use the public road has been obtained. All temporary rock anchors are located outside the allocations for the various utilities as adopted by the Streets Opening Conference.
  - That any remaining de-stressed rock anchors are sufficiently isolated from the structure that they cannot damage the structure if pulled during future excavations or work in the public road.
  - That signs will be placed and maintained on the building stating that de-stressed rock anchors remain in the public road and include a contact number for the building manager. The signs are to be at least 600mm x 450mm with lettering on the signs is to

be no less than 75mm high. The signs are to be at not more than 60m spacing. At least one sign must be visible from all locations on the footpath outside the property. The wording on the signs is to be submitted to Council's Director Technical Services for approval before any signs are installed.

Permanent rock anchors are not to be used where any part of the anchor extends outside the development site into public areas or road reserves.

All works in the public road are to be carried out in accordance with the Conditions of Construction issued with any approval of works granted under Section 138 of the Roads Act 1993.

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

Tree/Location	Radius in Metres
Ginkgo biloba (Maiden-hair Tree) Tree 1	4.5m
Pinus patula (Mexican Pine) Tree 7	6.2m
Pinus patula (Mexican Pine) Tree 25	6.0m
Liquidambar styraciflua (Liquidambar) Tree 33b	7.2m
Persea Americana (Avocado Pear) Tree 58	4.4m

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

Tree/Location	Radius in Metres
Eucalyptus microcorys (Tallowood) Tree 3	6m
Eucalyptus scoparia (Willow Gum) Tree 4	6m

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

Tree/Location	Radius in Metres
Pinus patula (Mexican Pine) Tree 25	6.0m
Cedrus deodara (Himalayan Cedar) Tree 28	6.2m
Cedrus deodara (Himalayan Cedar) Tree 29	6.0m
Lophostemon confertus (Brushbox) Tree 35	7.8m
Lophostemon confertus (Brushbox) Tree 36	9.0m

- 99. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
- 100. Prior to works commencing tree protection signage is to be attached to each tree Protection Zone and displayed in a prominent position and the sign repeated at 10m intervals or closer where the fence changes direction. Each sign shall advise in a clearly legible form, the following minimum information:
  - 1. Tree Protection Zone
  - 2. This fence has been installed to prevent damage to the trees and their growing environment both above and below ground, and access is restricted.
  - 3. If encroachment or incursion into this Tree Protection Zone is deemed to be essential the consulting Arborist should be informed prior to the undertaking of such works
  - 4. Name, address, and telephone number of the developer.
- 101. Prior to works commencing the area of the Tree Protection Zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood, The depth of mulch and type as indicated, to be maintained for the duration of the project & Principal Certifying Authority.
- 102. Upon completion of the installation of the required tree protection measures, the consent holder is required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

## CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

- 103. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Regulations.
- 104. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.
- 105. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures originally assessed at 220 Mona Vale Road and 5a Memorial Avenue. The report must be completed by a consulting structural/geotechnical

engineer. If a structure has been demolished in the meantime under a separate Development Approval then no such report is required.

- 106. Prior to issue of the Occupation Certificate, the Principal Certifying Authority (where not Council) must provide Ku-ring-gai Council with a signed declaration that the following works in the road reserve have been completed in full:
  - New concrete driveway crossing in accordance with levels and specifications issued by Council
  - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter. (Reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials).
  - Full repair and resealing of any road surface damaged during construction.
  - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

- 107. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.
- 108. Prior to issue of the Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and reuse 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 reuse facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention

facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

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

- 110. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.
- 111. Prior to issue of an Occupation Certificate, the applicant must submit certification from a suitably qualified and experienced traffic/civil engineer to the Principal Certifying Authority. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:
  - That the as-constructed car park complies with the approved Construction Certificate plans,
  - That mirrors are provided where necessary.
  - That the completed vehicle access and accommodation arrangements comply in full with Australian Standard 2890.1 2004 "Off-Street car parking" in terms of minimum parking space dimensions provided,
  - That finished driveway gradients and transitions will not result in the scraping of the underside of cars.
  - That no doors, gates, grilles or other structures have been provided in the access driveways to the basement car park, which would prevent unrestricted access for internal garbage collection from the basement garbage storage and collection area.
  - That the vehicular headroom requirements of:
    - 1. Australian Standard 2890.1 "Off-street car parking",
    - 2. 2.44m height clearance for waste collection trucks (refer DCP 40) are met from the public street into and within the applicable areas of the basement car park.
- 112. Prior to issue of the Occupation Certificate, a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:

- That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
- That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
- That retained water is connected and available for uses including toilet flushing, laundry, car washing and garden irrigation.
- That basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and appendix 7.1.1 of Ku-ring-gai Council Water Management DCP 47.
- That all grates potentially accessible by children are secured.
- That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
- All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

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

- Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
- On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.
- 113. Prior to issue of the Occupation Certificate, a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
  - As built (reduced) surface and invert levels for all drainage pits.
  - Gradients of drainage lines, materials and dimensions.
  - As built (reduced) level(s) at the approved point of discharge to the public drainage system.
  - As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
  - The achieved storage volumes of the installed retention and detention storages and derivative calculations.
  - As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
  - 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 orf works. All relevant levels and details indicated must be marked **in red** on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

- 114. Prior to issue of the Occupation Certificate, a maintenance regime shall be prepared for the basement stormwater pump-out system and submitted to Principal Certifying Authority. The regime shall specify that the system is to be regularly inspected and checked by qualified practitioners.
- 115. Prior to issue of the Occupation Certificate, a suitably qualified and experienced geotechnical engineer is to provide certification to the Principal Certifying Authority that excavation and construction of the basement level, including temporary and permanent shoring and retention measures, have been carried out:
  - According the relevant Australian Standards and guidelines, and
  - According to any approved Geotechnical report undertaken for the development, and
  - In a manner that ensures that the structural amenity of adjoining structures and property is fully maintained.
- 116. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the Report on Geotechnical Investigation by Jeffery and Katauskas Consulting Engineers, and the professional geotechnical input over the course of the works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
- 117. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, an easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
- 118. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures originally assessed including:
  - Half road pavement width, including kerb and gutter, of Mona Vale Road northbound.

The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

119. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Inspections by and documentation from the Arborist to the Principal

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Certifying Authority is required as specified. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

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

D Hoy **Executive Assessment Officer** 

R Kinninmont
Team Leader
Development Assessment

Development Assessment -Central M Prendergast **Acting Director** 

**Development & Regulation** 

**Attachments:** Report to Council - 26 September 2006 - 676146

Locality map - 672917 Zoning extract - 672917

Site analysis, showing floor plans - Confidential Deep soil landscaping calculations - 672920 Basement and lower basement plans - 672922

Elevations - 672924 Sections - 672924 Roof plan - 672924

Shadow diagrams - 672926 Landscape plan - 672926

Memorial Avenue Precinct Master Plan - 672928

**OWNER:** 

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## **DEVELOPMENT APPLICATION**

SUMMARY SHEET

REPORT TITLE: 212 TO 246 MONA VALE ROAD, ST

IVES - DÉMOLITION OF 3 DWELLING HOUSES AND CONSTRUCTION OF A

RESIDENTIAL FLAT BUILDING COMPRISING 52 UNITS, BASEMENT CAR PARKING FOR 99 VEHICLES AND ASSOCIATED LANDSCAPING

AND DRAINAGE.

Myrsi Pty Limited

WARD: St Ives

**DEVELOPMENT APPLICATION**  $N^{O}$ : 338/06

SUBJECT LAND: 212 to 216 Mona Vale Road, St Ives

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

**DESIGNER:** Marchese and Partners International

PRESENT USE: Residential

**ZONING:** Residential 2(d3)

HERITAGE: No

**PERMISSIBLE UNDER:** Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES APPLICABLE:

KPSO, DCP 31 - Access, DCP 40 
Waste Management, DCP 43 - Car

Parking, DCP 47 - Water Management,

DCP 55 - Multi-unit Housing

COMPLIANCE WITH CODES/POLICIES: Yes

GOVERNMENT POLICIES APPLICABLE: SEPP 65, SEPP 55, SEPP (Sydney

Harbour Catchment) 2005, SEPP

(BASIX)

COMPLIANCE WITH GOVERNMENT POLICIES: Yes

**DATE LODGED:** 12 April 2006 **40 DAY PERIOD EXPIRED:** 22 May 2006

**PROPOSAL:** // // Demolition of 3 dwelling houses and

construction of a residential flat building

comprising 52 units, basement car parking for 99 vehicles and associated

landscaping and drainage.

**RECOMMENDATION:** Approval

Ordinary Meeting of Council - 26 September 2006

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212 to 216 Mona Vale Road, St Ives
DA0338/06
21 August 2006

DEVELOPMENT APPLICATION N° 338/06

PREMISES: 212-216 MONA VALE ROAD, ST IVES PROPOSAL: DEMOLITION OF 3 DWELLING HOUSES

AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING COMPRISING 52 UNITS,

BASEMENT CAR PARKING FOR 99 VEHICLES AND ASSOCIATED LANDSCAPING AND DRAINAGE.

APPLICANT: MR ANGUS HISLOP, C/- GLENDINNING

MINTO & ASSOCIATES PTY LTD

OWNER: MVRSI/PTY LIMITED

DESIGNER MARCHESE AND PARTNERS

INTERNATIONAL

#### PURPOSE FOR REPORT

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

**EXECUTIVE SUMMARY** 

**Issues:** Setbacks, building length, privacy, trees, driveway access,

compliance with Memorial Avenue Precinct master plan.

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

**Pre-DA:** 20 March 2006

Land & Environment Court Appeal: Not applicable.

**Recommendation:** Approval

**HISTORY** 

Site history:

The site is currently used for residential purposes.

**Rezoning history:** 

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

## THE SITE AND SURROUNDING AREA

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212 to 216 Mona Vale Road, St Ives DA0338/06 21 August 2006

Zoning: Residential 2(d3)

Visual Character Study Category: 1945-1968

Legal Description: Lot 13 in DP 29167 (No. 212 Mona Vale Road),

Lot 14 in DP 631319 (No.)214 Mona Vale Road),

Lot 15in DP 631319 (No. 216 Mona Vale Road),

Bush Fire Prone Land:
Endangered Species:
No
Urban Bushland:
No
Contaminated Land:
No

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

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

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

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

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

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

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

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

## THE PROPOSAL

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

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

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

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

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

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

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

## **CONSULTATION - COMMUNITY**

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

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

The submissions raised the following issues:

#### Traffic impacts

A traffic report by Masson Wilson Twiney Traffic Consultants has been submitted with the application. This report concludes that the existing road system has sufficient capacity to accommodate the additional traffic associated with the development. It is anticipated that a

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maximum of 23-29 additional vehicle trips per hour (vtph) will be generated, based on vehicle generation rates known for high to medium density developments and taking into account the traffic generation of the three existing dwellings on the site.

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

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

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

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

Standard conditions restricting working hours and measures to protect adjoining public land have been recommended. A condition requiring a Construction and Traffic Management Plan to be prepared and submitted to the RTA prior to the commencement of works has also been recommended. (**Refer Condition No. 24**).

## Car parking within the development will/be inadequate

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

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

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

## Privacy impacts to adjoining dwellings in Memorial Avenue

Proposed Building B is located in the northern portion of the site and adjoins residential properties with frontages to Memorial Avenue. The location of balconies and terraces within both Building A and Building B will result in some level of overlooking of these adjoining sites. However, all adjoining sites are similarly zoned Residential 2(d3) and are capable of sustaining residential flat development up to 5 storeys.

The proposed development achieves the minimum requirements for deep soil landscaping and is satisfactory with regard to side and rear boundary setbacks. Therefore, despite some privacy

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impacts to existing residential development, the future privacy impacts of the proposed development on adjoining sites is consistent with Council's design requirements and would not compromise the development potential of adjoining sites.

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

## Over development of the site

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

## Deterioration of existing infrastructure (water pressure)

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

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

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

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

Despite these impacts, the proposed development is satisfactory with regard to the setback requirements of DCP 55. The impacts of the development are commensurate with those anticipated under the zoning, the development controls contained in LEP 194 and the design guidelines of DCP 55. The proposal does not unreasonably impact on adjoining sites in terms of their future development potential. Issues in relation to overlooking and solar access to adjoining properties are considered in greater detail under "Statutory Provisions" and "Policy Provisions" below.

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

The proposed development departs from the Memorial Avenue Precinct Master Plan, as contained within Part 7 of DCP 55. The departures from the plan are considered in detail below and, whilst

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the development differs in some respects from that envisaged in the master plan, the development satisfies the aims and objectives of the master plan. (Refer discussion under Part 7 of DCP 55).

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

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

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

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

## **CONSULTATION - WITHIN COUNCIL**

## **Urban Design Panel**

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

## Principle 1: Context

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

#### Comment:

The proposed site is located one block from St Ives Shopping Centre and is in close proximity to three parks St Ives Village Green, William Cowan Oval and Rotary Park. The site consists of three parcels of land known as 212, 214 and 216 Mona Vale Road all of which are zoned 2(d3). The site is approximately 57 metres wide and has a depth ranging from approximately 51 metres to 110 metres.

The built form context is comprised of –

• on the proposed site, 3 single and two storey detached residential dwellings fronting Mona Vale Road.

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- to the east and west predominately single detached residential dwellings zoned 2(d3).
- to the south existing 2 to 3 storey residential development and 2 storey commercial development zoned 2(d), 2(d3), 2(e) and Business.

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

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

## Principle 2: Scale

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

#### Comment:

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

## Principle 3: Built Form

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

#### Comment:

- 1. The DCP 55 states that "where a site has a depth of more than 45 metres and a width of more than 35 metres, a front setback zone of 13 to 15 metres from the boundary shall apply" this control does not apply to sites fronting Mona Vale Road. Therefore a street setback zone between 10-12 metres is required the proposed development has setbacks between 11-16 metres.
- 2. The proposed development consists of two buildings that have a minimum separation of 12 metres which complies with DCP 55.
- 3. The setbacks for the eastern and western boundary are acceptable, i.e. 6 metres and complies with DCP 55.

#### Principle 4: Density

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

#### Comment:

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

## Principle 5: Resource, energy and water efficiency

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

#### Comment:

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

The development achieves the minimum requirement for deep soil landscaping.

## Principle 6: Landscape

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

#### Comment:

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

## Principle 7: Amenity

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

#### Comment:

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

## Principle 8: Safety and Security

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

Comment:

There are no perceived safety and security issues.

## Principle 9: Social Dimensions

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

Comment:

The mix of apartments is acceptable

## Principle 10: Aesthetics

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

Comment:

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

Otherwise the aesthetics of the proposed development is acceptable.

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#### 2.0 Conclusion and recommendations

It is recommended that:

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

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

#### **Comment:**

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

## Landscaping

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

Site

The almost level site of 4,351m² fronts onto Mona Vale Road. Existing mature trees provide landscape amenity to the front setback and along side boundaries. The front setback is dominated by two mature Cedrus deodara (Himalayan Cedar). Two mature Lophostemon confertus (Brushbox) are also proposed to be retained between Building A and B.

Deep soil landscaping

Numerical compliance 50.3%

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

## Tree removal/impacts/tree replenishment

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

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## Root mapping and arborist report

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

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

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

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

Number of existing trees to be retained 14

Trees to be retained

- Ginkgo biloba (Maiden-hair Tree) Tree1/11H,8S,380DBH, nature strip, good condition, streetscape amenity
- Pinus patula (Mexican Pine) Tree 7/14H,10S,520DBH, front setback, south-western boundary pathway within critical root area
- Cedrus deodara (Himalayan Cedar)Tree 28/15H,16S,520DBH, front setback, crown lifted to 3m, good condition, visually prominent, typical of streetscape character 5.6m from basement, 6.6m from driveway
- Cedrus deodara (Himalayan Cedar)Tree 29/15H,16S,500DBH, front setback, crown lifted to 3m, good condition, visually prominent, typical of streetscape character 3.6m from basement, canopy overhangs private courtyards
- Lophostemon confertus (Brushbox) Tree 35/16H, 10S,650DBH 6.5m from basement carpark to north-west, 6.8m from basement carpark to south-east, 3.4m from 225mm stormwater pipe to north east, canopy overhangs private courtyards to south-east. To reduce impact of proposed stormwater lines that further encroach upon these setbacks, it can be conditioned that they be strapped to the basement walls.

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- Lophostemon confertus (Brushbox) Tree 36/18H,12S,1000DBH 6.5m from basement carpark to northwest, 6.8m from basement carpark to southeast and 5m to south, canopy overhangs private courtyards to south-east. Arborist report states that the 'extent of the incursion to the TPZ of the tree 36 exceeds acceptable limits' To reduce impact of proposed stormwater lines that further encroach upon these setbacks, it can be conditioned that they be strapped to the basement walls.
- Persea americana(Avocado Pear) Tree 58/10H,10S, 370DBH basement excavation
   4m from tree

## Comment on vegetation removal

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

Number of canopy trees to be planted: 33

## Landscape design

Common open space

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

Two communal open spaces have been provided located north-west of the building. They consist of level lawn area with seating. To optimise solar access to these areas and private courtyards, a mix of deciduous and evergreen planting is located along the north-west boundary of both spaces. \( \)

#### Other comments

Front fence

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

Courtyard fences

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

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

#### **Comment:**

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

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

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

The advice of Council's Landscape Development Officer is that, despite the inherent value of the retention of these existing trees and the immediate softening effect on the appearance of the development to Mona Vale Road, no objection is raised to the removal of the trees, subject to conditions to require replenishment with suitably sized replacement trees. However, as the proposed design seeks to retain these trees, conditions have been recommended to require adequate tree protection measures to be put in place and maintained during construction. In the event the trees are severely damaged or removed, a \$5.96 application would be required to modify the consent, allowing replenishment trees to be required. (**Refer Condition No 98**).

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

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

In order to provide adequate landscaping along this boundary, the proposed landscape design includes seven canopy trees. The staggered design of the basement also permits the retention of three trees on the common boundary with No. 220 Mona Vale Road. Council's Landscape

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Development Officer has advised that sufficient landscaped area has been provided to accommodate the proposed plantings along this boundary.

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

## **Engineering**

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

## Water management

The property is relatively flat with a slight fall to Mona Vale Road. A combined retention/ detention tank is proposed for each building. The total volume of retention shown is 156m³, which is based on 3 000 litres per unit. The BASIX commitments indicate re-use for toilet flushing, clothes washing and irrigation in Building B. On site detention is provided in two locations and the volume shown is as required by DCP 47.

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

## Traffic generation

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

#### Vehicular access and parking

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

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

## Construction management

Access to the site can only be by left in/ left out from Mona Vale Road. The site management plan shows separate entry and exit points for the construction period. This will be appropriate. A traffic management plan and traffic control plans will also

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be required for each stage of the work. The site management plan does not show a Works Zone. This would require the approval of the Roads and Traffic Authority. If necessary, application can be made prior to commencement of works.

#### Waste collection

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

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

## Geotechnical investigation

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

Excavation to about 7 metres depth will be required to achieve the basement level. The excavation may encounter low strength rock. The report states that vibrations are not expected to be an issue during excavation, however, when the report was prepared, only 4.5 metres of excavation was envisaged. Dilapidation reporting of neighbouring structures is recommended. It is noted that the reports are mainly photographic and are kept by Council for record keeping purposes only.

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

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

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

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#### STATUTORY PROVISIONS

# State Environmental Planning Policy No 55 - Remediation of Land

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

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

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

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

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

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

# **Principle 1: Context:**

The site is located in close proximity to the St Ives Town Centre and has been re-zoned for residential flat development, as have adjoining properties to the immediate north, south and west. Development in the vicinity of the site is a mixture of commercial and medium density residential. The St Ives Shopping Village and Stanley Street shops dominate the streetscape along Mona Vale Road, providing an established urban setting. Memorial Avenue to the west is a mixture of open space and parkland, with single detached dwelling houses facing St Ives Village Green.

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

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

#### **Principle 2: Scale:**

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

# **Principle 3: Built form:**

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

### **Principle 4: Density:**

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

# Principle 5: Resource, energy and water efficiency:

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

# **Principle 6: Landscape:**

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

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

# **Principle 7: Amenity:**

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

#### **Principle 8: Safety and security:**

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

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

# **Principle 9: Social dimensions:**

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

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

# **Principle 10: Aesthetics:**

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

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

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

### **Residential Flat Design Code**

#### Relating to the local context:

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

## Site analysis:

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

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

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

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

# **Building design:**

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

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

# Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River

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

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

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

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

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

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

COMPLIANCE TABLE				
Development standard	Proposed	Complies		
Site area (min): 2400m <sup>2</sup>	4351.3m <sup>2</sup>	YES		
<b>Deep landscaping/min):</b> 50%	50.3%	YES		
Street frontage (min); 30m	57.6m	YES		
Number of storeys (max): 5	5	YES		
Site coverage (max): 35%	35%	YES		
<b>Top floor area (max):</b> 60% of	59.9%	YES		
level below				
Storeys and ceiling height	Building A: 5 & 13.2m	YES		
( <b>max</b> ): 5 and 13.4m	Building B: 5 & 13m			

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Car parking spaces (min):  • 13 (visitors)	13 spaces	YES
• 74 (residents)	86 spaces	YES
• 87 (total)	105 spaces/	YES
	(including a total of 6 disabled spaces)	
Manageable housing (min):		
10% or 6 units	10% (6 units)	YES
Lift access: required if greater		
than three storeys	Lift access provided	YES

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

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

Residential zone objectives and impact on heritage:

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

# **POLICY PROVISIONS**

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

	COMPLIANCE TABLE	
Development control	Proposed	Complies
Part 4.1 Landscape design:		
Deep soil landscaping (min)		
• 150m <sup>2</sup> per 1000m <sup>2</sup> of site	Area 1 (front setback): $13m \times 27m = 560m^2$	
$area = 600m^2$	Area 2 (rear Building A): $7.6m \times 33m = 250m^2$	YES
	Area 3 (rear Building B): $9.25 \text{m x } 20 \text{m} = 250 \text{m}^2$	
/_//	Total Consolidated Deep Soil Area = 1060m <sup>2</sup>	
No. of tall trees required	_	
( <b>min</b> ): 15 trees	14 existing canopy trees to be retained, and 33 new canopy trees to be planted	YES
Part 4.2 Density:		
<b>Building footprint (max):</b>		
• 35% of total site area	35%	YES

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Donalanna ant control	COMPLIANCE TABLE	Complian		
Development control	Proposed	Complies		
Floor space ratio (max):	1 22(1	VEC		
• 1.3:1	1.23[[ //	YES		
Part 4.3 Setbacks:				
Street boundary setback (min):	$\langle \alpha   \Lambda \rangle$			
` '	16.4 metres (generally)	YES		
• 10-12 metres (<40% of	11.4 metres (min)	IES		
the zone occupied by building footprint)	Traincues (mm)			
building footprint)	<40% of the building footprint occupies the 10-12m	YES		
	front setback zone	L		
	To the second Point			
Rear boundary setback				
(min):				
• 6m	Building A: 13m	YES		
	Building B: 6.2m	YES		
Side boundary setback	60			
(min):	((//))			
• 6m	North-east: 2.9m (basement)	NO		
	6m (building façade)	YES		
	South-west: 2.0m (basement)	NO		
	6.7m (building façade)	YES		
Setback of ground floor				
courtyards to street				
boundary (min):		MEG		
• 8m	>11m	YES		
% of total area of front				
setback occupied by private				
courtyards (max):				
• 15%	<5%	YES		
Part 4.4 Built form and artice	ulation:			
Façade articulation:	//			
Wall plane depth	>600mm	YES		
>600mm	2			
• Wall plane area <81m <sup>2</sup>	<81m <sup>2</sup>	YES		
Built form:				
Building width (max):				
- fronting street ₹ 36m	Building A: 45m (street elevation)	NO		
- to side boundary:    36m	Building B: 34m (side elevations)	YES		
Balcony projection:	>1.2m	NO		
< 1.2m				
Part 4.5 Residential amenity				

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De de constant	COMPLIANCE TABLE	C 1'		
Development control	Proposed	Complies		
Solar access:	0.40	MEG		
• >70% of units receive 3+	84%	YES		
hours direct sunlight in				
winter solstice		NAMES		
• >50% of the principle	>54%)	YES		
common open space of	(VD)			
the development receives				
3+ hours direct sunlight in				
the winter solstice		TITO		
• <15% of the total units are	<u>/</u> // <15%	YES		
single aspect with a				
western orientation	·			
Visual privacy:				
Separation b/w windows and	Separation between Building A and B			
balconies of a building and	(Refer "4.3 - setbacks" for separation			
any neighbouring building on	from adjoining properties)			
site or adjoining site:	(U/J)			
Storeys 1 to 4				
• 12m b/w habitable rooms	>17m	YES		
• 9m b/w habitable and non-	>17m	YES		
habitable rooms				
• 6m b/w non-habitable	>17m	YES		
rooms				
5th Storey				
• 18m b/w habitable rooms	>22m	YES		
• 13m b/w habitable and	>22m	YES		
non-habitable rooms				
• 9m b/w non-habitable	>22m	YES		
rooms				
$\alpha$	$\langle \langle \rangle \rangle$			
(( //				
Internal amenity:	<i></i>			
Habitable rooms have a	3.05m	YES		
minimum floor to ceiling				
height of 2.7m				
Non-habitable rooms have	>2.4m	YES		
a minimum fløor tø				
ceiling height of 2.4m				
• 1-2 bedroom units have a	>3m	YES		
minimum plan dimension				
of 3m in all bedrooms				

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	COMPLIANCE TABLE	
Development control	Proposed	Complies
• 3+ bedroom units have a	>3m/	YES
minimum plan dimension	1	
of 3m in at least two		
bedrooms		
Single corridors:	. (( // , )) .	*******
- serve a maximum of 8	4 units/(max)	YES
units	1.5%	MAC
->1.5m wide	>1.5m  >1.8m	YES YES
->1.8m wide at lift lobbies	// />1.8III	IES
Outdoor living:		
• ground floor apartments	>25m <sup>2</sup>	YES
have a terrace or private	>25Hi	ILS
courtyard greater than		
25m <sup>2</sup> in area		
Balcony sizes:	20	
- 10m <sup>2</sup> – 1 bedroom unit	$/(//)$ $10m^2$	YES
$-12\text{m}^2 - 2$ bedroom unit	$12m^2$	YES
- 15m <sup>2</sup> – 3 bedroom unit	$\sim$ 15m <sup>2</sup>	YES
NB. At least one space >10m <sup>2</sup>		
primary outdoor space has	>2.4m	YES
a minimum dimension of		
2.4m		
	(( ))	
Part 4.7 Social dimensions:		
Visitable units (min):	1000/	T.T.C
• 70%	100%	YES
Housing mix:	7/	
Mix of sizes and types	Mix of 1, 2 and 3 bedroom units	YES
Part 5 Parking and vehicular a	ccess:	
<b>Car parking (min):</b> ((// )		
• 13 resident spaces	13 spaces	YES
• 74 visitor spaces	86 spaces	YES
87 total spaces	105 spaces	YES
	(including a total of 6 disabled parking spaces)	

# Part 2: Elements/of good design

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

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#### Part 3 Local context:

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

# Part 4.1 Landscape design:

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

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

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

#### Part 4.3 Setbacks:

#### Side setbacks

The side setback provisions of DCP 55 require that new residential flat development should be set back a minimum of 6 metres from all side and rear boundaries, including basement levels. The intention of the side setback provisions is to encourage effective landscaping and tree planting between buildings and adjoining sites as well as adequate distance between buildings.

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

The proposed landscape design includes the provision of seven new canopy trees between the basement levels of Building/B and the north-eastern side boundary. The basement levels have also been staggered along this boundary to accommodate existing trees on the adjoining property.

Council's Landscape Development officer has advised that the proposed landscape design provides sufficient deep soil landscaping to ensure the establishment of effective landscaping in this part of the site. The provision of such landscaping is consistent with the intention of the side setback requirement. By virtue of this and, as the upper levels of Building B comply with the minimum side setback requirement, the intrusion of the basement levels into the side setback does not result in any significant adverse impact in terms of bulk, privacy or overshadowing. The departure from the control is supported in this instance.

#### Part 4.4 Built form and articulation:

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Part 4.4 contains design guidelines to prevent buildings visually impacting on the public domain and dominating the streetscape and to control the separation and landscaping between buildings.

The intention of Part 4.4 is to encourage buildings which do not dominate the street and to encourage a predominance of landscape features. The proposed building is well articulated, achieves compliant setbacks from the street and is satisfactory with regard to side boundary setbacks. The development also maintains significant areas of deep soil landscaping forward of Building A, to the rear of Building A and to the side and rear setbacks to Building B. These areas are suitable for tall canopy tree plantings and will provide a landscape buffer between the development and adjoining properties.

The proposed building has a width of 45 metres to the street, exceeding the building width control by 9 metres. Despite this, Building A provides a well articulated façade to Mona Vale Road that will contribute to the desired future character of the area, as envisaged by the DCP controls and the Memorial Avenue Precinct Master Plan (refer below). The provision of adequate setbacks and good areas of deep soil landscaping at the front and side of the development will result in a development that is situated in a well landscaped setting. The proposal is acceptable in relation to built form and articulation.

# Part 4.5 Residential amenity:

The building layout, orientation and provision of outdoor space and landscaping should ensure acceptable internal and external amenity for occupants.

DCP 55 contains technical requirements relating to availability of space, storage, solar access, natural solar ventilation, visual and acoustic privacy and outdoor living.

A review of the compliance of the development with these controls is provided in the *Compliance Table* above. The development achieves compliance with the applicable controls. The proposal provides good residential amenity for future occupants in terms of solar access, private open space, room dimensions and building separation.

#### Part 4.6 Safety and security:

Refer to discussion of SEPP/65/Principle 8: Safety and Security.

Apartments adjacent to public streets are required to have at least one window or a habitable room with an outlook to that area. Entries and common open space should be visible from public areas or apartments and lighting should be provided to increase visibility.

The proposal provides windows and balcony areas that overlook the street and external access areas. Pathway areas leading to the main access are clearly visible and identifiable. These areas are viewed from ground floor units and courtyard areas, providing acceptable passive surveillance. The development does not provide entrapment areas and is consistent with Part 4.6.

#### Part 4.7 Social dimensions:

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Refer to discussion of SEPP 65 Principle 9: Social Dimensions.

As indicated in the *Compliance Tables* above, the proposal provides 12% 'manageable' units in accordance with LEP 194 Clause 25N and 100% 'visitable' units, internal paths of travel and visitor and resident parking spaces in accordance with DCP55 Clause 4.7 C-3.

The development provides a flexible mix of housing types and a suitable variety of unit sizes to meet market demand for a range of medium density accommodation.

### Part 5 Parking and vehicular access:

Refer to Compliance Table.

Car parking is provided in accordance with the numerical requirements of DCP 55 and DCP 43 - Car Parking for resident, visitor and accessible parking spaces is also compliant.

Clearly defined and separate pedestrian access routes are provided throughout the development, reducing the potential for pedestrian or vehicular conflicts.

#### Part 7 Nominated areas:

# 7.3 Memorial Avenue Precinct, St Ives

The proposed development departs from the Memorial Avenue Precinct Master Plan, as contained within Part 7 of DCP 55.

In its original form, the Memorial Avenue Master Plan envisaged the construction of an east-west link road from Sturt Place through to Memorial Avenue. However, the link road was not implemented following the approval of DA 221/05, which affects a large number of sites in the northern portion of the precinct (i.e. Meriton site). Despite this, the master plan remains a consideration for new development in the precinct by virtue of its inclusion in Part 7 of DCP 55 and by virtue of the requirements of SEPP 65 that Council consider the "desired future character" of an area.

In this respect, the proposed development results in a number of departures from the master plan in terms of height and setbacks, most notably at the rear of the site where the proposed Building B has a height of 5 storeys. The master plan envisages that development on this part of the site would have a maximum height of 3 storeys, with a 3 metre side setback to the south-west boundary and a reduced set back to link road from Sturt Place to Memorial Avenue. The 3 storey limit sought by the master plan, and the indicative building footprint makes little allowance for significant trees within the site and contradicts the provisions of LEP 194.

The master plan seeks to impose greater restrictions on the site than would otherwise be permitted by the controls contained within LEP 194. Under such circumstances the LEP 194 controls prevail, thus permitting 5 storey development over the entire site.

The proposed development is fully compliant with the planning controls contained within LEP 194 and is satisfactory with regard to the design guidelines contained within DCP 55. The development does not unreasonably impact upon the development potential of adjoining sites or the desired

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future character of the area. This is consistent with the objectives of the zone and the intentions of the master plan.

# **Development Control Plan 31 - Access**

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

# Development Control Plan 40 – Construction and Demolition Waste Management

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

# Development Control Plan No. 43 - Car Parking

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

# Development Control Plan 47 – Water Management

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

#### Section 94 Plan

The development attracts a section 94 contribution of \$906,093.62 which is required to be paid by Condition No 72.

This figure is calculated on the following basis, utilising the Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development as of 30 June 2004:

S.94 Contribu	tions Table	<del>)                                    </del>			
5.74 Contribu	itions rable				
Size/No. Dwellings	Small (under 75m2)	Medium (75-110m2)	Large (111-150m2)	Very Large (>150m2)	TOTAL
Building A	( <del>1</del> /2)	15	10	2	
Building B	(/ 0	8	10	0	
Sub Total	7	23	22	2	52
\$ Value/dwg	\$11,796.40	\$16,533.54	\$23,778.57	\$32,324.00	
Contribution/	\$82,574.8	\$380,271.42	\$475,571.40	\$64,648.00	\$1,003,065.62
//	//				
Credit (	7[				
Existing	7				
Dwg	~			3	
\$ Value/dwg	\$11,796.40	\$16,533.54	\$23,778.57	\$32,324.00	
Discount				\$96,972.00	\$96,972.00

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TOTAL \$906,093.62

#### LIKELY IMPACTS

The likely impacts of the development have been considered within this report and are deemed to be acceptable.

#### SUITABILITY OF THE SITE

The site is suitable for the proposed development.

# **ANY SUBMISSIONS**

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

#### **PUBLIC INTEREST**

The proposal is considered to be in the public interest.

# ANY OTHER RELEVANT MATTERS CONSIDERATIONS NOT ALREADY ADDRESSED

There are no other matters for consideration.

#### CONCLUSION

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

#### RECOMMENDATION

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

THAT the Council, as the consent authority, grant development consent to DA 338/06 for Demolition of 3 dwelling houses and construction of a residential flat building comprising 52 units, basement car parking for 99 vehicles and associated landscaping and drainage. on land at 212-216 Mona Vale Road, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

# GENERAL CONDITIONS

1. The development must be carried out in accordance with plans identified in the following schedule and endorsed with Council's approval stamp, except where amended by the following conditions:

Dwg No	Issue	Description	Author	Dated	Lodged
A2.01	В	Basement Level Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.02	В	Lower Basement Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.03	C	Site/Ground Floor Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006

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A2.04	A	Level 2-4 Plan (Typical)	Marchese and Partners Intl	//1 Apr 2006	15 Aug 2006
A2.05	В	Level 5 Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.06	A	Roof Plan	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A4.01	A	Section A-A	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.01	A	Elevations (Sheet 1)	Marchese and Partners Intl/	11 Apr 2006	15 Aug 2006
A3.02	A	Elevations (Sheet 2)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.03	A	Colours and finishes	Marchese and Partners Intl	11 Apr 2006	12 Apr 2006
0501	a06	Landscape plan	dem ////	4 Aug 2006	15 Aug 2006
0502	a06	Landscape plan	dem (( // ))	4 Aug 2006	15 Aug 2006

- 2. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.
- 3. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7 am and after 10pm Monday to Friday and before 8 am 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. The swimming pool is to be made safe during all demolition work by the erection of temporary safety fence to the satisfaction of the Principal Certifying Authority.

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- 10. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
- 11. For the purpose of safety and amenity of the area, no building/materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
- 12. HOURS OF WORK: For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

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

- 13. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
- 14. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
- 15. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
- 16. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
- 17. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

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

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

- 18. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- 19. The fence and footings shall be constructed entirely within the boundaries of the property.
- 20. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
- 21. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
- 22. Where a new development is not commencing immediately following demolition, the demolition shall be limited to the extent of the footprint of the building/s on the site and no excavation shall be carried out.
- 23. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
- 24. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

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

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

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- ii. cause screens of canvas, hessian, boards, mats of other suitable material to be fitted in appropriate locations;
- iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
- b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
- 27. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
- 28. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
- 29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
- 30. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the WorkCover guidelines to prevent personal and environmental contamination.
- 31. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

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

This clause does not apply to:

- a. building work carried out inside an existing building, or
- b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 32. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
- 33. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the

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rainwater tank system, and the prescribed re-use of the water on site, must satisfy the BASIX commitments.

- 34. In addition to the mandatory rainwater retention and recuse system provided, an on-site stormwater detention system must be provided for the development to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 (DCP 47) having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The design of the on-site detention system must be performed by a qualified civil hydraulic engineer and must satisfy the design controls set out in appendix 5 of DCP 47.
- 35. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanized grate is to be provided in front of the garage door/basement parking slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.
- 36. To control surface runoff all new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details for such measures shall be shown on the approved Construction Certificate issue drawings, to the satisfaction of the Principal Certifying Authority.
- 37. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to manage and control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority.
- 38. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant after the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
- 39. Where required the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of eth development (including water, phone, gas and the like). Council accepts no responsibility whatsoever for any matter arising from its

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approval of this application involving any influence upon utility services provided by another authority.

- 40. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.
- 41. The provision of temporary sediment and erosion control facilities and measures must be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
- 42. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with the minimum requirements of Australian Standard 2890.1 (2004) "Off-Street car parking".
- 43. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. The Applicant is to refer to "Your Business" section of Sydney Water's web site at <a href="https://www.sydneywater.com.au">www.sydneywater.com.au</a> 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 of landscape design.
- 44. In order to allow unrestricted access at all times for Ku-ring-gai Council waste collection vehicles into the basement garbage collection area no doors, grilles, gates or other devices are to be provided in the access driveways to the basement carpark which would prevent this service.
- 45. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure. Geotechnical aspects of the development work, namely:
  - Appropriate excavation methods and techniques,
  - Vibration management and monitoring,
  - Support and retention of excavated faces,

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• Hydrogeological considerations,

must be undertaken in accordance with the recommendations of the report 20166Vrpt by Jeffery and Katauskas and all subsequent geotechnical inspections carried out during the excavation and construction phase. Approval must be obtained from all affected property owners, including Ku-ring-gai Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.

- 46. The geotechnical and hydrogeological works implementation, inspection, testing and monitoring program for the excavation and construction works must be in accordance with the report by Jeffery and Katauskas. Over the course of the works a qualified Geotechnical/hydrogeological Engineer must complete the following:
  - Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
  - Further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary,
  - Written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.
- 47. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
- 48. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
- 49. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
- 50. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
- 51. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
- 52. Removal or pruning of the following trees is not approved as part of this Development Application. A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report.

Tree/Location

Ginkgo biloba (Maiden-hair Tree) Tree 1 Eucalyptus microcorys (Tallowood) Tree 3 Eucalyptus scoparia (Willow Gum) Tree 4

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

Tree/Location	Tree Works
Cupressocyparis x leylandii (Leyland Cypress) Trees 9	Removal
Jacaranda mimosifolia (Jacaranda) Tree 10	Removal
Cupressus macrocarpa 'Brunniana' (Golden Cypress)/Tyee 11	Removal
Araucaria columnaris (Cook's Pine) Tree 12	Removal
Melaleuca sp. (Paperbark) Tree 16	Removal
Lagerstroemia indica (Crepe Myrtle) Tree 19/	Removal
Tiboucina granulosa (Lasiandra) Tree 20 // //	Removal
Michelia champaca (Golden Champaca) Tree 24	Removal
Eucalyptus nicholii (Small Leaved Peppermint) Tree 22	Removal
Eucalyptus nicholii (Small Leaved Peppermint) Tree 23	Removal
Agonis flexuosa (Willow Myrtle) Tree 24	Removal
Nerium oleander (Oleander) Tree 26	Removal
Nerium oleander (Oleander) Tree 27	Removal
Jacaranda mimosifolia (Jacaranda) Tree (32)	Removal
Callitris rhomboidea (Port Jackson Pine) Tree 33a	Removal
Melaleuca styphelioides (Prickly Paperbark) Tree 34	Removal
Pittosporum undulatum (Sweet Pittosporum) Tree 35	Removal
Betula pendula (Weeping Birch) Tree 38	Removal
Cupressus torulosa (Bhutan Cypress) Tree 41	Removal
Cupressus torulosa (Bhutan Cypress) Row of 10 / Tree 42	Removal
Cupressocyparis x leylandii (Leyland Cypress) Tree 44	Removal
Cupressocyparis x leylandii (Leyland Cypress) Tree 45	Removal
Cupressocyparis x leylandji (Leyland Cypress) Tree 46	Removal
Virgilia oroboides (Virgilia) Tree 47	Removal
Lagerstroemia indica (Crepe Myrtle) Tree 52	Removal

54. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

#### Tree/location

All existing trees located on site being retained

# Time of inspection

Prior to demolition
At the completion of demolition
Prior to excavation works
At the completion of excavation works
Prior to the start of construction works
At monthly intervals during construction
At the completion of construction works
At the completion of all works on site

55. Canopy pruning of the following tree/s which may be necessary to accommodate the approved building footprint shall be undertaken by an experienced Arborist/Horticulturist,

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with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate. All other branches are to be tied back and protected during construction as recommended in the arborist report, under the supervision of a qualified arborist.

Tree/Location

Pinus patula (Mexican Pine) Tree 25 Cedrus deodara (Himalayan Cedar) Tree 28 Cedrus deodara (Himalayan Cedar) Tree 29 Lophostemon confertus (Brushbox) Tree 35 Persea Americana (Avocado Pear) Tree 58

56. Removal/pruning of the following tree/s from Council's nature strip shall be undertaken at no cost to Council by an experienced Tree Removal Contractor/Arborist holding Public Liability Insurance amounting to a minimum cover of \$10,000,000.

Tree/Location

Ginkgo biloba (Maiden-hair Tree) Tree 2

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

Tree/Location	Tree Works
Pinus patula (Mexican Pine) Tree 7	Root pruning
Pinus patula (Mexican Pine) Tree 25	Root pruning
Cedrus deodara (Himalayan Cedar) Tree 28	Root pruning
Cedrus deodara (Himalayan Cedar) Tree 29	Root pruning
Liquidambar styraciflua (Liquidambar) Tree 33b	Root pruning
Lophostemon confertus (Brushbox) Tree 35	Root pruning
Lophostemon confertus (Brushbox) Tree 36	Root pruning
Persea americana (Avocado Pear) Tree 58	Root pruning

- 58. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut clearly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate
- 59. No mechanical excavation for the approved driveway shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location // Radius From Trunk

Eucalyptus microcorys (Tallowwood) Tree 3 6m Eucalyptus scoparia (Willow Gum) Tree 4 6m

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

Tree/Location Radius From Trunk

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Pinus patula (Mexican Pine) Tree 7 5m Pinus patula (Mexican Pine) Tree 25 бm Cedrus deodara (Himalayan Cedar) Tree 28 8m Cedrus deodara (Himalayan Cedar) Tree 29 8m Liquidambar styraciflua (Liquidambar) Tree 33b Øm 5m Lophostemon confertus (Brushbox) Tree 35 Lophostemon confertus (Brushbox) Tree 36 6m 5m Persea Americana (Avocado Pear) Tree 58

61. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system

Tree/Location	Radius From Trunk
Pinus patula (Mexican Pine) Tree 7	5m
Pinus patula (Mexican Pine) Tree 25	6m
Cedrus deodara (Himalayan Cedar) Tree 28	8m
Cedrus deodara (Himalayan Cedar) Tree/29/	8m
Liquidambar styraciflua (Liquidambar) Tree 33b	7m
Lophostemon confertus (Brushbox) Tree 35	5m
Lophostemon confertus (Brushbox) Tree 36	6m
Persea Americana (Avocado Pear) Tree 58	5m

- 62. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
- 63. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Turramura Ave as an evenly spaced avenue planting. The tree/s used shall be a minimum 25 litre-container size specimen/s trees:

Tree Species Quantity

Eucalyptus microcorys (Tallowood) 2

- 64. Following removal of Tree 2 from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council at no cost to Council.
- 65. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
- 66. The following noxious and/or environmental weed species shall be removed from the property prior to completion of the proposed building works

Plant Species

Asparagus densiflorus (Asparagus Fern) Hedera helix (English Ivy)

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Tradescantia albiflora (Wandering Jew) Chlorophytum comosum (Spider Plant) Ochna serrulata (Ochna) Jasminum polyanthum (Jasminum) Nephrolepis cordifolia (Fishbone fern)

67. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

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

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

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

- 69. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council/or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
- 70. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paying, 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.

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- Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the a.
  - A Principal Certifying Authority is to be appointed and Council is to be notified of the b. appointment in accordance with Section 81 A(2)(b) of the Act.
  - Council is to be notified in writing, at least two (2) days prior to the intention of c. 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.
- A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FORTY-NINE (49) ADDITIONAL DWELLINGS IS CURRENTLY \$906,093.62. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1.	Community Facilities	\$1,117.76
2.	Park Acquisition and Embellishment Works - St Ives	\$6,574.28
3.	Sportsgrounds Works	\$1,318.32
4.	Aquatic / Leisure Centres	\$27.82
5.	Traffic and Transport	\$150.28
6.	Section 94 Plan Administration	\$100.04

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

# OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

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

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

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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.

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

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

- 75. The Applicant proposes to carry out the following infrastructure works in the Public Road:
  - a. construct a new kerb inlet pit over the existing underground stormwater drainage pipe in Mona Vale Road.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF** *THE ROADS ACT 1993* for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council and/ or the Roads and Traffic Authority has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in

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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.
- 76. Prior to issue of the Construction Certificate the Applicant must submit, for approval by the Principal Certifying Authority, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements clearly dimensioned. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:
  - All parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply in full with Australian Standard 2890.1—2004 "Off-street car parking".
  - A clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement.
  - No doors or gates are provided in the access driveways to the basement carpark which
    would prevent unrestricted access for internal garbage collection at any time from the
    basement garbage storage and collection area.
     The vehicle access and accommodation arrangements are to be constructed in
    accordance with the certified plans.
- 77. Prior to issue of the Construction Certificate and prior to commencement of any works that may be subject to erosion, the applicant must submit, for approval by the Principal Certifying Authority, a Soil and Prosion Control Plan prepared in accordance with the Landcom document "Managing Urban Stormwater Soils and Construction, Volume 1" (2004). A qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management Development Control Plan 47.
- 78. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
  - Exact location and reduced level of discharge point to the public drainage system.
  - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting

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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).
- Details of water quality measures as required by DCP 47 Chapter 8.
- The required basement stormwater pump-out system to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design).

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

- 79. Prior to issue of the Construction Certificate the Applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate. Any structures or other requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.
- 80. Prior to issue of the Construction Certificate the applicant must make contact with all relevant utility providers whose services will be impacted upon by the approved development. A written copy of the requirements of each provider, as determined necessary by the Principal Certifying Authority, must be obtained. All utility services or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage must be provided by the developer in accordance with the specifications of those supply authorities.
- 81. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.

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

Tree/Location	$_{7}/\bigwedge$ Radius From Trunk
Pinus patula (Mexican Pine) Tree 7	/ <i>)/</i> 5m
Pinus patula (Mexican Pine) Tree 25	6m
Cedrus deodara (Himalayan Cedar) Tree 28	7 8m
Cedrus deodara (Himalayan Cedar) Tree 29//	8m
Liquidambar styraciflua (Liquidambar) Tree 336	7m
Lophostemon confertus (Brushbox) Tree 35	5m
Lophostemon confertus (Brushbox) Tree 36	6m
Persea Americana (Avocado Pear) Tree 58	5m

83. The submitted landscape plan la-0501/a06 and la-0502/a06 prepared by DEM and dated 4/08/06 is not approved. An amended, detailed plan of the proposed landscape works for the site shall be prepared by a Landscape Architect or qualified Landscape Designer. The plan must be submitted to, and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate. The landscape works shall be carried out and installed in accordance with the approved landscape plan/s.

The following amendments to the plan shall apply:

- > Existing levels are to be retained beneath the canopy drip lines of all trees to be retained on site and adjoining properties. Particular attention is given to Trees 35 and 36 where level changes are proposed. |/
- > Proposed planting of all campby trees, to be minimum 5 metres from any building.
- > Two additional tall endemic canopy trees, capable of attaining a minimum height of 13m, are to be planted with a minimum spacing of 5m, to Building A along north-eastern site boundary.
- > Three additional tall endemic canopy trees capable of attaining a minimum height of 13m are to be planted with a minimum spacing of 5m, to Building B along north eastern site boundary
- > Two additional endemic canopy trees are to be located in the front setback, one in the eastern corner of the site and two to the south of the main entry.
- > One additional endemic canopy tree is to replace one of the *Michelia champaca* located to the south-east of Tree 58
- > Proposed-planting of 2 *Tristania laurina* and 1 *Elaecarpus eumundii* located along the south-western elevation of Building A to be substituted with *Syncarpia glomulifera* (Turpentine)
- 84. To maximise landscape amenity for the site, the following private courtyards are to be amended to ensure that proposed screen planting and tree replenishment is within the ownership of the body corporate. The private courtyards are to be reduced in size as detailed by the following;

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The courtyard for Units A102 within the side setback are to not encroach closer than 3.5m to any south-western site boundary. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

85. To preserve the ongoing viability of the following trees, the private courtyards to Unit A107 and A106 to be set back a minimum of 4m from trees 35 and 36, as measured from centre of trunk. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location

Lophostemon confertus (Brushbox) Tree 35 Lophostemon confertus (Brushbox) Tree 36/

86. To preserve the health and condition of the following tree excavation for the driveway ramp is not to be within the specified radius. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location Radius From Trunk

Eucalyptus microcorys (Tallowood) Tree 3

4.5m

87. A CASH BOND/BANK GUARANTEE of \$10 000 shall be lodged with Council as a Landscape Establishment Bond prior to release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan/s and other landscape conditions.

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

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

88. A CASH BOND/BANK GUARANTEE of \$7 500 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

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

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

Tree/Location Bond Value (\$)

Cedrus deodara (Himalayan Cedar) Tree 28 \$2,500

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Lophostemon confertus (Brushbox) Tree 35 \$2,500 Lophostemon confertus (Brushbox) Tree 36 \$2,500

# CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

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

- 90. In order to ensure the development does not detract from the appearance of adjoining buildings and surrounding areas, a schedule of colours and finishes for all external works shall be submitted to the Principal Certifying Authority and approved in writing prior to the release of the Construction Certificate. All external materials, finishes and colours shall be consistent with the schedule of colours and finishes submitted with the development application. All external surfaces shall be finished to the final satisfaction of the Principal Certifying Authority.
- 91. Prior to the commencement of any works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of the following structures:
  - Residence at 220 Mona Vale Roads
  - Residence and tennis court at 5a Memorial Avenue.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports on adjoining structures are required/certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. Upon submitting a copy of the dilapidation report to Council (or certification that no report is required), a written acknowledgment from Council development engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

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92. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

# A plan view of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- Location of any proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible and if not possible, an estimate of the number of on-street parking spaces necessary and an alternative legal on-street location for employee parking.

# Traffic Control Plans for the project

- All traffic control plans are to be prepared by a person accredited to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided. Routes for construction vehicles travelling south, or approaching the site from the north are to be indicated.

- Light traffic roads and those subject to a load or height limit must be avoided unless otherwise approved.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.

In addition, the plan must address:

- Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Rd.
- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- Minimising construction related traffic movements during school peak periods.

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The Construction Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.

93. If a Works Zone is proposed, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the 'Work Zone'. Approval for a Works Zone on Mona Vale Road is not guaranteed and the final decision would rest with the Roads and Traffic Authority.

The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

- 94. Prior to the commencement of any works on site the applicant shall submit to Ku-ring-gai Council a full dilapidation report on the visible and structural condition (**including a photographic record**) of the following public infrastructure:
  - Half road pavement width, including kerb and gutter, of Mona Vale Road northbound.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *existing* damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

- 95. If the use of temporary rock anchors extending into the road reserve is proposed, then approval must be obtained from Council and/or the Roads and Traffic Authority in accordance with Section 138 of the Roads Act 1993. The Applicant is to submit details of all the work that is to be considered and the works are not to commence until approval has been granted. The designs are to include details of the following:
  - RTA concurrence to the proposed temporary rock anchors

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- How the temporary rock anchors will be left in a way that they will not harm or interfere with any future excavation in the public road
- That the locations of the rock anchors are registered with Dial Before You Dig
- That approval of all utility authorities likely to use the public road has been obtained. All temporary rock anchors are located outside the allocations for the various utilities as adopted by the Streets Opening Conference.
- That any remaining de-stressed rock anchors are sufficiently isolated from the structure that they cannot damage the structure if pulled during future excavations or work in the public road.
- That signs will be placed and maintained on the building stating that de-stressed rock anchors remain in the public road and include a contact number for the building manager. The signs are to be at least 600mm x 450mm with lettering on the signs is to be no less than 75mm high. The signs are to be at not more than 60m spacing. At least one sign must be visible from all locations on the footpath outside the property. The wording on the signs is to be submitted to Council's Director Technical Services for approval before any signs are installed.

Permanent rock anchors are not to be used where any part of the anchor extends outside the development site into public areas or road reserves.

All works in the public road are to be carried out in accordance with the Conditions of Construction issued with any approval of works granted under Section 138 of the Roads Act 1993.

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

Tree/Location	Radius in Metres
Ginkgo biloba (Maiden-hair Tree) Tree 1	4.5m
Pinus patula (Mexican Pine) Tree 7	6.2m
Pinus patula (Mexican Pine) Tree 25	6.0m
Liquidambar styraciflua (Liquidambar) Tree 33b	7.2m
Persea Americana (Avocado Pear) Tree 58	4.4m

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

Tree/Location/	Radius in Metres

Eucalyptus microcorys (Tallowood) Tree 3	6m
Eucalyptus scoparia (Willow Gum) Tree 4	6m

98. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding the proposed building, is fenced off at the specified radius

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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 Metre

Pinus patula (Mexican Pine) Tree 25	6.0m
Cedrus deodara (Himalayan Cedar) Tree 28	$///\langle \rangle$ 6.2m
Cedrus deodara (Himalayan Cedar) Tree 29	(( <i>// )/</i> 6.0m
Lophostemon confertus (Brushbox) Tree 35	7.8m
Lophostemon confertus (Brushbox) Tree 36	9.0m

- 99. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
- 100. Prior to works commencing tree protection signage is to be attached to each tree Protection Zone and displayed in a prominent position and the sign repeated at 10m intervals or closer where the fence changes direction. Each sign shall advise in a clearly legible form, the following minimum information:
  - 1. Tree Protection Zone
  - 2. This fence has been installed to prevent damage to the trees and their growing environment both above and below ground, and access is restricted.
  - 3. If encroachment or incursion into this Tree Protection Zone is deemed to be essential the consulting Arborist should be informed prior to the undertaking of such works
  - 4. Name, address, and telephone number of the developer.
- 101. Prior to works commencing the area of the Tree Protection Zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood, The depth of mulch and type as indicated, to be maintained for the duration of the project & Principal Certifying Authority.
- 102. Upon completion of the installation of the required tree protection measures, the consent holder is required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

# CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

- 103. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Regulations.
- 104. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.

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- 105. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures originally assessed at 220 Mona Vale Road and 5a Memorial Avenue. The report must be completed by a consulting structural/geotechnical engineer. If a structure has been demolished in the meantime under a separate Development Approval then no such report is required.
- 106. Prior to issue of the Occupation Certificate, the Principal Certifying Authority (where not Council) must provide Ku-ring-gai Council with a signed declaration that the following works in the road reserve have been completed in full:
  - New concrete driveway crossing in accordance with levels and specifications issued by Council.
  - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter. (Reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials).
  - Full repair and resealing of any road surface damaged during construction.
  - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

- 107. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.
- 108. Prior to issue of the Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and reuse 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-

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use facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

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

- 110. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.
- 111. Prior to issue of an Occupation Certificate, the applicant must submit certification from a suitably qualified and experienced traffic/civil engineer to the Principal Certifying Authority. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:
  - That the as-constructed ear 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. 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.
- 112. Prior to issue of the Occupation Certificate, a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on

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the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:

- That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
- That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
- That retained water is connected and available for uses including toilet flushing, laundry, car washing and garden irrigation.
- That basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and appendix 71.1 of Ku-ring-gai Council Water Management DCP 47.
- That all grates potentially accessible by children are secured.
- That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
- All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

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

- Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
- On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.
- 113. Prior to issue of the Occupation Certificate, a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
  - As built (reduced) surface and invert levels for all drainage pits.
  - Gradients of drainage lines, materials and dimensions.
  - As built (reduced) level(s) at the approved point of discharge to the public drainage system.
  - As built location and internal dimensions of all detention and retention structures on the property (in plan/view) and horizontal distances to nearest adjacent boundaries and structures on site.
  - The achieved storage volumes of the installed retention and detention storages and derivative calculations.
  - As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
  - 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.

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• 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 orf works. All relevant levels and details indicated must be marked **in red** on a copy of the Principal Certifying Authority stamped construction certificate startmaster plans.

- 114. Prior to issue of the Occupation Certificate, a maintenance regime shall be prepared for the basement stormwater pump-out system and submitted to Principal Certifying Authority. The regime shall specify that the system is to be regularly inspected and checked by qualified practitioners.
- 115. Prior to issue of the Occupation Certificate, a suitably qualified and experienced geotechnical engineer is to provide certification to the Principal Certifying Authority that excavation and construction of the basement level, including temporary and permanent shoring and retention measures, have been carried out:
  - According the relevant Australian Standards and guidelines, and
  - According to any approved Geotechnical report undertaken for the development, and
  - In a manner that ensures that the structural amenity of adjoining structures and property is fully maintained.
- 116. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the Report on Geotechnical Investigation by Jeffery and Katauskas Consulting Engineers, and the professional geotechnical input over the course of the works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
- 117. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, an easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
- 118. Prior to occupation, listue 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.

The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

119. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Inspections by and documentation from the Arborist to the Principal

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Certifying Authority is required as specified. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

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

D Hoy

**Executive Assessment Officer** 

R Kinninmont

**Team Leader** 

**Development Assessment - Central** 

M Leotta

**Acting Manager** 

**Development Assessment Services** 

M Miocic

Director

**Development & Regulation** 

**Attachments:** 

Locality map - 672917 Zoning extract - 672917

Site analysis, showing floor plans - Confidential Deep soil landscaping calculations - 672920 Basement and lower basement plans - 672922

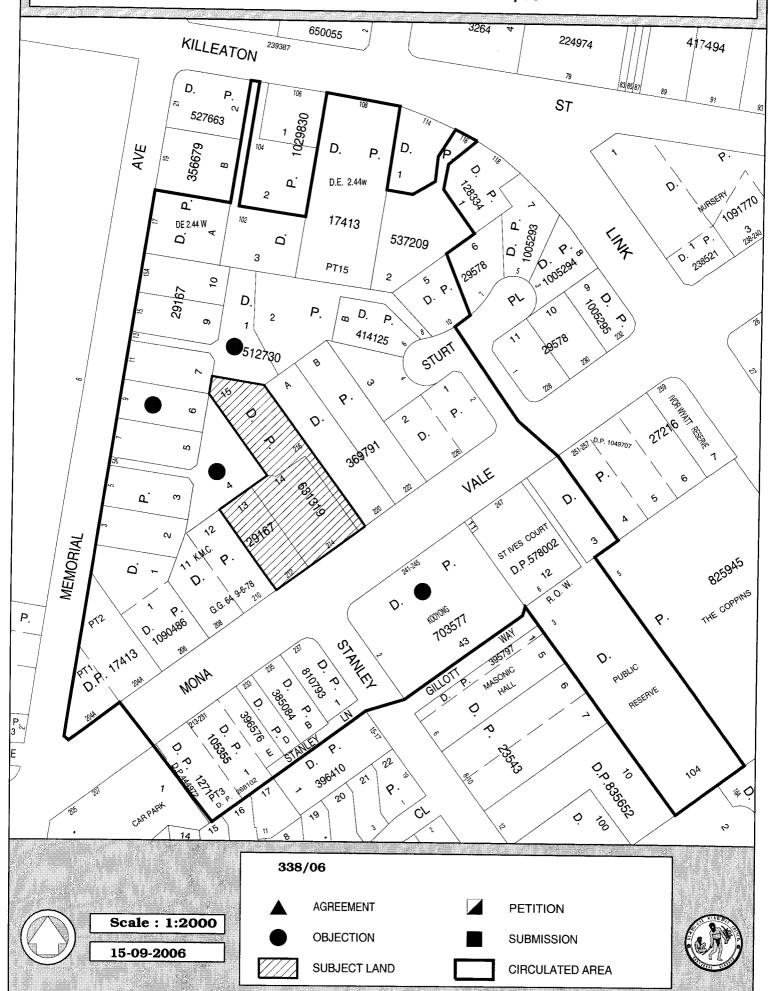
Elevations 672924 Sections - 672924 Roof plan - 672924

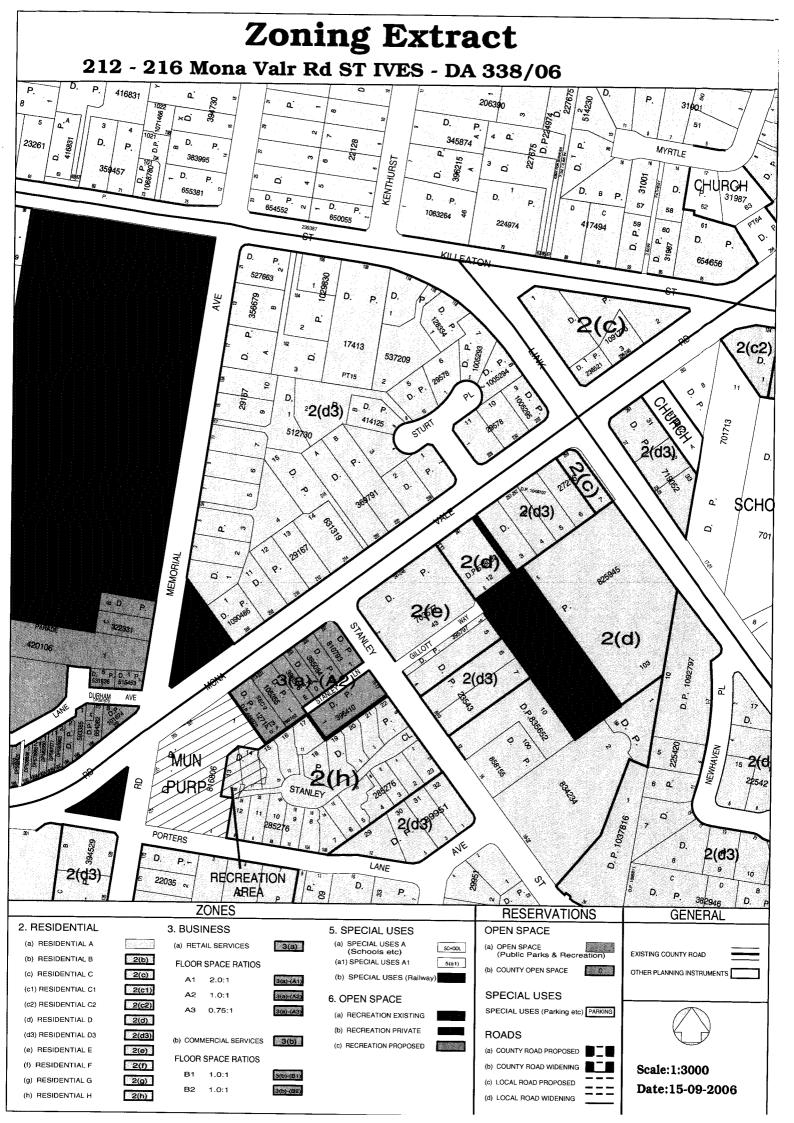
Shadow <del>di</del>agrams - 672926 Landsçape plan - 672926

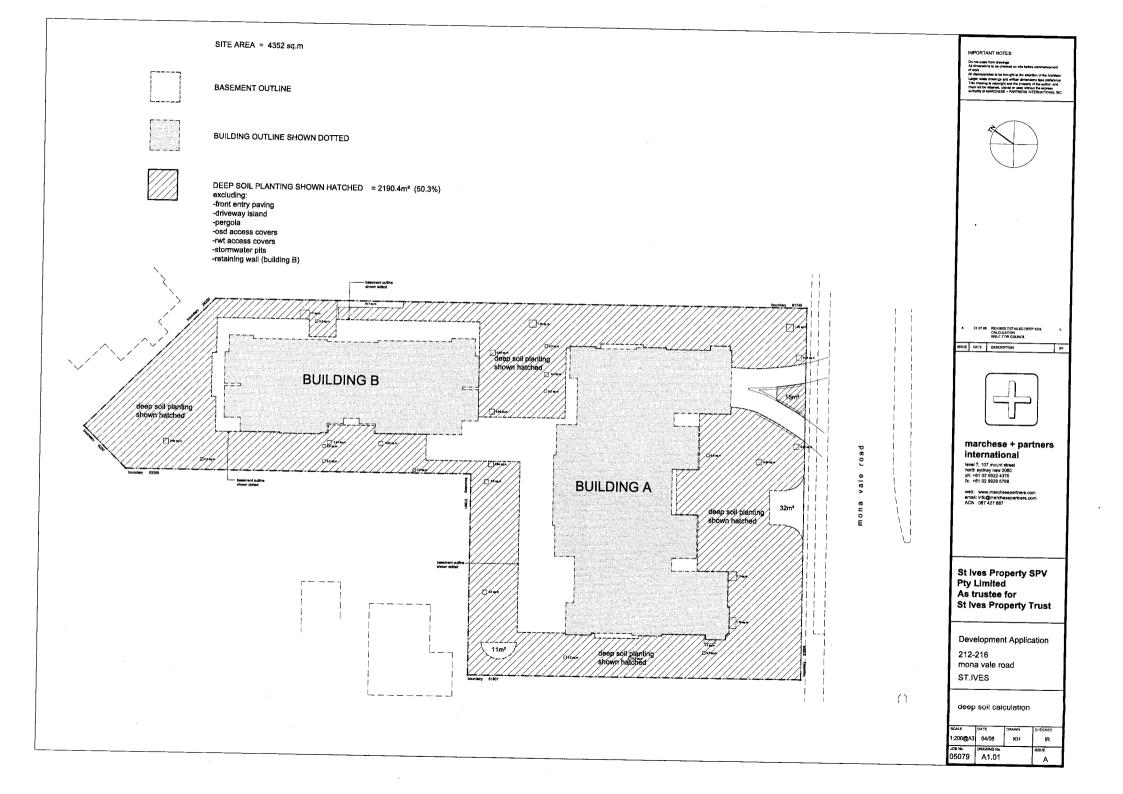
Memorial Avenue Precinct Master Plan - 672928

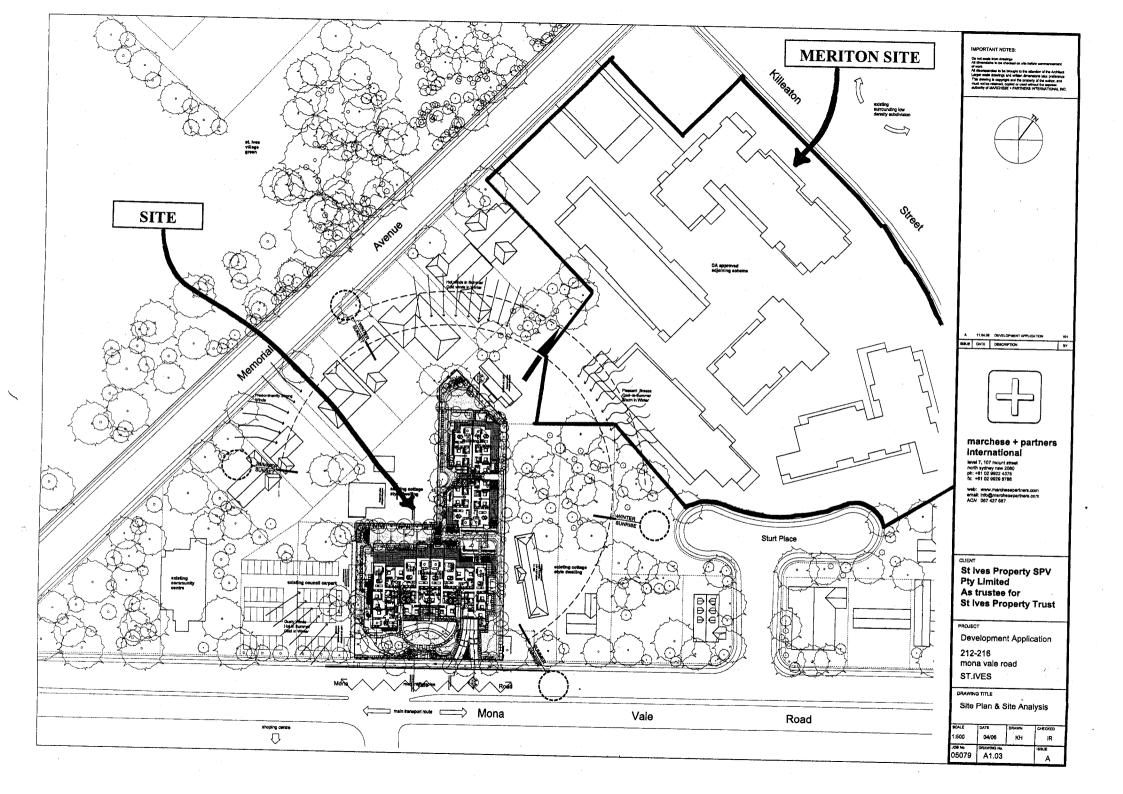
## LOCATION SKETCH 212-216 MONA VALE RD ST IVES

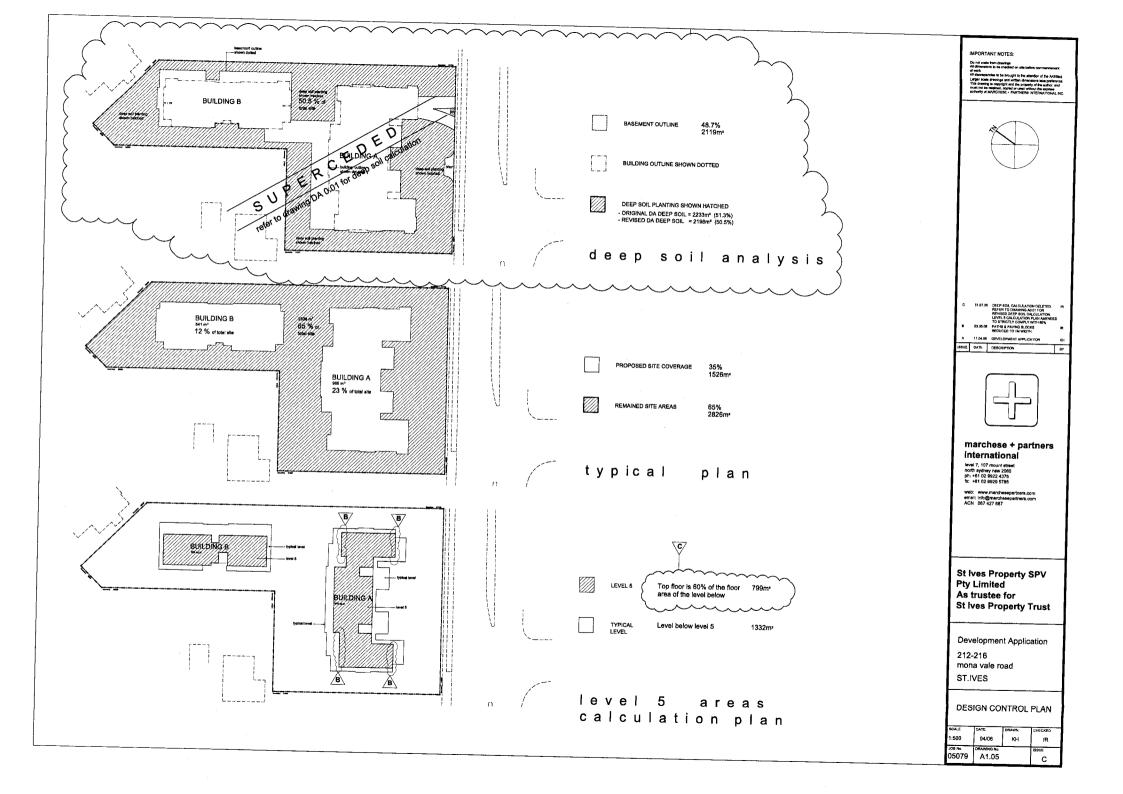
DEVELOPMENT APPLICATION No 338/06

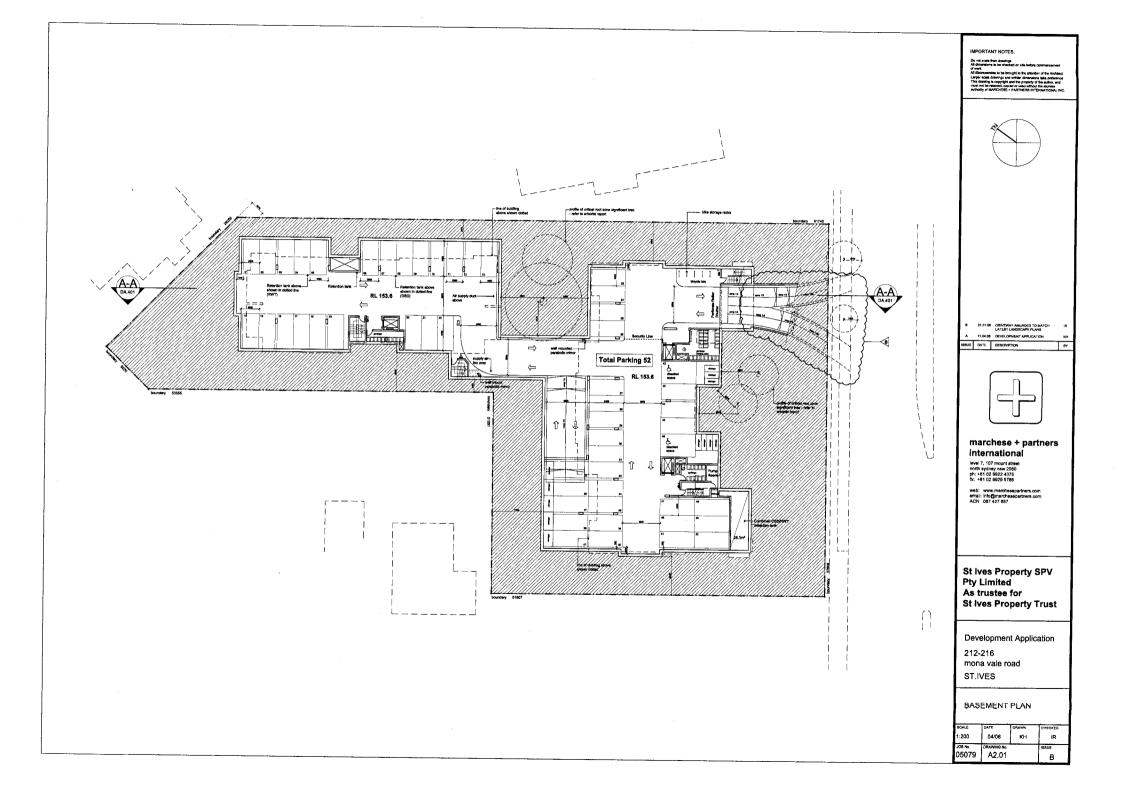


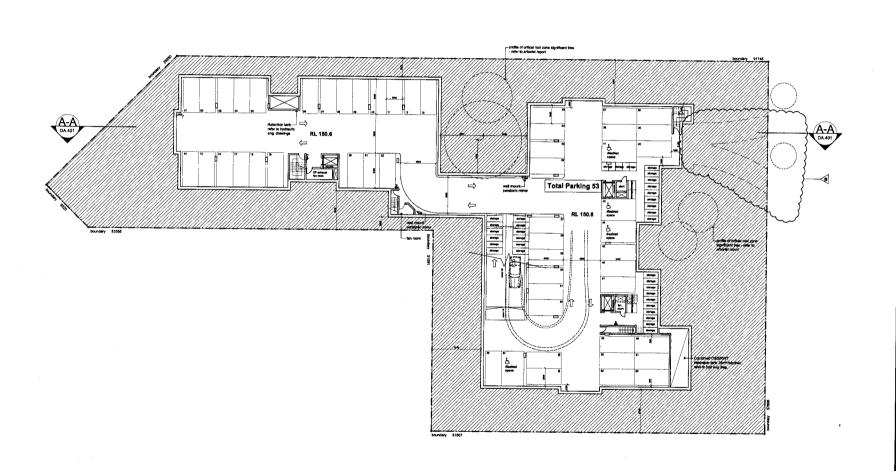












IMPORTANT NOTES:



8 31.97.08 DRIVEWAY AMENDED TO REFLECT LATEST LANDSCAPE PLANS A 11.04.08 DEVELOPMENT APPLICATION

ISSUE DATE DESCRIPTION



#### marchese + partners international

lavel 7, 107 mount street north sydney naw 2080 ph: +61 02 9922 4375 fx: +61 02 9929 5786

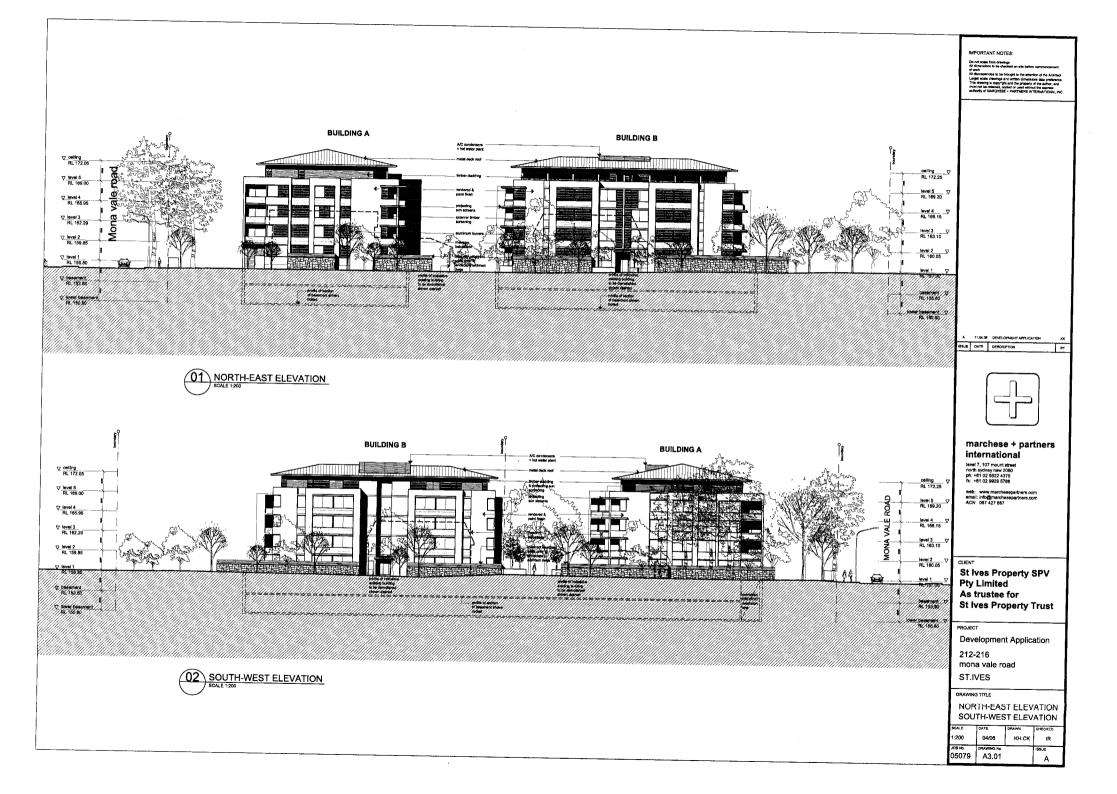
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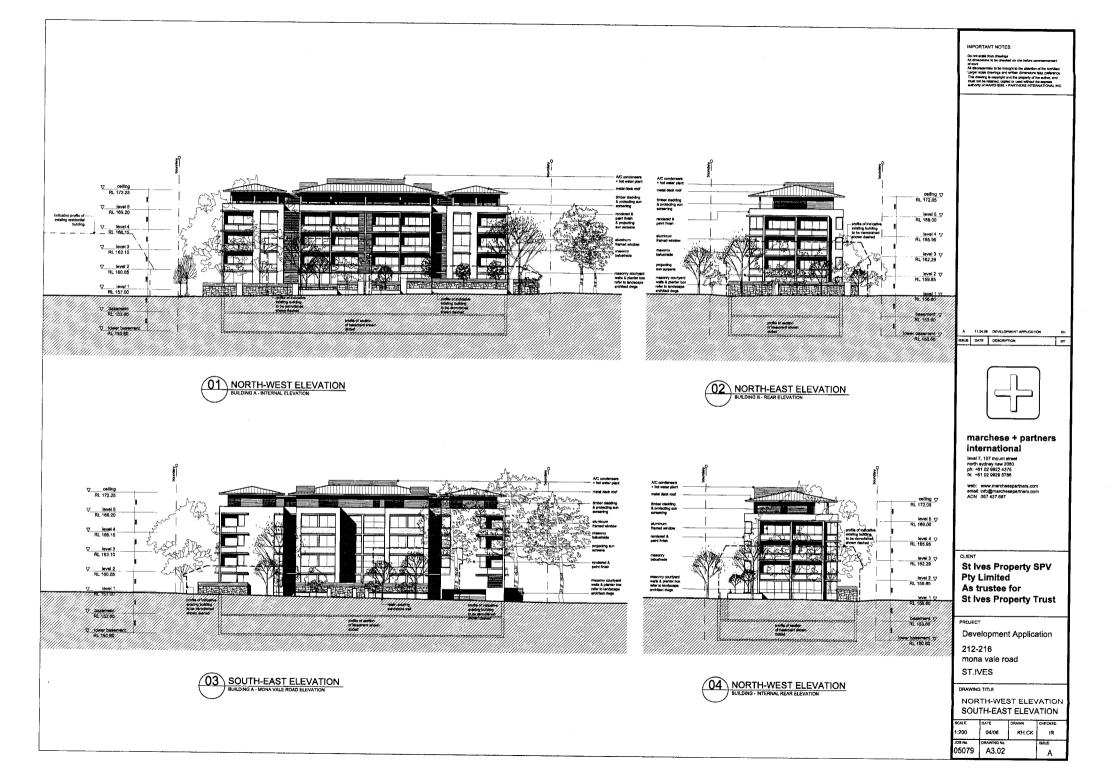
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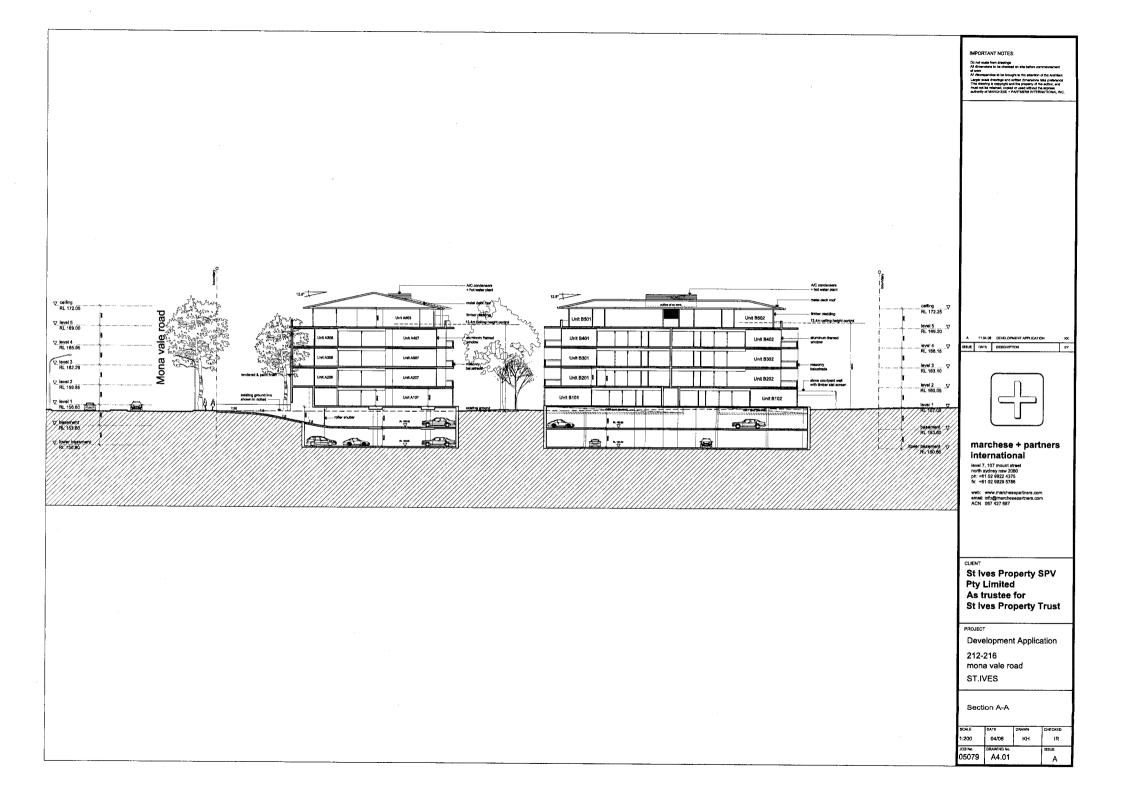
212-216 mona vale road ST.IVES

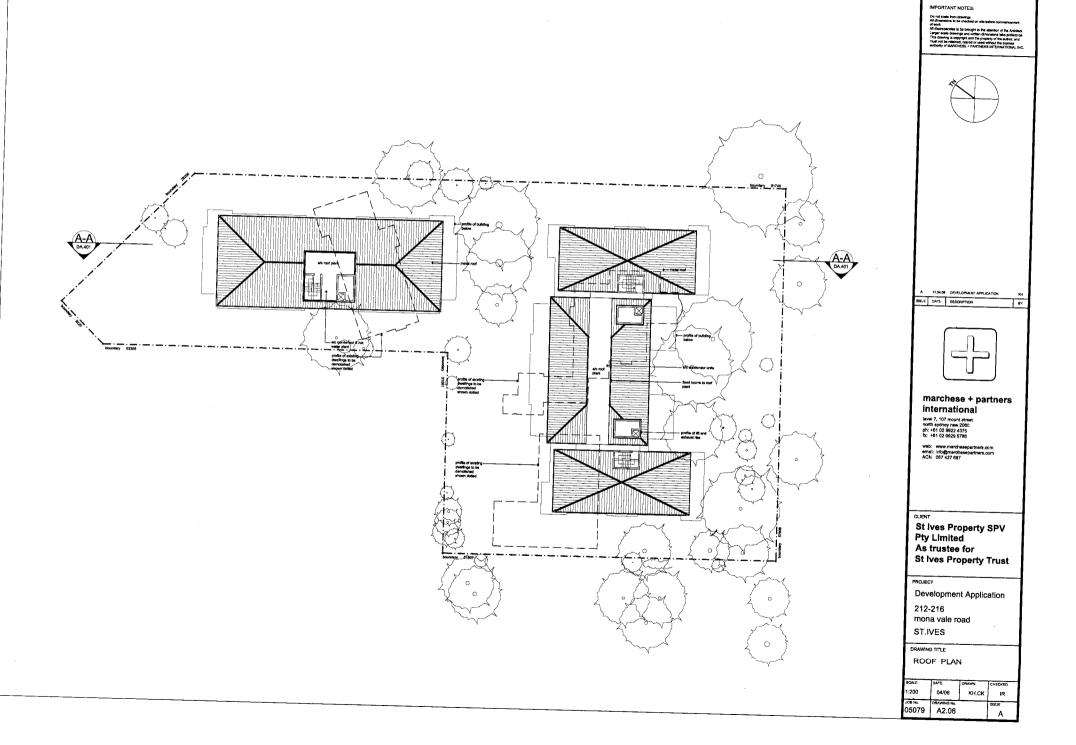
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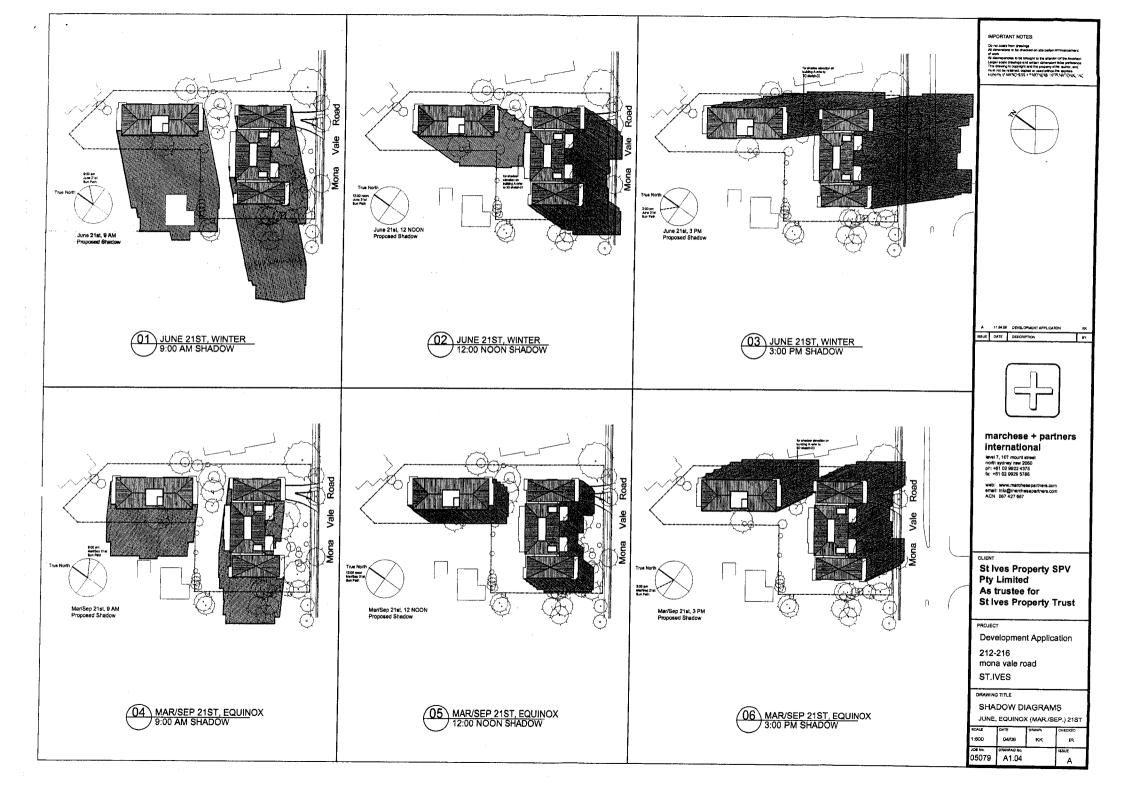
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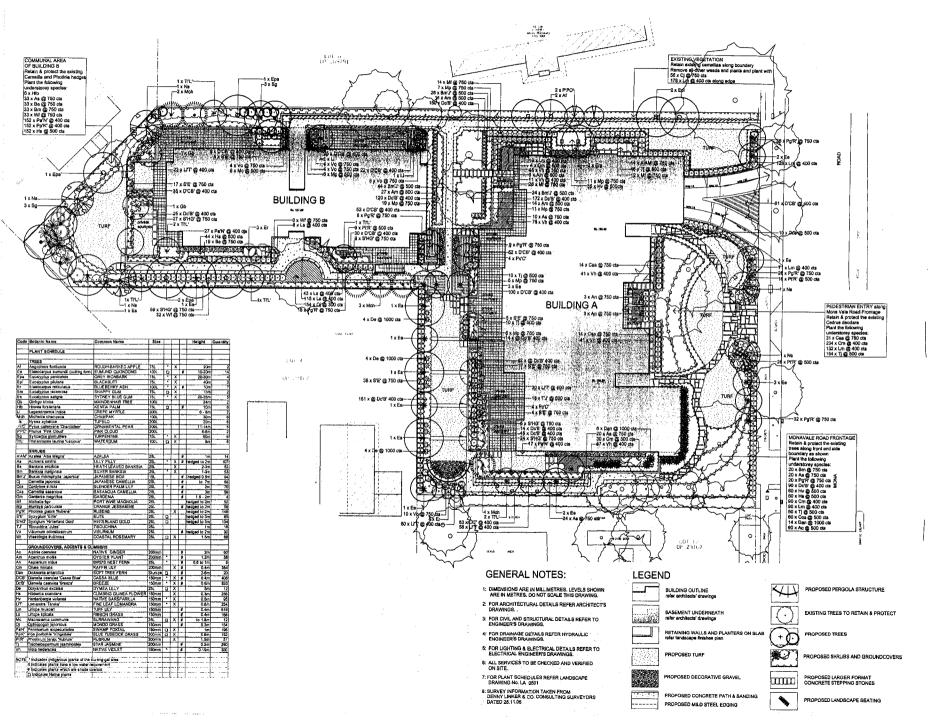












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division: landscape architecture

level 8 15 help streat chalswood naw 2067 p: po box 5036 west chatswood naw 1515 t: (02) 8966 6000 f: (02) 8968 8111 e: sydney@dam.com.au

#### 212 - 216 Mona Vale Road St Ives

St Ives Property SPV Pty Limited As trustee for St Ives Property Trust

marchese + partners international level 7, 107 mount street north sydney nsw 2060 ph: 02 9922 4375 fx: 02 9929 5786

landscape planting plan

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#### 7.3 Memorial Avenue Precinct, St Ives

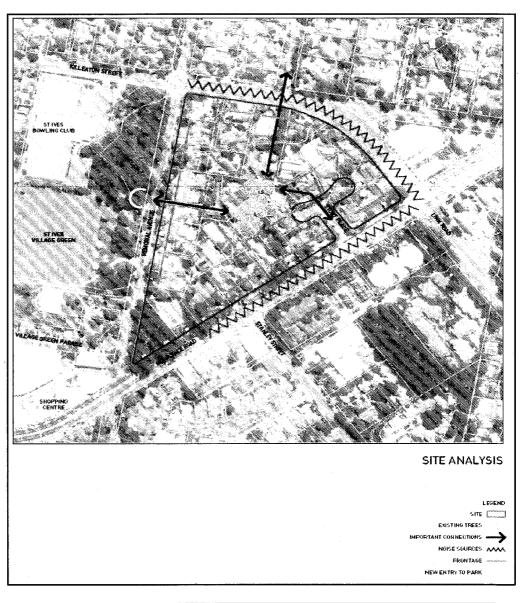
#### 7.3.1 Site Location and Site Analysis

The planning principals and controls in this section apply to the land bounded by Memorial Avenue, Killeaton Street, Link Road and Mona Vale Road, St Ives as shown in Figure 24 below.

The main features of the site include the following:

- Memorial Avenue provides a prestigious address, with an avenue of trees, ceremonial character and views across the Village Green;
- Mona Vale Road and Killeaton Street / Link Road are heavily trafficked regional roads;
- · Pedestrian links to the north, east and west of the site are desirable; and
- Vehicular and pedestrian addresses should be provided to all future buildings in the centre
  of the block.

Figure 24: Area Subject to Specific Controls and Site Analysis



#### 7.3.2 Design Objectives

The design objectives provide a framework for the orderly development of all lots in this precinct.

- O-1 The new buildings in Mona Vale Road and Killeaton Street / Link road are placed in a landscape setting with appropriate breaks between the buildings.
- O-2 The character of Memorial Avenue is as a prestigious address is reinforced by the development of 3 storey terrace type buildings.
- O-3 The retention of significant trees along the edge of the precinct and internally.
- O-4 Existing stormwater easements retained.
- O-5 Car and pedestrian access to the centre of the site, and to the west, north and east of the site.
- O-6 A new east west link through the site resulting in a:
  - i. through site link to the village green
  - i. vehicular and pedestrian addresses for future buildings in the centre of the block;
     and
  - iii. cohesive form of development following alignments along its perimeter.
- O-7 The southern side of the through link is addressed by 3 storey terrace type buildings, which do not overshadow the apartment buildings on their southern side.
- O-8 Inter connected underground car parking provided under buildings that avoids excessive loss of deep soil area. Access is gained primarily from Sturt Place and the new through site link.
- O-9 Existing driveways removed from Mona Vale Road and access to underground car parks along Mona Vale Road is gained from the through site link.
- O-10 Access to underground car parks along Memorial Avenue gained from the north-west and south-west corner of the block.

#### 7.3.3 Design Controls

The proposed design controls for this precinct are contained in Figure 25 below. These controls take the form of nominated lot amalgamations, building envelope controls, setbacks, basement car parking locations and pedestrian and vehicular access through the site.

These proposed controls and lot amalgamations are Council's preferred scheme for achieving the intended design objectives and developed outcomes sought for this precinct. Should an applicant propose a different solution to that presented in Figure 25, then the onus is on the applicant to demonstrate how the alternative solution achieves the nominated design objectives while not preventing Council's preferred solution from being achieved in the remainder of the precinct.

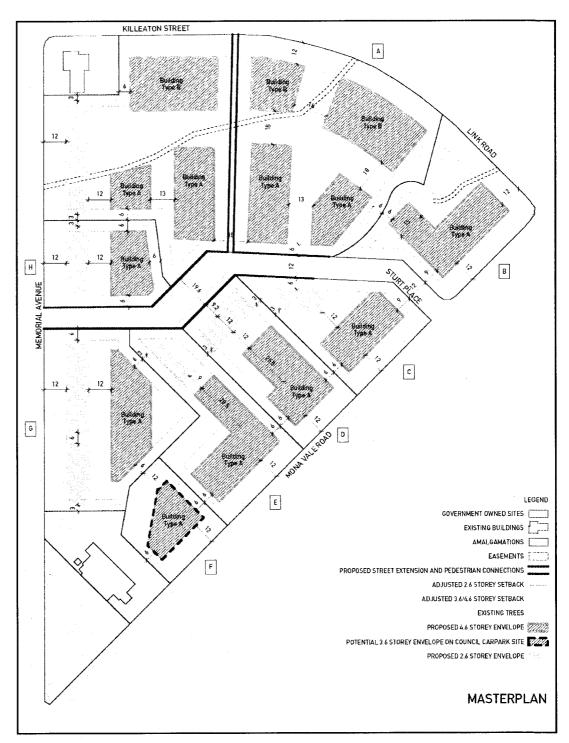


Figure 25: Site Masterplan

Item 5

# 5 SUAKIN STREET & 986 PACIFIC HIGHWAY, PYMBLE - COUNCIL WORKS DEPOT

Ward: Gordon

#### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To determine development application No 832/05 for the construction of a Council works depot at 5 Suakin Street, Pymble.		
	The proposal has been lodged by Ku-ring-gai Council on land owned by Council. A report has been prepared by an independent planning consultant for Council's consideration.		
RECOMMENDATION:	That Council approve the application in accordance with the recommendations made by the independent planning consultant, K Gordon in the report included in Attachment 1 - Consultant's Report.		

Item 5

#### PURPOSE OF REPORT

To determine development application No 832/05 for the construction of a Council works depot at 5 Suakin Street, Pymble.

The proposal has been lodged by Ku-ring-gai Council on land owned by Council. A report has been prepared by an independent planning consultant for Council's consideration.

#### RECOMMENDATION

That Council approve the development application in accordance with the recommendations made by the independent planning consultant, K Gordon in the Consultant's Report included in Attachment 1.

M Prendergast
Acting Director
Development & Regulation

**Attachments:** 

- 1. Consultant's Report 683644
- 2. Location Sketch 683599
- 3. Zoning extract 683599
- 4. Site plans 683603
- 5. Floor plans, sections and elevations, buildings ABCD 683612
- 6. Floor plans, sections and elevations, buildings GHJK 683614
- 7. Floor plans, sections and elevations, buildings AB 683616
- 8. Floor plans, sections and elevations, buildings CD 683620
- 9. Floor plans, sections and elevations, buildings F 683622
- 10. Floor plans, sections and elevations, buildings G & H 683624
- 11. Floor plans buildings JK 683627
- 12. Sections and elevations buildings 683629
- 13. Shadow diagrams 683633
- 14. Landscape plans 683636
- 15. Site survey 683640

Erection of a Council works depot

Approval subject to conditions



## **DEVELOPMENT APPLICATION**

SUMMARY SH	<del>l</del> eet
REPORT TITLE:	SUAKIN STREET AND 986 PACIFIC HIGHWAY, PYMBLE - ERECTION OF A COUNCIL WORKS DEPOT
WARD:	Gordon
DEVELOPMENT APPLICATION N°:	832/05
SUBJECT LAND:	5 Suakin Street and 986 Pacific Highway Pymble
APPLICANT:	Ku-ring-gai Council
OWNER:	Ku-ring-gai Council
DESIGNER:	Tompkins MDA Architects
PRESENT USE:	Vacant land with some use for car parking
ZONING:	Special Uses 5(a) (Council Purposes)
HERITAGE:	No
PERMISSIBLE UNDER:	Ku-ring-gai Planning Scheme Ordinance
COUNCIL'S POLICIES APPLICABLE:	DCP 40, 43 and 52
COMPLIANCE WITH CODES/POLICIES:	Yes
GOVERNMENT POLICIES APPLICABLE:	SEPP 55
COMPLIANCE WITH GOVERNMENT POLICIES:	Yes
DATE LODGED:	2 August 2005
40 DAY PERIOD EXPIRED:	11 September 2005

PROPOSAL:

RECOMMENDATION

5 Suakin Street and 986 Pacific Highway, Pymble DA0832/05 17 October 2006

DEVELOPMENT APPLICATION NO

832/05

5 SUAKIN STREET AND 986 PACIFIC PREMISES:

HIGHWAY. PYMBLE

PROPOSAL: **ERECTION OF A COUNCIL WORKS DEPOT** 

**APPLICANT: KU-RING-GAI COUNCIL KU-RING-GAI COUNCIL** OWNER:

**DESIGNER** TOMPKINS MDA ARCHITECTS

PURPOSE FOR REPORT

To determine development application No 832/05/for a Council works depot.

#### **EXECUTIVE SUMMARY**

It is proposed to erect a series of buildings stepping down the slope of the site to provide new accommodation for the Ku-ring-gai Council works depot. The administrative building is to be located towards the Pacific Highway frontage, with the workshops and storage areas for vehicles, equipment and materials being proposed within the central portion of the site and towards Suakin Street.

The proposal is generally consistent with the site specific DCP for the site and the variations sought are relatively minor and are supported. Submissions received have been assessed as either warranting the inclusion of conditions of as having no substantive merit. The application is accordingly recommended for approval-subject to conditions.

#### THE SITE AND SURROUNDING AREA

The Site

Special Uses 5(a) (Council Purposes) Zoning:

1945-1968 (Suakin Street end) 1920-1945 (Pacific Visual Character Study Category

Highway end)

Lot Number:

DP Number: 830320  $13.053 \text{m}^2$ Area: Side of Street: North-east

Cross Fall: From Pacific Highway to Suakin Street

1

Stormwater Drainage: To Suakin Street

Heritage Affected: No

8 metres from Suakin Street Required Setback:

Integrated Development: No Bush Fire Prone Land: Yes **Endangered Species:** No Urban Bushland: No Contaminated Land: Yes

#### SITE DESCRIPTION

The site is located between Suakin Street and the Pacific Highway and is a highly irregular, long and narrow property, with vehicular access from Suakin Street and a battle axe access handle from the Pacific Highway. The site comprises two parcels, Lot 1 in DP 832320 Parts 11 and 12 and has an area of 13,053m<sup>2</sup>. The site has a frontage to Suakin Street of 36.095m and to the Pacific Highway of 4.885m, with a length of approximately 340m. The property falls by 28.5m, with an average grade of 1 in 12. The site is largely vacant of development, with no structures but with paved areas of bitumen and concrete. The site has had a series of cuts and fills that were carried out in the past and the site also contains a pile of rubble at the northern portion of the site near Suakin Street. The site contains a series of significant trees, which are identified in the Landscape Architects comments.

The site is surrounded by a variety of land uses, with predominantly commercial uses located to the south-east in Bridge Street, an Army depot to the west, residential flat buildings to the north and an electricity substation and RTA testing and certifying centre to the south-east fronting the Pacific Highway.

#### THE PROPOSAL

It is proposed to demolish all of the paved areas and erect a series of buildings and roads to be used as the Ku-ring-gai Council works depot. At the lower end of the site, near Suakin Street, it is proposed to erect a depot containing a reception, offices, warehouse and multi-level parking area for heavy/medium (37) and light (69) council vehicles and parking for visitors and staff. To the north of that it is proposed to erect buildings containing the purchasing store area, bushland operations workshop, storage area for road signage and barricades, open space operations storage, concrete works storage, litter control storage, drainage maintenance storage and asphalt works storage.

Behind the above buildings are to be an open car park area for trailers (22 stacked spaces) and raw materials stores. In the central portion of the site it is proposed to erect two warehouses for use as electrical, mechanical, painting, carpenters, plumbers, construction and signage workshops and hard stand areas, including a car park (7/spaces).

At the upper level of the site, near the Pacific Highway it is proposed to erect a building containing two levels of office for the Technical Services and Open Space staff and a two level parking structure (53 spaces). Pedestrian access to this building is off the Pacific Highway, with a ramp for accessible access to be provided. Vehicular access to the site is from two driveways off Suakin Street, with a driveway ramping up through the site to provide vehicular access to all buildings.

It is proposed to operate the site between the hours of 7am and 6pm, however limited operation could occur at anytime in the event of an emergency, and to have a maximum of 250 staff working onsite.

#### **CONSULTATION - COMMUNITY**

5 Suakin Street and 986 Pacific Highway, Pymble DA0832/05 17 October 2006

In accordance with Council's policy, adjoining owners were given notice of the application.

Comments have been received from the following:

- Digital Process Holdings Pty Ltd 31 Bridge Street, Pymble
- Warby Services Pty Ltd 1/19 Bridge Street, Pymble
- Roger Howard 12 King Edward Street, Pymble
- Mary-Jane Daniher 13/2-4 Bloomsbury Avenue, Pymble (Secretary)
- Australian Government, National Measurement Institute 1 Suakin Street, Pymble

The concerns are addressed following:

#### Questions related to process/construction

Questions with regard to the start date, completion timeframe, contact person and security are not matters that can be addressed at the DA stage.

The hours for construction are identified in DCP 52 and are 7am to 5.30pm Monday to Friday and 8am to noon Saturday.

#### **Clarification of plans**

Details of the height and setbacks of the buildings are shown on the plans and the landscaped area between buildings G, H and K and the boundary are for screen planting, not employee recreation areas.

Building K contains a car park for cars only, not plant or heavy machinery and will operate for the hours of operation of the site and as such no noise related to plant heavy machinery will occur in relation to this building.

The existing public access from West street to Pacific Highway will be maintained.

The plans show no information as to replacement of the boundary fence.

### Acoustic and visual privacy

Concern is raised in relation to loss of privacy from Buildings G, H and K. Building G is located adjoining the Army depot site and no outlook is available over residential properties. Building H is located adjacent to both the Army depot site and No. 2-4 Bloomsbury Avenue, however has no windows above ground level facing any residential property. Building K adjoins No. 2-4 Bloomsbury Avenue and contains two levels of parking and two levels of offices (each with progressively larger setbacks from the residential property). Acoustic louvers are to be provided to the openings of the two parking levels, which when combined with the 8m-11m landscaped setback will ensure an appropriate level of privacy from the parking levels. The first office level is setback between 13m and 16m from the boundary and the roof design of the car parking level below blocks views into the courtyards and ground floor of the residential properties, allowing some limited

5 Suakin Street and 986 Pacific Highway, Pymble DA0832/05 17 October 2006

views into the first floor rooms, which are located a minimum of 17m from the windows. Given the large separation and landscaped setback area in between, such an impact on privacy is minimal and acceptable. I also note that the first floor windows are likely to be for bedrooms and the daytime use of the subject site will eliminate privacy issues for the bedrooms at night.

The second office level is setback between 19m and 21m from the boundary and the roof of the first level of offices similarly prevents overlooking in to the courtyards or ground floor of the dwellings. Given the even greater separation between the windows and the first floor of the dwellings, privacy impacts are minimal and acceptable.

#### **Underground wires**

It is proposed to provide the power underground and the owners of 1 Suakin Street have requested that underground power be provided to their site at the same time.

#### **Traffic impact**

Concern was raised as to the impact of traffic (including heavy vehicles) upon egress from Suakin/Bridge Streets onto Ryde Road in peak hour and the potential for increased accidents. These concerns are addressed in the Traffic Engineers comments, following.

#### Questions as to finance

Questions have been raised as to how the proposal is to be financed, which is a question for Council and is not a matter for consideration in this report.

#### Pedestrian access through site

A request has been made to retain the existing informal pedestrian access through the site to the Pacific Highway. As the current use of the site for such access if not legal, it would be inappropriate to require its retention by a condition of consent.

#### CONSULTATION - EXPERT OPINIONS

As part of the assessment of the application, the proposal was assessed by independent experts in traffic engineering, landscape architecture and drainage engineering. Further, the matter was referred to the Rural Fire Service for comments. The assessments/comments of the aforementioned experts are detailed following:

#### Traffic Engineer - Mr Ray Dowsett

Vehicle Access

Vehicle access is proposed via two separate combined entry/exit driveways positioned at the cul-de-sac end of Suakin Street on the generally northern side of the road providing very satisfactory clearances from intersections in accordance with Figure 3.1 in AS/NZS

2890.1:2004. The most westerly driveway provides dedicated access for heavy vehicles to the lower level of the depot facility; the most easterly driveway provides access to the site for all other vehicles including staff and visitors.

The driveway locations provide adequate sight distance to approaching vehicles in Suakin Street in accordance with the requirements in Figure 3.3 in AS 2890.2 – 2002. It is concluded the proposed access arrangements meet the relevant standards and will be satisfactory for the proposed development.

RTA Referral Requirements - It is considered that the proposal does not require referral to the Roads and Traffic Authority under SEPP 11 provisions as the proposed 1,970m² of office space does not exceed the threshold level for referral contained in SEPP 11, Item 4, Schedule 2, Commercial: 5,000m² to 20,000m² GFA.

#### Access and Parking Layout

Conforms to:- AS/NZS 2890.1:2004, AS 2890.2 – 2002, DCP 43 Car Parking Yes No	
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I generally concur with the parking assessment and conclusions contained in the SEE and the Transport and Traffic Planning Associates report accompanying the application. The assessment considered the theoretical parking requirement under Council's DCP 43 and the practical requirement having regard to staff and general works depot requirements.

Based on surveys of the existing Carlotta Avenue site, which revealed a normal peak parking accumulation of approximately 70%, the provision of 129 spaces represents approximately 90% of the established parking requirement of 145 spaces assessed during the planning and design process for the proposal.

It is noted that Council's DCP 43 specifies a minimum car space width of 2.5m while 2.4m is provided for general staff parking. Notwithstanding, AS/NZS 2890.1:2004 permits minimum bay widths of 2.4m and adjacent aisle width of 6.2m (6.8m provided) for a User Class 1 parking facility. The parking layout, including height clearances, either conforms to exceed the minimum requirements in AS/NZS 2890.1:2004 and AS 2890.2-2002 or will be satisfactory for the proposed uses.

#### Traffic Generation and Impact

I concur with the assessment of the traffic generation and impact contained in the Assessment of Traffic and Parking Implications report accompanying the application.

#### **Submissions**

Three (3) submissions relating to traffic issues have been received following Council's advertising of the proposal. The underlying concerns extracted from the submissions relate to increase in traffic movements in Suakin Street/Bridge Street/West Street, including trucks; restrictions to accessing the arterial roads and in particular difficulties for vehicles existing West Street due to vehicle queues in Ryde Road during peak hours.

The accompanying Traffic and Parking report identified, based on surveys of the existing Carlotta Avenue depot site, that peak arrival and departure movements occurred before 7.00am in the morning and prior to 4.30pm in the afternoon which do not coincide with the normal peak periods on the adjacent arterial roads, i.e./.30am-8.30am; 5.00pm-6.00pm. Truck movements are generally spread throughout the day. Notwithstanding, I concur that the prohibition of the right turn from Bridge Street to Pacific Highway creates inflexibility for egress from the precinct. Provision for a right turn from Bridge Street to Pacific Highway would significantly improve egress options, particularly for vehicles destined to west, south and east, and reduce the pressure on the West Street/Ryde Road intersection during peak periods. Provision of a pedestrian crossing in the existing traffic signal operation would improve pedestrian access across the Pacific Highway. These facilities would assist to alleviate some of the objections/concerns raised in the submissions. It is considered appropriate that this matter be referred to the Roads and Traffic Authority for consideration. Whilst the provision of the pedestrian phase in the lights would improve the situation, it is not critical to the approval of the application.

I do not consider that the objections/concerns raised in the submissions would carry sufficient weight to warrant refusal of the application on traffic grounds.

#### **Issues Arising From Assessment**

Confirmation that the two vehicle access driveways on Suakin Street will be constructed in accordance with the requirements in Figure 3.1 in AS 2890-2-2002.

Council write to the Roads and Traffic Authority requesting consideration to permitting right turns from Bridge Street to Pacific Highway and inclusion of a pedestrian crossing phase across in the traffic signal to assist pedestrians crossing the Highway.

#### Conclusion

There are no objections on traffic grounds to the proposal subject to the two vehicle access driveways on Suakin Street being constructed in accordance with Figure 3.1 in *AS* 2890.2-2002 and inclusion of standard Council conditions in any development consent.

## Landscape Architect - Mr Julian Brady

#### Tree Preservation

Delays were encountered during the landscape assessment process due to the original survey plan being out of date and not identifying trees likely to be effected on the adjoining property. A new survey plan was required and consequently an updated arborist report and landscape plan.

The proposed development should be designed and located so as to retain and minimise disturbance to as many existing trees on the site as possible. The proposed development should also be designed and located so as to minimise disturbance to existing trees located on adjacent properties. This shall be achieved by:

- Positioning buildings, driveways, car parking areas and other structures outside the canopy spread of existing significant trees on and off the site;
- Avoiding cut and fill beneath the canopy spread of existing trees on and off the site;
- Avoiding adverse changes to the water table.

Assessed as compliant subject to the condition that:

- Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01– LD02; 14 August 2006 by Lorna Harrison Pty Ltd except in relation to the following two conditions
  - Trees 3, 99, 100 101, 102 and 103 are retained
  - Tree 124 is salvaged for transplanting on-site

An Impact Assessment and Tree Management Plan in respect of trees to be retained is submitted before issue of a construction certificate

#### Remnant Native Bushland

Remnant native bushland on the site must be protected and preserved in recognition of its:

- Value as part of the natural heritage;
- *Habitat value*;
- Aesthetic value; and
- Value as a recreational, educational and scientific environmental resource.

This shall be achieved by:

- *Minimising disturbance to remnant native bushland;*
- Preventing run-off from the proposed development from entering the adjoining bushland, and
- Continual weed management.

Assessed as compliant subject to the condition that:

- Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd
- Weed control measures are exercised in accordance with the appropriate weed control category

#### **Biodiversity**

To conserve biodiversity the proposed development should:

- Protect and enhance remnant native vegetation and wildlife which relies upon it for food and shelter;
- Identify and consider threatened species, populations, ecological communities and their habitats:
- Recognise the potential and value of preserving local seed banks in the soil in-situ.

This shall be achieved by:

- Creating a buffer zone between development and remnant habitat to conserve landscape and habitat;
- Preserving local seed banks in the soil and avoid the introduction of foreign soils.

Assessed as compliant subject to the condition that:

- Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty/Ltd
- Excavated topsoil is re-used on-site

#### Natural Landscape

Development shall not unreasonably intrude or otherwise impact upon the natural features in the landscape, particularly on ridge-tops, rock formations, water courses, sloping sites, vegetation or bushland either located on-site or on adjoining property.

This shall be achieved by:

- Preserving existing natural features;
- Designing to reflect the slope of the land. It is desirable to leave steeply sloping parts of the site in their natural state;
- Considering the height, colour and roof pitch of the proposal to ensure the proposal does not dominate the surrounding area.

Assessed as compliant subject to the condition that:

• Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd

#### Deep Soil Landscaping Area

The area of the site that is not built upon shall be maximised to:

- Provide deep soil landscaping;
- Avoid the creation of drainage and run-off problems; and
- Allow for screen planting between buildings on & off site.

The minimum deep soil landscape area is 25% of the site area.

Assessed as compliant subject to the condition that:

• Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd

#### Landscape Character

The landscape character of the site is dominated by tall native vegetation on a sloping site, linking the Pacific Highway to Suakin Street. Development should enhance this landscape character.

This should be achieved by:

- Siting buildings to minimise impact on existing significant trees, both on and off the site:
- Ensuring existing significant trees on and off the site are retained and complemented by planting of new trees of the same potential height;
- Retaining a corridor of vegetation through the site and, where possible, minimising the extent of hard stand areas; and
- Designing building form to maintain the visual dominance of the tree canopy.

Assessed as compliant subject to the condition that:

• Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd

#### **Biodiversity**

Proposed landscaping works shall protect and enhance native vegetation to conserve and promote biodiversity.

This should be achieved by:

- Minimising disturbance to existing significant vegetation on the site and adjoining properties;
- Planting the site with an appropriate selection of non-invasive plant species, including native and locally occurring trees, grasses and groundcovers; and
- Weed management, including the removal of noxious weeds, urban and environmental weeds and nuisance plants, as per Council's Weed Management Policy.

Assessed as compliant subject to the condition that:

- Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd.
- Weed control measures are exercised in accordance with the appropriate weed control category.

#### Bushfire Hazard

As the site is identified as bushfire prone land, careful selection of plant species is necessary to minimise bushfire risk.

Landscape design and planting shall incorporate measures to minimise potential hazard, such as planting endemic species and minimising planting of shrub undergrowth.

Assessed as compliant subject to the condition that:

• Landscape works are implemented according to Landscape Plan Sheets 1 & 2; LD01–LD02; 14 August 2006 by Lorna Harrison Pty Ltd

Planning Comments on Landscape Assessment: The requirement to retain tree 3 is considered to be excessively onerous as it would require the total redesign of the portion of the proposal fronting Suakin Street, (ie. the vehicular entrances to the site and Buildings A-D). The tree is not considered to be so significant as to warrant such a redesign and accordingly it is recommended that a replacement street tree be provided between the two proposed driveways.

#### **Drainage Engineer – Mr Mark Taylor**

#### **Background**

Stormwater from the site appears to currently discharge by combination of surface and subsurface flows to neighbouring properties and Suakin Street with no stormwater controls in place. Suakin Street is formed along the frontage of the subject site with kerb and gutter. The closest underground stormwater drainage system in Suakin Street with respect to the subject site is at the corner of Suakin Street and Bridge Street comprising a kerb inlet pit which is approximately 40 metres distant.

The site is currently affected by two (2) drainage easements on title, being:

- 1. Easement for drainage, cables & sewer pipes variable width.
- 2. Easement to Drain Water 1m wide.

The site is not affected by watercourses or overland flow depressions.

#### Assessment

The applicant proposes to drain the entire site via a network of stormwater drainage pipes through a series of quality, retention and detention controls with discharge being by single pipe to the Suakin Street drainage system.

Detailed assessment of the proposed drainage system has been made adopting the main heads of consideration contained in DCP 47 – Water Management.

A. Stormwater Discharge Leaving the Site

For the purposes of DCP 47, the subject site would be classed as Location A which is land that drains to a Council drainage system, being Suakin Street. It would also be classed closest to Development Type 6 which includes business, commercial or retail premises.

The Statement of Environmental Effects (SEE) proposes to connect to the Suakin Street underground drainage system which is to be extended. The hydraulic engineering drawings depict a new kerb inlet pit in Suakin Street in close proximity to the subject site with proposed extension of piped drainage along Suakin Street.

It is proposed to discharge all collected site runoff to the new Suakin Street underground drainage system. Such means of stormwater disposal from the site is permissible under DCP 47. Suitable conditions of consent are recommended to ensure appropriate construction standards for the proposed drainage works in Suakin Street.

#### B. On-site Stormwater Management

DCP 47 requires on-site retention and on-site detention of stormwater for the proposed development. The requirement for retention is 1000 litres per 100m² of floor space to be plumbed to all toilets and for garden irrigation. DCP 52 requires stormwater retention and/or detention, water conservation devices and the provision of rainwater tanks. The proposed floor area is approximately 4840 m² which would then require retention of 49 m³. The Water Quality Assessment report proposes two (2) rainwater tanks fed by roof runoff having capacities of 285 m³ and 150 m³. Additionally, the Hydraulic Engineering drawings propose a 59 m³ greywater recycling tank which is fed by runoff from the proposed vehicle washdown bay and recycled for further vehicle washing. The proposed development therefore complies with DCP 47 with respect to stormwater retention.

DCP 47 requires the provision of detention at storage rate of 302  $m^3$  per hectare of hard surface with maximum 25% concession for any proposed retention. The proposed development has approximately 8093  $m^2$  built-upon area which would then attract a need for 244 x 75% = 183  $m^3$  storage. The Hydraulic Engineering drawings propose a 150  $m^3$  detention storage tank. The tank may be readily modified to provide the required increase in storage volume and this has been incorporated into recommended conditions of consent.

It is considered that the proposed development complies, subject to conditions, with the on-site stormwater management requirements of DCP 47 and DCP 52.

#### C. Development Adjacent to or Over Existing Drainage Systems

DCP 47 requires proposed development to be compatible with existing drainage systems. The subject site is not affected by any watercourses, drainage depressions or Council drainage systems and accordingly needs no consideration in these respects.

However the site is affected by two existing drainage easements benefiting neighbouring properties:

- i. Easement for Drainage, Cables & Sewer Pipes variable width.
- ii. Easement to Drain Water 1m wide.

The proposed development does not propose any works over the Easement to Drain water Im wide and accordingly should not affect the existing benefit enjoyed by the neighbouring property.

The proposed development proposes seven (7) parking spaces and a retaining wall and associated fill of approximately two (2) metres maximum over the Easement for Drainage, Cables & Sewer Pipes variable width. This will require the approval of the proprietor of the benefited property and this is not expected to be withheld. A suitable condition of consent (prior to issue of Construction Certificate) has been recommended.

It is considered that the proposed development complies, subject to conditions, with the Development Adjacent to or Over Existing Drainage Systems requirements of DCP 47.

#### D. Water Quality

DCP 47 and DCP 52 require water and soil management during construction to minimise erosion. It is considered that such measures may be readily implemented on the subject site and suitable conditions have been recommended.

DCP 47 also requires permanent post-construction stormwater quality control in order to achieve post-development reductions for gross pollutants, suspended solids, total phosphorus and total nitrogen of 70%, 80%, 45% and 45% respectively. The Water Quality Assessment report proposes a stormwater treatment train comprises stormwater retention and re-use, a proprietary gross pollutant trap and bio-retention swales.

These are depicted on the civil and hydraulic engineering drawings. The report includes computer modelling of the proposed development and finds that the proposed measures achieve the required reduction targets except for total nitrogen which is marginally less than the 45% requirement. Accordingly, it is considered that the proposed development complies, subject to conditions, with the Water Quality requirements of DCP 47.

#### Conclusion

It is considered that the proposed development generally complies with the requirements of DCP 47 and DCP 52 with respect to stormwater drainage, subject to conditions, and may accordingly be approved from a stormwater drainage and management perspective.

#### **Rural Fire Services**

The development is acceptable subject to conditions, which require the whole site to be managed as an Inner Protection Area and require appropriate methods of construction and access. The impact of managing the site as an Inner Protection Area upon the landscape proposal have been addressed by the Landscape Architect. Conditions are contained within the recommendation as requested.

#### STATUTORY PROVISIONS OF RELEVANT LEGISLATION

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

The provisions of SEPP 55 require Council to consider, when assessing a development application, the potential for a site to be contaminated. The subject site has a history non-residential uses and as such concern exists that the site may contain some level of contamination and as such a preliminary assessment is required. Environmental Investigation Services prepared an *Environmental Site Screening* for the site, with the report dated September 2004. The significant findings and recommendations of the report are summarised following:

- The report was prepared using an assessment of previous environmental reports for the site and additional investigations, including a field sampling program
- A review of two previous studies of the 986 Pacific Highway site indicate the existence and removal of two underground storage tanks (USTs) in 1996. The land surrounding the tanks was found to be contaminated with hydrocarbons as was the ground water. The contaminated soil was land farmed on site and the remediation was validated. Ground water monitoring of the area was undertaken before and after the removal of the USTs, however the results after removal were inconclusive in relation to ongoing ground water contamination
- The commercial/industrial exposure settings were adopted for the assessment of soil contamination
- The 95% ground water trigger values (fresh water) were adopted for the investigation
- Twenty-three sampling locations were assessed using boreholes with a spacing of up to 40m apart and five monitoring wells were installed at some of the borehole locations
- One borehole showed an elevated level of a benzo(a)pyrene concentration in the soil, above the site assessment criteria
- Three ground water samples showed slight elevations of cadmium and all showed slight elevations of nickel and zinc, however were considered to be representative of resident background ranges and not worthy of further investigation
- It is recommended that the area surrounding the borehole that showed an elevated level of a benzo(a)pyrene concentration in the soil should be better assessed prior to the proposed development
- No evidence discernible to the naked eye was found of asbestos sheeting fragments within the samples
- Any unexpected problem areas between the boreholes that are found to contain USTs or buried items or contaminated material during construction should be immediately inspected by experienced environmental personnel
- During demolition works the site should be inspected by experienced environmental personnel to assess any unexpected conditions or subsurface facilities
- Based on the report the site is considered to be suitable for the proposed development provided that the contaminated fill material in the vicinity of borehole 11 is better assessed and any required remediation is undertaken.

Given the above, it is considered that the requirements of SEPP 55 are met subject to conditions requiring compliance with the above recommendations. Such conditions are included in the recommended consent.

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

#### **Permissibility**

The site is zoned 5A Special Uses A (Council Purposes) under the provisions of Ku-ring-gai Planning Scheme Ordinance and the erection of a works depot is permissible with consent within the zone.

#### **POLICY PROVISIONS**

#### **Development Control Plan No. 52**

DCP 52 is a site specific DCP applying to the proposal. The aims of DCP 52 are to ensure development does not dominate the surrounding development and locality, provides sufficient landscaping to contribute to the tree canopy on the site, protects endangered species and natural topography, is ecologically sustainable, provides appropriately for drainage and treatment of stormwater and minimises impacts on adjoining properties (particularly residential) and the natural environment.

#### **Environmental Considerations**

Tree Preservation - Clause 3.2.2 sets assessment criteria and design requirements in relation to tree preservation. The assessment criteria require the development to be designed and located to retain and minimise disturbance to as many trees as possible. The design requirements indicate this is to be achieved by positioning built upon areas outside the canopy of existing significant trees on and off the site, avoiding cut and fill in proximity to trees and avoiding changes to the water table.

The application has been assessed as satisfactory by the Landscape Architect as it achieves the above criteria by appropriate location of the proposed buildings.

Remnant Native Bushland - Clause 3.2.3 sets assessment criteria and design requirements in relation to remnant native bushland. The assessment criteria require the development to protect and preserve remnant native bushland. The design requirements indicate this is to be achieved by minimising disturbance to remnant native bushland, preventing runoff from entering the adjoining bushland and weed management.

The application has been assessed as satisfactory by the Landscape Architect as it achieves the above criteria by appropriate location of the proposed buildings, landscaping and stormwater treatment.

Biodiversity - Clause 3.2.4 sets assessment criteria and design requirements in relation to biodiversity. The assessment criteria require the development to protect remnant native vegetation and wildlife, identify and consider threatened species and recognise the value of preserving local seed banks in the soil in situ. The design requirements indicate this is to be achieved by creating a buffer zone between development and remnant habitat and avoiding the introduction of foreign soil.

The application has been assessed as satisfactory by the Landscape Architect as it achieves the above criteria by appropriate landscape design and soil management.

Bushfire Hazard - Clause 3.2.5 sets assessment criteria and design requirements in relation to bushfire hazard. The assessment criteria require the development to be sited to minimise bushfire hazard and utilise landscaping suitable to minimise bushfire hazard. The design requirements indicate this is to be achieved by locating buildings with appropriate Asset Protection Zones, planting with predominantly native and indigenous species and complying with Planning for Bushfire Protection December 2001.

The application has been referred to the Rural Fire Service and the application is supported subject to conditions.

Natural Landscape - Clause 3.2.6 sets assessment criteria and design requirements in relation to natural landscape. The assessment criteria require the development to not unreasonably intrude or impact upon natural features. The design requirements indicate this is to be achieved by preserving existing features, designing to reflect the slope and consider height, colour and roof pitch to ensure the development does not dominate the surrounding area.

The design of the proposal steps down the site, limiting areas of substantial cut to car parking structures. This and the compliance of the buildings with the height controls ensures the design does not unreasonably intrude upon natural features or dominate the surrounding area.

Operational Noise - Clause 3.2.7 sets assessment criteria and design requirements in relation to operational noise. The assessment criteria require the development to limit the impact of operational noise on surrounding land uses. The design requirements indicate this is to be achieved by preparing a noise impact assessment in accordance with the NSW EPA's Industrial Noise Policy.

A report assessing the likely operational noise levels has been prepared by Renzo Tonin & Associates Pty Ltd, dated 16 February 2005. The findings and recommendations of this report are summarised following:

- The report was based on hours of operation between 7am and 4pm, 100 heavy vehicle movements per day and 120 light vehicle movements per day.
- Given the hours of operation only the daytime assessment criteria is considered in the report
- Noise monitoring loggers were set up at three locations, including adjacent to the boundary with Nos. 2-4 Bloomsbury Avenue (location 1), adjacent to the Pacific Highway (location 3) and adjacent to the boundary with the commercial properties in Bridge Street (location 2)
- Daytime background notice levels (L<sub>90</sub>) were measured as being 48dB(A) at location 1, 47dB(A) at location 2 and 49dB(A) at location 3, with daytime ambient noise levels (L<sub>eq,period</sub>) being measures as 52dB(A) at location 1, 52dB(A) at location 2 and 54dB(A) at location 3
- The appropriate industrial noise criteria to be applied to the assessment is the amenity criteria  $(L_{Aeq})$  for the commercial and industrial premises and the intrusiveness criteria  $(L_{eq,15 \text{ min}})$  for residential premises, which for locations 1 and 2 (near residential uses) is 53 and 54 dB(A) respectively and at location 2 (near commercial uses) is 65-70dB(A)
- The predicted noise levels for the use of equipment on site will comply with the specified criteria at locations 2 and 3, but will exceed the criteria by 7dB(A) at location 1
- Recommended noise mitigation measures to address the non-compliance with the noise criteria adjacent to Nos. 2-4 Bloomsbury Avenue are either the erection of a noise screen

acting as a boundary fence where the existing wire chain fence is located to a height of 3.2m or the erection of acoustic louvres on the façade of Level B2 in the lower level carpark and Level B1 in the upper level car park facing the dwellings (eg. NAP Silentflo 600 S-line or 300 H-line acoustic louvres or similar)

- The noise increase along the Pacific Highway and Ryde Road due to the additional traffic generated from the site will be insignificant
- Noise from fixed plant and machinery will need to be assessed at a later stage and may need some attenuation measures

Given the above, it will be necessary to condition any consent requiring the submission of an acoustic report with the Construction Certificate addressing the noise generation from any fixed plant or machinery (such as air conditioning systems) and necessary mitigation measures. A condition will also require the provision of a detailed design, with the Construction Certificate, for the erection of acoustic louvres on the above mentioned facades of the car parks. Certification is also to be provided by a suitably qualified expert indicating the car parks still satisfy the requirements of the BCA given the proposed louvres.

A further condition will require acoustic testing of the noise emission from the fixed plant or machinery and the operational conditions described in the acoustic report, to ensure the proposed noise attenuation measures satisfy the specified noise criteria within the report. Subject to these conditions, it is considered that the operation of the site will not unreasonably impact upon the acoustic amenity of the surrounding uses.

No report has been prepared addressing noise emissions during construction of the depot. Of particular concern is noise and vibration from rock breaking operations. Therefore a report addressing the noise and vibration impacts of the construction process should be provided for assessment prior to the commencement of the consent and is to provide mitigation measures. Accordingly, a condition to this effect is recommended for any consent requiring the information prior to the commencement of works.

## **Design Elements**

Public Domain and Communal Spaces - Clause 4.1.2 sets assessment criteria and design requirements in relation to public domain and communal spaces. The assessment criteria require the development to provide a positive contribution to the public domain. The design requirements indicate this is to be achieved by ensuring the development is of appropriate scale consistent with the surrounds when viewed from public and private places and integrates the built form and soft landscaping.

Buildings A and D are adjacent to the buildings on Nos. 19-23, 27 and 31 Bridge Street, with the buildings on those properties having heights of RL110.8, RL 105.6 and RL105.74 respectively. Building A is setback such that its front façade commences roughly in line with the rear façade of the building on No. 31 Bridge Street. The building at this point has a height of approximately RL 111.9, stepping up to a maximum height along the frontage of Suakin Street of approximately RL114.2 approximately 10m from the boundary. As such, at the boundary with the Bridge Street

properties, Building A is approximately 6.2m higher than the adjoining building, stepping up an additional 2.3m to 8.5m.

In considering whether such a height variation still results in a building that is of appropriate scale consistent with the surrounds when viewed from Suakin Street, the slope of the land which falls towards the properties in Bridge Street and the height controls in DCP 52 (maximum of 15m at this point) must be taken into account. The proposed height of the building varies between 11.5m (near the southern boundary) to 14m (towards street frontage). As such the height of the building has been stepped consistently with the slope of Suakin Street and steps up from the building in Bridge Street, then steps down next to the Army site to the north, such that the building is lower than the Army building. As such, in my opinion the proposal provides an appropriate scale consistent with surrounding properties as viewed from Suakin Street.

From the Pacific Highway, Buildings J and K are barely discernible, with the front façade setback a minimum of 48m from the Highway and with the highest portion of the buildings, at RL132 (top of the parapet) being approximately 3.5m above the footpath level of the Pacific Highway.

The building is lower than the substation adjoining to the south (with a height of RL133.35) and is also lower than the residential flat building at No. 2A Bloomsbury Avenue (with a height of RL 133.73), which largely screens the building from view from the Pacific Highway. Given the above relative heights, Buildings J and K are of appropriate scale having regard to the aforementioned adjoining properties as viewed both from those properties and from the Pacific Highway.

Buildings H, J and K adjoin Nos. 2-4 Bloomsbury Avenue, which has a height of RL124.26 stepping down the slope to RL122.52. The corresponding elements of Buildings H, J and K (portion of the buildings nearest the boundary with Nos. 2-4 Bloomsbury Avenue) vary from approximately RL 122.8 to RL 123.3. As such the closest portions of Buildings H, J and K are of appropriate scale having regard to the scale and as viewed from Nos. 2-4 Bloomsbury Avenue.

With regard to the design of the development in relation to its landscape setting, the buildings are located such that a minimum 3m wide landscape strip to contain canopy trees runs along the northern boundary of Buildings A, B, C and D. A 1m – 4m wide landscape strip, to contain low entrance planting (front) and screen planting to 6m in height, runs along the southern boundary of the access road/ramps adjacent to those buildings.

The landscape area widens behind Buildings A, B, C and D, with a wider landscape strip on the southern side of the road providing for canopy trees and with a large landscaped staff amenity area adjacent to the northern boundary. A 2.5m wide landscape strip, to contain canopy trees, runs along the western boundary adjacent to Buildings G and H, widening to an average of 7m adjacent to the northern side of Building H. To the north of Building K is a landscaped strip varying in width from 5m – 9m, containing canopy/trees, with the area forward of the building to be densely landscaped with canopy trees. No landscaping is to be provided to the south of Building K or to the east of Building G.

Such landscaping would provide a suitable setting for the buildings as viewed from Suakin Street, the Pacific Highway, adjoining residential properties, the Army Depot and most adjoining office

buildings. The landscape setting as viewed from No. 5 Bridge Street and the Energy Australia site would be limited.

Integrating Streetscape Character - Clause 4.1.3 sets assessment criteria and design requirements in relation to integrating streetscape character. The assessment criteria require the development to recognise the unique responsibility to ensure that the visual, scenic and environmental qualities of the locality are maintained. The design requirements indicate this is to be achieved by integrating the development into the landscape and avoiding tall and bulky structures, choosing appropriate external colours and finishes, retain significant landscaping, consider views to the site and soften the visual impact by extensive endemic landscaping.

The issue of character with regard to bulk and scale and landscape setting has been addressed previously in relation to the *Public Domain and Communal Spaces* comments. The proposed colours and materials are satisfactory and appropriately respond to the setting of the site.

Siting of Buildings and Structures - Clause 4.2.1 sets assessment criteria and design requirements in relation to the siting of buildings and structures. The assessment criteria require the development to site buildings to minimise impacts on surrounding properties. The design requirements indicate this is to be achieved by using the upper part of the site as an administrative area, with the building addressing the Pacific Highway and having a defined public entrance and landscaping.

The noise generating uses are to be located on the lower part of the site, with a series of buildings rather than one building. Buildings are to be oriented to the north for solar access and energy efficiency.

The proposal provides a series of buildings stepping down the site with the quieter administrative building and defined public entrance off the Pacific Highway. The noise generating uses are located to the centre and lower parts of the site and subject to appropriate noise attenuation measures, as discussed elsewhere, will not detrimentally impact upon surrounding uses, particularly residential uses. Buildings are orientated to the north as far is practicable, with north facing windows and skylights provided were possible without detrimental impacts on adjoining sensitive noise receivers to the north.

Building Setbacks - Clause 4.2.3 sets assessment criteria and design requirements in relation building setbacks. The assessment criteria require the development to ensure neighbouring amenity, provide for landscaping including trees, facilitate solar access, protect significant vegetation, minimise bushfire hazard and provide visual screening from the residentially zoned land. The design requirements indicate this is to be achieved by providing an 8m setback from Suakin Street, no buildings within the access handle to the Pacific Highway, setbacks to residential land of 7m (4m landscaped and next 3m fuel free), a 7m setback to the adjoining buildings in Bridge Street and a nil setback from 982 Pacific Highway. Setbacks to the Army Depot are to be determined by the need to retain significant trees. Evidence is to be provided that any EMF emanating from the substation at 982 Pacific Highway would satisfy any recognised guidelines for safe human exposure.

The proposal provides a setback from Suakin Street of 14.4m to the wall of Building A and a minimum of 8m to the roof, however the setback of Building B is reduced to 4m at its closest point, being located at the commencement of the cul-de-sac head. Accordingly, the main building fronting Suakin Street easily complies with the control, however the small frontage of Building B (less than 3m wide) significantly breaches the control. The reduced setback is a result of the curve of the cul-de-sac head and the design of Building A provides the roof projection in line with the projection of Building B.

The element of the front elevation of the proposal that breaches the control is a narrow element that, together with the roof projection of Building A provides a strong design element that creates a dramatic sculptural element to the façade. As such, whilst breaching the setback control, the proposal will significantly add to the streetscape of Suakin Street and is supported.

No buildings are proposed with in the access handle from the Pacific Highway, with Building K setback 26m from the end of the access handle. Building H has a variable setback of between 7m and 8.5m and complies with the control.

Building J has a variable setback of between 6.4m and 10.4m (to the wall), with a triangular portion of the single storey car park breaching the setback by up to 600mm at the northern corner of the building.

This non-compliant element is located opposite a setback in the residential building at No. 2-4 Bloomsbury Avenue, such that they are separated by 10.5m, a larger distance than a compliant component of the building, which is separated by as little as 10m. Given the minor nature of the breach, the separation between the buildings at this point and the ability to still provide suitable screen planting, the minor variation is supported.

Building G has a minimum setback from the adjoining Bridge Street buildings of 24.6m, Building F has a minimum setback of 16.6m, Building D has a minimum setback of 10m from the ramp and Building A has a minimum setback of 9.6m to the wall and 3.2m to the roof.

As such the buildings, with the exception of a roof element to Building A, comply with the setback controls from the Bridge Street buildings. It is not considered that the breach to the roof element will result in any unacceptable impacts upon the adjoining building at No. 31 Bridge Street and as such the minor breach is supported.

A condition requiring evidence from a suitably qualified person that the EMF emanating from the substation at 982 Pacific Highway satisfies any recognised guidelines for safe human exposure is recommended to be provided prior to the release of the Construction Certificate.

Floor Space Ratio - Clause 4:2.4 sets assessment criteria and design requirements in relation to floor space ratio. The assessment criteria require the development to be of appropriate scale with regard to the local context and streetscape and limit the bulk so that it does not dominate the treed landscape of the locality. The design requirements indicate this is to be achieved by a maximum FSR of 1:1.

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The Statement of Environmental Effects indicates that the FSR of the proposal if 0.6:1 and as such the proposal easily complies with this control. As the proposal satisfies the FSR control and height control (see below) and generally satisfies the setback controls, it is considered to be of appropriate scale in the local context.

Height of Buildings - Clause 4.2.5 sets assessment criteria and design requirements in relation to height of buildings. The assessment criteria require the development to be designed to be of limited height so as not to dominate the treed landscape, to limit the extent of overshadowing and visual and aural intrusion, maintain compatibility with adjoining buildings and provide a variation of heights across the site having regard to adjoining buildings. The design requirements indicate this is to be achieved by a maximum height in the lower level of 15m and in the upper level of 12m, measured from the existing ground level to the highest point on the building.

The buildings at the lower level of the site comprise Buildings A, B, C, D and F, which have a maximum height of 14.5m. Buildings G, H, J and K are located on the upper level and have a maximum height of 10.1m to the ridge and 11.5m to the top of the flag pole. As such the proposal complies with the height controls.

Relationship with Adjoining Residential Development - Clause 4.2.6 sets assessment criteria and design requirements in relation to the relationship with adjoining residential development. The assessment criteria require the development to maintain the relative scale relationship between buildings and encourage increased setback with increased height. The design requirements indicate this is to be achieved by ensuring appropriate side setbacks and landscaping and compliance with the building height plane (BHP) at an angle of 30° measured from a point 1.5m above the existing ground level at the boundary with the residential zone, to a height of 12m.

The adjoining residentially zoned land is to the north-west of the site at the Pacific Highway frontage, with adjoining properties being Nos. 2A and 2-4 Bloomsbury Avenue. As the development is setback over 26m/from the boundary with No. 2A Bloomsbury Avenue, it easily complies with the BHP from this property.

Buildings J, K and H adjoin the boundary with No. 2-4 Bloomsbury Avenue and both buildings comply with the 12m height maximum. Plan No. SK38 identifies the BHP for Buildings J and K at each level and shows compliance with the BHP.

The plans do not identify a BHP for Building H, however the DCP applies to the northern 5m of the north-western elevation of Building H. An assessment of the BHP for the relevant 5m length of Building H shows that the building easily complies with the control.

Roof line - Clause 4.2.7 sets assessment criteria and design requirements in relation to the roof line. The assessment criteria require the development to have pitched roofs to integrate with the surrounding residential development. The design requirements indicate this is to be achieved by providing pitched roofs of at least 12.5° with broad eaves.

Pitched roofs with broad eaves are provided to the development, with pitches of at least 12.5° provided, with the exception of a series of awnings at the front of Building A. The lower pitch to

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the smaller awning elements is acceptable, it being noted that they are well removed from the residential development.

Built-upon Area - Clause 4.2.8 sets assessment criteria and design requirements in relation to built-upon area. The assessment criteria require the development to maintain a reasonable proportion of the site as deep soil landscaping. The design requirements indicate this is to be achieved by developing a maximum of 75% of the site with built-upon area.

The Statement of Environmental Effects specifies that the proposal has a built upon area of 62.2% of the site, which has been assessed as being accurate and is in compliance with the control.

Design - Clause 4.2.9 sets assessment criteria and design requirements in relation to design. The assessment criteria require the development to be sympathetic in scale and mass to surrounding development and should incorporate architectural relief and modulation.

The design requirements indicate this is to be achieved by having no unrelieved walls over 18m, no unrelieved walls in excess of 12m for walls over 4m high, provide substantial articulation of wall recesses, incorporate variations in elevations for visual interest and use appropriate horizontal elements such as planter boxes (particularly on above ground car parks).

Buildings A, B and C as they present to Suakin Street are very well articulated, by use of division of the buildings into vertical elements, provision of differing window treatments, use of a curved roof and portions of curved facades and by variations to the roof forms. The northern elevation of Building C is broken into a series of "bays" approximately 10m wide, with horizontal articulation provided by windows of varying design and changes in the roof form.

The southern elevation of Buildings A and D are articulated largely by the external access ramp to the parking areas and the proposed screening devices attached to the ramp, with the façade of Building A only articulated by windows and the awnings. Given this elevation of Building A is relatively short and the level of articulation of the street façade which would be read in conjunction with the side elevation, this is appropriate despite the minor non-compliance with the 12m control. Concern is raised in relation to the screening devises used on the ramp, with no detail provided as to the material or finish. Given the visual dominance of these devices, their finished appearance is important.

Information has been provided that the screens are to be constructed of silver perforated aluminium, which will appropriately reduce their visual bulk.

Buildings J and K provide a very well articulated façade to Pacific Highway, which is striking in its form, with good articulation in the northern elevation by use of setbacks with the height of the building and an angled roof form. Acoustic louvres are proposed at the two parking levels however no information is provided as to their appearance, it being noted that they are nominated as being aluminium. Given the adjacent residential properties the appearance of the louvres and their reflectivity is critical. A condition of consent requires that the material used is to be non-reflective and complementary to the materials and colours of the proposed building. The articulation of the

southern elevation is largely provided by the roof form and glazed elements at the upper level, however it is considered that this is acceptable given the height of the existing retaining wall.

Buildings H and G both have western elevations of well over 12m, however Building H is well articulated by the provision of detailing to a balcony at the upper level. The articulation of Building G is somewhat limited, being over 25m long and being articulated only by way of three horizontal windows. Some level of articulation would need to be introduced into the western façade of Building G to satisfy the DCP controls. A condition to this effect is recommended.

Solar Access - Clause 4.2.10 sets assessment criteria and design requirements in relation to solar access. The assessment criteria require the development to maintain a reasonable level of solar access to windows and outdoor recreation areas of adjoining properties, a reasonable level of solar access to internal work areas and provide sun protection with sun shade devices and landscaping. The design requirements indicate this is to be achieved by maintaining a minimum 7m setback from adjoining office buildings including balconies, careful siting and orientation and careful placement of deciduous trees.

Shadow diagrams have been prepared showing the shadow impact of the proposal at 9.00am, 12.00 noon and 3.00pm in mid-winter. The shadow diagrams show the following shadow impact as a result of the proposal.

- 9.00am Additional shadowing will occur within the site and to Suakin Street road reserve, the access way to the Army Depot site, the front of the site immediately opposite in Suakin Street (loading dock access and substation) and the landscaped setback within the Army Depot site at its north-eastern corner
- 12.00 noon Additional shadowing will occur within the site and to the lower level of part of the north-western façade of No. 31 Bridge Street, to part of the car park of Nos. 19-23 and 27 Bridge Street and to part of the side setback and lower level of the Energy Australia site fronting the Pacific Highway
- 3.00pm Additional shadowing will occur within the site and over the northern façades of Nos. 5, 11, 15-17, 19-23 and 27 Bridge Street and to the western and northern façades and the area between the buildings of the Energy Australia site

Given the non-residential nature of the adjoining uses that are shadowed and the limited extent of the additional shadowing, it is considered that the shadow impact is acceptable.

Energy Efficiency - Clause 4.2. It sets assessment criteria and design requirements in relation to energy efficiency. The assessment criterion requires the development to be energy efficient. The design requirements indicate this is to be achieved by achieving a 4.5 star rating under the ABGR scheme for administration and office buildings. Further buildings are to be designed with northerly work areas, natural light to internal work areas, utilise thermal mass, access winter sun and summer shade, provide cross ventilation, use solar water heating and appropriate plant selection

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The design has had appropriate regard to energy efficiency, achieves the required star rating and appropriately addresses passive solar design, cross ventilation, thermal mass, reuse of water and provides for appropriate plant selection.

External Finishes - Clause 4.2.12 sets assessment criteria and design requirements in relation to external finishes. The assessment criteria require the development to use colours and materials to minimise the visual impact of the development and be sympathetic with the locality and natural environment.

The design requirements indicate this is to be achieved by use of a variety of materials, provide a maximum of 80% of any external wall with metal cladding, use colours and materials in keeping with the native vegetation and use non-reflective glass.

The proposed colours and materials were provided on a sample board and are consistent with those required by the clause, satisfying the maximum 80% requirement.

Construction for Bushfire Hazard - Clause 4.2.13 sets assessment criteria and design requirements in relation to height of buildings. The assessment criterion requires the development to minimise potential bushfire hazard. The design requirements indicate this is to be achieved by constructing in accordance with AS 3959.

A condition requiring the construction to comply with the abovementioned Australian Standard is recommended.

Building Materials - Clause 4.2.14 sets assessment criteria and design requirements in relation to building materials. The assessment criteria require the development to use ecologically sustainable building material. The design requirements indicate this is to be achieved by using raw materials that have minimal impact upon the natural environment.

The proposed materials are considered acceptable and satisfy this clause.

Signage - Clause 4.2.15 sets assessment criteria and design requirements in relation to signage. The assessment criteria require the development to have signage compatible with the adjoining building and natural environment. The design requirements indicate this is to be achieved by providing signage in scale with signage on adjacent properties and of lower dominance than the built form.

It is appropriate that the signage on the site be limited to a sign identifying the street address and name of or purpose of the building. A condition to this effect is recommended.

Open Space and Landscaping

This section of the DCP, with the exception of clause 4.3.5, is addressed in the comments of the landscape architect.

*Bushfire Hazard* - Clause 4.2.5 sets assessment criteria and design requirements in relation to bushfire hazard. The assessment criteria require the development to use plant selection appropriate

to minimise bushfire risk. The design requirements indicate this is to be achieved by reference to the Council's Landscape and Planting Guidelines for bushfire prone areas.

The Rural Fire Services have indicated in their response to a referral that the plans are appropriate.

## Access and Parking

This section of the DCP, with the exception of clauses 4.4.4 and 4.4.6, is addressed in the comments of the traffic engineer.

Design of Above Ground Parking Areas - Clause 4.4.4 sets assessment criteria and design requirements in relation to the design of above ground parking areas. The assessment criteria require the car parking areas not to dominate the site or streetscape and be sympathetic to adjoining residential development. The design requirements indicate this is to be achieved by roofing parking areas with pitched roofs, providing articulation through use of a variety of building materials and colours and ensuring ramps to above ground parking are not visible from Suakin Street or the Pacific Highway.

The proposed parking structures are located behind Buildings A and K and as such do not dominate the streetscape, with the structure behind Building A in part screened by a false façade.

The parking structure contained within Building J adjoins a residential property and is proposed to be provided with a pitched roof over the upper level. The most dominant element of the structure visually will be the aluminum louvres, which have been discussed previously.

Pedestrian Access - Clause 4.4.6 sets assessment criteria and design requirements in relation to pedestrian access. The assessment criteria require the development to provide safe pedestrian access through the site, including for disabled persons. The design requirements indicate this is to be achieved by providing pedestrian access to the administrative buildings from the Pacific Highway and providing an accessible path of travel to the administration building from the Pacific Highway and staff and visitor parking areas.

## Water Management

Section 4.5 deals with water management and has been addressed in the comments of the consultant Drainage Engineer, Mr Mark Paylor previously in this report.

## **Managing Construction**

Section 5 deals with construction issues such a tree protection, waste management, noise, and pollution controls and is appropriately dealt with by the recommended conditions of consent.

## Likely impacts

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

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

## Suitability of the site

#### **Geotechnical Constraints**

An investigation into the potential geotechnical constraints of the site was carried out by Jeffery and Katauskas Pty Ltd in their *Geotechnical Investigation* report dated 23 August 2004. The findings and recommendations of that report are summarised following:

- The slope of the site is typically about 20°
- A stockpile of rubble exists towards the south-western corner of the site, covering an area of approximately 60m x 15m and it is overgrown with grass and shrubs
- Sandstone outcrops are present in the lower portion of the site along the southern part of the eastern boundary and along part of the Sūakin Street frontage
- The main geotechnical issues affecting the design and construction will be variations in underlying bedrock type and strength potentially affecting the design bearing pressures for footings, the need for retention support systems for the basement below the upper building, stabilisation methods for rock excavation and poor potential subgrade conditions for proposed pavements
- Rock excavation is required and when using hydraulic rock breakers there is a potential that vibration will affect adjacent building the use of a moderate sized rock hammer is recommended, together with other operational requirements to minimise vibration and ground monitoring is recommended.
- Detailed dilapidation reports are recommended prior to the commencement of works for neighbouring properties and boundary retaining walls

Given the above findings it is appropriate that conditions be placed on any consent requiring the carrying out of dilapidation reports and requiring the provision of details of the method of rock excavation, together with ongoing vibration monitoring during excavation of rock.

#### Any submissions

The submissions received have been detailed and addressed previously within the report.

#### **Public interest**

The proposal is not considered likely to result in any significant impacts with regard to the public interest.



The proposal responds appropriately to the detailed site specific controls contained in DCP 52 and as a result will result in no significant or unacceptable impacts upon the environment or surrounding land uses.

#### RECOMMENDATION

A. That development application No. 832/05 for the erection of a works depot for use by Kuring-gai Council, comprising several buildings and structures to be used as offices, warehouses, workshops, storerooms and for car parking at No. 5 Suakin Street and 986 Pacific Highway, Pymble be granted consent/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:

Plan no.	Drawn by	Dated
SK04045-00 – SK04045 -44	Tempkins MDA Architects	30.06.2005
LD.01 – LD.02	Lorna Harrison P/L	14.08.06
Document(s)		Dated
Statement of Environmental	Effects – Ku-ring-gai Works	30 June 2005
Depot Volumes 1 and 2	MN	

**Reason:** To ensure that the form of the development undertaken is in accordance with the determination of Council.

- 2. All building works shall comply with the Building Code of Australia.
- 3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
- 4. The 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 exceeds \$25,000.00.

5. 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* 

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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 77 years of the commencement of the work).

6. DRIVEWAYS AND FOOTPATHS: Approval of this Development Application is for works wholly within the property and does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the Application.

Footpath and driveway levels at the property boundary/road alignment are to be obtained from Council prior to release of the Construction Certificate. All footpaths and driveways are to be constructed strictly in accordance with Council's specifications "Construction of Gutter Crossings and Footpath Crossings". This is issued with alignment levels after completing the necessary application form at Customer Services and payment of the appropriate fee.

The grading of such footpaths or driveways outside the property are to 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 this may be affected by the alignment levels fixed by Council.

- Note 1: The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.
- Note 2: When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level (if applicable) of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.
- 7. Driveway crossings shall not encroach over the frontage of an adjoining allotment and crossings shall be at least six (6) metres from the intersection of street alignments in accordance with Australian Standard 2890.1 1993 "Off-street car parking"
- 8. Driveways and access tamps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard AS 2890.1 "Off-Street car parking".

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

9. Prior to the commencement of any development or excavation works, a Noise and Vibration Management Plan is to be prepared by a suitably qualified expert addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority. The Management Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliant with the relevant Australian Standards and Ku-ring-gai Council's Code for the Control and Regulation of Noise on Building Sites". The report shall be prepared in consultation with any geotechnical report that itemises equipment to be used for excavation works.

The Management Plan shall address, but not be limited to, the following matters:-

- 1. Identification of the specific activities that will be carried out and associated noise sources.
- 2. Identification of all potentially affected sensitive receivers including residences, churches, commercial premises schools and properties containing noise sensitive equipment.
- 3. The construction noise objective specified in the conditions of this consent.
- 4. The construction vibration criteria/specified in the conditions of this consent.
- 5. Determination of appropriate noise and vibration objectives for each identified sensitive receiver.
- 6. Noise and vibration monitoring, reporting and response procedures.
- 7. Assessment of potential noise and vibration from the proposed demolition, excavation and construction activities including noise from construction vehicles and any traffic diversions.
- 8. Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction.
- 9. Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency.
- 10. Construction timetabling/to minimise noise impacts including time and duration restrictions, respite periods and frequency.
- 11. Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration.
- 12. Contingency plans to be implemented in the event of non-compliances and/or noise complaints.
- 13. Compliance with Council's Code for the Control and Regulation of Noise on Building Sites.

**Reason:** To protect the amenity afforded to surrounding residents during the construction process.

10. Submission, for approval by the Principal Certifying Authority (PCA) **prior** to issue of the Construction Certificate, of a Soil and Erosion Control Plan prepared in accordance with the NSW Department of Housing document "Managing Urban Stormwater – Soils and

Construction" (1998) by a suitably qualified and experienced engineer or surveyor. Such controls should include but not be limited to appropriately sized sediment basins, diversion systems, appropriate controls for each stage of works identified and barrier fencing which maximises and protects areas which are not to be disturbed. The plan must also specify inspection and maintenance regimes and responsibilities and rehabilitation measures.

- 11. Full design drawings of the proposed method of achieving the requirements for on-site stormwater detention and all supporting calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Council requirements. These must be submitted to and approved by the Principal Certifying Authority (PCA) **prior** to issue of the Construction Certificate.
- 12. 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.
- 13. An amended landscape plan is to be prepared for approval with the Construction Certificate showing:
  - a. The retention of Trees 99, 100 101, 102 and 103 and the deletion of the 7 parking spaces at this location;
  - b. The transplantation of Tree 124 elsewhere on-site; and
  - c. The planting of a suitable replacement street tree between the proposed driveways off Suakin Street.
- 14. An Impact Assessment and Tree Management Plan in respect of trees to be retained is submitted before issue of a construction certificate. The recommendations of this plan are to form conditions of this consent and are to be carried out prior to, during and after construction on the site.
- 15. The proposed onsite detention tank is to be modified to increase its storage capacity to 183m<sup>3</sup>. Details of the modified detention tank is to be provided for approval with the Construction Certificate Application.
- 16. Works including seven (7) parking spaces and a retaining wall and associated fill of approximately two (2) metres maximum is proposed over the and Easement for Drainage, Cables & Sewer Pipes of variable width benefiting another property. The approval of the proprietor of the benefited property is to be provided in writing prior to issue of Construction Certificate.
- 17. Further investigation is to occur in relation to the area surrounding the borehole that showed an elevated level of a benzo(a)pyrene concentration in the soil in the *Environmental Site Screening* report prepared by Environmental Investigation Services dated September 2004. Such investigations are to include recommendations as to required strategies for remediation of contamination as necessary and the required remediation is to be completed prior to the release of the Construction Certificate.

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18. All noise generating equipment associated with any proposed mechanical ventilation system/s, fixed plant or machinery 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 measured at the nearest adjoining boundary.

An acoustic report is to be submitted with the Construction Certificate addressing the noise generation from any fixed plant or machinery (such as air conditioning systems) and necessary mitigation measures.

Testing and certification by a suitably qualified expert indicating the noise emission from the fixed plant or machinery and the operational conditions described in the acoustic report prepared by Renzo Tonin & Associates Pty Ltd, dated16 February 2005, to ensure the proposed noise attenuation measures satisfy the specified noise criteria within the report.

- 19. A report addressing any safety issues resultant from the electro-magnetic field emanating from the substation at 982 Pacific Highway and mitigation measures required to satisfy any recognised guidelines for safe human exposure is to be provided for approval prior to the release of the Construction Certificate.
- 20. The acoustic louvres proposed on the two parking levels of Buildings J and K are to be constructed of a non-reflective material that is complementary to the materials and colours of the proposed buildings.
- 21. The articulation of the western façade of Building G is to be improved by use of either changes in materials or variations in setbacks to satisfy the DCP controls. Details are to be provided for approval with the Construction Certificate.
- 22. Amended plans are to be provided for approval with the Construction Certificate showing compliance with the following requirements for bushfire protection:
  - a) roofing is to be gutterless or have leafless guttering and valleys are to be screened to prevent the build up of flammable materials;
  - b) access is to comply with section 4.3.2 of *Planning for Bushfire Protection 2001*;
  - c) access is to be provided to the rear of the property for fire fighting purposes;
  - d) Reticulated water supply is to comply with AS2419 and the locations of fire hydrants are to be delineated by blue pavement markers in the centre of the road; and
  - e) All fencing is to be constructed of non-combustible materials.
- 23. Dilapidation reports are to be carried out for adjoining properties where excavation of more than 0.5m is proposed within 3m of any building on an adjoining property. Ongoing

monitoring of vibration during rock excavation works is to be carried out and any damage to structures on adjoining properties is to be repaired at the cost of the developer.

## CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

- 24. 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.
- 25. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
- 26. 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.
- 27. If the work involved in the erection or demolition of a building:
  - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b. building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept hit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- 28. To reduce or eliminate the transport of sediment from the construction site onto public roads, a temporary construction exit, together with necessary associated temporary fencing, shall be established prior to commencement of any work on the site and shall be maintained throughout the duration and progress of construction.
- 29. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off 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

Trees 22, 23, 26, 40, 41, 44, 45, 67, 71-73, 75, 78, 83-89, 91-93, 99, 100 101, 102 and 103

## CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

30. 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 rivetting 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.

31. The public footways and roadways adjacent to the site are to be maintained in a safe condition, at all times, during the course of the works. A safe pedestrian circulation route a minimum of 1.5m wide and with a pavement free of trip hazards must be maintained at all times on or adjacent to the public footways fronting the construction site. Where the footpath is damaged, repair works must be carried when directed by Council officers and in accordance with the relevant clauses of the current edition of AUS-SPEC.

Where circulation is diverted on to the roadway clear directional signage and protective barricades must be installed in accordance with Aust AS1742-3 1996 "*Traffic Control Devices for Work on Roads*".

If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

- 32. 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.
- 33. To preserve and enhance the natural environment, all soil erosion and sediment control structures shall be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed from the soil erosion and sediment control structures when no more than forty percent (40%) capacity has been reached. These structures shall continue in proper operation until all development activities have been completed and the site fully stabilised.
- 34. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
- 35. To prevent pollution, any areas cleared of vegetation where there is a flowpath greater than 12.0 metres in length shall have a properly constructed silt fence erected to intercept runoff.

- 36. Topsoil shall be stripped from areas to be developed and stock-piled within the site. Stock-piled topsoil on the site shall be located outside drainage lines and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed 14 days stock-piles are to be sprayed with an appropriate emulsion solution or seeded to minimise particle movement.
- 37. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
- 38. The two vehicle access driveways on Suakin Street are to be constructed in accordance with the requirements in Figure 3.1 in AS 2890.2-2902.
- 39. Excavated topsoil is to be re-used on-site during the carrying out of the landscaping.
- 40. During demolition and excavation works the site should be inspected by experienced environmental personnel to assess any unexpected conditions or subsurface facilities. Any unexpected problem areas between the boreholes that are found to contain USTs or buried items or contaminated material during construction should be immediately inspected by experienced environmental personnel. The experienced environmental personnel is to provide certification that the site does not contain any unacceptable levels of contamination prior to the erection of any building.

## CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

- 41. Prior to issue of the Final Compliance Certificate or the issue of a Subdivision Certificate, all disused driveway crossings, pipe crossing and/or kerb laybacks are to be reinstated as footway and kerb and/or gutter to the satisfaction of Council's Development Engineer. Reinstatement works to generally match surrounding infrastructure. Any infrastructure within the road reserve along the frontage of the subject site or within close proximity which has been damaged as a result of construction works on the subject site is to be repaired to the satisfaction of Council's Development Engineer, at the Applicants cost.
- 42. 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.
- 43. Landscape works shall be carried out in accordance with *Landscape Plan Sheets 1 & 2; LD01–LD02*; 14 August 2006 by Lorna Harrison Pty Ltd submitted with the Development Application. The landscape works shall be completed prior to issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.
- 44. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Sydney Water Coordinator, for details see Sydney Water web-site <a href="www.sydneywater.com.au/customer/urban/index">www.sydneywater.com.au/customer/urban/index</a> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing 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 for landscape design.

The Section 73 Certificate must be submitted to Council prior to release of the Occupation Certificate.

- 45. Noxious and/or undesirable plant species shall be removed from the property prior to completion of the proposed building works. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.
- 46. The entire site is to be managed as an Thiner Protection Area' as detailed in section 4.2.2 of *Planning for Bushfire Protection 2001.*

## CONDITIONS TO BE SATISFIED ON AN ONGOING BASIS

47. The hours of operation are to be restricted to:

Monday to Friday (7.00am - 6.00pm)

Saturday (7.00am-4.00pm)

Sunday and Public Holidays (Nil)

Exceptions to the above hours of operation are permitted to respond to emergencies.

- 48. Signage on the site is to be limited to identification signage at each street frontage indicating the street address, name of the building and/or use of the building.
- B. That Council write to the Roads and Traffic Authority requesting they consider permitting right turns from Bridge Street to Pacific Highway and inclusion of a pedestrian crossing phase in the traffic signal to assist pedestrians crossing the Highway.

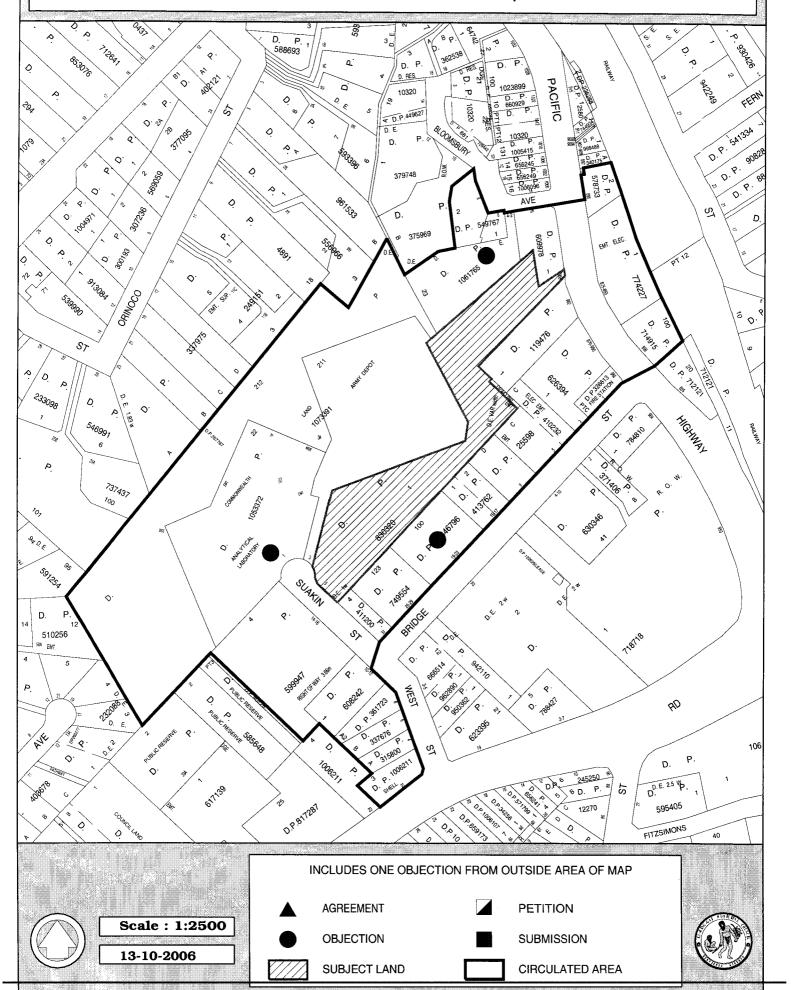
Kerry Gordon

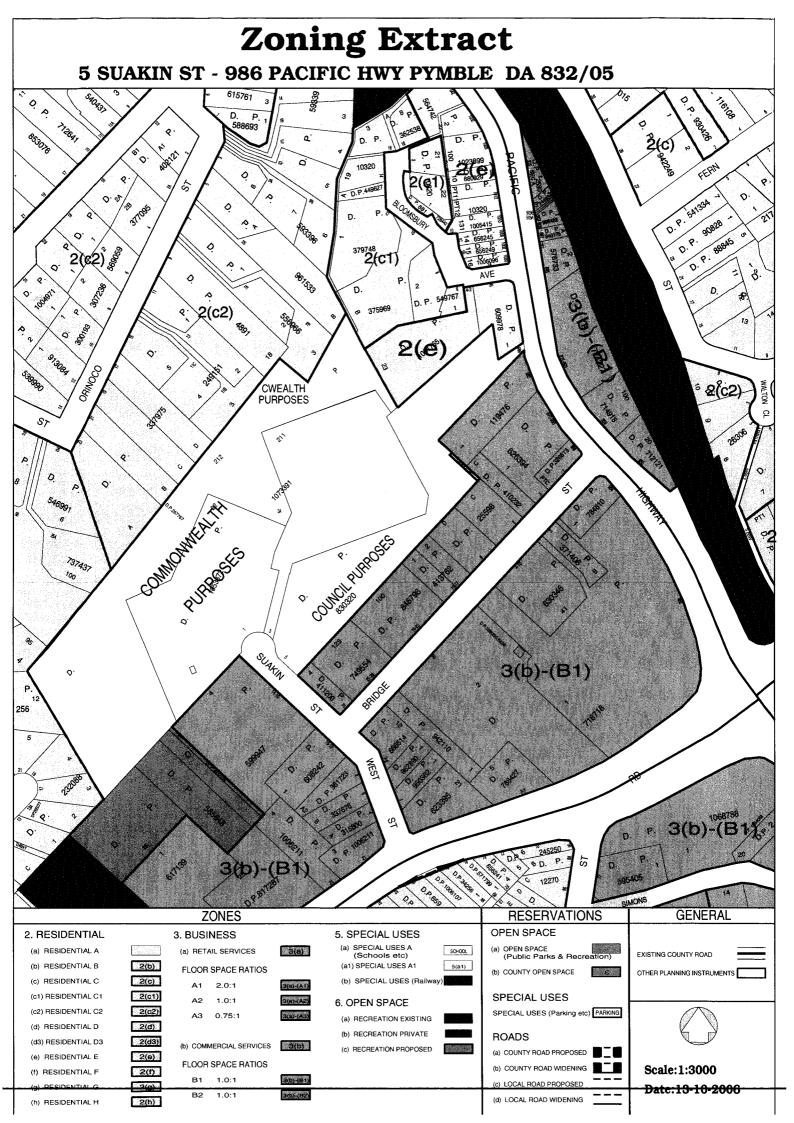
**Director** 

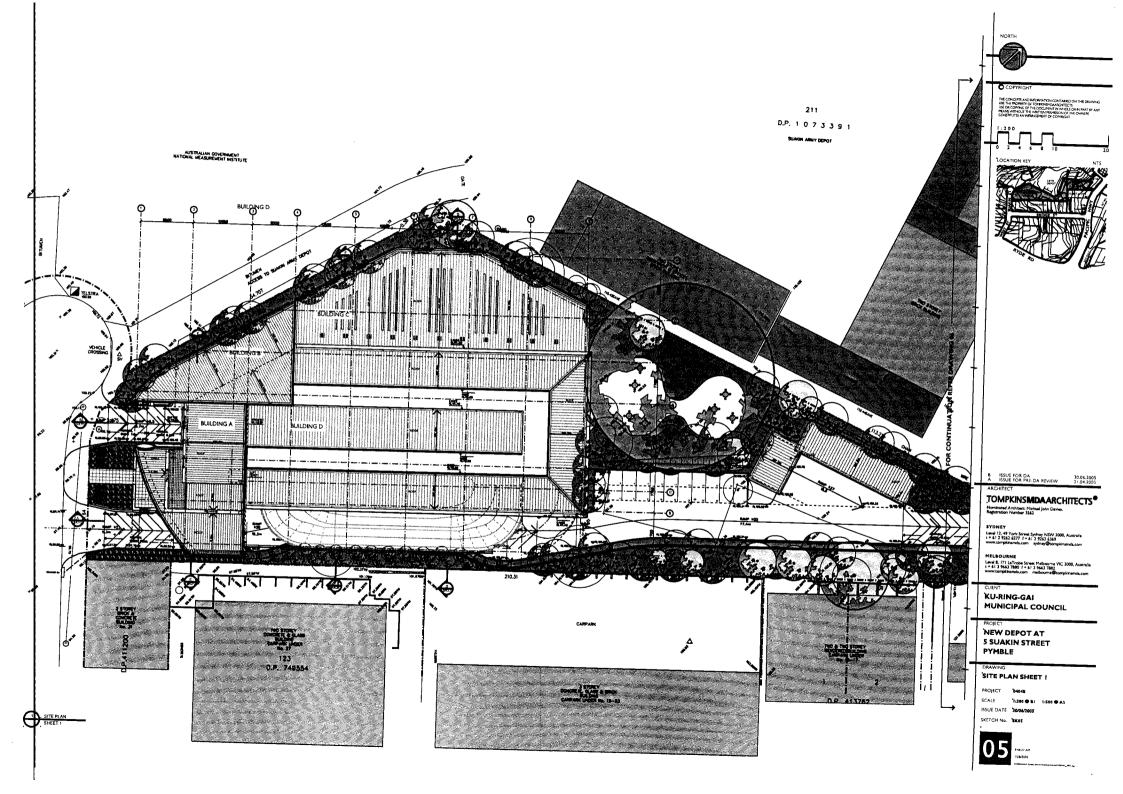
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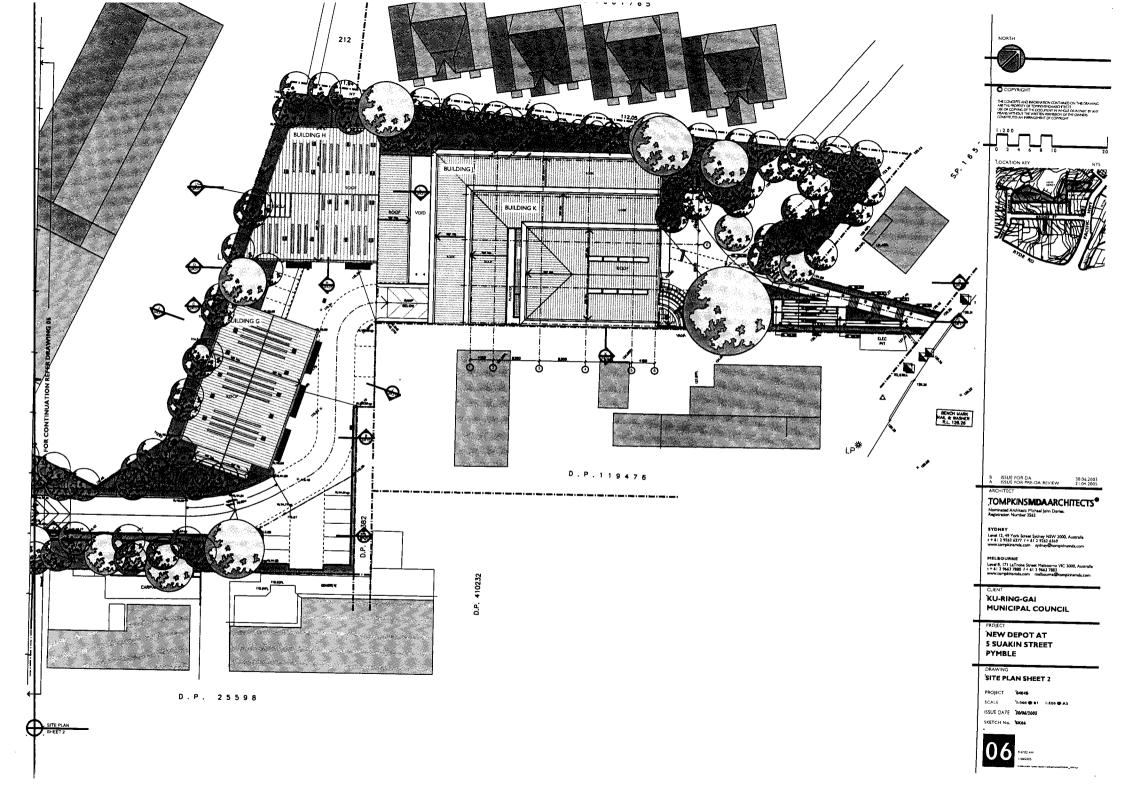
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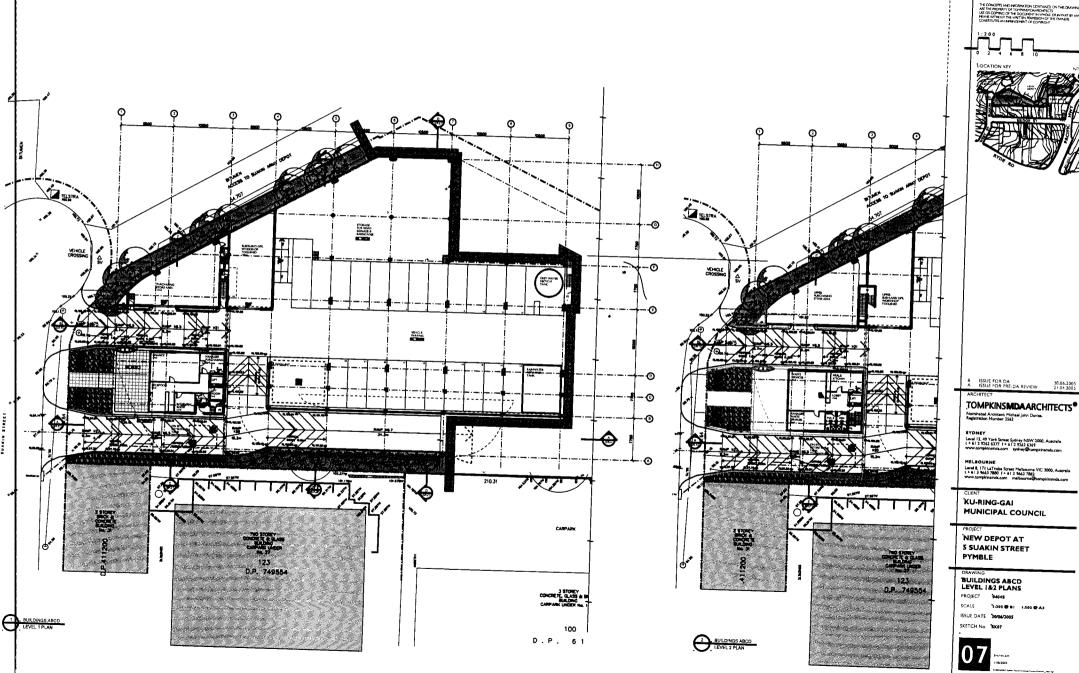
**DEVELOPMENT APPLICATION No 832/05** 





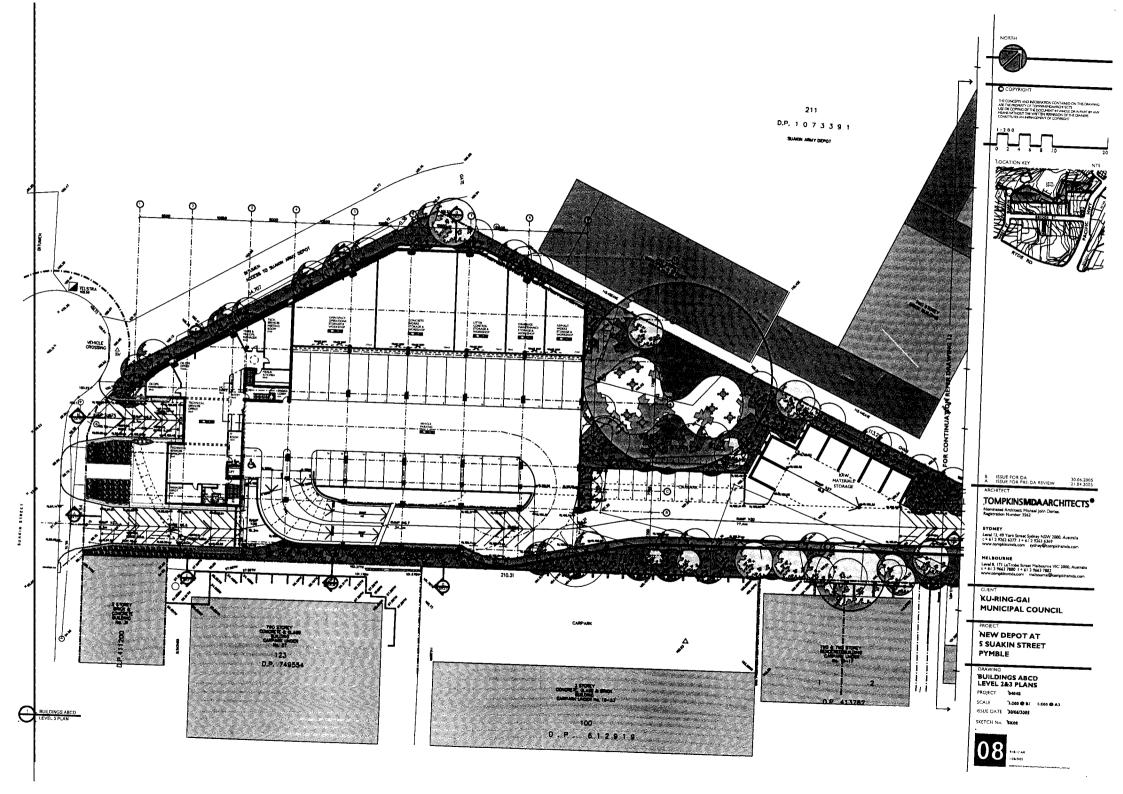


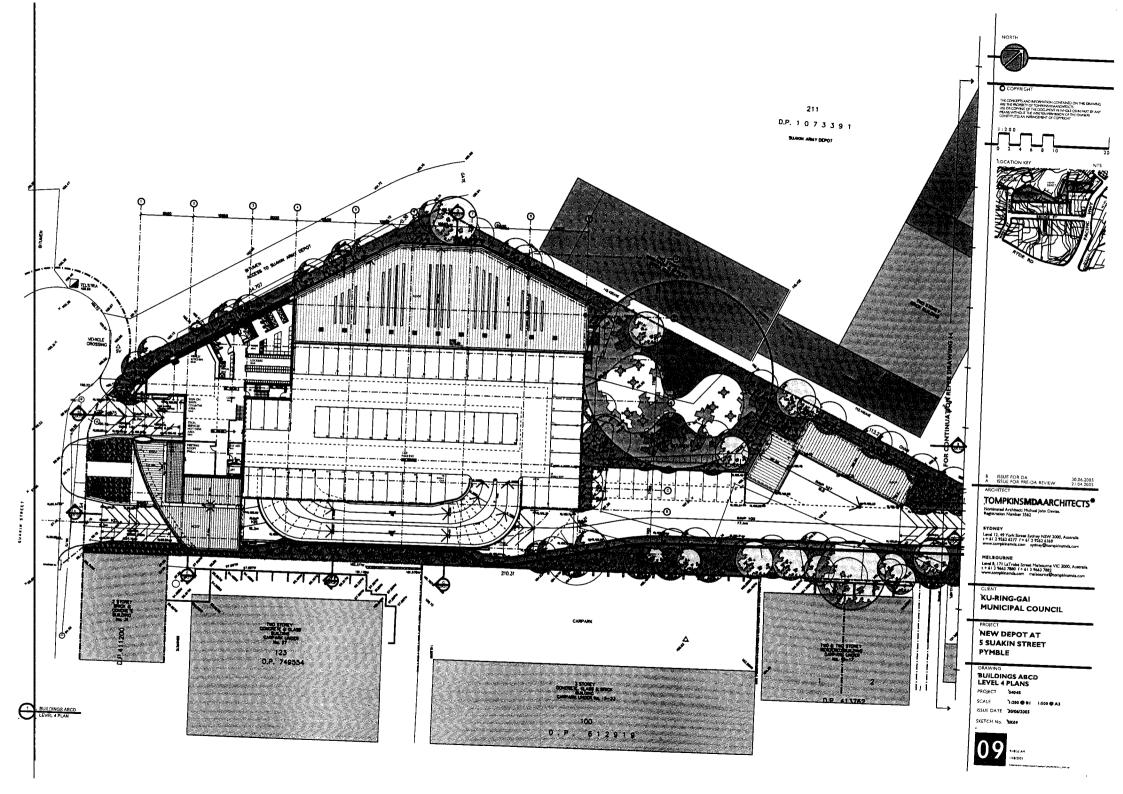


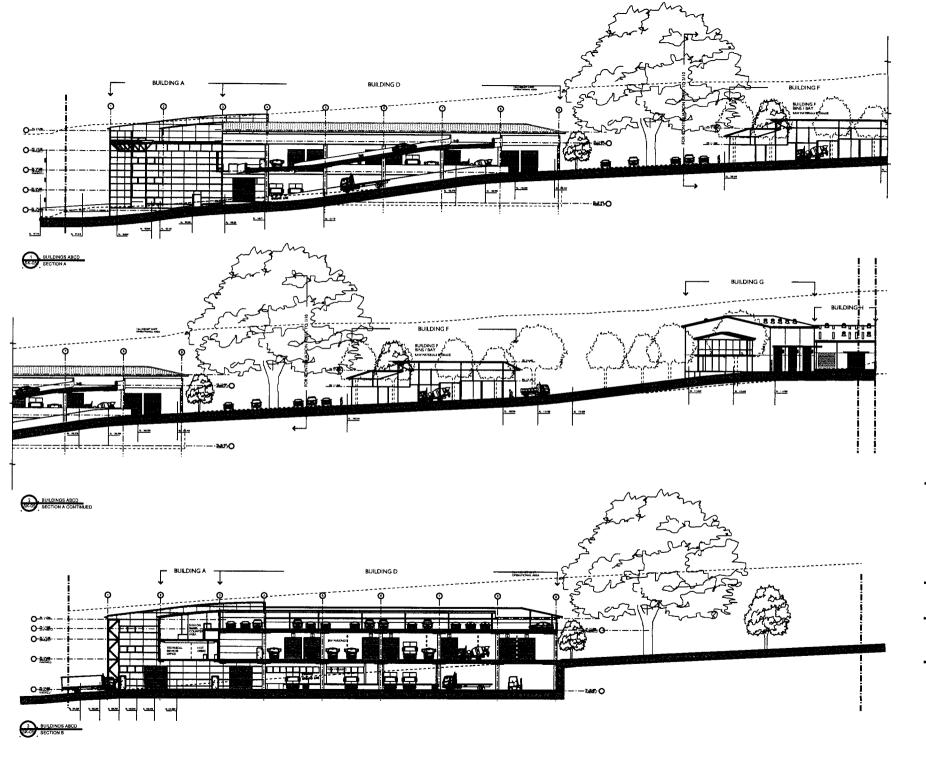


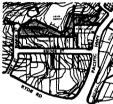












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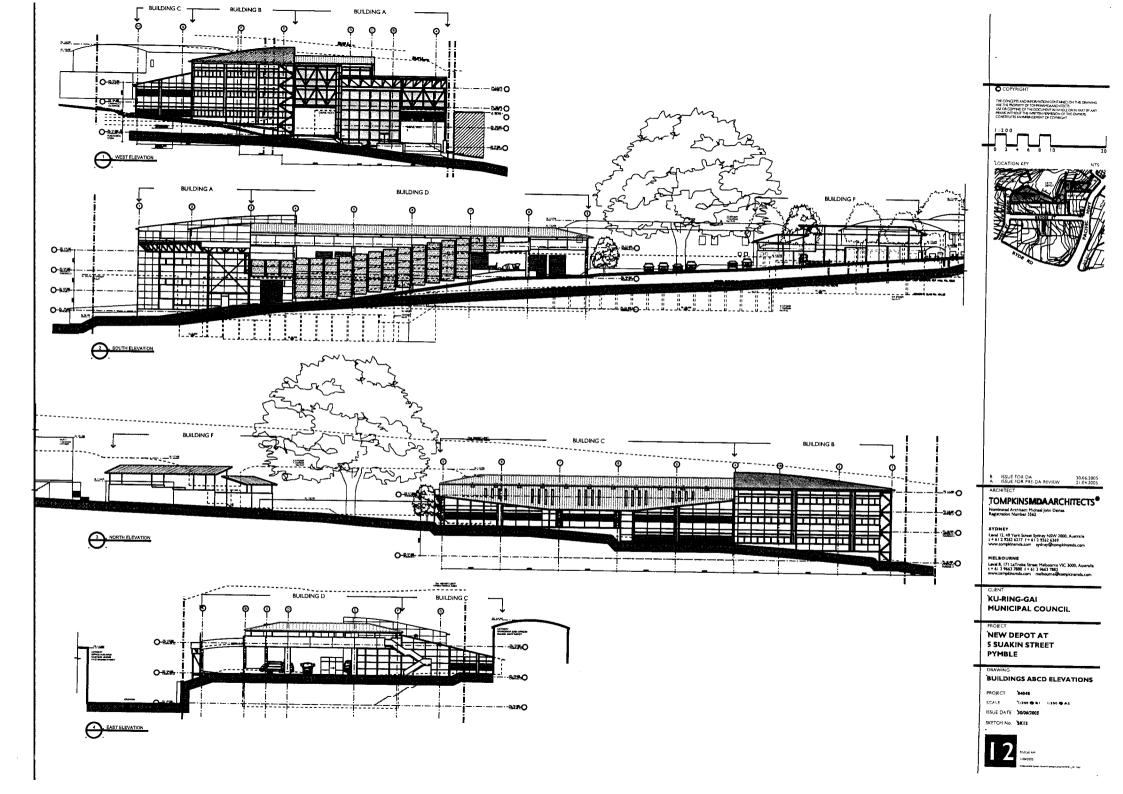
MELBOURNE Level 8, 171 LaTrobe Street Melbourne VIC 3000, Australia c + 6,1 3 9643 7880 | 1 + 6,1 3 9443 7882 www.tomeishamdu.com melbourne@tromeishamds.com

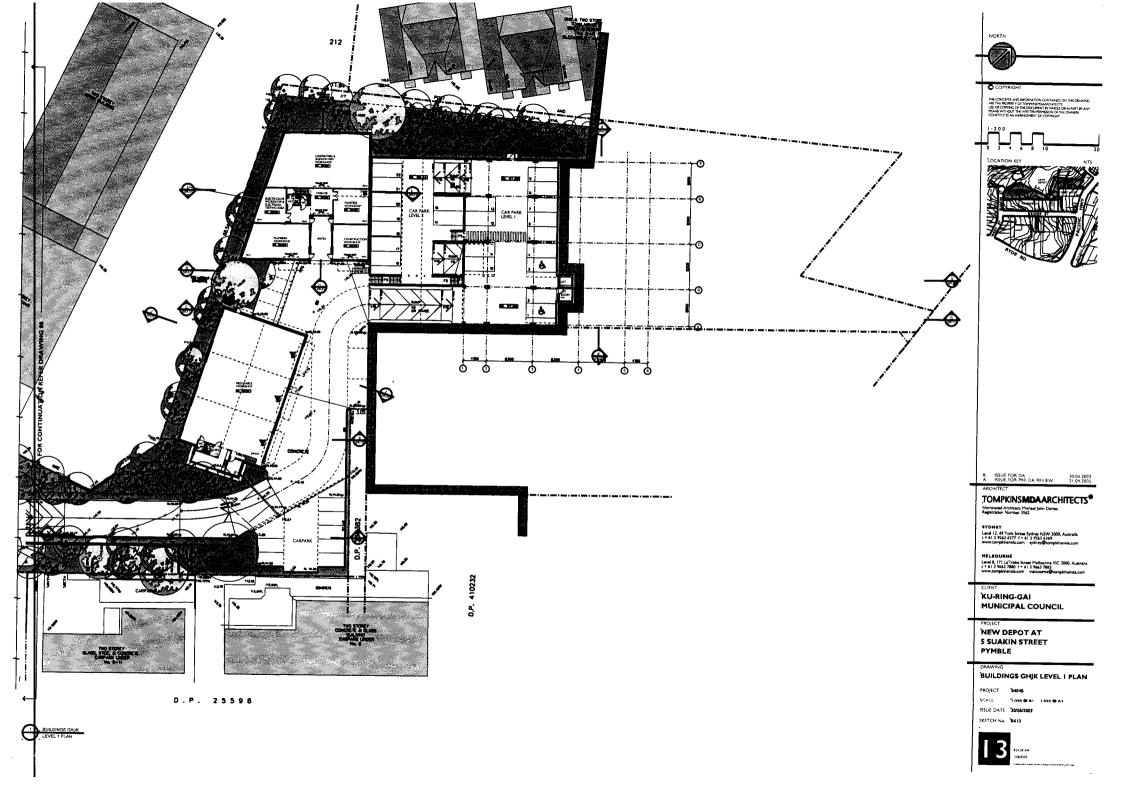
KU-RING-GAI MUNICIPAL COUNCIL

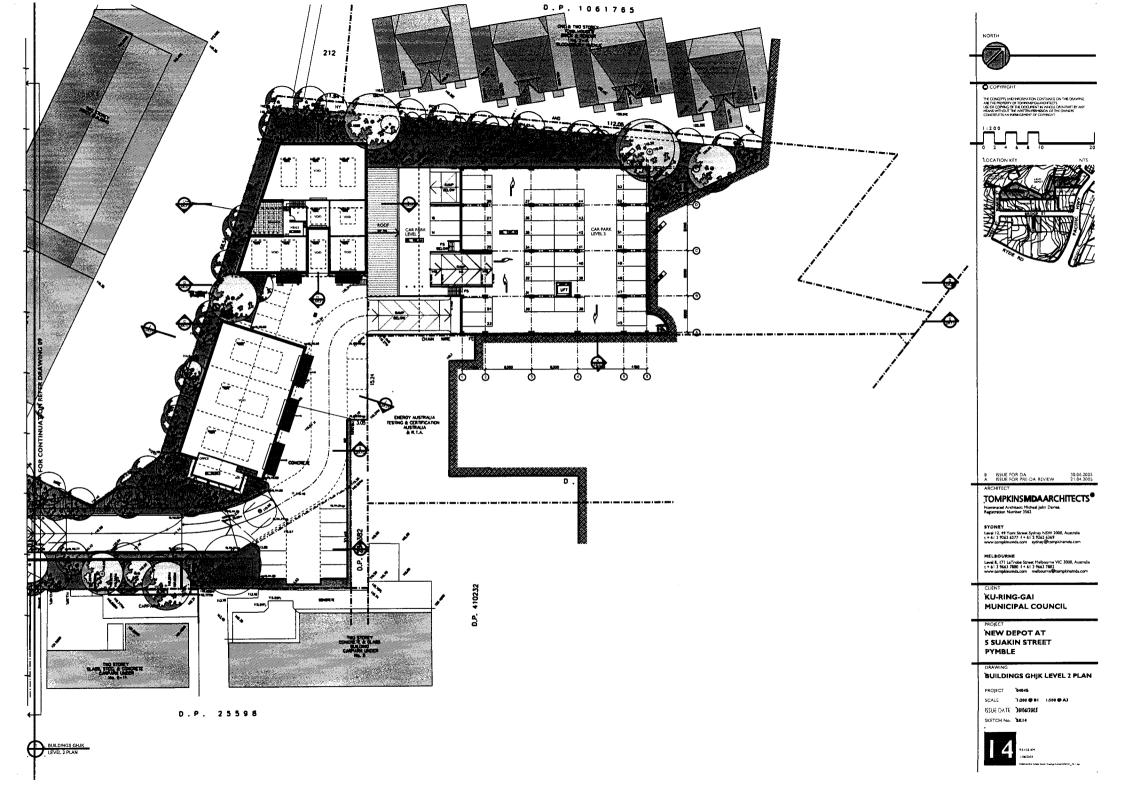
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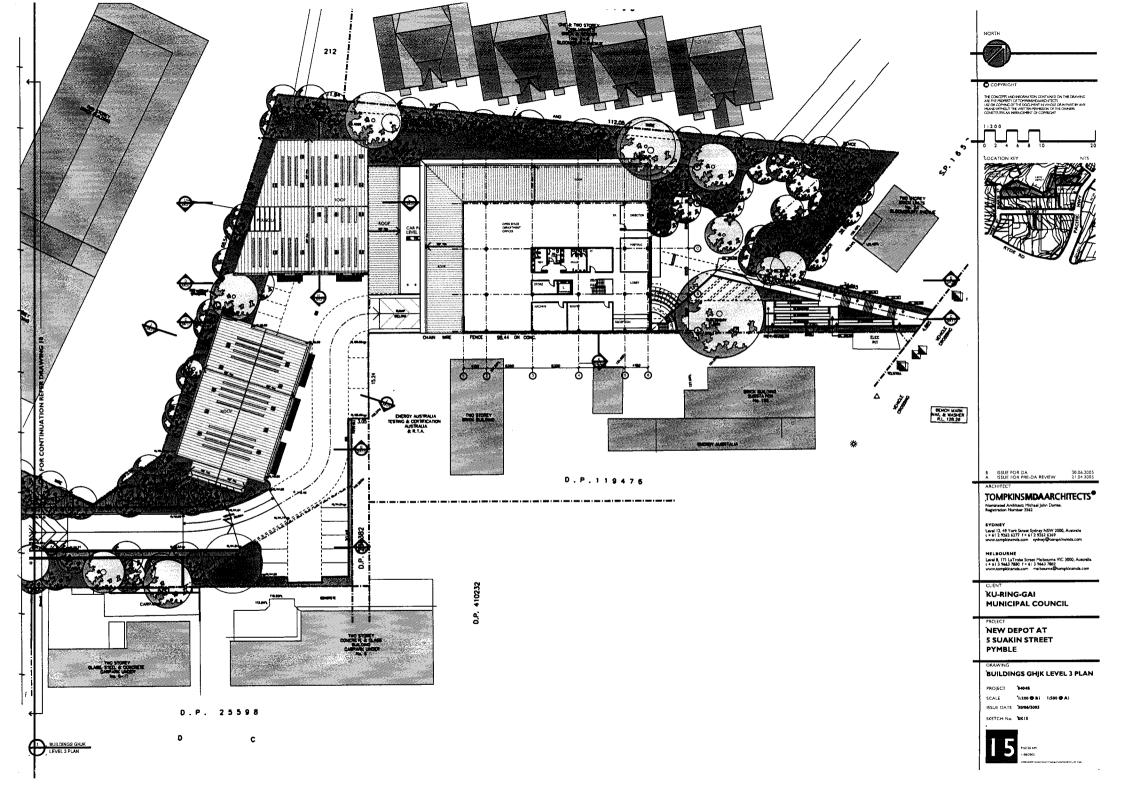
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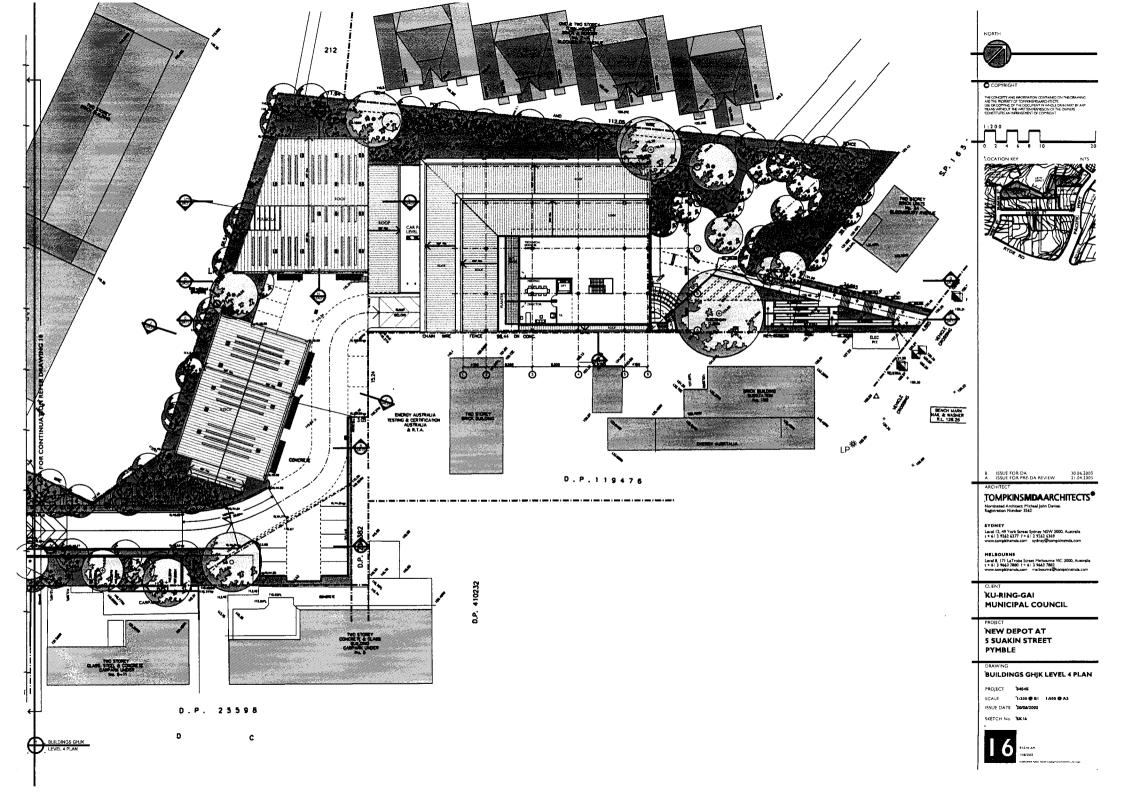
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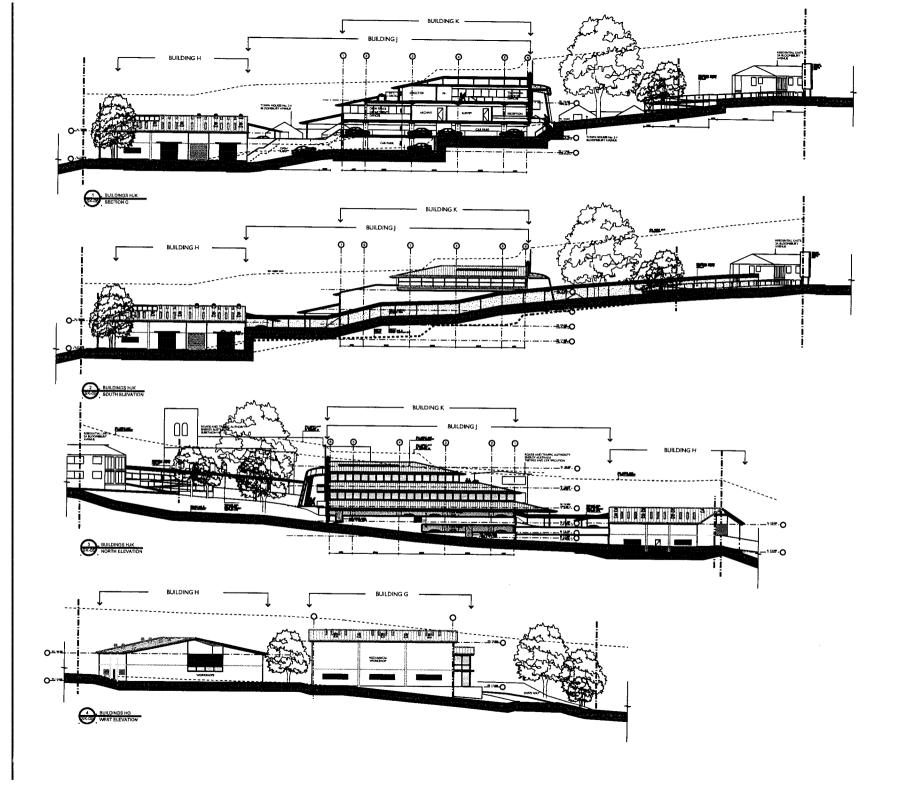














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Level 8, 17/ LaTrobe Street Melbourne VIC 3000, Australia c+ 613 9663 7880 (+ 613 9663 7882 www.tompkinsmis.com melbourne@bompkinsmis.com

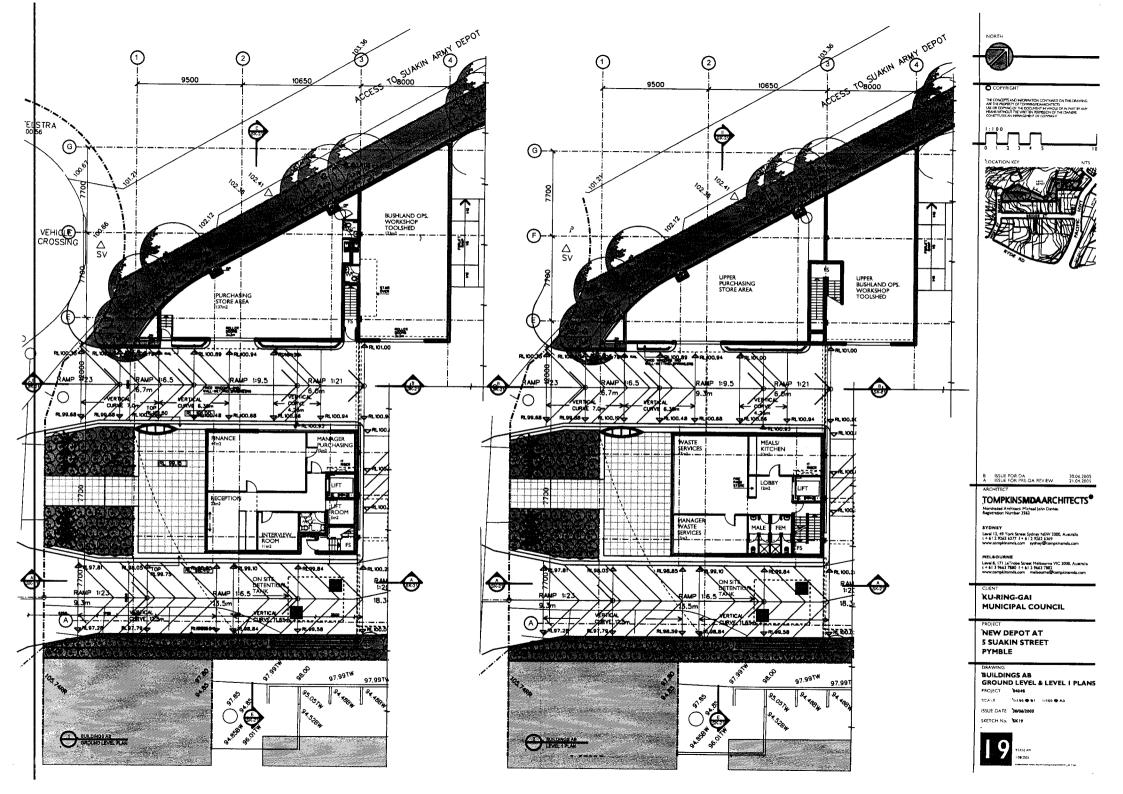
KU-RING-GAI MUNICIPAL COUNCIL

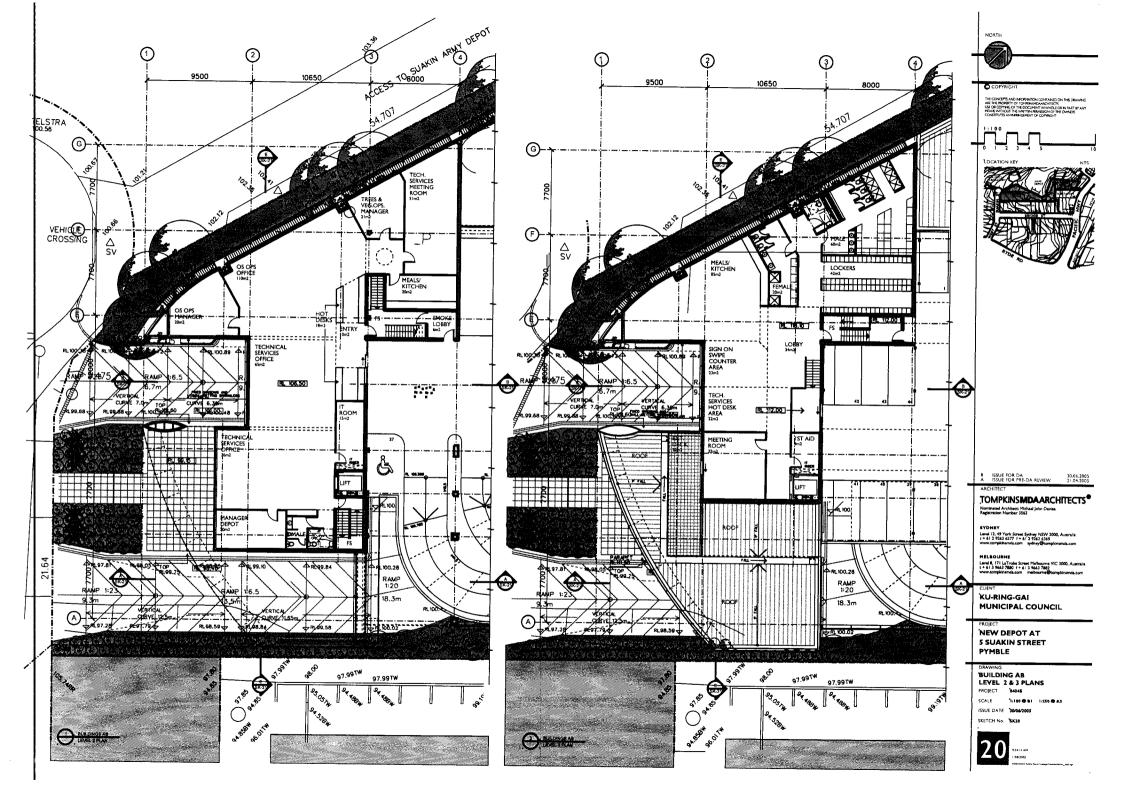
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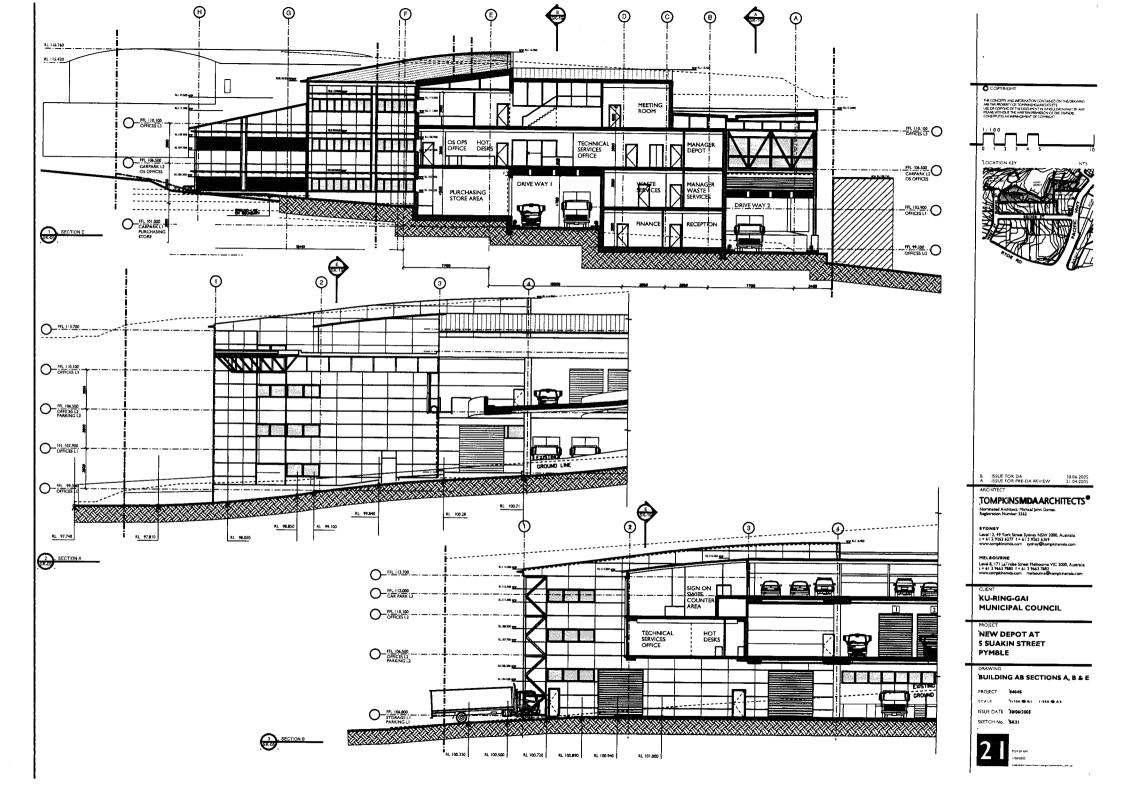
SITE SECTIONS & ELEVATIONS **BUILDINGS GHJK** 

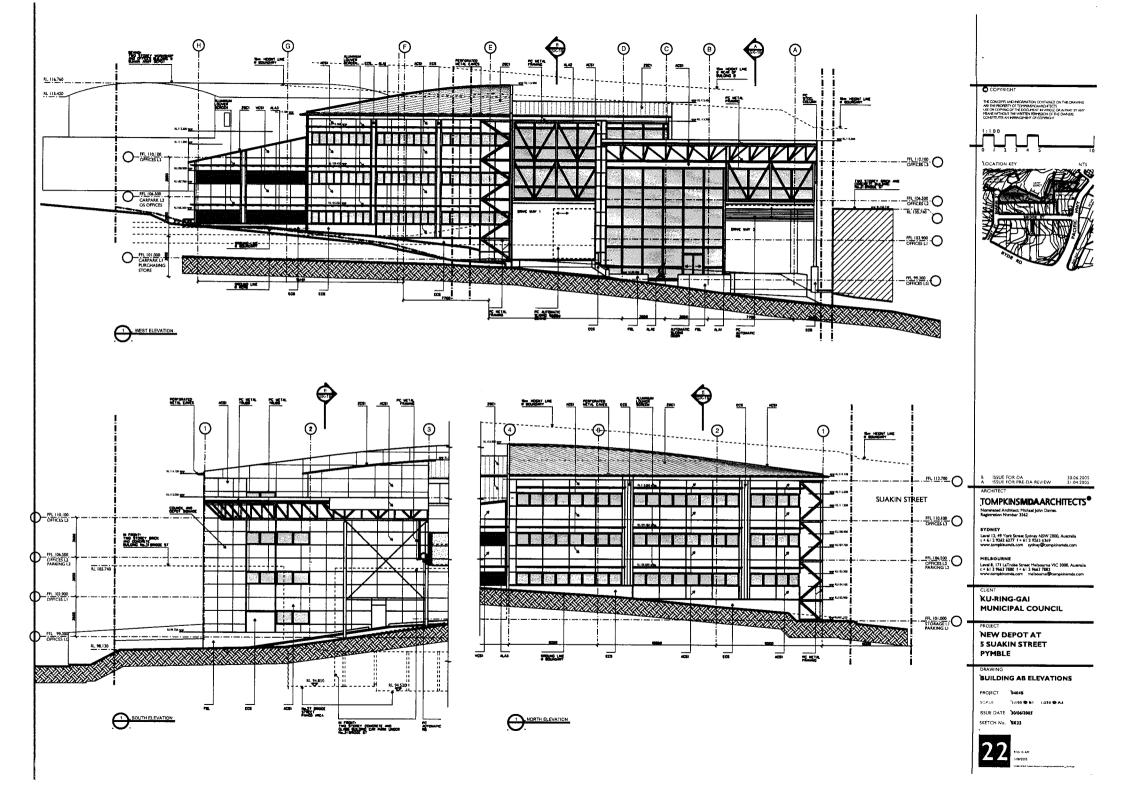
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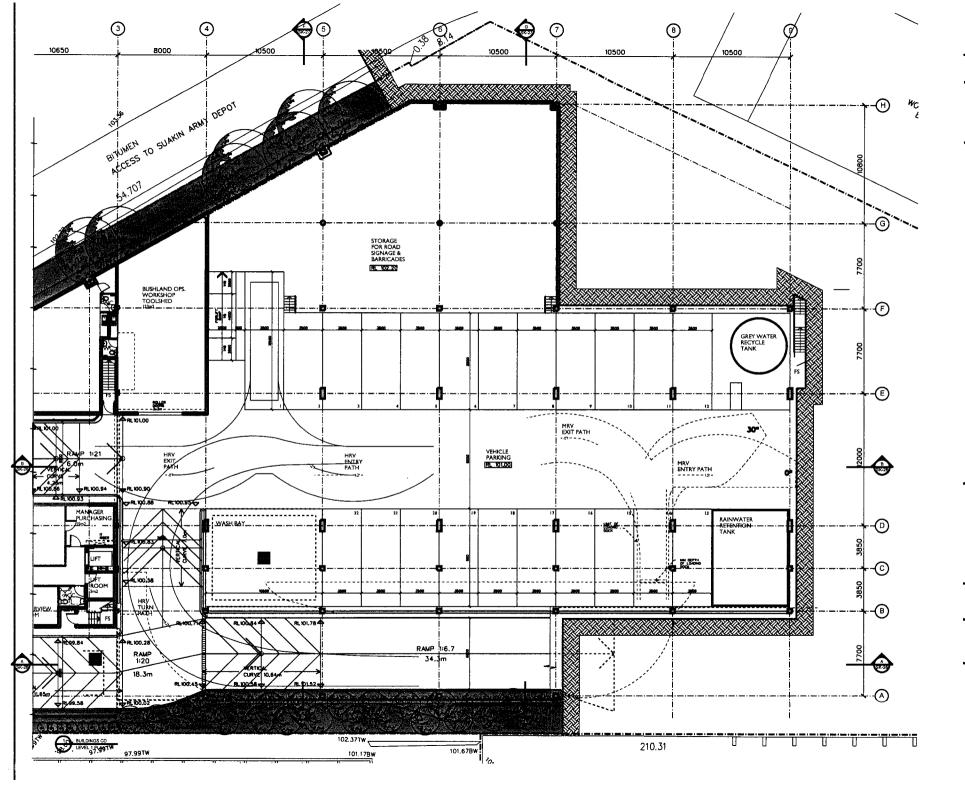




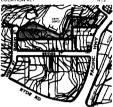












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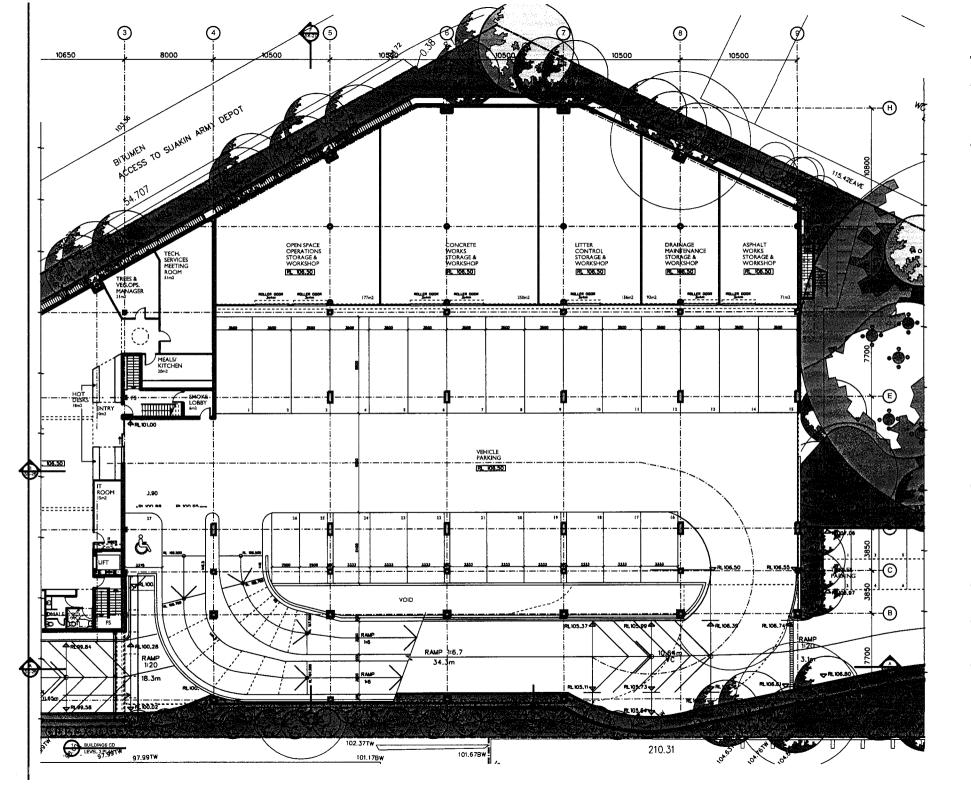
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PROJECT 04045

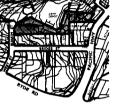
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#### TOMPKINSMDAARCHITECTS®

Nominated Architect: Michael John Davies. Registration Number 3562

Level 12, 49 York Street Sydney NSW 2000, Australia + 61 2,9262 6277 1+ 61 2,9262 6369 www.tompkin.umdu.com sydney@tompkin.umdu.com

#### MELBOURNE

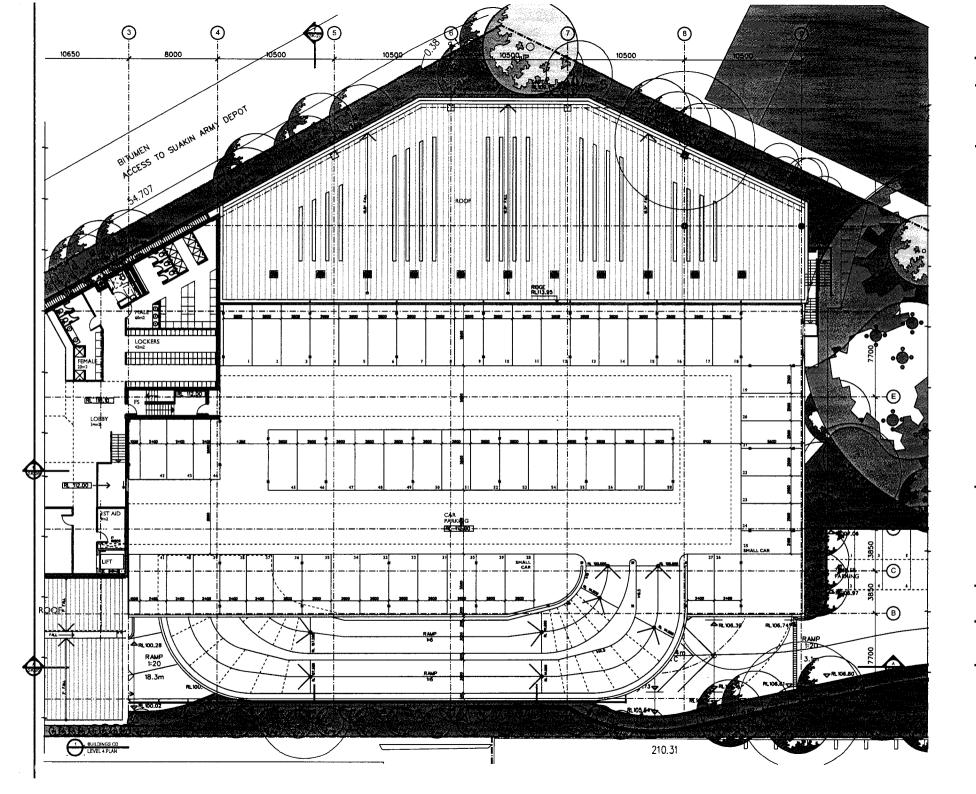
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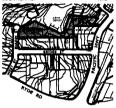
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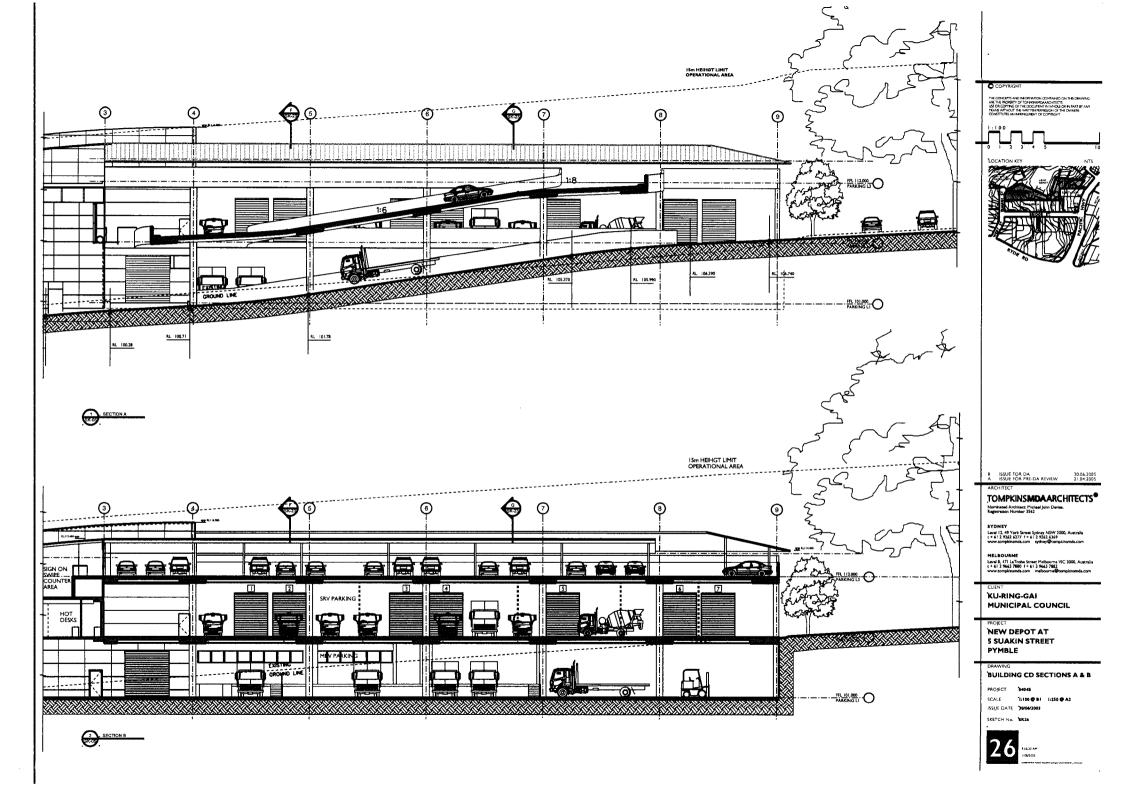
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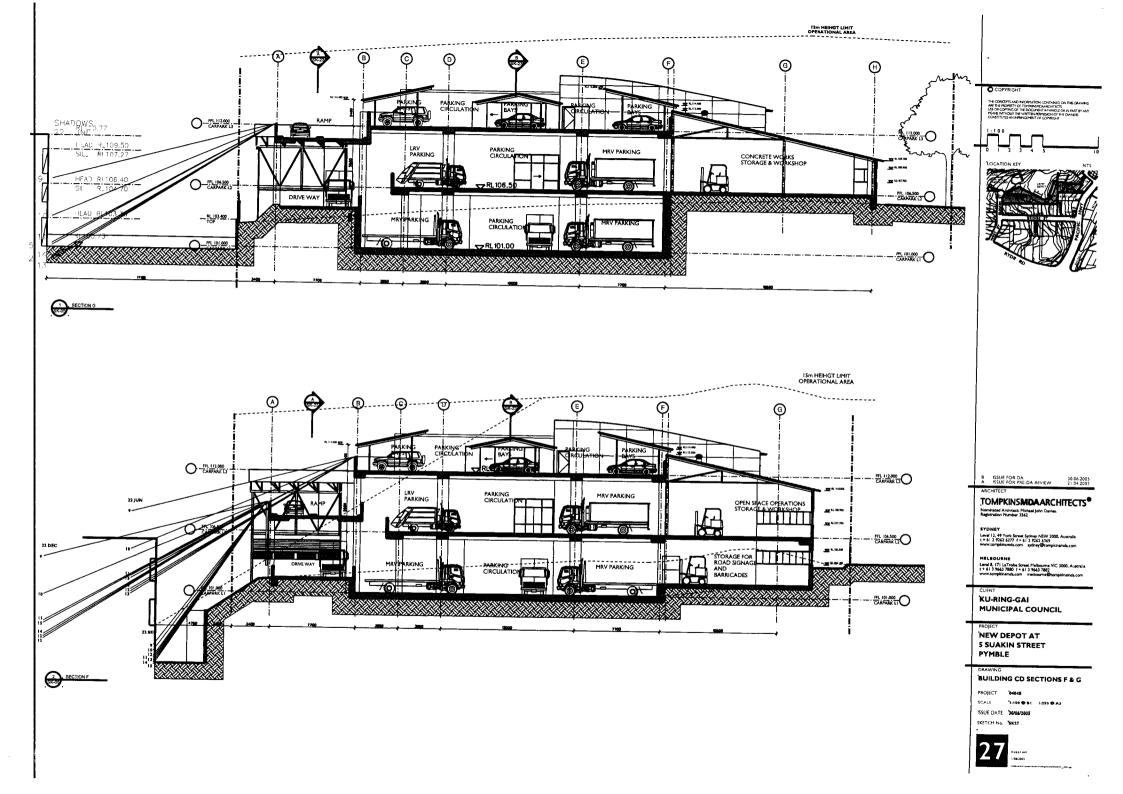
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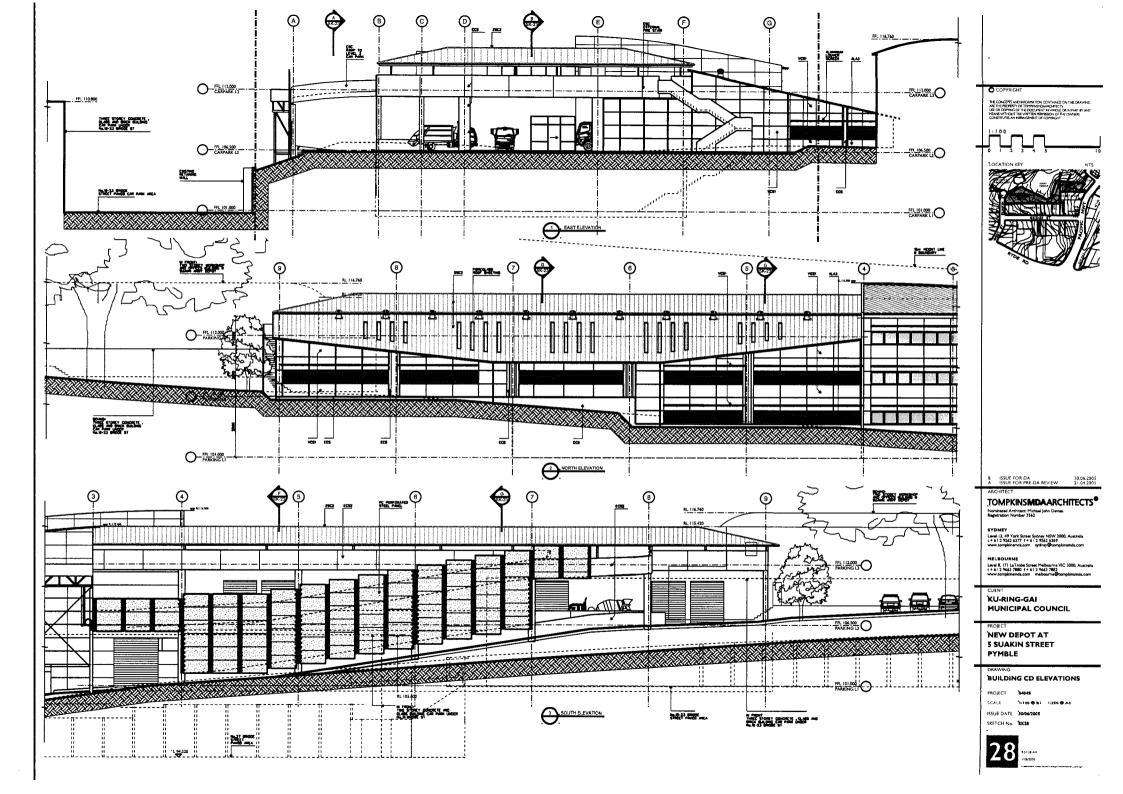
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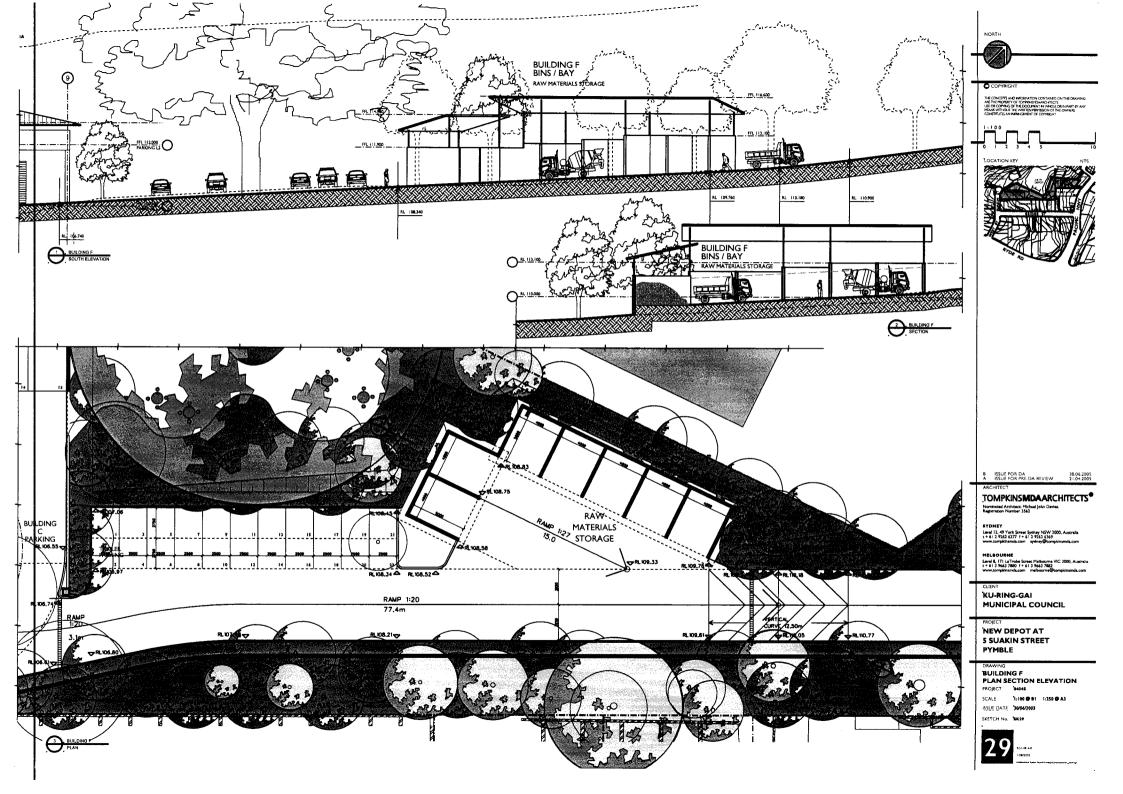
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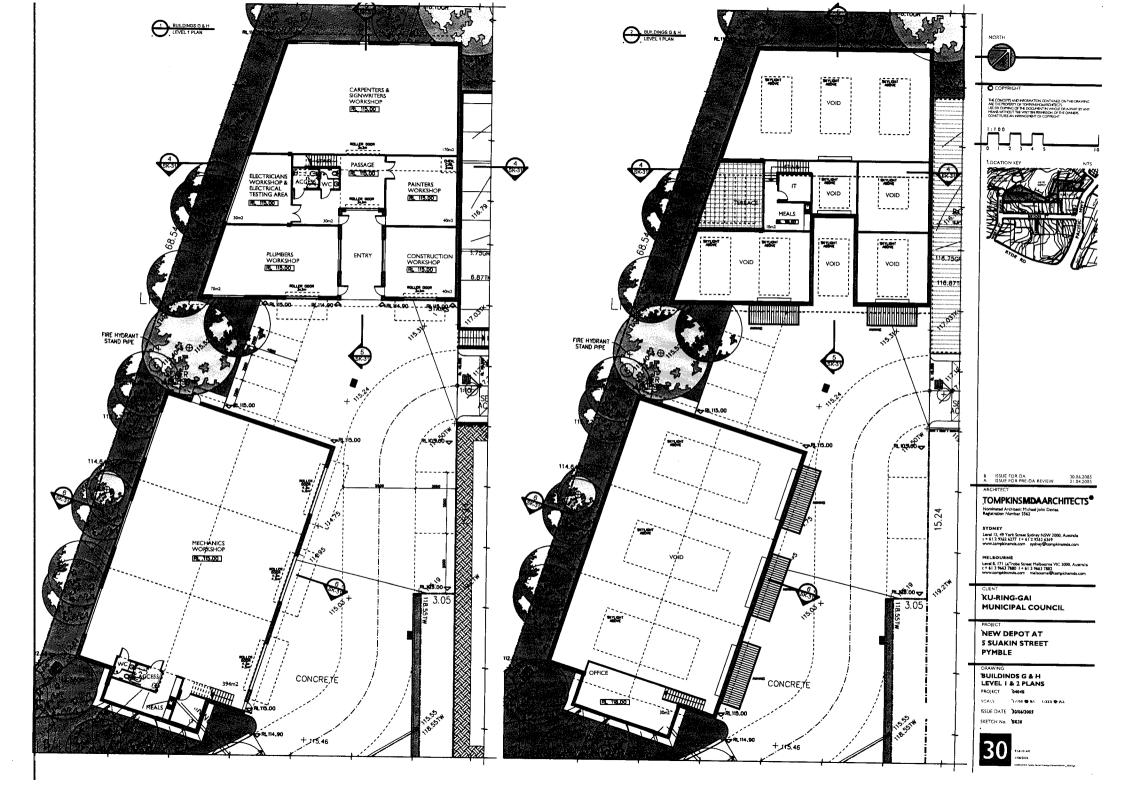
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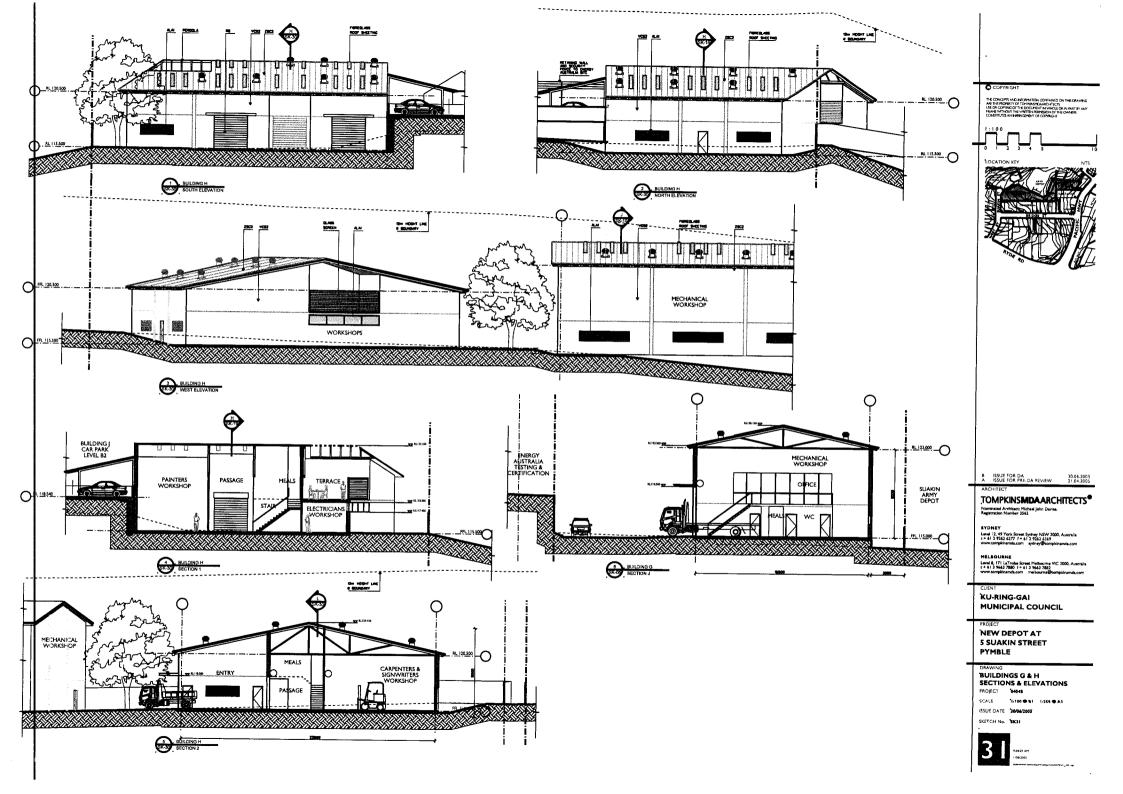


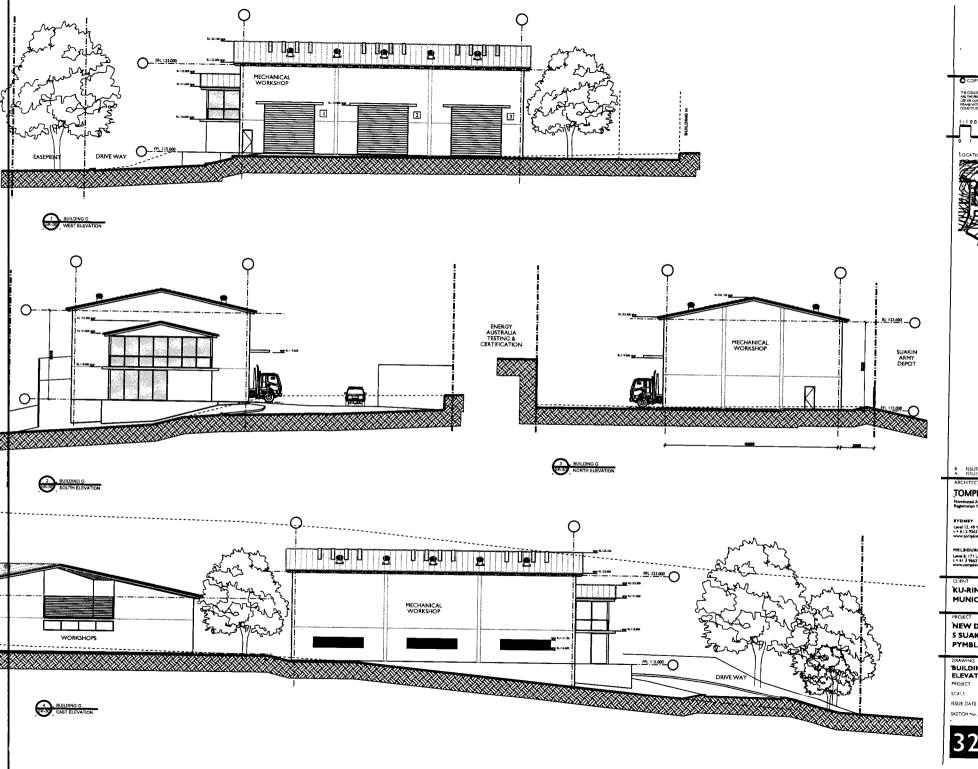














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Nominated Architect: Michael John Davies, Registration Number 3562

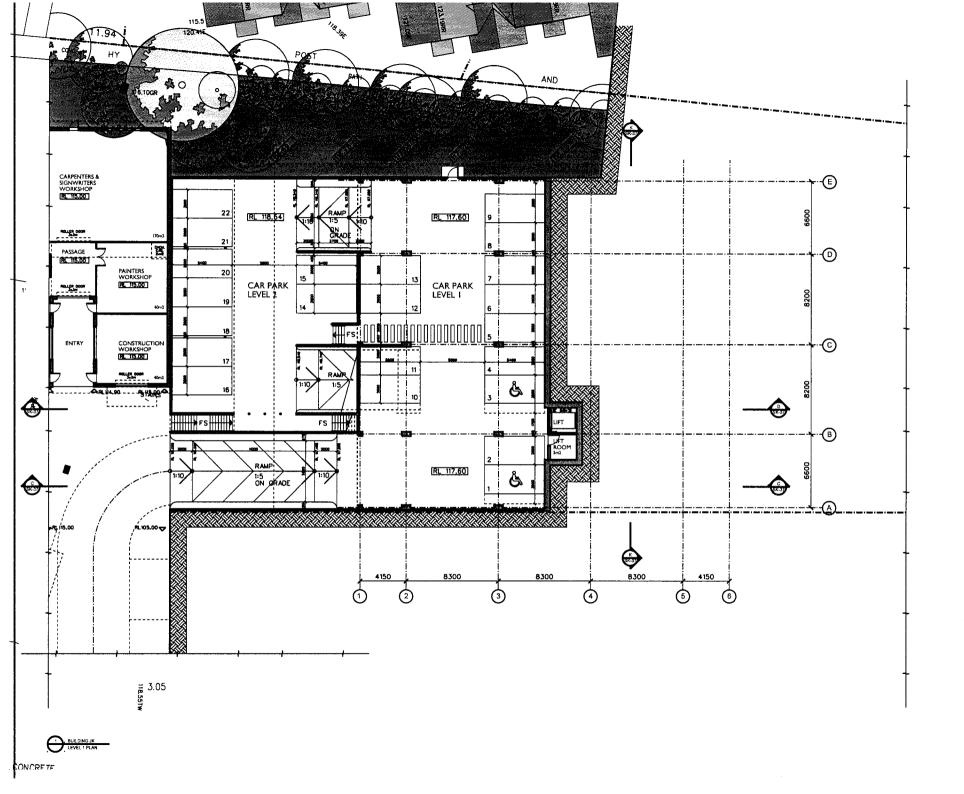
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5 SUAKIN STREET PYMBLE

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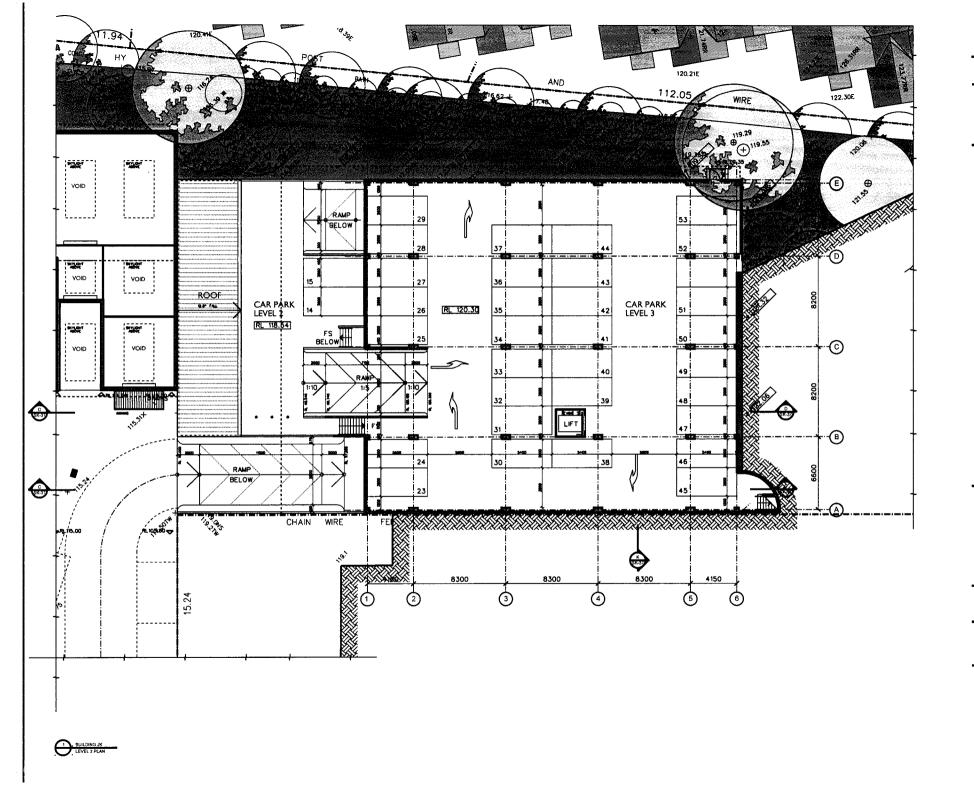
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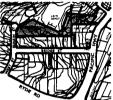
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#### TOMPKINSMDAARCHITECTS® Nominsted Architect: Michael John Davies. Registration Number 3562

Lavel 12, 49 York Street Sydney NSW 2000, Australia t + 51 2 9262 6277 1 + 61 2 9262 6369

MELBOURNE
Level 8, 17t LaTrobe Street Melbourne VIC 3000, Australia c + 61 3 963 7880 ( + 61 3 963 7882 )
www.tzmpfkinsmis.com melbourne@compkinsmids.com

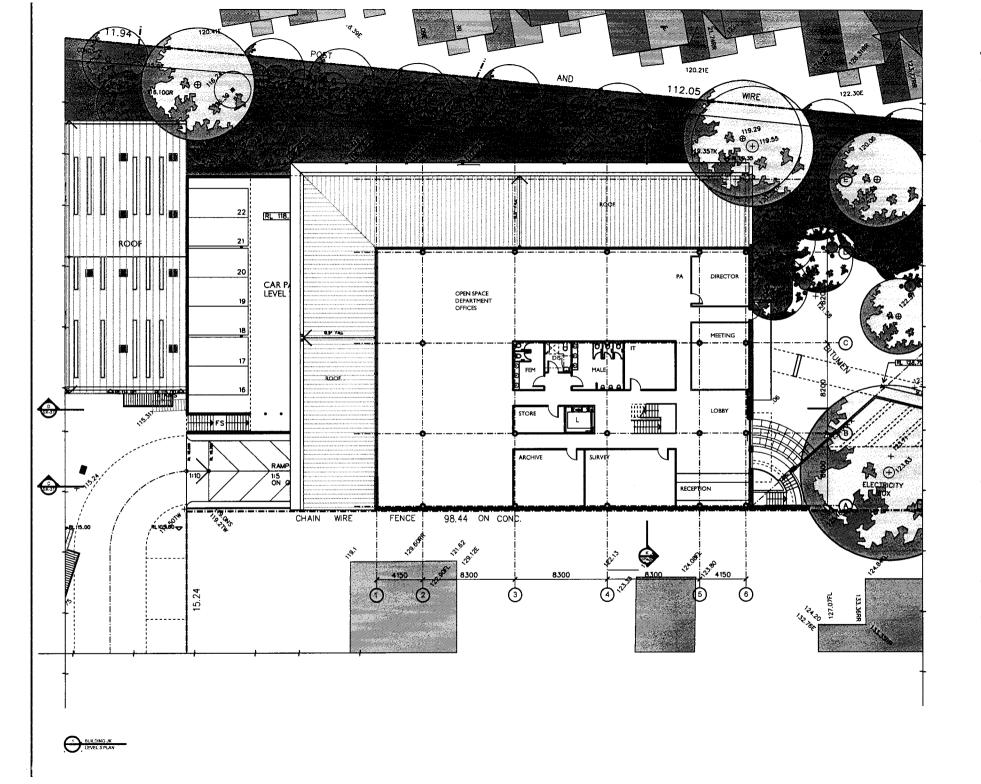
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**NEW DEPOT AT 5 SUAKIN STREET** PYMBLE

BUILDING JK LEVEL 2 PLAN PROJECT 04045

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ISSUE DATE 30/04/2005 SKETCH No. 3K34







#### TOMPKINSMDAARCHITECTS®

Nominated Architect: Michael John Davies. Registration Number 3562

Lavel 12, 49 York Street Sydney NSW 2000, Australia t + 61 2 9262 6277 1 + 61 2 9262 6369

Level 8, 171 LaTrobe Street Melbourne VIC 3000, Australia c + 61 3 9643 7880 f + 81 3 9643 7882

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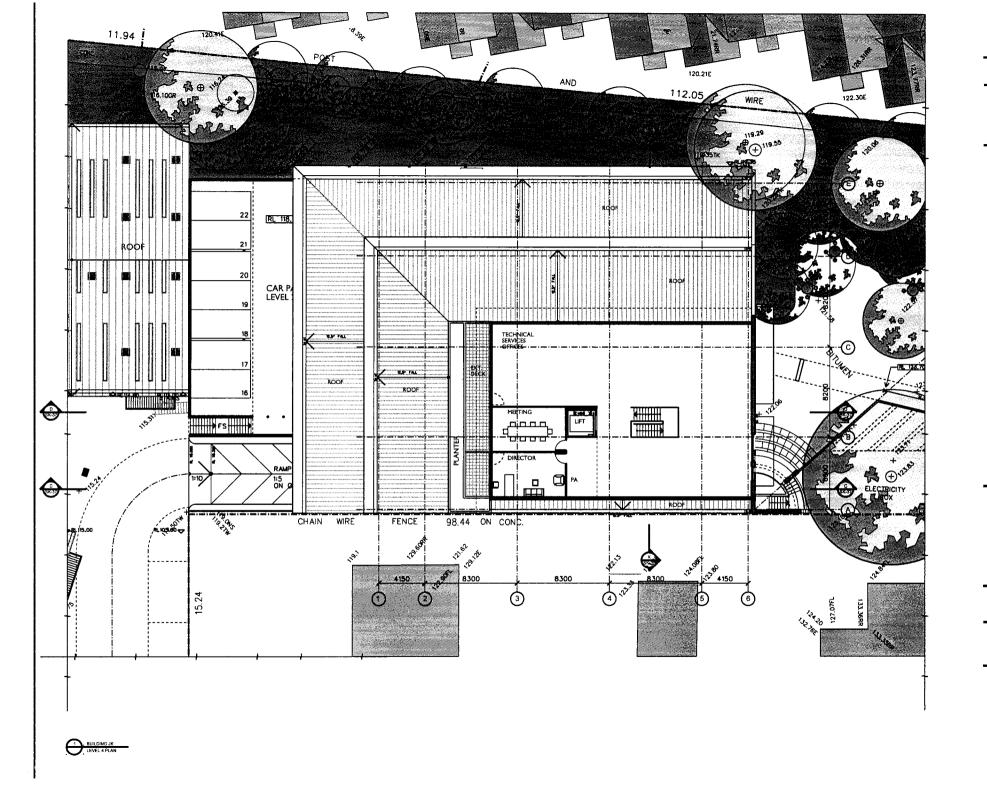
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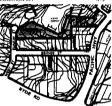
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#### TOMPKINSMDAARCHITECTS® Nominated Architect: Michael John Davies. Registration Number 3562

SYDNEY
Level 12, 49 York Street Sydney NSW 2000, Australia
c+612 9262 6277 (+612 9262 6369
www.tompkinsmds.com sydney@tompkinsmds.com

MELBOURNE Level 8, 171 LaTrobe Street Melbourne VIC 3000, Australia c + 61 3 9643 7890 (+ 61 3 9643 7892)

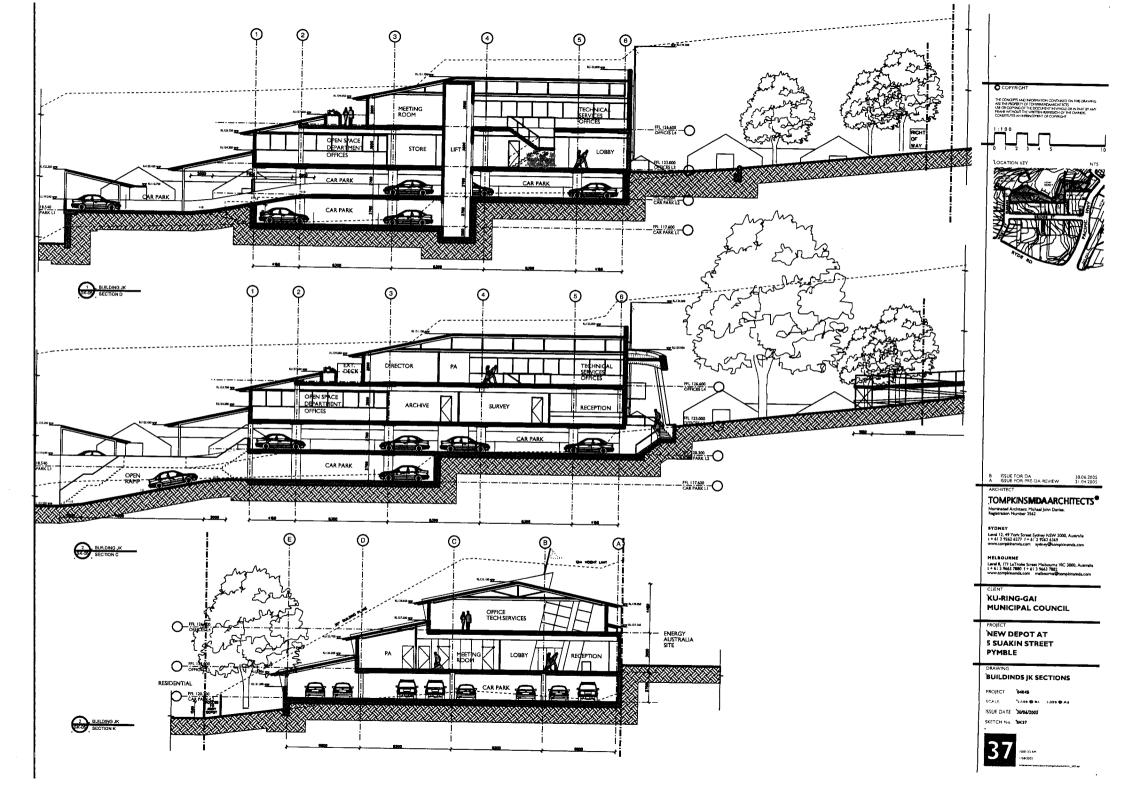
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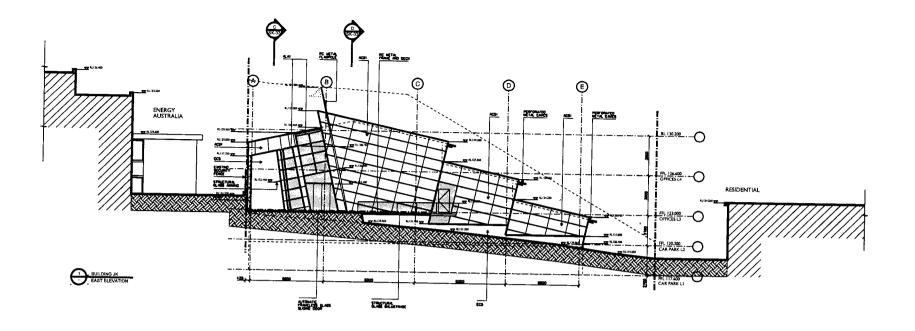
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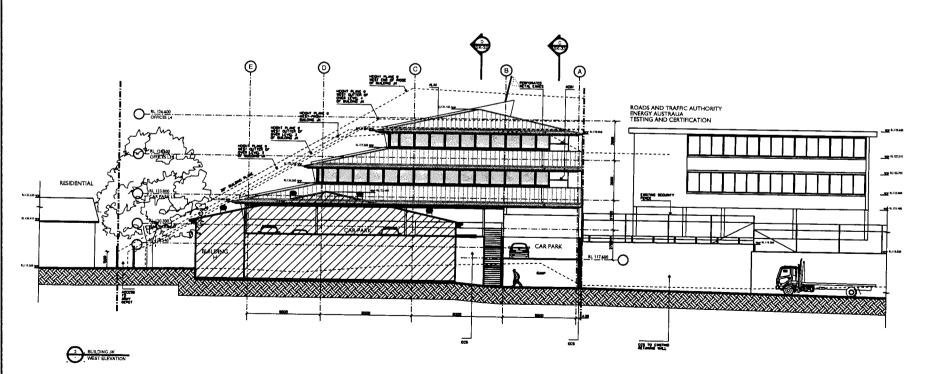
BUILDING JK LEVEL 4 PLAN PROJECT 04045

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#### TOMPKINSMDAARCHITECTS®

Nominssed Architect: Michael John Davies. Registration Number 3562

Level 12, 49 York Street Sydney NSW 2000, Australia 1 + 6 | 2 9262 6277 f + 6 | 2 9262 6369 www.tompkinsmds.com sydney@tompkinsmds.com

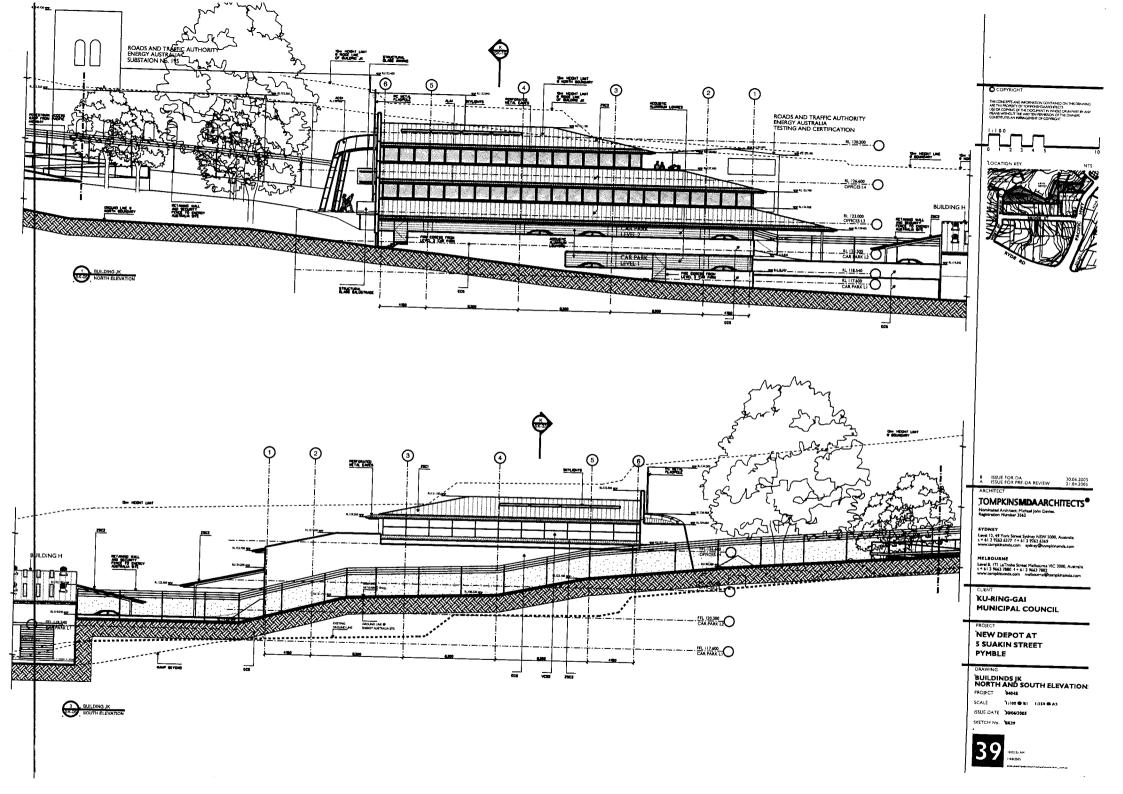
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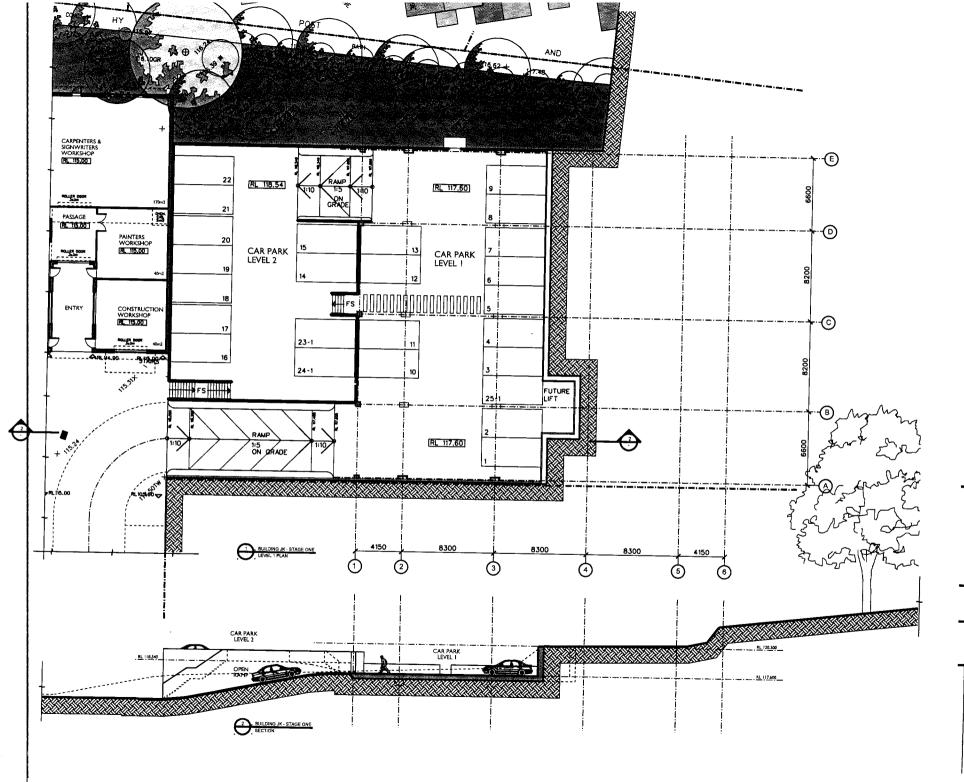
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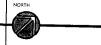
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### TOMPKINSMDAARCHITECTS\*

Nominated Architect: Michael John Davies. Registration Number 3562

DNEY

LBOURNE

evel 8, 171 LaTrobe Street Melbourne VIC 3000, Australia + 61 3 9663 7880 1+ 61 3 9663 7882 www.tompkinamds.com \_\_melbourne@compkinamds.com

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KU-RING-GAI MUNICIPAL COUNCIL

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NEW DEPOT AT 5 SUAKIN STREET PYMBLE

DRAWING

BUILDIND JK - STAGE ONE LEVEL I PLAN AND SECTION

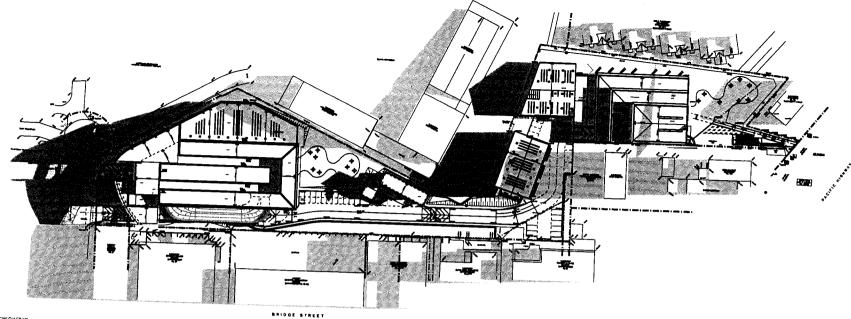
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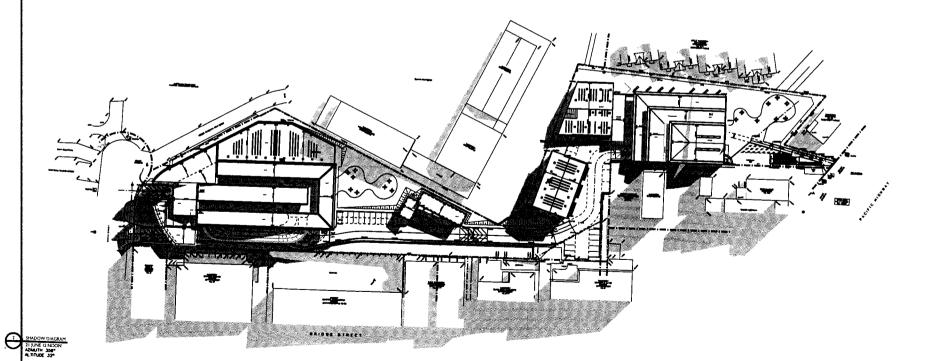
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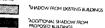
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\*ADDITIONAL SHADOW FROM PROPOSED BUILDINGS

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TOMPKINSMDAARCHITECTS® Nominated Architect: Michael John Davies. Registration Number 3562

SYDNEY
Level 12, 49 York Street Sydney NSW 2000, Australia
c+612, 9262, 6277, 1+612, 9262, 6369
www.complithsmda.com
syshey@complithsmda.com

Level 5, 171 LaTrobe Street, Melbourne VIC 3000, Australia t + 61 3 9663 7880 f + 61 3 9663 7882

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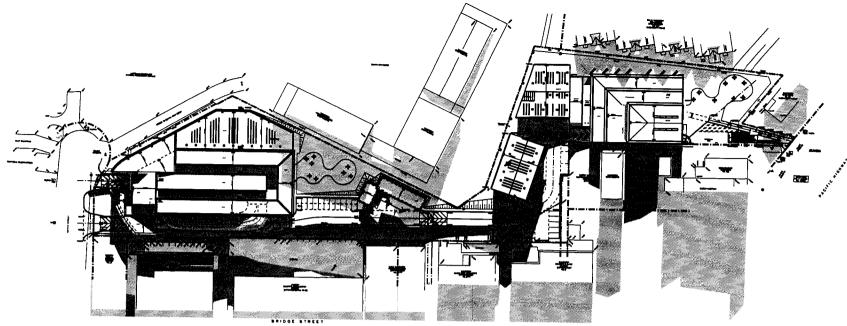
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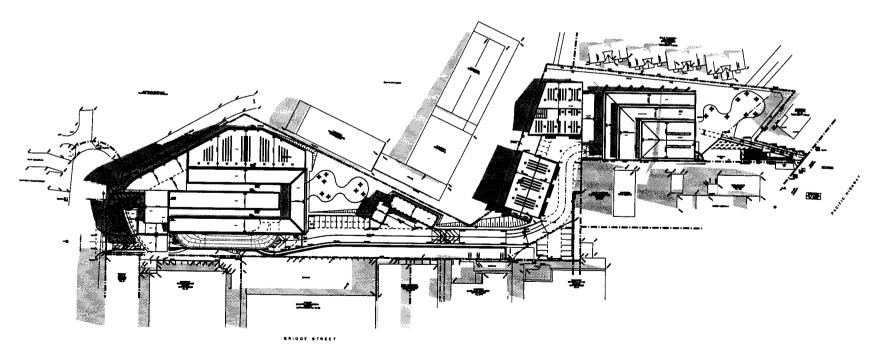
SHADOW DIAGRAM 21 JUNE 9 AM AND 12 NOON

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SKETCH No. SK41









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TOMPKINSMDAARCHITECTS® Nominsced Architect: Michael John Davies. Registration Number 3562

#YDNEY
Lavel 12, 49 York Street Sychey NSW 2000, Australia
t + 61 2 9742 6277 f + 61 2 9762 6369
www.tompkinamds.com sychey@tompkinamds.com

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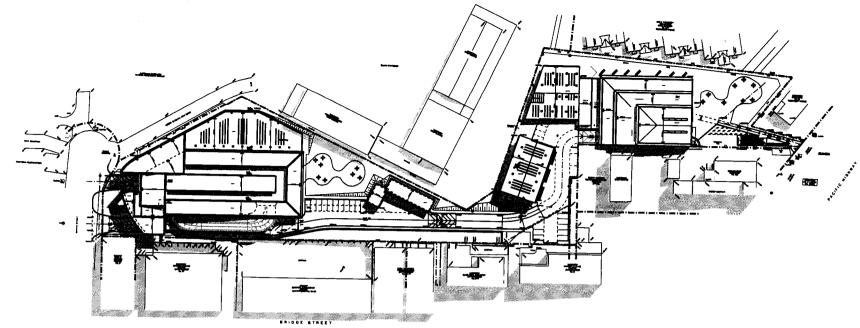
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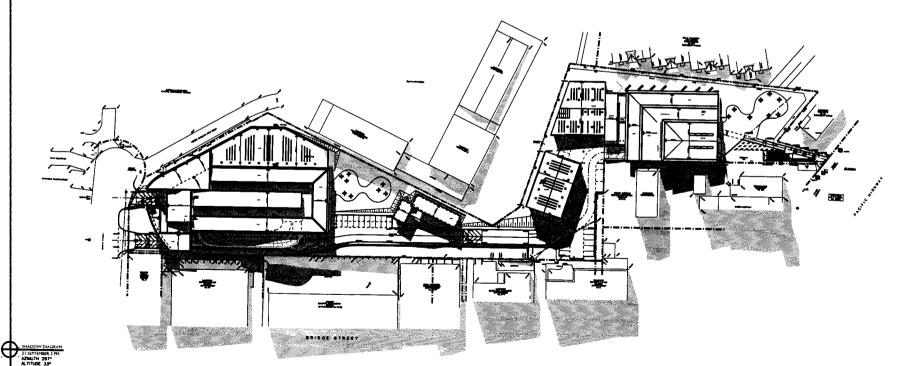
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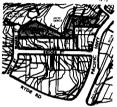
SHADOW DIAGRAM 21 JUNE 3 PM AND 21 SEPTEMBER 9 AM PROJECT 184045

ISSUE DATE 30/06/2005

SKETCH No. 3K42









SHADOW FROM EXISTING BUILDINGS \*ADDITIONAL SHADOW FROM PROPOSED BUILDINGS

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## TOMPKINSMDAARCHITECTS®

Nominated Architect: Michael John Davies, Registration Number 3562

\$YDNEY
Level 12, 49 York Street Sydney NSW 2000, Australia
(+ 6 i 2 9762 6277 i + 6 i 2 9762 5369
www.tompkinsmis.com

NELBOURNE Level 8, 171 LaTrobe Street Helbourne VIC 3000, Australia t + 61 3 963 7890 (+ 61 3 965 7882 www.tomphinends.com melbournes@homphinends.com

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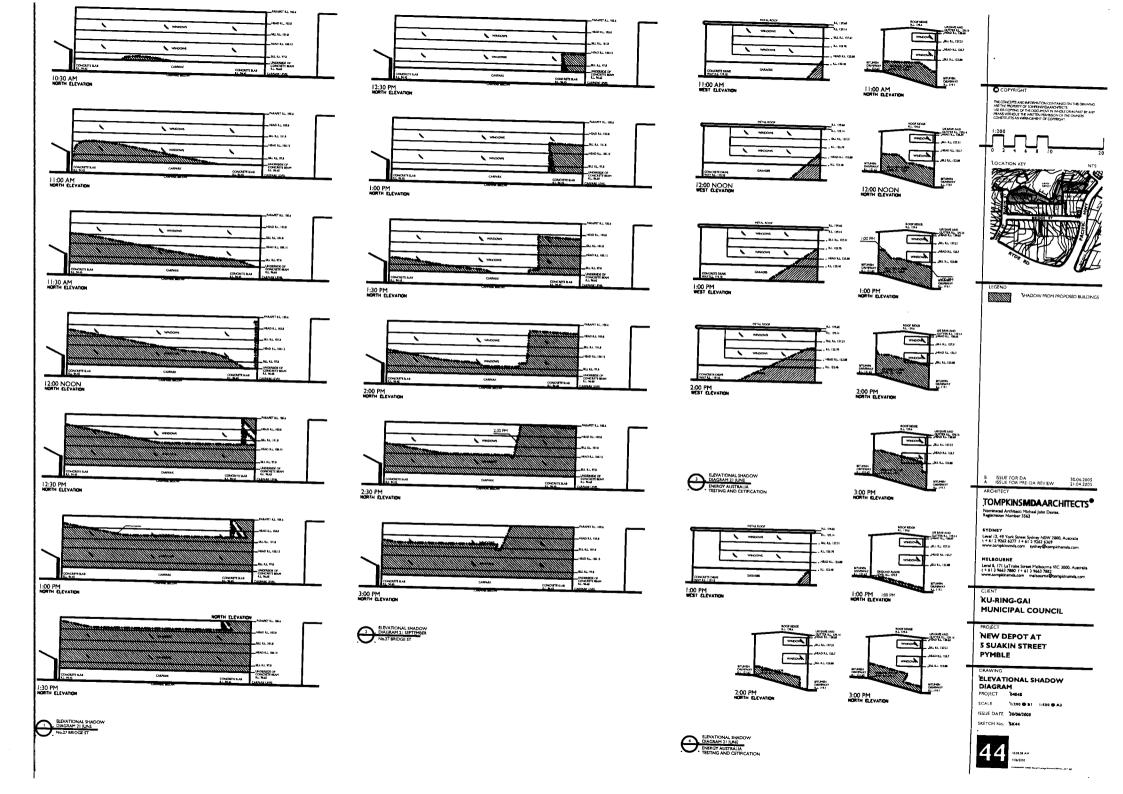
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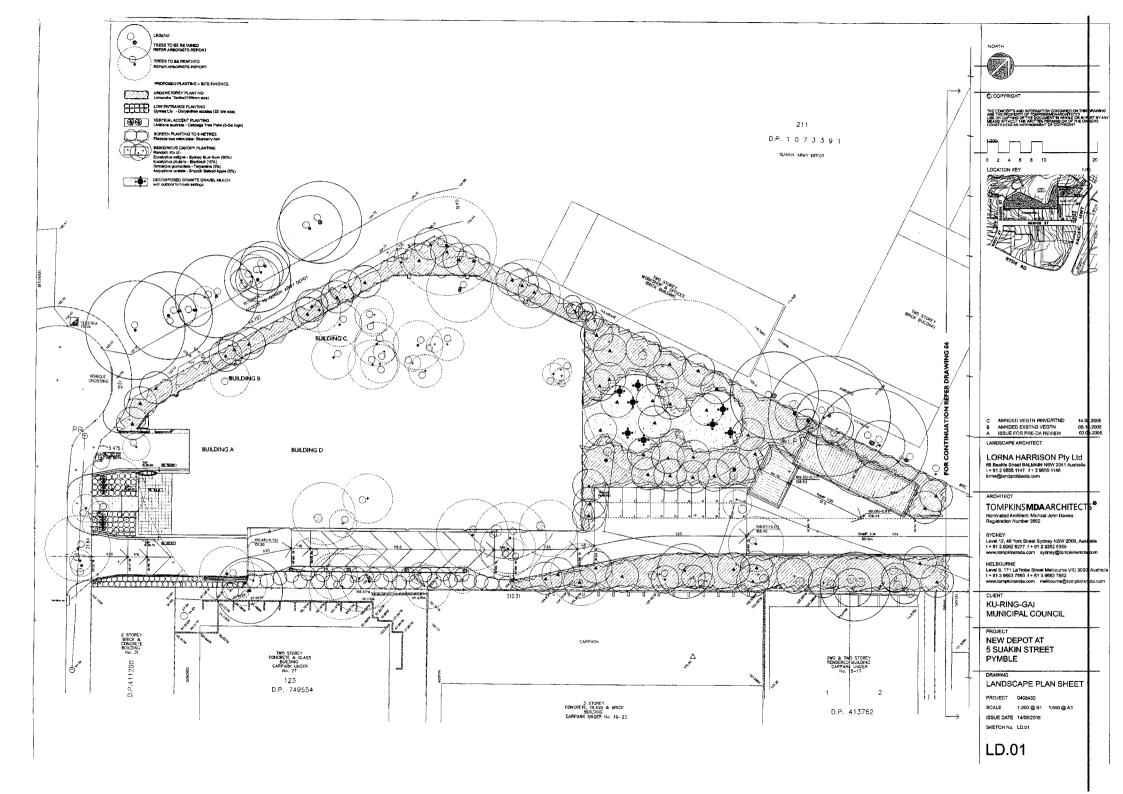
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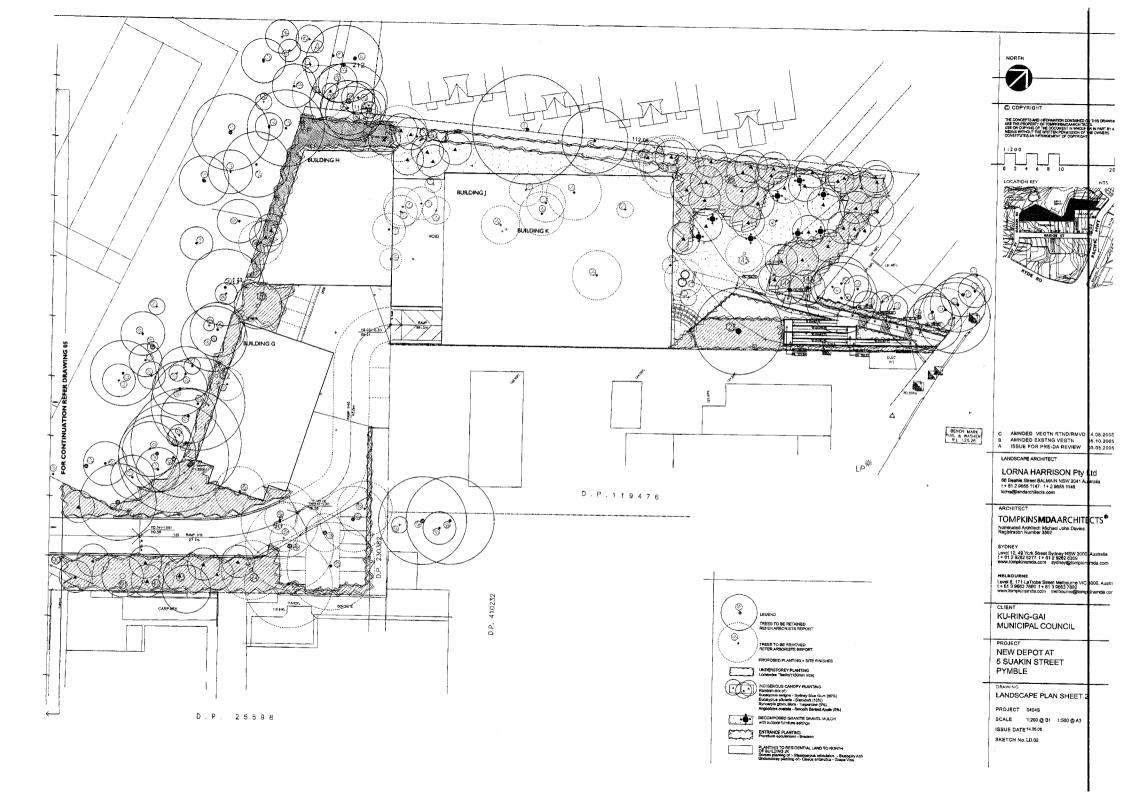
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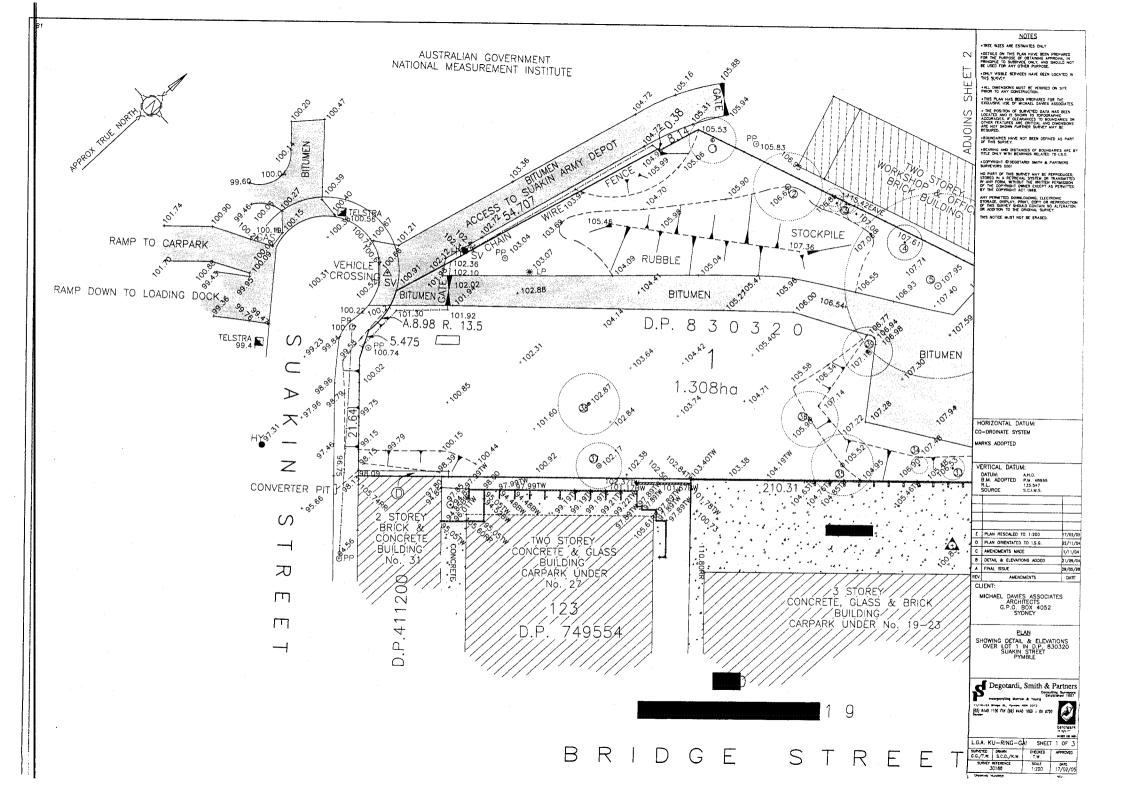
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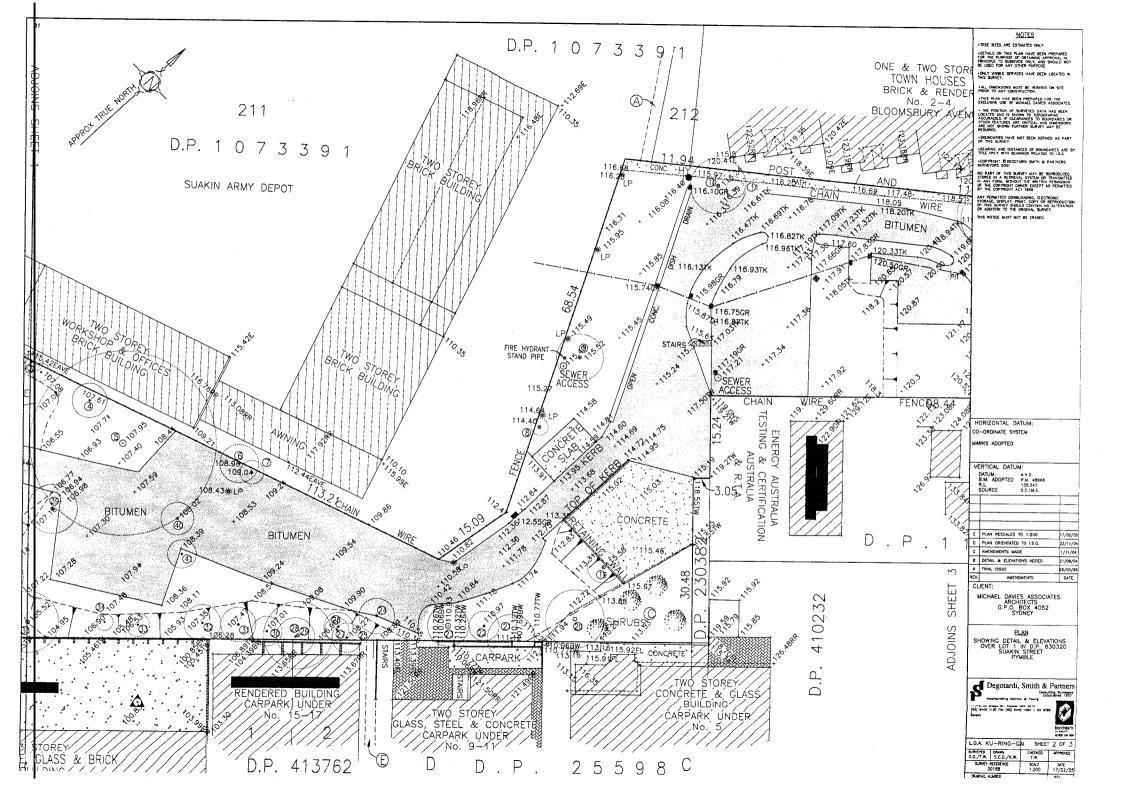
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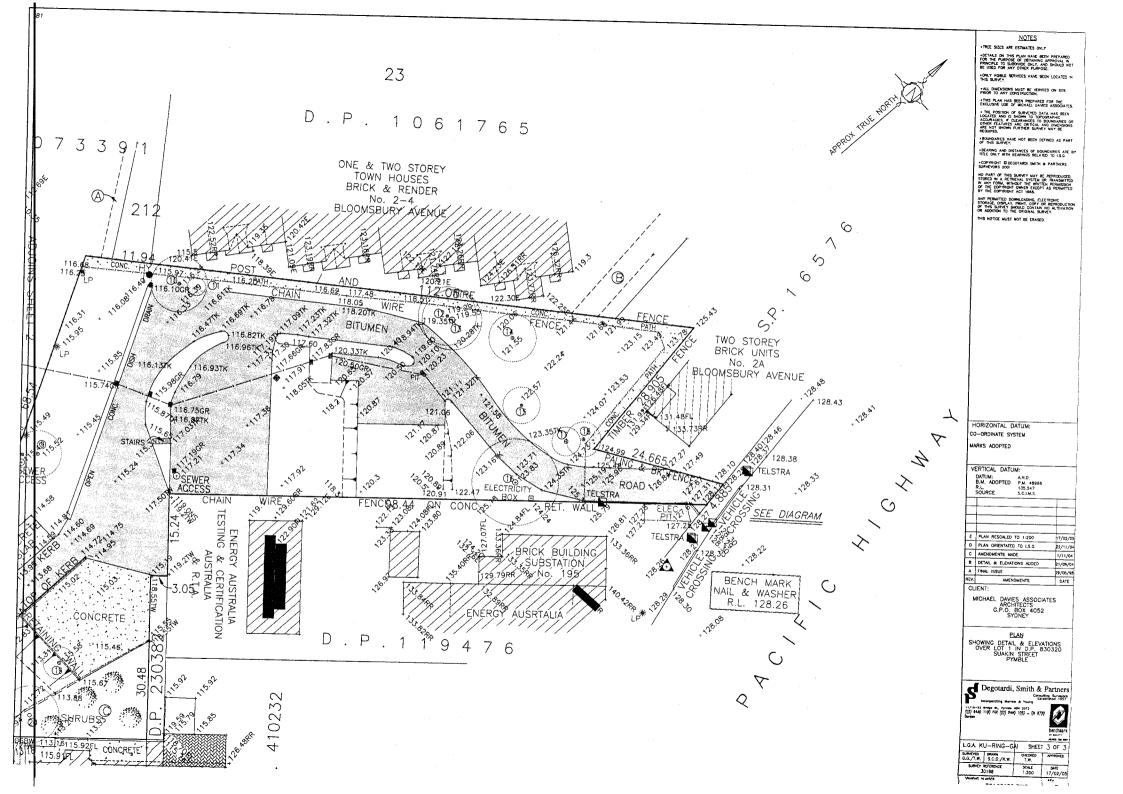












Item 6

S05027 17 October 2006

# **REVIEW OF ORGANISATION STRUCTURE**

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To present an organisational structure that

addresses current and future issues facing the

organisation.

BACKGROUND: Council's current organisation structure has

been relatively unchanged for several years, with only some minor additions being made over the last few years with the introduction of a corporate lawyer, media liaison officer and an

internal ombudsman.

**COMMENTS:** Due to the vacancy of the Director of Planning

and my appointment as General Manager, it is

considered appropriate to review the organisation structure. Any review should consider the current and future issues facing

Council.

**RECOMMENDATION:** That Council adopts the proposed structure as

shown in the Future Directions Option attached

to this report.

Item 6

S05027 17 October 2006

### PURPOSE OF REPORT

To present an organisational structure that addresses current and future issues facing the organisation.

#### BACKGROUND

Council's current organisation structure has been relatively unchanged for several years, with only some minor additions being made over the last few years with the introduction of a corporate lawyer, media liaison officer and an internal ombudsman.

In July last year, the Director of Planning and Environment resigned from Council and the Director of Open Space assumed responsibility for Council's planning functions with a major emphasis on managing the rezoning of the six centres under the Minister's directive. Also since that time, the former General Manager left Council and I was subsequently appointed to the role.

The interim organisation structure was developed to address the town centre planning processes. It is now considered to be an opportune time to review the current structure to best position Council in developing a structure which will adapt to the changing demographics and the subsequent delivery of services to the community. Changes are also required in order to address current and future issues, create a balance of responsibilities, and develop clear lines of accountability.

The ongoing challenge for Council is to realise efficiencies within the organisation's operations while continuing to deliver quality and relevant services to the community. The current process of refining Council's directorates provides an opportunity to reflect on the organisation's current methods of operation and methods of service delivery, given available resource levels.

Accordingly, extensive consultation has been undertaken with Directors, Managers and staff across Council to obtain their views on how Council can better re-position itself to improve service delivery into the future.

To this end, staff was asked to provide input on the following set of questions:

- 1. Current issues facing the organisation (external and internal environment).
- 2. Future issues likely to face the organisation (external and internal environment).
- 3. Areas of conflict or duplication in the current organisation.

Feedback provided in response to the above questions has set the overall context for re-structuring the organisation to better serve the needs of the community. Subsequent phases of consultation are discussed in greater detail under the heading "Consultation with Other Departments".

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#### COMMENTS

The major issue facing this Council in the foreseeable future is the rezoning of the major centres in accordance with the Minister's directive and the timetable adopted by Council. This places significant pressure on the Councillors and staff of the organisation that have a responsibility to plan for the best possible outcomes, keeping in mind that all six centres must be completed by 31 December this year. Gazettal of the LEP's is the first phase in this project, and associated work will continue beyond this date.

Apart from the planning of the town centres, there are a number of current and future issues that need to be considered when reviewing the organisation structure. Below is a list of these issues grouped in terms of the external and internal environment.

These issues were identified during a series of workshops held with Directors and Managers throughout Council to discuss the organisation structure and future direction of the organisation. Some of the issues raised are not related to the organisation structure but do require consideration or action by relevant staff. Responses to the various issues raised by staff across Council can be summarised as follows:

## **Current Issues – External Environment**

Current issues are those facing the organisation within the next two years, with the "external environment" being factors outside Council's control.

### 1. Metropolitan strategy and Minister's directive

The issues relating to the Minister's directive have been covered above and the Metropolitan Strategy is being developed in association with the process of planning for the six centres. The completion of the centres planning will ensure this Council complies with the requirements under the Metropolitan Strategy.

### 2. Workchoices

The introduction of legislation associated with the abolition of state awards has created a new challenge for the organisation. There will be an increased workload on Directors and Managers to develop new work place agreements within the time frame required under the legislation, (in the event that Council is covered). New systems need to be implemented and negotiations will continue with the relevant unions.

### 3. Customer service delivery

The delivery of customer service throughout Council should be adaptive in meeting the ongoing demands of our residents. There should also be an acceptance from the staff that customer service, both internal and external is the responsibility of all members of staff. The focus needs to be on creating a positive image of Council. The move to an "E-Business" environment will be a critical element in developing the future provision of Customer Service.

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## 4. Increasing charges

Increases in charges such as street lighting, fire brigade contributions, award wages and materials continue to place pressure on Council's finances as well as staffing and services. These increases, coupled with the continuing shifting of service provision from state and federal government (without associated funding) results in a significant challenge for Council to continue to provide the range and level of services expected of it.

### 5. Environmental

Council's service delivery is affected by water restrictions, increasing fuel costs, energy savings and associated impacts on the natural environment. These issues impact on both the cost and quality of service delivery to the community.

### **Current Issues – Internal Environment**

These issues are considered to be within Council's control.

## 6. Joint responsibilities and possible gaps in accountabilities

The following is a list of functions or responsibilities where accountabilities can overlap and could be streamlined:

- Records systems
- Land management
- Building management
- Computer systems
- Debtors
- Grants
- Section 94 management
- Leases and licences
- Media and communications
- Service delivery
- Bookings
- Section 12 applications
- Risk management
- Internal auditing

### 7. Financial Sustainability

Council's ageing infrastructure, places pressure on the organisation to find sufficient funds to allocate between assets and services. Whilst continual budget reviews are undertaken, eventually it becomes increasingly difficult to find funds for unexpected increases and additional requests for services. This in turn places pressure on existing service levels, let alone trying to find funding for bringing Council's assets up to a satisfactory standard.

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## 8. Management Structure

There is considered to be significant variations in terms of responsibilities, accountabilities, and skills. There needs to be careful consideration given to the roles and responsibilities of all staffing levels, with particular reference to the levels of accountability and responsibility.

Competition from other Councils in terms of salaries and conditions of employment places an added pressure in attracting and retaining quality staff. This is evidenced by salaries paid for various professional staff. The importance of effective training and professional development of Council's staff will be ongoing.

### 9. Service Level Efficiencies

Resourcing pressures placed on Council to plan for its six centres, has resulted in reduced opportunity to focus on efficiencies associated with the major expenditure areas of Council, such as Technical Services and Open Space operations.

#### 10. System Integration and ownership

With the introduction of People One, Work One and upgrades to existing applications such as Finance 1 and Trim, there will be a resourcing requirement to integrate these new systems into the organisation. In order to ensure that the systems are used to their capacity and ensure integrity of the organisation's data, staff will need to take ownership of the data and the operation of the various systems with Information Technology's support. The best way to achieve this is through departmental champions who will assist and train other staff in the use of the system. There will also need to be a rigorous training program to ensure all relevant staff are proficient in the use of the new systems. The new systems will ensure integration of data with the existing Technology One products.

## **Future Issues – External Environment**

Any review of the organisation structure needs to consider the likely impacts on Council for the longer term in both the pressures placed on the Council by outside influences and the changing environment that Council operates within.

#### 11. Amalgamations or Strategic Alliances

The Minister for Local Government has indicated that Council amalgamations are currently off the agenda for local Councils and as an alternative to amalgamations, the government is encouraging Councils to partake in strategic alliances or resource sharing. Whilst there are good examples of some country councils being involved in resource sharing, there are limited examples of metropolitan councils being involved in resource sharing exercises that have realised any true benefits to any one or all organisations. Ku-ring-gai will continue to explore opportunities in this regard through NSROC.

Item 6

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### 12. Skill shortages

Predictions indicate that over the next 5 to 10 years there will be an increasing turnover of the work force and associated pressures to attract suitably qualified staff as the level in the market place will be limited. High demand for qualified people will ensure competition and Council will have to develop incentives to ensure that skilled staff are retained wherever possible.

### 13. New technologies

With the internet and facilities available on line, additional emphasis may be required to help set up systems where face to face contact and customer service staff are no longer performing their current role. Lodgement of documents electronically can already be provided and teleconferencing can be used instead of meetings.

### 14. Just communities

Council reform in recent years has focussed primarily on internal business practices which were aimed at more efficient and effective delivery of services to the community. The concept of Just Communities is based on local government maximising community well being through an integrated framework of community engagement and empowerment.

### 15. Eco and cultural tourism

There is an emerging trend towards eco and cultural tourism which will attract visitors to achieve economic growth as well as providing an identified need. The challenge for Council will be to plan for facilities that attract people to the area and add to the prosperity of local businesses. An example would be the planning and showcasing of our heritage and environment.

### 16. State and local government relationships

State governments continue to implement legislation and new guidelines that place additional requirements on Councils. From to time, Councils need to change the balance of resources to address these changes.

### 17. Economic growth and marketing

Councils may need to become more focused towards marketing their services and examine ways of improving economic growth. The reliance on rates and charges is likely to be reduced and more emphasis will be required to find new ways to fund services. This is an ongoing challenge.

### 18. Waste Inquiry into Regional Services

There is currently a federal inquiry into waste services provided by local Councils. The objective is to determine if waste services should be managed by a regional body to enable

economies of scale and reduction in costs particularly related to waste disposal and recycling. The outcome of this inquiry is not yet available.

### 19. Changing demographics

Along with the likely increase in the population of the area, the demographics are likely to trend towards an increase in the ageing of the population. This will have an impact on rates income through pensioner rebates and a need to provide more services for the aged.

### **Future issues – Internal Organisation**

### 20. New and improved facilities

The redevelopment of the six centres provides an opportunity to deliver new and improved facilities. This will involve an increased workload for some areas of Council through the processes of managing reclassifications, feasibility studies, the preparation of concept plans and development applications. These processes will require additional resources that will need to be managed over time.

At present, this activity is shared amongst a number of departments. An integrated approach to this process would ensure cohesive and comprehensive / better managed planning outcomes.

### 21. Skill shortages

With the likely skill shortages in the future, there will be more pressure on employers to increase flexibility to satisfy staff needs and still achieve the outcomes that the organisation desires.

Recent experience has already shown that several skilled staff are attracting higher salaries offered by other Councils and consultancies. This in turn will place added pressure on Council's recurrent budget.

### 22. Financial sustainability

As stated above, Council will need to be less reliant on rates and charges as a percentage of total income in order to remain financially sustainable.

Further consideration may need to be given to assessing what services Council provides and whether changes are required in order for Council to remain viable. To date, Council's financial sustainability has centred around an annual capital works commitment and a balanced operating budget. Planning for our town centres will add an entirely new element to the long term modelling for this organisation. To be truly effective, this modelling will need to be undertaken in concert with Councillors and staff responsible for the future implementation of the major centre plans.

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### 23. Asset management

Like many other largely developed Council areas, Ku-ring-gai has long been characterised as having "an ageing infrastructure" with a heavy reliance on rates and charges to service the asset network.

In recent years, much effort has been given to developing funding strategies to arrest the deterioration of Council's infrastructure. Whilst there have been significant improvements made to date, the need for integrated Asset Management Strategies will intensify in coming years as the limited financial resources of Council will need to be allocated, not only between existing asset classes, but additionally to new assets constructed as part of the major centre planning implementation.

A key requirement in this regard will be the need to ensure that new assets are provided for using a "whole of life" costing model that maintains them at an acceptable standard in future years.

Effective asset management will necessitate close interaction with long term financial management and future major centre implementation.

### Areas of shared responsibilities or gaps within the organisation

Any review of an organisation structure should examine areas of the organisation where there are currently shared responsibilities, no clear accountabilities or gaps. Those identified by the senior management team are identified below:

### 1. Records

Council records are currently managed in two distinct areas – Development and Regulation and Finance and Business. These systems could be more efficiently managed if they were combined in one department.

### 2. Property management

At present there are several areas of Council with responsibility for managing buildings. The building maintenance section provides a service for these areas and better systems need to be put in place in order that these areas can be maintained and managed more effectively. There is also an opportunity to better manage and market our facilities within the Community Services area.

### 3. Building maintenance, cleaning and security

Building maintenance responsibilities are shared between a number of departments and the cleaning and security of these buildings is managed by different areas and in different ways. There needs to be a consistency of approach and procedures for these activities.

### 4. Volunteers

Ku-ring-gai has a long history of working with volunteers who are committed to the enhancement of the Council area. Currently volunteers are managed by a number of departments. If they were to be co-ordinated through one department, their contributions could be more effectively managed.

### 5. Bookings

Bookings are being handled by a number of departments and a centralised system for the bookings of halls, facilities, sporting fields, tennis courts and other facilities is currently being analysed.

### 6. Delivery of community services

There is an opportunity to better align the delivery of services to the community through one department. Already community services is responsible for the delivery of traditional services like libraries, aged, youth and children's services plus other services of communications and customer service. With the inclusion of open space services, this department will have potential to become the 'public face' of Council.

### 7. <u>Internal Audit</u>

Council has employed an Internal Ombudsman to manage complaints against the organisation, code of conduct breaches and practices. However, there is a need for more emphasis on audit of Council's operations to ensure compliance with policies and procedures. This role was previously provided on a part time basis in the past but only when issues were raised. A more proactive effort is required to assess processes and procedures and a full time internal auditor is considered an appropriate mechanism for undertaking this role.

### 8. Policies and procedure maintenance and development

In some instances, there are no clear responsibilities for various activities and it is considered that some policies and procedures have not been properly developed or updated.

### 9. Capital Works delivery

There is a number of staff responsible for the delivery of capital works and some of the works require a holistic approach from Council through a project management process. Hence, there needs to be one co-ordinated approach to the delivery and management of capital works projects.

### 10. Service delivery of hard assets

As with capital works, there are some joint responsibilities for providing services across Council and, in some cases, there is confusion as to the funding sources for various works. An example is the clearing of unmade roads which is basically an open space responsibility but is a technical

services asset. Whilst there is good co-operation between departments, there is still confusion as to the responsibility for various service deliveries.

### 11. Overlap with planning

While it might be clear as to where the responsibility lies for preparing various planning documents, the review of planning documents is sometimes unclear, and more often than not requires input from a range of functions across Council.

### 12. Consent processes and management of development activities

Whilst there is an emphasis on resolving the consent conditions associated with development applications, the operation of some of the activities impacts on other departments. The construction activities of large development sites cause impacts on Council's assets and residents. Other sections of Council are then engaged to mitigate or control such activities and in some cases there is limited ability of other departments to control these activities.

### 13. Governance

Priority needs to be given to increasing the profile of the Governance function within Council. The administration of FOI and Section 12 requests are considered to be more appropriately managed by the Governance Section.

Most of Council's processing of Section 12 requests falls with the development and regulation department to process, and hence there needs to be one area responsible for the administration and processing of Section 12 requests.

### 14. Section 94 management and administration

Whilst Council has engaged consultants to assist in the preparation of its Section 94 plans, there needs to be a single responsibility for the administration, collection and management of the funding. Also, there is a need for a single responsibility for the assessment of what is allowable under the legislation. Further emphasis will need to be placed on this area when some of the major centre developments are being planned, particularly with the advent of voluntary planning agreements.

### 15. Application and management of grants

Applications for grants and the management of the financial aspects associated with grants are varied across a number of departments. Also, whilst each department is responsible for obtaining grants, there is no single area of responsibility for the identification and administration of grants. This function would operate more efficiently if centralised, thus ensuring a consistent methodology to grant management across Council.

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### 16. Debtors and debt recovery

There are a number of departments responsible for raising debtors and the process associated with processing and recovering debts could be streamlined if centralised.

### 17. Marketing of Council services and facilities

This is only carried out in a limited way as there is no direct responsibility for the marketing of Council's services and facilities. Hence, there is a potential for Council to promote and market its facilities better and hopefully achieve higher returns.

### 18. Consultation and communication with the community

While the communications section manages this process effectively now, there are a number of departments undertaking consultation with the community and there needs to be set procedures and a central control for consultation with the community to ensure consistency.

### 19. Project management

There is no one area responsible for managing projects from the planning phase through to completion. The appointment of project managers should ensure that projects are managed through the various phases.

### 20. Place management

This is likely to be required once the six centre LEPs and DCPs have been gazetted. There is a need to manage the implementation of the centre planning and integration with businesses and the community. Place management is critical to driving the future vision of the organisation as viewed through the eyes of the community.

### 21. Leases and licences

Negotiations of leases and licences is undertaken by three departments across Council depending on whether the lease is classified as commercial, community or open space. It is considered that this role is better co-ordinated by one department.

### 22. Community Land Plans of Management

As with leases and licences, there are currently joint responsibilities for the preparation, management and updating of Plans of Management for community land.

### 23. Utility and telecommunications

This relates to the assessment of applications under the Telecommunications Act for the installation of facilities on Council land. There are a number of departments involved in the

assessment of these applications and it is considered that this role is best co-ordinated under one area.

### **Options for Council's Organisation Structure**

In order to address the issues raised above it is necessary to consider options for the organisation structure. At this stage, it will essentially be limited to a comparison between the existing structure and the proposed structure but further refinement may result after consultation with all relevant parties. These structures need to be assessed against the issues raised above to help determine the preferred structure for this Council.

### **Existing Organisation Structure**

The current structure has primarily been in existence for over five years and while there have been some modifications to the structure and reporting relationships, it has essentially remained unchanged. A copy of the existing structure and functions is **attached**.

Whilst the current structure has, and continues to service both Council and the broader community at an acceptable standard, it is not considered conducive to meeting the future challenges for the organisation in the most effective manner.

Council needs to consider the future requirements of urban planning beyond 2007 when it is expected that planning for our six centres has been completed by Council. Following gazettal of the Local Environment Plans (LEPs), Council is likely to move into a transition of implementing the centre plans. This will lead to the role of place making to help co-ordinate and manage the process in accordance with Council's Development Control Plans (DCPs) and Public Domain Manual. There will be a focus on property management and the development of funding strategies to achieve the infrastructure requirements proposed in the master plans.

Consequently, the planning focus will be different to the current processes undertaken by the planning section. There is a requirement to develop a comprehensive LEP and DCP incorporating all of Council's LEPs and DCPs to ensure consistency with the model LEP prepared by the Department of Planning.

There has been a concerted effort in financial management and asset prioritisation to ensure a significant amount of funding is provided to the improvement of Council's assets but more work is required to assess the suitability of Council's assets and the ongoing management so that Council is not left with a financial legacy and/or deteriorating asset infrastructure in the years ahead.

The Development and Regulation Department has done an enormous amount of work in reducing the amount of outstanding DAs and legal costs. It is considered that only minor changes are required to this section given its role and the advances made.

The Community Services section provides an excellent service to the community and has provided a series of successful events for the community.

However, the current organisation structure does not have a strategic focus and has a number of functions where shared responsibilities exist which has been covered earlier in this report. On occasions, this has resulted in strategic planning that has been somewhat disjointed

As part of the review process, it was considered necessary to examine some of the other metropolitan Council structures that are considered to be of similar scale to Ku-ring-gai Council to determine if there were any similarities with other Councils.

**Attached** are copies of organisation structures from Parramatta Council, Ryde Council and Hornsby Council. The proposed structure is not dissimilar to these structures.

### **Future Direction Option**

Whilst Council has been focused on preparing future plans and policies, it has essentially been reactive to the State Government demands and, as such, has not been able to set its own direction and develop its vision for the future. Given that the centre planning is nearing completion, it is now considered appropriate to develop a structure that has a focus on the future and works towards an adopted vision. The existing structure has suited us well whilst the organisation has been under a State Government directive and, following the completion of the town centre LEPs and DCPs, it is considered essential that Council will be allowed to plan its own future.

The major structural change identified in the proposed organisation structure is the introduction of a new Strategy Directorate. The Stage II directive provides a good opportunity for formalising a fully integrated approach to planning. The proposed Strategy Directorate will incorporate the current roles from several departments that are involved in the development of strategies and future planning.

The Strategy Directorate will be responsible for the planning of Council's assets, recreation and community planning, development of policies and plans for natural areas, sustainability and catchment management. The completion of the LEPs for the six centres will allow resources to focus on place making and long term financial planning. Currently there are a number of departments working on strategic projects and with the introduction of new facilities in the six centres, it is considered logical to have a single responsibility for managing these projects under one directorate until the project reaches a stage of implementation where it can be completed by the Operations Directorate.

**Attached** is a copy of the proposed new structure for the organisation and below is a commentary on each of the proposed new directorates, including comments on the benefits and issues that need to be addressed:

### **STRATEGY**

The Minister's directive has necessitated that Council take a reactive approach in developing LEP's for its centres. Whilst the LEP's are required to be lodged with the Department of Planning by 31 December this year, this is only the start of a long and critical process to ensure that our centres provide a "sense of place" to the community in the future.

Council's success in co-ordinating and implementing effective Place Management outcomes will rest on its ability to develop comprehensive strategies across all facets of the organisation's operations.

Whilst the existing urban planning functions will be an integral part of the proposed Strategy Directorate, the proposed structure recognises the fact that integrated planning goes well beyond urban planning.

This department will encompass strategic elements of other Council functions to ensure long term planning looks at the economic, social and environmental planning of all future projects.

There will be an emphasis on integrating long term financial planning to take into account community needs, financial requirements and sustainability when planning for the future.

The proposed structure is not intended to have a major impact on the current Planning Department but there will be an impact on the service delivery functions of the current Open Space department where the operational functions would be transferred to the Operations Directorate and the user group liaison functions would be transferred to the Community Directorate.

This structure will allow the Strategy department to entirely focus entirely on future planning and enable a better integration of the activities that are essential to this exercise. The disadvantages will be the need to develop some of these functions over time. Some staff will be relocated from other departments but in the interim would continue to undertake their existing roles. There will be a change of focus over time when implementation of the Stage II planning commences.

As outlined above, there will be a need to develop a change of emphasis from the current Stage II planning to a place making and strategic focus which is then followed by managing how these plans are to be achieved. This will include integration of such functions as community, social, cultural and environmental planning to ensure that there is synergy between all planning documents in Council (i.e. management plan, social plan, SOE report, 10 year financial model).

In addition to the abovementioned roles, this department would also be responsible for the coordination of large scale projects. Examples would include:

- Implementation of community and sporting facilities
- Open space land acquisition
- Redevelopment of the North Turramurra Recreation Area

Whilst Council has managed to co-ordinate strategic projects across the organisation to date, co-ordination under the strategy area will ensure that a holistic approach to project management that delivers quality outcomes for the community in the future.

### **OPERATIONS**

The proposed new structure will include most of the current functions of the Technical Services department and the operational functions of the Open Space department.

The benefit of this proposed change will be that it allows all the operations staff located at both depots to be covered under one department. This will assist in allowing consistency in decision making, providing more focus on operations and freeing up time to allow some staff to concentrate on future planning issues rather than having long term planning activities conflict with operational demands. There will be some short term issues in reallocating resources and some structural changes but it is considered that the long term benefits will outweigh the short term issues.

It is also intended that both venue support and security be transferred to the Operations Directorate to enable a consistent focus and single responsibility for these functions.

It is proposed to include the Tree Preservation Order (TPO) role under the Operations Directorate. It is considered that the management of TPO's has a consistent approach with that of street tree management.

There is considered to be a synergy with the TPO area and street tree management and the roles are considered to be operational.

### **COMMUNITY**

The proposed Community Directorate will continue to deliver services and perform the functions of the existing Community Services Department with the proposed addition of Recreation Services which are currently being delivered to the community by Open Space.

The functions associated with sporting and recreation services are considered to be similar to those currently performed by Community Services and therefore, it is considered that these functions could be performed by one department.

The proposed structure will allow some synergy with the delivery of services to the community that are currently being undertaken by several departments.

There is also an opportunity to better promote and market Council's facilities and associated services to the community. Community Services will become the 'public face' of the organisation.

### **CORPORATE**

The proposed new structure will include most of the current functions of the Business and Finance Department with the addition of the Human Resources section.

The changes under the new Corporate Directorate are as follows:

 Human Resources – currently Human Resources is the only section that reports directly to the General Manager. It is more appropriate that this area report to the Director Corporate as this creates consistency in terms of all managers across the organisation reporting to a director.

One of the other advantages of bringing Human Resources into a Corporate Directorate, is that payroll would be more aligned with Finance. The Payroll function needs to work closely with Finance to ensure that costs are properly allocated and that audit protocols are followed. While

Payroll will not directly report to Finance, having the function within the same directorate as Finance will assist in facilitating a co-ordinated approach to ensuring accurate costing and correct audit procedures.

- Land Information Management is proposed to move from Technical Services. This area is
  responsible for Council's mapping and property information and is an internal service provider.
  It is more appropriate that this function be included in the Corporate directorate as part of the
  Information Technology Section.
- Records Management currently corporate records are managed within Finance and Business and records relating to development applications are managed within the Development and Regulation Department. Rather than have a split responsibility, it is proposed that all records are centralised under the Corporate Directorate.

### **DEVELOPMENT AND REGULATION**

The proposed changes to the Development and Regulation directorate are intended to be very minor. Essentially, it is only proposed to change the reporting relationships of the Landscape Assessment Team from Open Space to report to the Development Assessment Section similar to the Engineering and Heritage referral units. It is also proposed to centralise the Section 12 requests service and Development Application records under the Corporate Directorate.

The benefits of the proposed change will enable all of the referral units to report to the one directorate rather than splitting the services.

Essentially there is very little change proposed to the Development and Regulation Department apart from the referral process.

It is also intended to transfer the immunisation role to the Community directorate as it is considered to be a community service function and not a regulatory role.

### CONSULTATION

Relevant unions have been consulted regarding the proposed restructure. The General Manager met with Councillors on 21 August to discuss the proposal. At that point in time, the Media Relations and Corporate Lawyer roles were earmarked to report to the Corporate directorate. On the basis of feedback received from Councillors, these positions are now proposed to stand alone as separate reports to the General Manager.

An associated issue with the proposed restructure is the requirement to advertise any or all of the Director's positions. To assist in clarifying this matter, advice has been sought from Council's Solicitor, Mr John Boland and this advice will be distributed separately when received.

As I have confirmed with Councillors in the past, the Mayor and Deputy Mayor would be invited to form part of the selection panel for the recruitment of any Director's positions that are required to be advertised.

### FINANCIAL CONSIDERATIONS

Some savings have been identified due to existing vacancies such as the Director of Planning and other positions across Council.

While a number of staff will be transferred to the new Strategy directorate, there will be a need over time to increase the resources of this directorate. Most of this will be achieved by natural attrition and will be staged to ensure there is no adverse financial effect for Council.

Further reports will be provided to Council as the proposed structure (if adopted) progresses to implementation.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

A series of workshops have been held with the Managers and staff and they were requested to provide comments on the current and future issues. Following the workshops, a further session was held with the Managers to present the proposed structure and seek further comment. The Managers and staff were given two weeks to provide further comments. The Directors and Managers have attended a number of meetings with staff to go through the proposed structure and seek further comments on the proposal. This included a meeting held at the depot where the outdoor staff were addressed in relation to the proposed changes.

A copy of the draft report and presentation material was provided to the Managers and staff to enable a better understanding of the rationale behind the proposed changes.

Comments were required to be submitted by 11 August 2006 and these comments were considered when formulating this report and the functions under each directorate.

It is important to point out that the proposed new structure accords with the general sentiments across the organisation. Feedback in relation to the proposed structure and the consultation process has been positive.

### **SUMMARY**

The current organisation structure is not considered "best fit" in the medium to long term and consideration needs to be given to the current and future issues facing this organisation so that a structure can be developed that best addresses these issues.

Whilst this Council has been focused on preparing future plans and policies, it has been in response to State Government demands and as such has not been able to set its own direction and develop its vision for the future. Given that the centre planning is nearing completion, it is now considered appropriate to develop a structure that has a focus on the future and works towards an adopted vision.

The proposed organisation structure is intended to place more of a focus on the future strategies and direction of the organisation and provide a better balance of functions under each directorate.

The new structure will not be able to be implemented immediately and may take up to one year to implement. However, staff will be seconded from some departments to assist with the phasing in of the new directorates.

Other issues that will need to be considered over time will be the physical location of staff, clarity of roles, financial implications and union consultation.

The proposed new structure has been assessed against all of the issues indicated above and whilst a number of the issues are not relevant in determining the organisation structure it is considered that the new directorates address most of the issues and helps to increase accountability in dealing with these issues.

The overriding benefit of the proposed structure is an integrated approach to strategic planning across all facets of Council's operations such areas as landuse, environmental, cultural, social and financial planning.

### RECOMMENDATION

That Council adopts the proposed structure as shown in the Future Directions Option attached to this report.

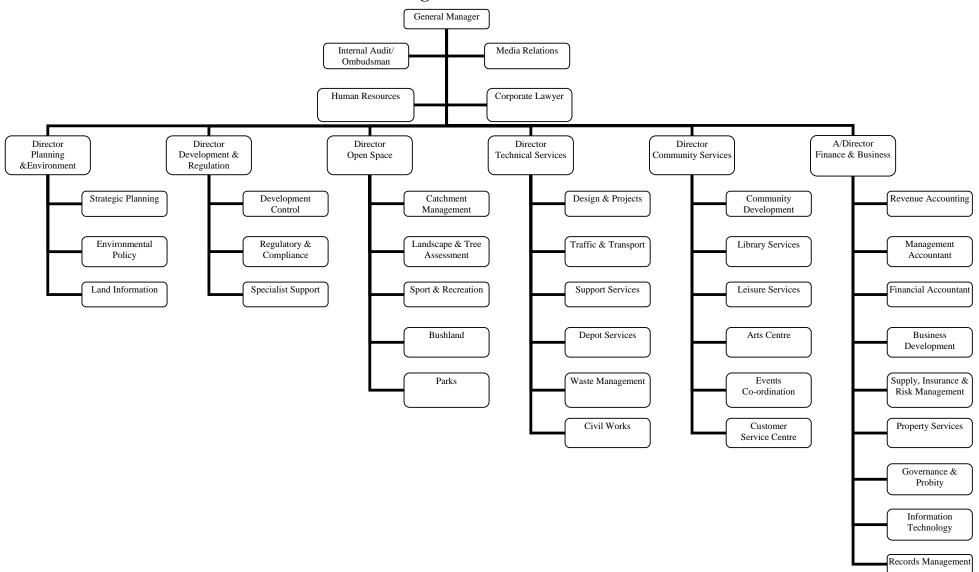
John McKee General Manager

**Attachments:** 

- 1. Existing Organisation Structure 683667
- 2. Organisation Structures from other Councils 683669
- 2. Proposed organisation Structure 683673
- 3. Legal advice (to be circulated separately)

### **Current Structure**

### **KU-RING-GAI COUNCIL Organisation Chart**





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### MANAGEMENT

### GENERAL MANAGER'S DIVISION

### General Manager Robert Ball

As Chief Executive Officer, the General Manager implements the d Council's elected representatives. He is also responsible for the da management of Council as a corporate organisation.

The General Manager's Division acts as a liaison between Councille the effective development and implementation of policy decisions. This includes in and monitoring to ensure Council's services meet professional and industry stand to community expectations.

The Division also includes Council's Community Relations Team. Community Rela Council's public affairs activities, including media liaison, event co-ordination and communication. The Community Relations Team also coordinates Council's month ceremonies.

### Key team:

- Executive Manager, Corporate & Community Services Gary Bensley
- Executive Manager, Environment Services Robert Stephens
- Executive Manager, Planning Peter Hinton
- Executive Manager, Strategy Gordon Truman
- Executive Manager, Works Max Woodward
- Internal Auditor Brian Thompson
- Team Leader, Community Relations Susan Wardle

### CORPORATE AND COMMUNITY DIVISION

Corporate and Community provides management support to Councillors and Cour as a range of services to the community.

### Ti al oil al

### Executive Manager, Corporate & Community Division Gary Bensley

The Corporate and Community Division is responsible for providir and cost effective information, services and facilities and to identiordinate and encourage support services and facilities which assist and maintaining the quality of life for people in the Shire. The Country the Division comprises the Administration Services, Financial Services and Business Systems Branches

Community arm comprises the Library and Information Services and Community Branches.

**Administration Services Branch** 

The Administration Services Branch provides a diverse range of services both to t internally and to members of the public. These include: support to the Mayor an coordination of Council Meetings including the preparation of Agendas, Business F Minutes; Council's Records Management Services; Risk and Insurance matters; In Council's Commercial properties and the Hornsby Mall; public access to informatic Council through Freedom of Information and Council's Document Access Policy as Management issues. We also take care of a range of internal services such as the Council's light vehicles fleet, security for the Administration Building, management main Reception area and the storage and retrieval of Council's Legal Documents. Administration Services Branch also holds the position of Council's Public Officer. know anything about these areas of Council, give us a call on 9847 6566.

### **Financial Services Branch**

The Financial Services Branch is responsible for raising and collecting rates, payir investing funds, co-ordinating and reporting on the annual budget, procurement: advice preparing GST and FBT returns and providing corporate financial advice.

### **Library & Information Services Branch**

The Hornsby Shire Library and Information Service operates the Central Library branches at Pennant Hills, Epping, Berowra and Galston, and a Home Library Sei material to people who are incapacitated and unable to visit their local library. Ea an information service and a variety of resources including books, magazines, DV to support education and recreational needs. The online catalogue, Community D range of database can be accessed from the Library web page, both at work and Library offers programs and seminars including storytime sessions, book clubs, in computer skills training, Higher School Certificate seminars, and family and local presentations. Resources not held within the Shire may be obtained on Inter Library

### **Community Services Branch**

Community Services operates out of the premises adjoining the Central Library o Hornsby. The Branch provides a range of services to all sections of the communi Care, Youth Development, Over 55 services and events, Home Modification and N Community Centre Management. The Branch is also active in Social Planning issuadvice on Access and Equity Issues to community based organisations.

### **Information Technology & Business Systems Branch**

The Information Technology & Business Systems team is located on Level 1 of the Administration building. The areas of focus are in continuous improvement and de Council's Information Technology Systems, which includes the networking infrast applications, communications systems, and internet services. Also, this Branch fo continuous improvement of Council's business processes and associated use of the Software Solution through process review, ongoing improvements, and maximising this solution across the organisation.

### **Public Officer**

Council has nominated the Manager, Administration Services Branch, as its Public other duties, the Public Officer may deal with requests from the public concerning affairs and has the responsibility of assisting people gain access to public docume Council. Enquiries to the Public Officer should be addressed as follows:

Hornsby Shire Council, 296 Pacific Highway, Hornsby 2077 PO Box 37, Hornsby 1630 (8.30am to 5pm, Mon - Fri) Phone: 9847 6608

Alternatively, you may wish to email your enquiry to Council's Public Officer: rabicair@hornsby.nsw.gov.au

### Key team:

- Manager, Administration Services Robyn Abicair
- · Manager, Community Services Coralie Nichols
- Manager, Financial Services Ken Burchell
- Manager, Information Technology and Business Systems Craig Munns
- Manager, Library and Information Services Cheryl Etheridge

• Public Officer - Manager, Administration Services Branch

### **ENVIRONMENT DIVISION**

### Executive Manager Robert Stephens

Your Council is committed to maintaining the natural beauty whic Shire a great place to live. The Environment Division looks after a environment you live in, from the bush and waterways to streets

We handle all Waste Management, including garbage collections, kerbside clean-ups and liquid waste removal from rural properties Environment Division also manages and promotes recycling throughout the Shire weekly service to collect paper, glass bottles and jars, plastic milk bottles, PET plaluminium cans.

Your Council is responsible for some 6,000 hectares of bushland, not including Na largest area of bushland under the control of a single Council in NSW. The Bushla Biodiversity Team manages the bushland and works in partnership with volunteer groups on projects including tree planting and bushland regeneration. The Water Team manages waterways to preserve and enhance these precious natural assets the rivers and creeks and carry out projects to improve water quality.

Hornsby Shire's Open Space network also includes 174 developed parks. Council maintains these parks in consultation with the community, including 134 playgroup parks and 55 separate playing fields. The Parks and Landscapes Team also advise enforces Hornsby Shire's Tree Preservation Order, which is designed to protect the canopy.

Fire poses an annual threat to both bushland and properties. The Hornsby Ku-ring Service, with more than 600 volunteer firefighters, works all year round to protect promote fire safety.

Enforcing laws to protect the environment and raising community awareness is al priority. The Environment Division carries out regular health studies of the Shire's premises, enforces animal control regulations including dog registration and raise issues including dog control, immunisation, food safety and pollution. Council's Ra Honorary Rangers also patrol throughout the Shire to monitor and protect your rebushland areas.

### Key team:

- Manager, Bushland and Biodiversity Gavan Mathieson
- · Manager, Environmental Health & Protection Adam Davis
- Manager, Parks and Landscapes Peter Kemp
- Manager, Waste Management Rob Holliday
- Manager, Water Catchments Ross McPherson

### PLANNING DIVISION

Executive Manager Peter Hinton

The Planning Division seeks to strike a sustainable balance betwe needs of Hornsby Shire's growing population and protecting our r environment.

The Town Services Planning Branch prepares comprehensive stra development and future use of all land within the Shire. These include Local Envir which determine what types of development are allowed in an area, and Develop Plans, which set standards for developments including environmental protection, conservation, social and economic considerations.

Three assessment teams consider all development applications. These teams cor Environmental Health and Building Inspectors, Town Planners and Engineers. The evaluation of DAs to ensure that new developments comply with State laws and (Environmental Plans and Development Control Plans. They also monitor developmensure that conditions of approval are complied with.

Development applications are subject to rigorous inspections to ensure appropria health and safety are met. The Planning Division also issues building certificates, plans and investigates health and building complaints.

The Planning Division is supported by the Customer Service Branch, a team of ofl for handling over-the-counter and telephone enquiries and registering application

Customer Service staff are able to advise Council's customers on application proc advice on the progress of applications.

### Key team:

- · Manager, Assessments Team (1) Simon Evans
- Manager, Assessments Team (2) Peter Fryar
- Manager, Customer Service Annette Richardson
- Manager, Subdivisions Paul David
- Manager, Town Planning Services James Farrington

### WORKS DIVISION

### Executive Manager Max Woodward

The Works Division provides technical, management and educatic develop and maintain Hornsby Shire's infrastructure, including ro Council and community buildings and amenities.

Council is responsible for a Local Roads network including more tl roads, 26 regional roads and more than 260 kilometres of footpaths. The Works I out ongoing repairs to roads and footpaths, as well as planning and implementing improvement programs. It also provides computerised mapping and land survey monitors and assesses street lighting.

For road users, Works manages the Shire's traffic needs, accommodating around vehicle movements within Hornsby Shire every day. Traffic Engineering identifies measures to improve traffic flow, reduce the risk of accident and increase driver a safety.

Your Council's Drainage Systems play a vital role in maintaining the environment effective management of stormwater. There are 300 kilometres of drainage infrast throughout the Shire, requiring repair and maintenance. Works crews also carry of projects to mitigate and control flooding, sediment build-up and pollution, while the prepare policies including comprehensive Management Plans for water catchment

At the other end of the waterways, the Works Division enhances some 200 km of designing, building and maintaining public facilities including wharves, tidal pools sea walls.

Community Buildings form a focal point for residents and community groups with Council designs, constructs and maintains buildings and facilities including Comm Senior Citizens Clubs, Child Care Centres, Libraries, public toilets and bus shelter. Division is also responsible for maintaining and upgrading all Council administrati

Council also operates three Aquatic Centres at Hornsby, Epping and Galston, offe swimming pools, fitness facilities and learn to swim lessons. New centres are plar Cherrybrook and Berowra.

Key team:

- Manager, Aquatic Centres Scott Hewitt
- Manager, Assets Chon-Sin Chua
- Manager, Design and Construction Rob Rajca
- Manager, Engineering Services Peter Powell
- Manager, Property Development Stephen Gannon
- Manager, Traffic & Road Safety Garry Kennedy
- Works Support Co-ordinator Lyndon Taylor

### STRATEGY

### Executive Manager Gordon Truman

Taking the longer view is one of the keys to Your Council's develor efficient and effective corporate organisation.

Strategy Division coordinates change within the Council, including development of the three-year Management Plan, the blueprint of Through quarterly reviews, Strategy also works to ensure Council is meeting inducommunity expectations and its own objectives in providing services to Hornsby!

The Human Resources Branch facilitates and leads changes in workplace reform, introduction and development of a performance-based salary system. The Branch staff to enhance their individual and professional services to Council and the com the Personal Development Program, which works to promote leadership and team

Strategy also works outside the organisation to enhance the lifestyle of Hornsby! Developer Contribution Program (Section 94), the Division coordinates the expen of dollars to provide playing fields, playgrounds and parks, bushland regeneratior facilities and roadworks.

### Key team:

- Manager, Human Resources Margaret Williams
- Team Leader, Corporate Projects Julie Williams
- Executive Planner Daniel Ouma-Machio
- Quality Systems Coordinator Mark Way

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MANAGEMENT STRUCTURE

teams and responsibilities.

**Business Papers** 

Home > Your Council > Management > Management structure

This diagram of Council's management structure let's you see at a glance how Co an organisation. The Management page has details of how each Division works, a

Meetings

How Council works

General information

Councillors

Wards & boundaries

Management

Management structure

**Management Plan** 

Customer & community satisfaction studies

Mayor's message

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MANAGEMENT STRUCTURE



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Tuesday 17 October 10:00AM







Santa!

keywords



- Arts & Entertainment
- Business
- Business Papers
- Community Information
- Community Services
- Council
- Development
- Employment
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- Events calendar
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- FAQs
- Heritage Centre
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- Library
- Major events
- Parks & Recreation
- Pay Rates online
- Publications
- Riverside Theatres
- Tourism

### **Organisational Structure**

Councillors

### Audit:

- \* Reviews
- \* Investigations
- \* Policy and Procedures
- \* Consultancy
- \* Payroll Records Audits
- \* Training

General Manager

> Click on a heading below for a more detailed document

Group Manager Corporate Services

### Corporate Service

### Services:

- \* Corporate Governance
- Business Planning/Accountability for Business Performance
- Strategic Finance and Financial Services
- \* Strategic IT and IT Services
- \* Strategic HR and HR Services
- Strategic Marketing and Positioning and Marketing and Communications Services
- \* Asset Owner and Property Services

Group Manager

Outcomes

- Services:
- Future City Planning through Outcomes and Place Management
- \* Statutory Planning
- \* Project Management eg., New Asset Planning, Civic Place
- \* Partnership Services
- PEDB
- Stakeholder Management

### Services:

- \* Asset Management (existing assets)
- Maintenance Planni

**Group Manager** 

City Services

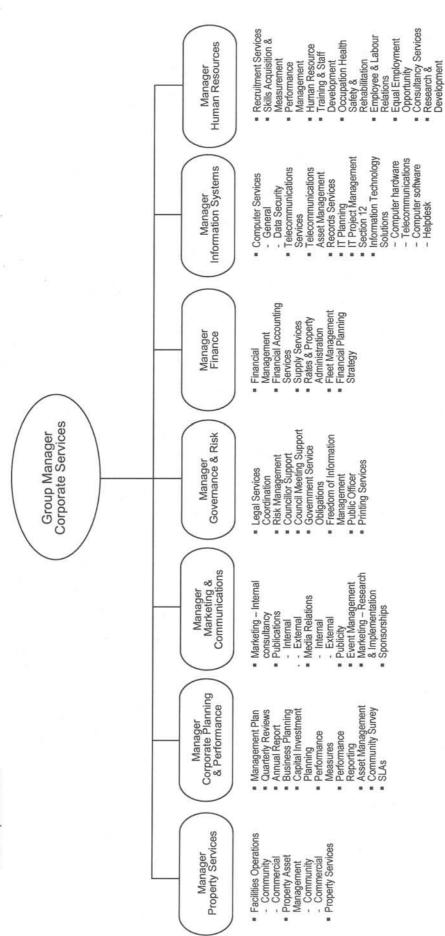
- Replacement Plann
- Alternatives to exist assets
- \* Service delivery
- \* Customer Relationshi Management

For more information on Council's strategic directions see Council's Managemen

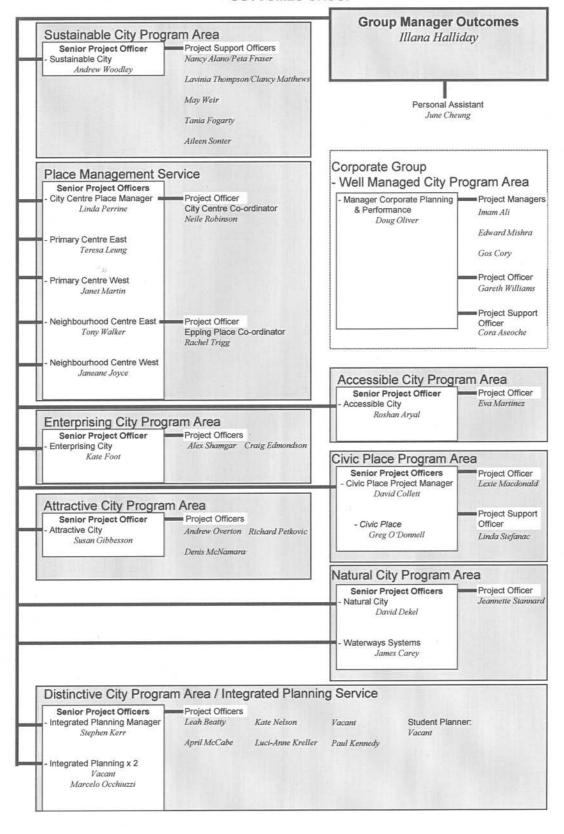
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# CORPORATE SERVICES GROUP

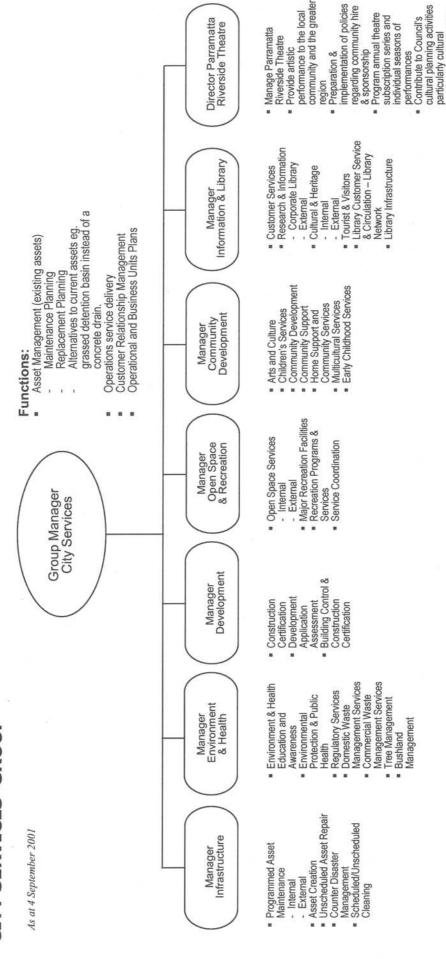
As at 4 September 2001



### **OUTCOMES GROUP**



## CITY SERVICES GROUP



precinct surrounding the theatres.

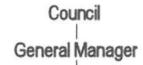


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### ORGANISATIONAL CHART



Community Life

Corporate Services

Environment and Planning

Works



### **GENERAL MANAGER - Michael Whittaker**

The General Manager's role is to:

- · Provide Leadership to the organisation.
- Ensure delivery of key Council objectives detailed in the Management Plan for the residents/visitors of Rvde.
- Promote best practice outcomes and financially sustainable services for the City.
- Support The Council with sound policy advice.
- Ensure efficient and effective delivery of services which meet the Council's required policy outcomes.
- Ensure that the staff and other resources are managed so as to give effect to relevant legislation, Council policy and contemporary business best practice.

### COMMUNITY LIFE

Group Manager: Sue Coleman

### **Principal Staff:**

- 1. Manager, Parks Peter Hickman
- Manager, Libraries Deborah Lisson
   Manager, Ryde Aquatic Leisure Centre Paul Hartmann
   Manager, Community Services Kevin Moloney
- 5. Manager, Community Relations and Events Management Derek McCarthy

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### **ENVIRONMENT & PLANNING**

Group Manager: Sue Weatherley

### **Principal Staff:**

- Manager, Urban Planning Meryl Bishop
- 2. Manager, Environment Sam Cappelli
- 3. Manager, Assessment Liz Coad
- 4. Manager, Environmental Health and Building Ken Nagle
- 5. Manager, Regulation Leon Marskell

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### **PUBLIC WORKS**

Group Manager: Kim Woodbury

### Principal Staff:

- 1. Manager, Operations Barry Hodge
- Manager, Access Warren Latham
   Manager, Catchment and Assets Greg Hunt
   Manager, Waste and Fleet George Dedes
- 5. Manager, Building Mike Betts

### CORPORATE SERVICES

Group Manager: Roy Newsome

### Principal Staff:

- 1. Manager, Human Resources Jim Mitchell

- Chief Financial Officer vacant
   Manager, Information Systems Mei Ling Chu
   Co-ordinator, Customer Service Centre Rachael Sedman
   Manager, Councillor Services Scott Allen

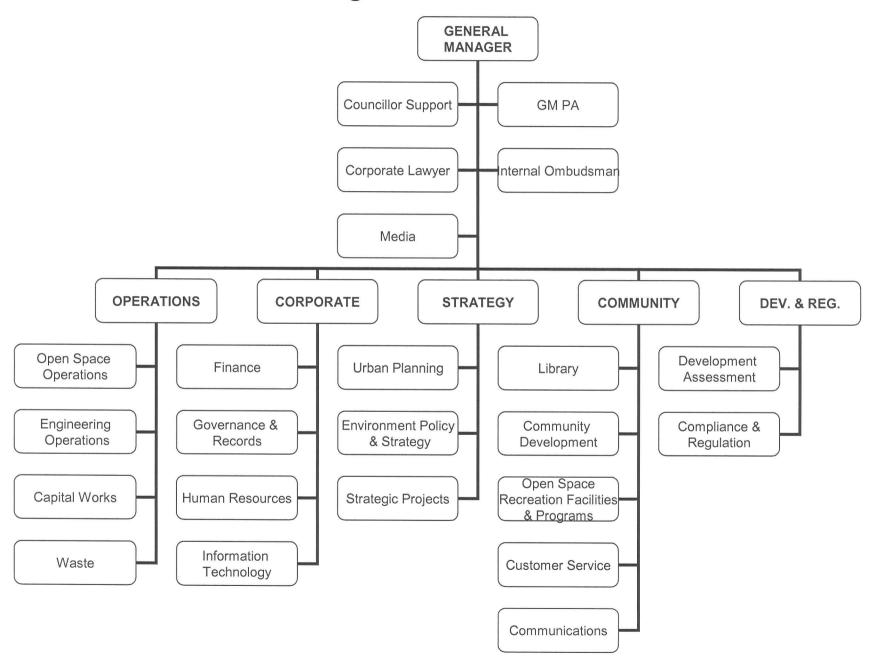
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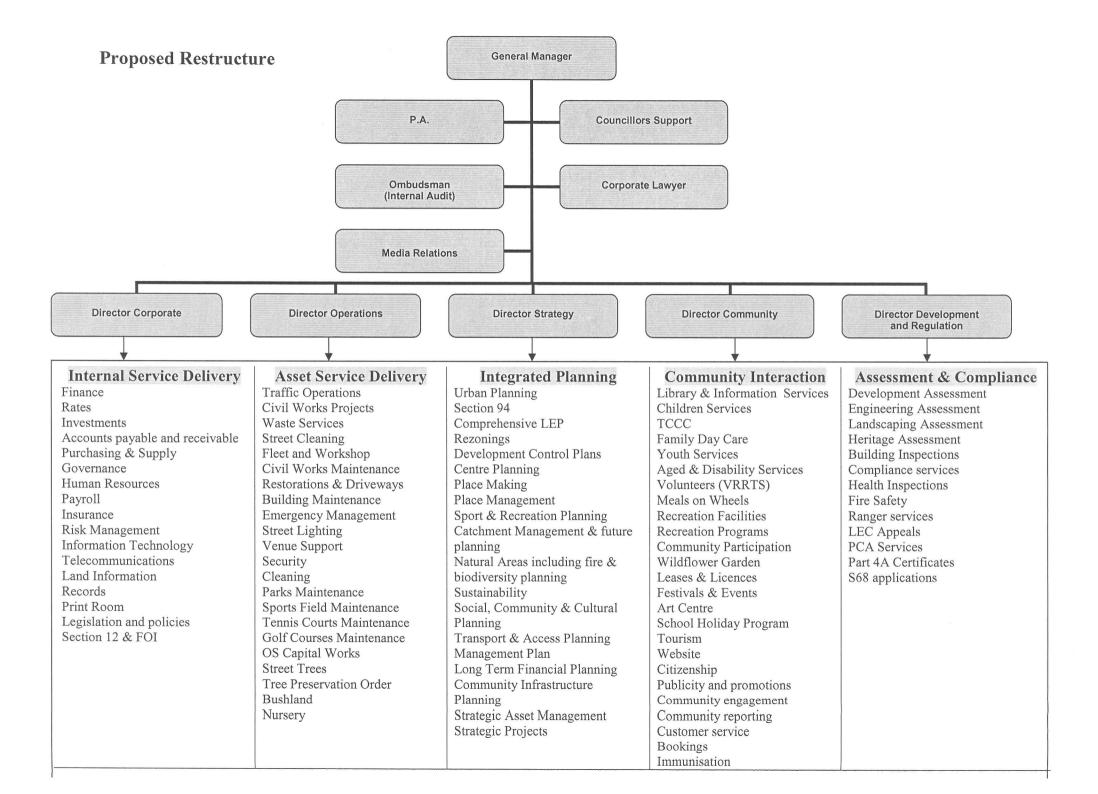
Last Updated: 4 October 2006

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### **Proposed Restructure**

### **Organisation Chart**





Item 7

S04462 16 October 2006

### CODE OF CONDUCT COMMITTEE FINDINGS - REPORT CARD MARCH 2005

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:

To table findings from the Conduct Committee

relating to a Report Card issued on the Mayor's

Performance in March 2005.

BACKGROUND: In March 2005, an article was published in the

North Shore Times outlining the performance of the Council under the Mayor at the time. The

article is known as "The Report Card". Following meetings of the Conduct Committee

(former and present), the committee's findings

are now submitted to Council.

**COMMENTS:** The Code of Conduct Committee has identified

a prima facie breach of the Code of Conduct which applied in March 2005 and accordingly, is

bound to report the matter to Council.

There are a number of mitigating circumstances

which the committee has considered and accordingly no action is proposed in relation to

this matter.

**RECOMMENDATION:** That Council note the recommendation from the

Conduct Committee.

Item 7

S04462 16 October 2006

### PURPOSE OF REPORT

To table findings from the Conduct Committee relating to a Report Card issued on the Mayor's Performance in March 2005.

### **BACKGROUND**

In March 2005, an article was published in the North Shore Times outlining the performance of the Council under the Mayor at that time. The article is known as "The Report Card".

On 30 March 2005, a formal complaint was received in relation to the abovementioned article, and was referred to Council's former Conduct Committee who considered the matter in August 2005. At that point in time, Council's Conduct Committee consisted of three members, being the Deputy Mayor and General Manager of the day, and one independent legal representative.

Subsequent to the meeting of the former Conduct Committee in August 2005, the Committee was disbanded and no further meetings were convened.

Subsequent to the employment of the current General Manager in March 2006, formal Code of Conduct Committee Guidelines were developed and ratified by Council, expanding Committee membership to five members, namely the Mayor, General Manager, and three independent representatives, at least one of whom must have legal qualifications. The current committee was established in June 2006. The composition of the committee is as follows:

- Mr Chris Shaw (Chair) Legal Independent
- Cr Nick Ebbeck Mayor
- John McKee General Manager
- Kath Roach Independent
- Professor Maurice Daly Independent

The current committee first met to consider the issue at hand on 20 July 2006, and has subsequently met on four occasions to date, as follows:

- 20 July 2006
- 24 July 2006
- 23 August 2006
- 4 October 2006

This item has been formally considered by the Conduct Committee at three of the four abovementioned meetings. At its most recent meeting convened on 4 October 2006, the committee finalised its consideration of the issue, and resolved to report its findings to Council.

### **COMMENTS**

The Code of Conduct Committee recognises the significant time that has lapsed since the incident occurred in March 2005. Essentially there have been two lengthy delays in the process, the first

S04462 16 October 2006

being the gap between the original complaint being received and the initial meeting of the Conduct Committee, and the second being the gap between the operation of the two committees.

As a consequent, the current Conduct Committee took a position that analysis of this matter was required to be assessed from its beginnings. To this effect, the committee has written to affected parties, provided the opportunity to submit additional information, and/or attend a committee meeting to provide information. In addition, previous submissions provided in 2005 have also been considered in the committee's deliberations.

As with all complaints, the Conduct Committee was obligated to assess the Report Card against the prevailing Code of Conduct operating at the time to establish whether or not a prima facie breach of the Code was applicable. This is required by Clause 10.15 of Council's Code of Conduct, quoted in part as follows:

"Council's Conduct Committee must decide whether a matter reported to it discloses a prima facie breach of this Code....."

In this regard, the committee has determined that the following clauses from the Code of Conduct which applied in March 2005 are relevant:

### **Ethical Standards and Responsibilities of Councillors and Staff:**

- "Refrain from any form of conduct, in the performance of your duties, which may cause any reasonable person unwarranted offence or embarrassment;"
- "Ensure compliance with the proper and reasonable administrative practices and conduct, and professional and responsible management practices."

### **Equitable Treatment**

• "Treat all Councillors, staff members and members of the public fairly and equitably and with respect, courtesy and empathy."

The committee has established a prima facie breach of Council's Code of Conduct as it applies to the three clauses outlined above. Accordingly, the committee is bound to report the matter to Council in accordance with Clause 10.15 of Council's Code of Conduct, outlined in part as follows:

".... the Conduct Committee will report its findings, and the reasons for these findings, in writing to the Council, the complainant, and the person subject of the complaint".

In accordance with this requirement, all affected parties have been notified in writing by the Conduct Committee.

The committee's findings are summarised as follows:

1. The committee does not condone this incident and in the normal course of events would have applied sanctions as they relate to Council's Code of Conduct in relation to the matter.

S04462

Item 7 16 October 2006

2. There are a number of mitigating circumstances which the committee has considered and accordingly the committee does not recommend any further action be taken in this matter.

### CONSULTATION

The Code of Conduct Committee has met on three separate occasions to consider this matter.

### FINANCIAL CONSIDERATIONS

Not applicable.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable

### SUMMARY

The article known as "The Report Card" was published in March 2005. Council's Code of Conduct Committee first met to consider the matter in August 2005 and disbanded thereafter. In the course of this year, Council has developed formal guidelines for the operation of its Conduct Committee and has expanded membership to comprise five members.

The current committee was re-established in June of this year and has subsequently met on four occasions, three of which included consideration of the matter at hand.

On the basis of this assessment, the committee does not condone this incident and in the normal course of events would have applied sanctions as they relate to Council's Code of Conduct. However, there are a number of mitigating circumstances which the committee has considered and accordingly the committee recommends that no further action be taken in this matter.

### RECOMMENDATION

That Council note the recommendation from the Conduct Committee.

John McKee General Manager

### **NOTICE OF MOTION**

### CYCLE PATH - ST IVES TO SHOWGROUND - EXAMINATION BY TRAFFIC COMMITTEE

Notice of Motion from Councillor T Hall dated 16 October 2006.

I move:

"That the Ku-ring-gai Traffic Committee be urgently requested to examine and report on the feasibility of a dedicated bicycle/pedestrian path parallel to Mona Vale Road, St Ives between Richmond Avenue East and the Ku-ring-gai Council/Warringah Council border and whether State/Federal government funds can be sourced to meet part of the costs due to the main road classification and serious traffic safety issues involved.

"A similar path was established between Kissing Point Road, South Turramurra, a non-classified road, and Browns Waterhole Reserve on the border with Ryde Council, met partly from State Government grant funding.

"I further move that Mr James Tredinnick of 308 Mona Vale Road, St Ives be thanked for his contribution to enhance local residents' quality of life and in the interests of road safety."

I move the motion be adopted.

### RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Tony Hall Councillor for St Ives Ward

Attachments: Background Information - 683330 - circulated separately

### Background Information of Notice of Motion by Councillor Hall dated 16 October 2006

### CYCLE PATH - ST IVES TO SHOWGROUND - EXAMINATION BY TRAFFIC COMMITTEE

I refer to the letter in the 11 October 2006 edition of the NORTH SHORE TIMES by J Tredinnick of St Ives, suggesting a cycle path connecting St Ives proper with St Ives Showground which can only be reached by car.

This has considerable merit being principally a traffic safety matter where currently cyclists are competing for space of this part of Main Road No 162 where the legal speed limit is 90 kph and, for better local access to a premier Crown reserve and beyond.

### **NOTICE OF MOTION**

### LAND BETWEEN BEECHWORTH ROAD, PYMBLE & WARRAGAL ROAD, TURRAMURRA

Notice of Motion from Councillor I Cross dated 16 October 2006.

I move the following:

- "A. That the Department of Planning be advised of Council's decision to prepare a draft Local Environmental Plan in accordance with Section 54 of the Environmental Planning and Assessment Act 1979.
  - B. That the Draft Local Environmental Plan provide for rezoning the lands at 1234-1274 Pacific Highway, Pymble/Turramurra and 1 Beechworth Road, Pymble to 2(d3).
  - C. That upon receipt of Department of Planning support a draft Local Environmental Plan be prepared in consultation with statutory authorities under the provisions of Section 62 of the Environmental Planning and Assessment Act 1979. Section 62 notification should also include formal notification to the NSW Department of Environment and Conservation and also to the Commonwealth Department of Environment and heritage with regard to ecological issues on and adjacent to the site
  - D. That a report be brought back to Council following the Section 62 consultation process for Council to consider whether to proceed to exhibition of the draft local Environmental Plan.
  - E. That the applicant and owners be notified of Council's decision."

### RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Ian Cross Councillor for Wahroonga Ward

**Attachments:** Background Information - 683333 - under separate cover

### Background Information Notice of Motion by Councillor Cross dated 16 October 2006

### LAND BETWEEN BEECHWORTH ROAD, PYMBLE & WARRAGAL ROAD, TURRAMURRA

Councillors, the reason that I am proposing the Notice of Motion on the Beechworth/Warragal area is to enable Council to make a definite decision.

The matter has been drawn out for years with no finality.

I am proposing the motion for the matter to go on public exhibition after which time, Council will either approve or reject the rezoning.