

### ORDINARY MEETING OF COUNCIL TO BE HELD ON TUESDAY, 30 OCTOBER 2007 AT 7.00PM LEVEL 3, COUNCIL CHAMBERS

# **A G E N D A**

NOTE: For Full Details, See Council's Website – <u>www.kmc.nsw.gov.au</u> under the link to business papers

APOLOGIES

**DECLARATIONS OF INTEREST** 

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

MAYORAL PRESENTATION OF CHEQUES - 2007 FINANCIAL ASSISTANCE GRANTS TO COMMUNITY GROUPS

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 16 October 2007 Minutes numbered 397 to 421

### **MINUTES FROM THE MAYOR**

### PETITIONS

### GENERAL BUSINESS

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

### **GB.1** National General Assembly of Local Government - Voting Delegates

1

4

File: S03788

For Council to determine a second voting delegate to the 2007 National General Assembly.

### **Recommendation:**

That Council determine a second voting delegate to the 2007 National General Assembly.

### GB.2 Committee Structure

File: S02355

To report on the present structure of Council committees.

#### **Recommendation:**

That Council consider whether it wishes to amend its adopted position in relation to the structure and operation of its committees.

### GB.3 Ward Boundary Change

13

File: S04536

To report on the public exhibition of the proposed change in the boundary between Wahroonga and Comenarra Wards.

#### **Recommendation:**

That Council consider whether it wishes to proceed with the proposed new boundary between Wahroonga and Comenarra Wards.

### GB.4 Investment Report as at 30 September 2007

File: S05273

To present to Council investment allocations and returns on investments for September 2007.

#### **Recommendation:**

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

### GB.5 Completion of Entry Signs

File: S02425

To advise Council of the cost for the installation of the entry signs and the additional cost to complete the work.

### **Recommendation:**

That Council install one large sign at the Pacific Highway at Wahroonga and that \$35,000 be provided from the bus shelter revenue reserve.

### GB.6 Road Naming Mount View Place, Wahroonga

File: S03211

Ward: Wahroonga

To report on the proposal to name a new road off Grosvenor Street, Wahroonga into the new Mount View Estate, 'Mount View Place.'

#### **Recommendation:**

That Council names the new road off Grosvenor Street, Wahroonga into the new Mount View Estate 'Mount View Place' and that notices be published in a local newspaper and the NSW Government Gazette.

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43

### GB.7 The Swain Gardens Draft Landscape Masterplan

File: S05919

To report the results of the Councillor's site inspection, and to seek Council approval to place the Swain Gardens draft Landscape Masterplan on public exhibition and name Swain Native Park as The Swain Gardens.

#### **Recommendation:**

That Council resolves to place the Swain Gardens draft Landscape Masterplan on public exhibition (with the inclusion of amendments recommended in this report) for 28 days with a further 14 days for comments to be received prior to final reporting to Council, and that Council liaise with the Geographical Names Board to rename Swain Native Park as The Swain Gardens.

#### GB.8 Draft Ku-ring-gai Town Centres Section 94 Contributions Plan

189

File: S04495

To have Council consider and adopt for exhibition the Draft Ku-ring-gai Town Centres Section 94 Contributions Plan.

#### **Recommendation:**

That the Draft Ku-ring-gai Town Centres Section 94 Contributions Plan be placed on formal exhibition.

### GB.9 Draft Open Space Acquisition Strategy

196

File: S04601

For Council to adopt of the Open Space Acquisition Strategy.

### **Recommendation:**

That Council adopt a combination of opportunistic and proactive approaches as the preferred means of effecting property acquisitions for future open space, and that Council adopt the recommendations made in this report in relation to the analysis of Priority one and two catchments and further reporting to Council.

GB.10 Draft Ku-ring-gai Local Environment Plan 2006 (Town Centres) -Schedule 4 Land Reclassification Component

File: S05094

Report by Director Strategy dated 23 October 2007 - circulated separately.

# GB.11 Response to Correspondence from the Minister for Planning in relation to the Appointment of a Planning Panel

File: S04151

Report by Director Strategy dated 23 October 2007 - circulated separately.

### EXTRA REPORTS CIRCULATED AT MEETING

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

**QUESTIONS WITHOUT NOTICE** 

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### PETITION

### 16 STANHOPE ROAD, KILLARA -PETITION TO OPPOSE DEMOLITION & SUPPORT THE HERITAGE LISTING OF "ST HELENS" - (FIFTY-FIVE [55] SIGNATURES)

### Petition presented by Councillor Adrienne Ryan:

"We, the undersigned, strongly oppose the demolition and support the heritage listing of "St Helens", 16 Stanhope Road, Killara for the following reasons:

- "St Helens" has been recommended by two Council heritage experts for heritage listing.
- "St Helens" is significant as a largely externally intact example of the Inter-War Georgian Revival Styles, within the important streetscape of Stanhope Road.
- "St Helens" has social significance for its part in the development of the suburb of Killara and essential to the streetscape of Stanhope Road as the southern entrance to the suburb of Killara. Stanhope Road is considered to be one of Ku-ring-gai's important streetscapes (1987 Heritage Study).
- "St Helens" setbacks, building form and architectural detail reflect the planning instruments and condition of early 20th Century development and the high social standing of the occupants of the houses within this Killara street, eg Doctors and JPs.
- "St Helens" contributes significantly to the established character and feel of the street, as being a street which features substantial intact mansions of quality. "St Helens" is representative of the upper middle class development of Killara during 1890-1930.
- "St Helens" lies in the Killara UCA 10 first identified by the National Trust in 1996 and subsequently studied by Godden MacKay Logan and Perumal Murphy Alessi Pty Ltd. Both reports supported heritage listing "St Helens" and recommended UCA status for Culworth Precinct No10 in which "St Helens" is situated".

### RECOMMENDATION

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

## NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - VOTING DELEGATES

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	For Council to determine a second voting delegate to the 2007 National General Assembly.
BACKGROUND:	At its meeting of 25 September 2007, Council resolved that Councillors Hall and Ryan would be the two voting delegates.
COMMENTS:	A second voting delegate needs to be determined as Councillor Hall is now unable to attend the Assembly.
<b>RECOMMENDATION:</b>	That Council determine a second voting delegate to the 2007 National General Assembly.

### **PURPOSE OF REPORT**

For Council to determine a second voting delegate to the 2007 National General Assembly.

### BACKGROUND

Council at its meeting of 25 September 2007 resolved as follows:

- *A.* That Councillors Hall, Ryan and Lane be Council's delegates to the 2007 National General Assembly of Local Government.
- *B.* That Councillor Hall be nominated as Council's voting delegate to the Assembly.
- *C.* That Councillor Ryan be nominated as Council's second voting delegate to the Assembly.
- D. That the General Manager or his delegate be permitted to attend the General Assembly.
- *E.* That the Council Meeting scheduled for Tuesday, 27 November be re-scheduled, if necessary.
- *F.* Any other Councillors wishing to attend the Conference advise the General Manager by Friday, 28 September 2007.

### COMMENTS

Due to unforeseen circumstances, Councillor Hall is now unable to attend the Assembly. A second voting delegate now needs to be determined.

Council has already resolved that Councillors Ryan and Lane be delegates to the Assembly and since that meeting, in accordance with the resolution, the Mayor, Councillor Ebbeck has advised the General Manager that he wishes to attend the Assembly.

Councillor Ryan is already a voting delegate. Council now needs to determine the second voting delegate for when concurrent sessions occur.

### CONSULTATION

Not applicable.

### FINANCIAL CONSIDERATIONS

Not applicable.

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### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

### SUMMARY

Not applicable.

### RECOMMENDATION

That Council determine a second voting delegate to the 2007 National General Assembly.

Geoff O'Rourke Senior Governance Officer John McKee General Manager

S02355 15 October 2007

## **COMMITTEE STRUCTURE**

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To report on the present structure of Council committees.
BACKGROUND:	Councillor Hall submitted Questions without Notice on 13 and 27 March 2007 regarding the structure of Council's committees. Also Councillor Malicki submitted a Notice of Motion on 1 August 2007.
COMMENTS:	A review of the structure of Council's committees has been undertaken.
RECOMMENDATION:	That Council consider whether it wishes to amend its adopted position in relation to the structure and operation of its committees.

### **PURPOSE OF REPORT**

To report on the present structure of Council committees.

### BACKGROUND

Councillor Hall submitted Questions without Notice on 13 and 27 March 2007 regarding the structure of Council's committees as follows:

### 13 March 2007

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

### 27 March 2007

*I refer to my Question of 13 March (No 70/70) and ask would the Staff also report on the desirability of restructuring existing Committees under Clause 260 of the Local Government Regulation (2005), please?* 

Also, the following Notice of Motion from Councillor Malicki dated 1 August 2007 was referred to the Policy Committee for discussion:

All Council Committees, informal or community, and briefings involving all Councillors be open to Press and Public except for closure conditions of the Local Government Act.

*I further move that Minutes be taken of every Council Committee and briefing as above and that these be available on Council's website.* 

### COMMENTS

A review of the structure of Council's committees has been undertaken.

### **Legislation**

The structure and operation of council committees is governed by various sections of the Local Government Act 1993 (the Act) and various clauses of the *Local Government (General) Regulation 2005* (the Regulation). In most cases where the legislation refers to a committee of council the reference is to a committee of which all members are councillors.

The following are extracts from the relevant legislation that relate to the Questions without Notice and the current structure and operation of Council's committees:

### Clause 260 of the Regulation – Council may establish committees

- (1) A council may, by resolution, establish such committees as it considers necessary.
- *(2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.*
- (3) The quorum for a meeting of a committee is to be:
  - (a) such number of members as the council decides, or
  - (b) if the council has not decided a number a majority of the members of the committee.

#### Clause 261 of the Regulation – Functions of committees

A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

#### Clause 265 of the Regulation – Procedure in Committees

(1)Subject to subclause (3), each committee of a council may regulate its own procedure.

(2)Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.

*(3)Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).* 

### Section 10 of the Act - Who is entitled to attend meetings?

- (1) Except as provided by this Part:
  - *(a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are councillors, and*
  - *(b) a council must ensure that all meetings of the council and of such committees are open to the public.*

[2]...

(3)...

### Section 10A of the Act – Which parts of a meeting can be closed to the public?

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
  - (a) the discussion of any of the matters listed in subclause (2), or
  - (b) the receipt or discussion of any of the information so listed.

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- *(2) The matters and information are the following:*
- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - *(ii) confer a commercial advantage on a competitor of the council, or*
  - *(iii)* reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- *(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

[3]...

### Section 360 of the Act – Conduct of meetings of councils and committees

- (1) The regulations may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are councillors.
- (2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.
- (3) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

### Section 377 of the Act – General power of the council to delegate

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
  - (a) the appointment of a general manager,
  - (b) the making of a rate,
  - (c) a determination under section 549 as to the levying of a rate,
  - (d) the making of a charge,
  - (e) the fixing of a fee
  - (f) the borrowing of money,
  - (g) the voting of money for expenditure on its works, services or operations,
  - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
  - *(i) the acceptance of tenders which are required under this Act to be invited by the council,*

- (j) the adoption of a management plan under section 406,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,
- *(p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- *(q)* a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

[2]...

### Section 379 of the Act – Delegation of regulatory functions

- (1) A regulatory function of a council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:
  - *(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or*
  - (b) an employee of the council, or
  - (c) a county council.

[2]...

[3]...

In summary, within the limitations of the Act and the Regulation, Council:

- may establish committees
- must specify the functions of any committee
- may give delegated authority to a committee to exercise a function of Council.

Therefore, Council has the power to establish a committee of Councillors with delegated authority to determine development applications. The committee membership does not have to comprise all of the Councillors.

Where delegated authority is granted to any committee the power must be within the limitations prescribed in the Act and any other limitations the Council wishes to set. These limitations should establish the circumstances under which the delegated power may be used and how the power is to be used.

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In addition, where a committee consists entirely of Councillors, the committee:

- may be established only by a resolution of Council (clause 260 of the Regulation)
- must open its meetings to the public, except for confidential items (sections 10 and 10A of the Act)
- must conduct its meetings in accordance with the Act, the Regulation and the Council's Code of Meeting Practice (section 360 of the Act).

### Present Situation

On 1 June 2004 Council resolved that the following informal committees be initiated:

- Policy Committee
- Planning Committee
- Finance Committee
- Infrastructure Committee (combined with Finance Committee on 11 October 2005)
- Community Development Committee

In addition, Council established a Facilities Committee in July 2006.

These committees were not established as committees within the meaning of the Act and as such are not governed by the Act, the Regulation and the Code of Meeting Practice. The committees operate as informal briefing sessions and to enable an exchange of information and views prior to matters being formally considered at a Council Meeting.

Council also has a number of advisory committees, namely:

- Traffic Committee
- Access Committee
- Companion Animals Advisory Committee
- Heritage Advisory Committee
- Parks, Sport and Recreation Reference Group
- Bushland, Catchments and Natural Areas Reference Group

As the second Question without Notice refers to the possible restructure of committees under clause 260 of the Regulation and the advisory committees do not fall with the provisions of that clause, this report therefore deals only with the informal committees and not the advisory committees.

### Workload of the current Planning Committee

The current Planning Committee meets monthly and has a fairly heavy workload. Agenda items consist mainly of complex strategic planning matters such as the town centres draft LEP and DCP, S94 contributions plans and the like. This workload is more likely to increase rather than reduce in the foreseeable future given the substantial additional work and tight timelines generated by the comprehensive LEP and DCP project mandated by the Department of Planning.

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If the current Planning Committee is to absorb an additional development application (DA) consideration and determination role, it is clear that any new committee will necessarily need to meet more frequently, at least fortnightly if not weekly.

The alternative would be to establish two separate committees. One would be a Planning Committee to deal with strategic planning issues, generally consistent with what the current Planning Committee does. The new committee would be a separate Development Control Committee to deal with development applications.

Whichever option is pursued, the possible implications would be more committees and definitely more frequent and numerous meetings. This would require considerably more staff and Councillor time, as well as additional corporate servicing and infrastructure. Either way, there would be additional costs to Council in terms of time and resources.

### Impact on DA turn-around times/process certainty

Presently, Council determinations on development applications are either made under staff delegation or by full Council. The vast proportion of terminations, some 96%, are made under staff delegation.

The proposal in the Question without Notice would introduce an additional level of determination for development applications. The process for matters to be determined by such a committee would presumably be by direct Councillor call up or by pre-determined referral categories, as is presently the case with matters determined by full Council.

If the development applications likely to be considered by such a committee are drawn from those that are presently or ordinarily determined under staff delegation, the result will most likely be an increase in average processing times. This will be due to the additional lead times involved and, at the very least, the preparation of formal reports to the committee and meeting schedules.

The worst case scenario could be as follows:

A DA that is ordinarily determined under staff delegation is called to the committee. It is then deferred either to site inspection or to require amended plans. The DA is then referred back to the committee. The DA is then called from the committee to full Council. This whole process could add weeks if not months to the time taken to determine such an application. Moreover, even if the DA was to be determined by the committee, that determination would still need to await formal endorsement at the next meeting of full Council.

The impact on overall DA turnaround times would obviously depend on the number of applications that would be referred/called to the committee and the likely course that such applications would take thereafter and prior to final determination. If the quantum of such applications is likely to be minor then the cost/benefit utility of such a committee is questionable compared to the existing system. If the quantum is likely to be substantial then the benefits of such a committee need to be weighed up against:

- the costs in terms of additional staff and Councillor time and servicing infrastructure
- the costs of increased DA turn-around times
- a greater DA backlog and the flow-on costs of an increase in the number of deemed refusal appeals

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• a greater level of uncertainty for applicants concerning the development assessment process.

Over the last three years Council's DA turn-around times have reduced dramatically from a median of over 100 days to 38 days. There has also been a parallel reduction in the number of DAs on hand from 1,000 to 330. Appeal costs have also been reduced by over \$1,000,000. This has been achieved by a combination of measures including greater staff delegation and more efficient DA processes. This has also resulted in a greater level of clarity and certainty in Council's DA process for applicants.

Despite these achievements all Councils in NSW, including Ku-ring-gai, are under growing pressure from the Minister and the Department of Planning to further reform their DA assessment and determination processes to effectively reduce DA turn-around times and legal costs. This was the clear intent of the Local Development Performance Monitoring Report released by the Department of Planning in July 2007 and is the consistent inherent message that is being sent to all Councils by the Minister.

In conclusion, it is recommended that Council carefully weigh up the perceived benefits of such a committee against the potential costs in monetary and other terms.

#### Future arrangements

Overall the existing committee structure and operations appear to be working successfully.

The informal committees provide a valuable forum for the exchange of information, for the discussion of issues and for the consolidation of input into policy development. The committees were established so that discussions could be undertaken without the need for formality. Any changes to the structure of these committees that brings them under the formality of the Act, the Regulation and the Code of Meeting Practice may serve to stifle open discussion. To remove any confusion about the operation of these forums, Council may wish to cease the use of the word "committee' and instead refer to them by another name.

The changes made to the development application processes in recent years have dramatically improved DA turn-around times and eliminated substantial costs. Any proposed changes to the committee structure need to weigh up the likely impact on the current DA processes.

There would seem to be no pressing need to alter the committee structure at the present time. As there are just 11 months of the current term of Council remaining a more appropriate time to review the committee structure may be after the next Council election. A review of Council's committees is required to be undertaken in accordance with Council's Code of Meeting Practice within 12 months of the election. The issue can then be addressed in the wider context of a general review of policy and other relevant matters in the first year of the new Council.

### CONSULTATION

None required or undertaken.

### FINANCIAL CONSIDERATIONS

If there are significant changes to the structure and operation of Council's committees there may be financial implications that can only be estimated when the changes are determined.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The General Manager and Directors have been involved in the preparation of this report.

### SUMMARY

Councillor Hall's Questions without Notice and Councillor Malicki's Notice of Motion have prompted a review of the existing committee structure. The current committee operations appear to be working successfully. An appropriate time to consider changes to the committee structure may be after the next Council election when the issue can be addressed in the wider context of a general review of policy and other relevant matters in the first year of the new Council.

### RECOMMENDATION

That Council consider whether it wishes to amend its adopted position in relation to the structure and operation of its committees.

John Clark Director Corporate John McKee General Manager

3/1

22 October 2007

## WARD BOUNDARY CHANGE

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To report on the public exhibition of the proposed change in the boundary between Wahroonga and Comenarra Wards.
BACKGROUND:	The variation in elector numbers between Wahroonga and Comenarra Wards exceeds that permitted by the Local Government Act.
COMMENTS:	On 28 August Council resolved to publicly exhibit a proposed boundary change.
RECOMMENDATION:	That Council consider whether it wishes to proceed with the proposed new boundary between Wahroonga and Comenarra Wards.

### **PURPOSE OF REPORT**

To report on the public exhibition of the proposed change in the boundary between Wahroonga and Comenarra Wards.

### BACKGROUND

The variation in elector numbers between Wahroonga and Comenarra Wards exceeds that permitted by the Local Government Act (the Act). As at 14 July 2007, the variance is 10.12% (15,500 electors in Wahroonga, 13,931 in Comenarra).

### COMMENTS

On 28 August, Council resolved to publicly exhibit a proposed boundary change. This followed consideration of a report on electoral matters (**Attachment A**). The plan of the proposed boundary change is **attached** (**Attachment B**). Using elector numbers as at 14 July 2007 the change, if implemented, will reduce the variance to 2.99% (14,939 in Wahroonga, 14,492 in Comenarra).

To meet the requirements of the Electoral Commission any Ward boundary changes must be completed by 31 December 2007.

### CONSULTATION

The plan of the proposed boundary change was publicly exhibited during the period 7 September to 19 October 2007. The plan was available for inspection at the Customer Service Centre and on Council's website. In addition letters were sent to the owners and occupiers of land in the affected area.

One submission was received in respect of the proposal. The submission is from the owners of a property in Coonanbarra Road, Wahroonga on behalf of a number of residents. The submission opposes the boundary change. The main points of the submission are:

- 1. The proposal excises the Wahroonga Post Office and the Wahroonga village shopping and commercial centre from the Wahroonga Ward.
- 2. There is a perceived lack of community interest between the residents of Wahroonga and Comenarra Wards.
- 3. There is a lack of recognition of the potential value of Wahroonga village precinct by the proposed transferring of the area to a different Ward.
- 4. There is a likely impact on elector numbers as a consequence of home unit construction in the area.

The issue of elector numbers as a consequence of home unit construction was considered in the previous report and it was concluded that over the next two years the entry of new electors to the area is likely to make the variance worse.

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### FINANCIAL CONSIDERATIONS

None.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

None.

### **SUMMARY**

On 28 August, Council resolved to publicly exhibit the proposed boundary change between the Wahroonga and Comenarra Wards. One submission was received during the exhibition period. The submission opposed the boundary change. It is in order for Council to adopt the new boundary if it wishes or to take no further action for the moment and keep the issue of elector numbers under review.

### RECOMMENDATION

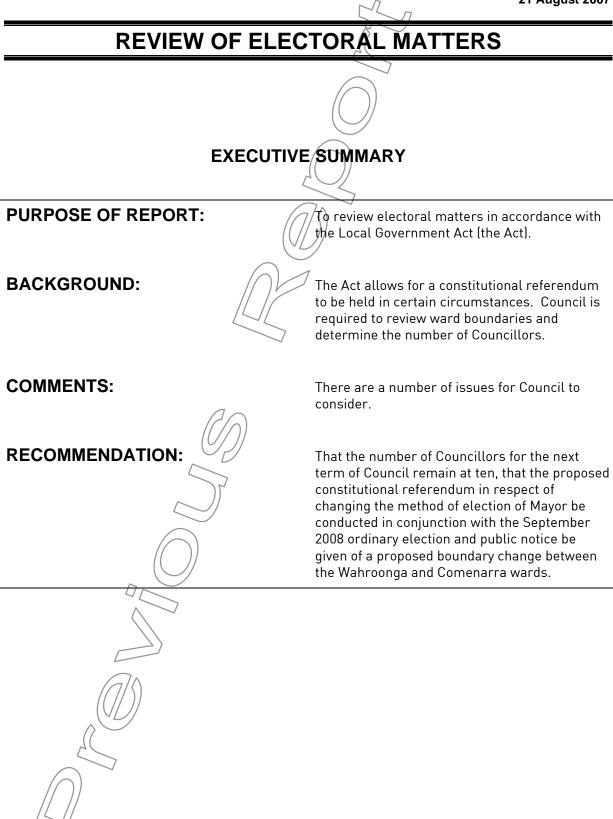
That Council consider whether it wishes to proceed with the proposed new boundary between Wahroonga and Comenarra Wards.

John Clark **Director Corporate** 

Attachments: A. Previous report - 820697

B. Plan of Proposed Boundary change - 821230

S03733 21 August 2007



#### S03733 21 August 2007

### **PURPOSE OF REPORT**

To review electoral matters in accordance with the Local Government Act (the Act).

### BACKGROUND

The Act allows for a constitutional referendum to be held in certain circumstances. Council is required to review ward boundaries and determine the number of Councillors.

The Ku-ring-gai local government area is divided into five wards with two councillors for each ward, making a total of ten Councillors. Councillors are elected by the electors in each ward (known as method 1 under the Act). The Mayor is elected by the councillors annually.

The next ordinary Council election is scheduled for Saturday 27 September 2008.

The Act allows for a constitutional referendum to be held in the following circumstances:

- 1. to divide a Council area into wards or to abolish wards
- 2. to change the number of Councillors
- 3. to change the method of electing the Mayor to either direct election by the electors every 4 years or by the Councillors every year
- 4. to change the method by which Councillors are elected where wards exist.

The requirements for constitutional referendums are set out in Department of Local Government (DLG) Circular 07-30 (Attachment A). Decisions made at a constitutional referendum are binding on the Council.

Changes approved at a constitutional referendum held in conjunction with the next ordinary election will apply from the September 2012 electoral term.

Council must keep ward boundaries under review and must determine, not less than 12 months before the next ordinary election, the number of Councillors for the following term.

### COMMENTS

There are a number of issues for Council to consider.

### Ward boundaries

Section 211 of the Act requires council to keep the ward boundaries under review. In particular Council must ensure that the number of electors in each ward does not differ by more than 10 per cent. If such a difference occurs then a change in ward boundaries should be undertaken.



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The number of electors in each ward as at 14 July 2007 and the percentage variance is:

		JA		
With existing ward boundaries				
Wards	Electors	% Variance		
Comenarra	13931	10.12		
Gordon	14235	8.16 (		
Roseville	14543	6.17		
St Ives	14674	5.33		
Wahroonga	15500	0(())		
Total	72883	202		

Although only minor, the 10 percent variation has been exceeded with the Comenarra ward and therefore ward boundaries should be changed to meet the requirements of the Act. Although not stated in the DLG Circular, Council has, in accordance with section 211 of the Act, an option to defer taking any action to change the ward boundary for some two years (until the end of the first year of the next term of Council). At that point if there is still a 10% variation the ward boundaries must be changed.

An estimate has been made of the likely change to elector numbers in the Wahroonga and Comenarra wards over the next two years as a consequence of home unit developments. This has revealed that it is likely that there will be 750 new electors in Wahroonga ward and 500 new electors in Comenarra ward. This will make the variance worse.

Council may wish to proceed with action to more evenly distribute elector numbers across the Wahroonga and Comenarra wards. If so the ward boundary changes must be finalised by 31 December 2007. Council must consult with the Electoral Commissioner and the Australian Statistician to ensure, as far as is practicable, that new ward boundaries align to census districts.

An examination of the ward boundaries in relation to census district boundaries has revealed a census district (no. 1370501) in the area between the Pacific Highway and the railway line at Wahroonga that is split between Wahroonga and Comenarra wards. In any review of the ward boundaries the Electoral Commissioner will expect Council to no longer have this census district split between two wards.

Therefore if Council wishes to proceed to change the ward boundaries now it is suggested that the balance of this census district and the two adjoining census districts (1370502 and 1370405) be moved from Wahroonga to Comenarra ward. This will result in 561 existing electors between the Pacific Highway and the railway line moving into Comenarra ward with the new ward boundary at that location being the railway line. This will more evenly distribute the current elector numbers as follows:

	After suggested ward boundary change				
	Wards	Electors	% Variance		
1	Comenarra	14492	2.99		
	Gordon	14235	4.71		
$\bigcirc$	Roseville	14543	2.65		
// )/	St Ives	14674	1.77		
L	Wahroonga	14939	0		
	Total	72883			

#### Ordinary Meeting of Council - 28 August 2007

#### Item 8

A plan of the suggested boundary change is attached (Attachment B).

### **Councillor numbers**

Section 224(2) of the Act requires Council to determine the number of Councillors for the next term not less than 12 months before the next ordinary election, i.e. by 27 September this year. If the number of Councillors is proposed to be changed it cannot be implemented unless it is first approved at a constitutional referendum.

The work involved in conducting a constitutional referendum is similar to that for conducting a general election (closing and printing electoral rolls, booking polling places, engaging polling officials, publicity, counting ballot papers, etc). As such there is insufficient time to complete a constitutional referendum by 27 September. This means the number of Councillors for the next term must remain at 10.

Council could conduct a constitutional referendum on changing the number of Councillors at the ordinary election in September 2008. If approved at the referendum the changes would apply from September 2012.

### Method of election of Mayor

Council, at its meeting on 22 November 2005, resolved to conduct a constitutional referendum on changing the method of election of the Mayor to that of direct election by the electors.

If Council proceeds to conduct this referendum in conjunction with the ordinary election in September 2008 and the electors approve the change in the method of election of Mayor, then the changes will apply from September 2012.

### Method of election of Councillors

Council may also consider changing the method of election of Councillors to method 2 under the Act. Method 2 provides for some of the Councillors to be elected by the whole of the electorate and some to be elected by the electors of each ward. Changing the method of election of the Councillors will also require approval at a constitutional referendum.

## CONSULTATION

Any change to the ward boundaries will require a public consultation process to be undertaken. This includes exhibiting a plan of the proposed boundary change for 28 days and seeking public submissions for 42 days. After considering any submissions made Council may then determine the new ward boundary.

## FINANCIAL CONSIDERATIONS

A constitutional referendum may be held on any Saturday with the concurrence of the NSW Electoral Commissioner. Constitutional referendums are usually held in conjunction with an ordinary election to avoid the duplication of costs.

The Electoral Commissioner has advised that the estimated cost to Ku-ring-gai Council for the next ordinary election is \$522,700. The inclusion of a constitutional referendum will incur additional costs for publicity, printing and counting.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

None.

### SUMMARY

Council may consider options for a constitutional referendum, including changing the method of election of the Mayor and changing the number of Councillors. Council has previously resolved to conduct a constitutional referendum on changing the method of election of Mayor. Changes approved at a constitutional referendum conducted in conjunction with the September 2008 election will apply from September 2012. Council is required to review the ward boundaries to ensure that there is no more than a 10% variation between the numbers of electors in each ward. There is a variation in excess of 10% between the number of electors in Comenarra and Wahroonga wards.

### RECOMMENDATION

- A. That the number of Councillors for the next term of Council remain at ten.
- B. That the proposed constitutional referendum in respect of changing the method of election of Mayor be conducted in conjunction with the September 2008 ordinary election.
- C. That public notice be given of proposed boundary changes between the Wahroonga and Comenarra wards in order to meet the requirements of the Local Government Act in respect of elector numbers per ward.

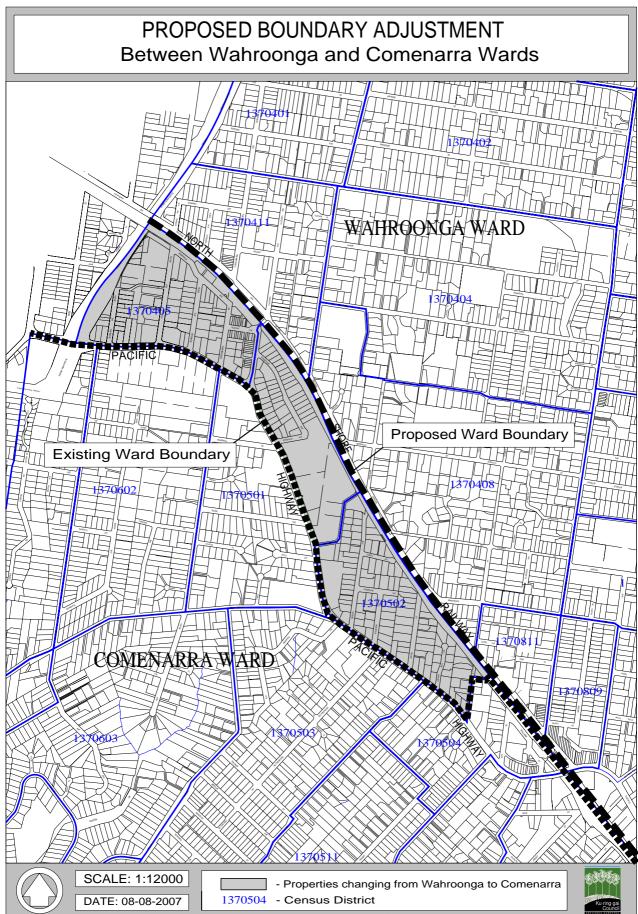
John Clark Director Corporate

Attachments:

John McKee General Manager

A. Department of Local Government Circular 07-30 - 797046B. Map of possible ward boundary change - 816077

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S05273 3 October 2007

## **INVESTMENT REPORT AS AT 30 SEPTEMBER 2007**

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To present to Council investment allocations and returns on investments for September 2007.
BACKGROUND:	Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 28 August 2007 (Minute No.319).
COMMENTS:	The Reserve Bank of Australia (RBA) retained the official cash rate at 6.50% in September.
RECOMMENDATION:	That the summary of investments and performance for September be received and noted. That the certificate of the Responsible Accounting Officer be noted and the report adopted.

### **PURPOSE OF REPORT**

To present to Council investment allocations and returns on investments for September 2007.

### BACKGROUND

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 28 August 2007 (Minute No. 319).

This policy allows Council to utilise the expertise of external fund managers or make direct investments for the investment of Council's surplus funds.

### COMMENTS

During the month of September, Council had a net cash inflow of \$2,100,000 and net investment returns of \$371,000.

Council's total investment portfolio at the end of September 2007 is \$71,885,000. This compares to an opening balance of \$55,578,000 as at 1 July 2007.

Council's net investment revenue for September is \$371,000. This is more than the monthly budget of \$321,125.

### PERFORMANCE MEASUREMENT

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

### \* Management of General Fund Bank Balance

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

### \* Performance against the UBS Bank Bill Index

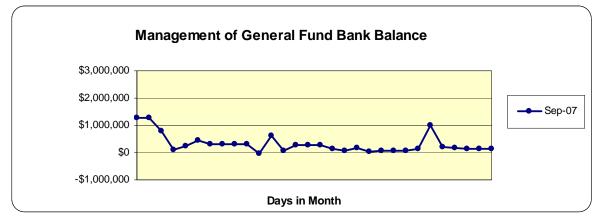
This measures the annualised yield (net of fees and charges) for Council's portfolio. The weighted average return for the total portfolio of funds is compared to the industry benchmark of the UBS Bank Bill Index.

### \* Allocation of Surplus Funds

This represents the mix or allocation of surplus funds with each of Council's Fund Managers and direct securities.

### Management of General Fund Bank Balance

During September, Council had a net inflow of funds of \$2,100,000. This was partly due to collection of the balance of the rates income which fell due at the end of August and Section 94 contributions.



### Funds Performance against the UBS Bank Bill Index

Issuer	Investment Name	Investment Rating	Invested @30 Sept 2007 \$000's	Period Return (%)	Annualised YTD Return (%)	Performance Since inception (%)	% of Total Invested
Working capital (0-3 Months)							
Adelaide Bank	AAA SAVER	AAA	18,750	7.10	6.90	6.58	26.08
Westpac Bank	Westpac Bank Deposit	AA	3,729	6.29	6.37	6.37	5.19
Short Term (3-12 Months)	• •				•	•	
LGFS	Fixed Out Performance Fund	AA-	5,004	6.32	6.32	6.32	6.96
Bendigo Bank	Turramurra Community Bank	BBB	559	6.52	6.52	6.52	0.78
Short -MediumTerm (1-2				_	-		
Perpetual	Perpetual Credit Income	A	2,627	7.58	-6.70	6.52	3.65
Aberdeen Asset Management	Aberdeen Income Fund	А	11,953	5.65	4.01	6.69	16.63
MediumTerm (2-5 Years)					-		
Longreach/Rabobank	Longreach CPWF	AAA	3,247	9.24	-1.04	8.24	4.52
UBS AG London	LongreachSTIRM	AA+	1,000	2.56	2.55	3.42	1.39
Athena Finance (Westpac)	Camelot	AA	1,039	6.89	11.57	6.59	1.45
BlackRock Investment	BlackRock Diversified Credit	A	9,822	2.16	-2.13	6.39	13.66
Select Access Investments	Titanium AAA	AAA	2,000	7.79	7.58	7.25	2.78
Long Term (5 Years+)							
ABN AMRO/Nomura	Pheonix Notes	AA+	2,000	9.52	10.85	10.85	2.78
HSBC Bank	Maple Hill 11	AA	3,000	9.46	9.46	9.46	4.17
NSW Treasury Corp	KRGC Tcorp LTGF	UNRATED	2,141	12.71	12.34	8.31	2.98
Deutsche Bank	Longreach s26 Prop	AA+	1,000	0.00	0.00	0.00	1.39
ABN AMRO/Rembrandt	SURF CPDO	AAA	2,015	8.92	8.58	8.44	2.80
CBA/Helix Capital Jersey	Oasis Portfolio Note	AAA	2,000	7.35	7.35	7.34	2.78
TOTAL /WEIGHTED AVERAG	E		71,885	6.47	4.21		100

4.21 6.66 -2.45

Weighted Average Overall Return Year To Date (%)	
Benchmark Return: UBSWA Bank Bill Index(%)	
Variance From Benchmark (%)	

The weighted average return for the total portfolio year to date was 4.21% compared to the benchmark of the UBS Bank Bill Index of 6.66%.

#### **Income Investments and Growth Investments**

Since Council's investment policy was changed in August 2006, a wider range of investments have been made involving diversification of the portfolio into different investment types, longer maturities and different markets. Council's investments now include several growth investments, where returns are principally derived from growth in the value of capital invested, rather than income payments. These investments can be expected to show higher volatility in price movement on a month to month basis. Council has only purchased growth investments which have a capital protection provided by a bank of at least AA ratings. As these investments are long term and not intended to be traded monthly, volatility is of less concern.

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

**Rabobank/CPWF 1-2006**: This investment is in property, infrastructure and utilities and was made on 29 September 2006. From inception to the end of September 2007, the investment has returned 8.24% with a strong 0.73% increase in net asset value from August. The fund managers expect that volatility in the credit markets will continue for the foreseeable future as the full effects of the U.S. sub prime crisis are felt. Whilst this will cause short term volatility in the fund's performance, it has good fundamentals and medium term price growth is expected in all of its underlying asset classes.

**NSW Treasury Corporation**: The investment was made in October 2006. This is a fund managed by the NSW Treasury Corporation which invests in a range of Australian shares 31%, international shares 31%, bonds, listed property and cash 38%. Despite the global market volatility, returns this month have been strong with annualised returns of 12.71% and a positive return of 7.42% since purchase.

<u>Athena Finance (Westpac)/Camelot</u>: This investment was made at the end of February 2007 in a fund which invests in foreign exchange rate movements with low correlation to other products and asset classes. It is in times like these, with a disruption in a certain asset class that the benefits of diversification of Council's portfolio become more apparent. The fund had a positive return for the month of September of 6.89% with annualized returns of 11.57%.

**Deutsche Bank/Series 26**: This new investment was made in June 2007 in a basket of property spread globally across seven geographical areas. The chosen securities provide potential for regular income along with potential capital growth. Returns are based on a contingent semi annual coupon of 7.0% pa and additional return on maturity as capital gain. The current unit price is 97.69 up from 91.22 in August and from an issue value at inception of 97, after upfront fees. This includes provision for the first coupon payment in December 2007. The investment had a very strong month closing up more than 6% and is slightly higher than inception date.

**Blackrock Diversified Credit Fund:** This fund had its second worst performance since its inception, returning +0.19% (gross) for the month. However, this is a credible return given that the fund fell as low as -0.98% during the month. Value was added after the Federal Reserve (Fed's) announcement to lower interest rates by 50bps, with credit spreads narrowing immediately. Blackrock's high running yield and large exposure to highly rated and highly regulated European Banks will allow the fund to grow, particularly if market volatility subsides in the short to medium term.

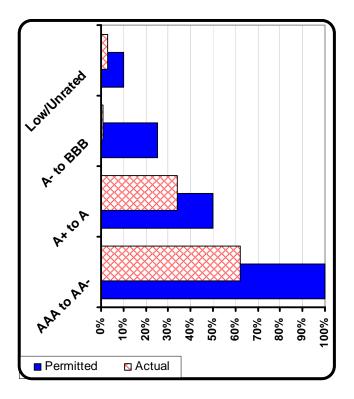
3 October 2007

**LGFS Fixed Out Performance Cash Fund:** This investment was made at the end of September 2007. The fund aims to provide exposure to the Bank Bill index (a floating rate benchmark return), and commits to pay investors 0.50% p.a above that of the index net of fund fees. This return is written into the Trust Deed and unit pricing mechanism, and can only be changed by special resolution of unitholders (by 75% majority). This investment will improve Council's liquidity and reduce volatility.

### Allocation of funds

The following charts show the allocations of Councils investment funds by the categories shown:

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

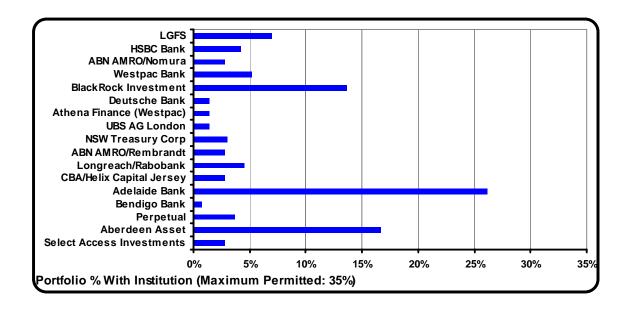


Investment Rating	Proportion
AAA to AA-	60%
A+ to A	35%
A- to BBB	1%
Less than BBB	4%

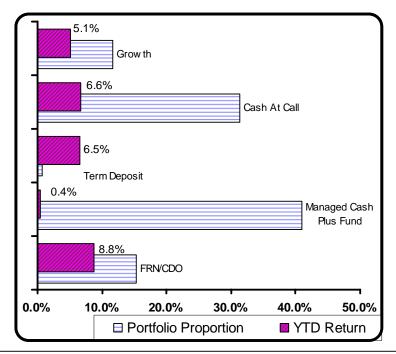
S05273 3 October 2007

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

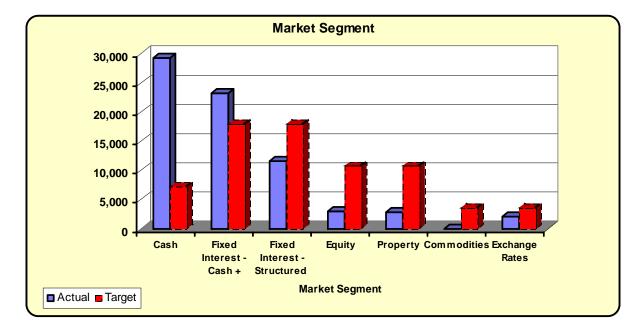
Council's Investment Policy requires that the maximum proportion of its portfolio invested with any individual financial institution is 35%.



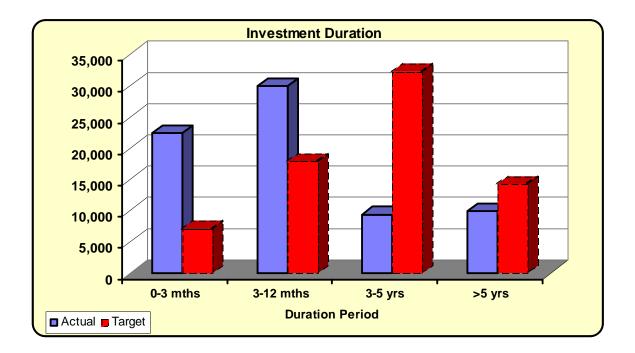
**3) Investment type and YTD return**: Actual proportion of investments by type and year to date return.



**4) Market Segment:** Strategic allocation of investments by market segment compared to current level.

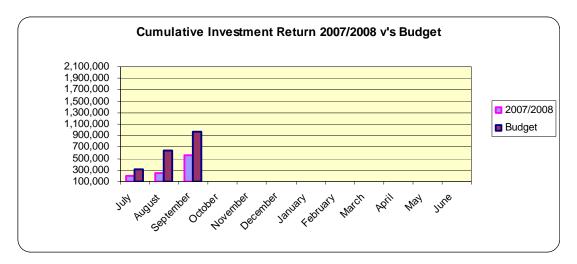


5) **Duration:** Strategic allocation of investments by duration compared to current level.



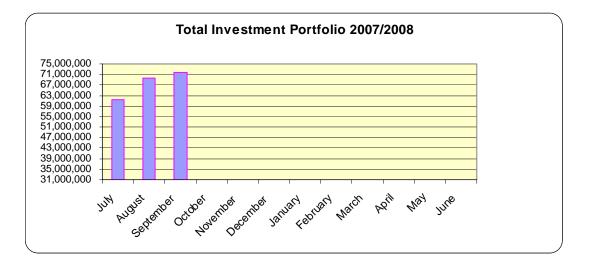
### **Cumulative Investment Return**

The following chart compares the net return earned on a cumulative monthly basis against the budgeted year to date forecast. At the end of September year to date, the net return on investments totals \$553,900 against a year to date budget of \$963,375, representing a negative variance of \$409,475. The variation is due to the budget factoring in the sale of the Depot and lower than anticipated returns on investments.



### **Total Investment Portfolio**

The following chart compares the year to date investment portfolio balances for 2007/2008.



During September 2007 Council's investment portfolio increased by \$2,100,000. Council's closing investment portfolio after interest and fees of \$71,885,000 in September 2007 is \$16,307,000 higher than the July 2007 opening balance of \$55,578,000.

### September 2007

### **Domestic Markets**

### Interest Rates

As expected, the RBA kept interest rates on hold in September – waiting to assess the domestic macroeconomic impact of credit market volatility and a weak US economy. Further rate hikes are possible if growth remains above the normal trend.

### Other

Australian stocks surged during September. The ASX200 Accumulation Index jumped +5.56% (largest gain since October 2001) catapulting the year-to-date return to a robust +19.34% (the 39<sup>th</sup> closing record this year).

The Aussie dollar jumped a mammoth +8.56% in September closing the month at 18 year highs as overseas investors sought the higher yield provided by domestic assets.

- ➤ Australian GDP rose +0.9% in the June quarter to be +4.3% year on year (YoY). Business investment the primary driver contributing +0.7% to total growth.
- ▶ Productivity jumped +1.3% in the June quarter. YoY productivity is up +2.9%.
- Employment rose +31.9K (full time +29.1K and part-time +2.8K) in September. The unemployment rate remained unchanged at 4.3%.
- ▶ ABS measure of job vacancies rose +2.9% in the three months to September YoY +11.9%.
- ➢ Housing construction (Starts) declined -4.0% in the second quarter with NSW leading the drag, falling -20%. YoY housing starts are down -3.4%.

### **Global Markets**

Global markets were focused on the Fed's 50bp cut in both the Fed funds rate and discount rate. Although the 50bp Fed fund rate was largely priced into markets, the 50bp discount rate cut was larger than expected.

The US dollar remained under pressure during the month. The sharp decline in the US dollar sent commodities to their highest monthly gain in 32 years, led by crude oil, gold and wheat. US bonds also rallied on speculation that the Fed would continue to cut rates.

The Fed's interest rate cut sustained the US stock market's recovery from losses spurred by housing market concerns. S&P500 jumped +3.58% (largest September gain in 9 yrs). NASDAQ surged +4.05% to record a YoY return of +19.62%.

### CONSULTATION

Not applicable.

### FINANCIAL CONSIDERATIONS

The budgeted interest on investments for 2007/2008 is \$3,853,500. Of this amount approximately \$2,548,000 is restricted for the benefit of future expenditure relating to developers' contributions,

#### **Ordinary Meeting of Council - 30 October 2007**

#### Item 4

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3 October 2007

\$465,000 transferred to internally restricted depreciation reserves, and the remainder is available for operations.

Council's year to date net return on investments totals \$553,900. This compares to the year to date budget of \$963,375.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

### SUMMARY

As at 30 September 2007:

- Council's total investment portfolio is \$71,885,000. This compares to an opening balance of \$55,578,000 as at 1 September 2007, an increase of \$16,307,000.
- Council's year to date net return on investments totals \$553,900. This compares to the year to date budget of \$963,375.

### RECOMMENDATION

- A. That the summary of investments and performance for September 2007 be received and noted.
- B. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

#### CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I herby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act, 1993, Clause 212 of the Local Government Regulation 2005 and Council's Investment Policy minute number 319.

Edwin Athaide Accounting Officer Tino Caltabiano Manager Finance Responsible Accounting Officer

S02425 2 October 2007

## **COMPLETION OF ENTRY SIGNS**

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To advise Council of the cost for the installation of the entry signs and the additional cost to complete the work.
BACKGROUND:	At Council's meeting of 28 February 2006, Council considered a Notice of Motion on the installation of entry signs at various locations on the boundaries of the Council's border on main and regional roads. Council at its meeting of 27 June 2006 considered a report on the design options for the entry signs and resolved to place the concept designs on public exhibition. Following public exhibition, Council considered a report on 22 August 2006 on the outcome of the public exhibition and resolved to adopt one of the concepts for manufacture of the design. At the time of the report, the cost of the signs was not known. The adopted concept included the large signs and the small signs.
COMMENTS:	At Council's meeting of 14 August 2007, Council considered a Notice of Motion from Councillor Ryan regarding the installation of further entry signs. A copy of the Notice of Motion is attached as <b>Attachment C</b> . The Notice of Motion referred to a cost for the signs of \$50,000 which is approximately the cost for one large and two small signs. This cost does not include footings and lighting. Council resolved that the matter be referred to the Finance Committee for further consideration
<b>RECOMMENDATION:</b>	That Council install one large sign at the Pacific Highway at Wahroonga and that \$35,000 be provided from the bus shelter revenue reserve.

## **PURPOSE OF REPORT**

To advise Council of the cost for the installation of the entry signs and the additional cost to complete the work.

## BACKGROUND

At Council's meeting of 28 February 2006, Council considered a Notice of Motion on the installation of entry signs at various locations on the boundaries of the Council's border on main and regional roads.

The locations for the entry signs would be located at:

- a. each end of the Pacific Highway at Roseville and Wahroonga
- b. Mona Vale Road at St Ives
- c. Ryde Road at West Pymble
- d. Junction Road at Wahroonga
- e. Archbold Road at Roseville
- f. Boundary Street at Roseville
- g. Lady Game Drive at Lindfield
- h. The Comenarra Parkway at Wahroonga

Council resolved as follows:

- A. That Council seek quotations from three (3) suitably qualified graphic design artists for the design of 'entry signs' to the Ku-ring-gai Local Government Area and that those designs reflect, in part, the Centenary of Local Government.
- B. That 'entry signs' be located at the above locations
- *C.* That three (3) options for the design, together with the costing, be brought back to Council within 3 months
- D. That the cost of the design work carried out by the graphic artist and the entry signs be funded from the bus shelter reserves to a maximum value of 50% of the Centenary Year's bus shelter advertising revenue.

Council at its meeting of 27 June 2006 considered a report on the design options for the entry signs and resolved to place the concept designs on public exhibition. Following public exhibition, Council considered a report on 22 August 2006 on the outcome of the public exhibition and resolved to adopt one of the concepts for manufacture of the design. At the time of the report, the cost of the signs was not known. The adopted concept included the large signs and the small signs.

The adopted Notice of Motion implied that the signs were to be installed by the Centenary year which ended in December 2006.

## COMMENTS

By letter dated 28 September 2006, the successful design company, namely Claude Group Pty Ltd advised of the cost for the installation of all the signs based on a variety of combinations. Attached, as **Attachment A**, is a copy of the letter from Claude Group Pty Ltd. As the budget for the project was constrained to 50% of the bus shelter revenue for the Centenary year which was approximately \$250,000, the combination of the signs was required to be under this amount. The costs involved did not include the installation of the concrete footings.

On 19 October 2006, the Mayor and Councillors were advised of the cost for the installation of the signs where the large signs were approximately \$32,000 and the small signs were approximately \$12,000 but the actual cost depended on the combination. A copy of the memorandum is attached as **Attachment B**.

As no response was received to the memorandum and the need to have the signs installed by the end of the Centenary year, the contractor was advised to install 3 of the large signs at Ryde Road at West Pymble, Boundary Road at Roseville, Mona vale Road at St Ives and one small sign at Corona Street, Roseville. Essentially, this covered the main road network with the exception of the Pacific Highway at Wahroonga.

The large signs were considered to be more prominent and suitable for the locations and smaller signs at these locations were considered to be unsuitable. The memorandum also indicated that consideration may need to be given to the installation of entry signs at the other locations subject to available funding.

The contractor was requested to provide advice on the installation of further entry signs and he advised that the larger signs would cost \$30,900 and the smaller signs would cost \$10,300 but this did not include the cost of the footings.

In 2006/2007, the cost of the project was \$119,883 which included manufacture costs, footing costs, design costs and advertising costs for the public exhibition.

At Council's meeting of 14 August 2007, Council considered a Notice of Motion from Councillor Ryan regarding the installation of further entry signs. A copy of the Notice of Motion is attached as **Attachment C**. The Notice of Motion referred to a cost for the signs of \$50,000 which is approximately the cost for one large and two small signs. This cost does not include footings and lighting. Council resolved that the matter be referred to the Finance Committee for further consideration and the draft report was discussed at the Finance Committee on 8 October 2007.

The approximate cost of lighting would be about \$2,000 per site for the supply (\$1100) and connection to the mains as well as minor ongoing cost for the supply of power. Alternatively, it would be possible to provide solar power lighting to the entry signs as an alternative and the cost would be similar to mains power. However, it should be noted that the wording on the signs is made of reflective material and quite visible when vehicle headlights are directed at the signs.

The all up costs for the installation of a further thee signs including footing costs and lighting, is estimated to cost \$65,000. If Council were to consider installing only one large sign at the Pacific Highway at Wahroonga, the cost could be reduced to \$35,000 to \$40,000 depending on whether lighting is included at this and other sites.

2 October 2007

5/4

The installation of an entry sign at the Pacific Highway at Wahroonga would see that all entry areas of the main road network are covered.

## CONSULTATION

Further consultation is required if Council wishes to install any additional signs.

## FINANCIAL CONSIDERATIONS

The cost of the design and installation to date is approximately \$120,000 and funding for this work was made available from the bus shelter revenue which provides Council with approximately \$250,000 per annum for a 15 year period.

The cost of any further signs would be between \$35,000 to \$65,000 depending on the number and whether lighting is provided. Funding for any further work would need to come from the bus shelter revenue reserve as no other funding source is available.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

### SUMMARY

The installation of the entry signs at four locations was based on the amount of funds originally made available and the installation of further entry signs would result in an increase in the available budget that was adopted by Council in February 2006.

Councillors were advised by memorandum of the cost of the four entry signs on the main roads by memorandum in October 2006. This report provides further advice on the cost of additional entry signs based on the Notice of Motion dated 14 August 2007.

As the entry signs have reflective tape on the lettering, it is not considered necessary to install lighting.

It is recommended that a large entry sign be installed on Council land near the Lucinda Avenue intersection with the Pacific Highway at Wahroonga opposite the exit to the F3 freeway in order to complete the installation of the entry signs on the main road network.

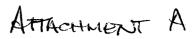
#### S02425 2 October 2007

## RECOMMENDATION

- A. That Council install one large sign at the Pacific Highway at Wahroonga and that \$35,000 be provided from the bus shelter revenue reserve.
- B. That lighting not be provided to the entry signs.

Greg Piconi Director Operations

- Attachments: A. Letter from Claude Group Pty Ltd re cost options 835024
  - B. Memorandum to the Mayor & Councillors cost & number of signs proposed 684729
  - C. Notice of Motion dated 14 August 2007 814402



Claude Group Pty. Ltd A.B.N. 90 000 006 520

Level 3 1 Rosebery Avenue Rosebery NSW 2018

P.O. Box 178, Rosebery, NSW, 1445

Tel: 02 9315-2777 Fax: 02 9662-3311

www.claudegroup.com.au

28 September 2006

Ku Ring Gai

Dear Greg Piconi

#### RE: Pylon Signs

Thank you for the opportunity of being able to present our proposal to you. As you are aware we have been working on this project for some time in order to come up with an appropriate solution.

We have been retained to do the project at a value of \$125,000 + GST, however, the scope and materials utilised have meant that the scope and budget have changed marginally.

As a result of Ku Ring Gai Council wanted the highest quality image for these pylons we feel that it is best not to compromise on materials but search for additional funds to meet your budget. I have listed the new budget and options below.

#### 1. **PROJECT DESCRIPTION**

The signage proposed is designed to achieve the following objectives;

Corporate identification Land mark signage

#### 2. SCOPE OF WORKS

#### 2.1 Description and Location of the Signs

3 off Large 6 off Small Refer to Drawings

#### 2.3 Installation Methods

TBA

#### 2.4 Inclusions

Supply and Mount Pylons Apply Stonework to wedge shaped footing

#### 2.5 Exclusions

Concrete Footings (Including Wedge Shaped upstand and Pad)

Permits Stone Any items not listed above may be excluded from estimation

#### 2.6 Notes

See above

#### 3. CLIENT OBLIGATIONS

The client has agreed to provide;

- Electricity connections
- Development applications
- Access permits
- Specifications for corporate logos.

#### 4. DELIVERY

The proposed delivery timetable is as follows:

Documentation for approval	2 weeks from the date of receiving an order confirmation.
Manufacture	6-8 weeks from completion of approved documentation.
Install	2 weeks from completion of manufacturing.

\$144,102 + GST

\$136,284 + GST

\$128,296 + GST

#### 5. PROPOSAL COST

For all the items as described above:

Conforming Option
3 off large and 6 off small
Alternative Oration A
Alternative Option A
3 off large and 5 off small

#### **Alternative Option B**

2 off large and 6 off small	\$124,102 + GST
Large Pylons based on 2 off quantity	\$27,534 + GST
Small Pylons based on 6 off quantity	\$11,506 + GST

Please note that these unit rates, will change should quantities vary.

#### **Alternative Option C**

2 off large and 7 off small

#### **Alternative Option D**

2 off large and 4 off small \$110,523 + GST

#### 6. CLAUDE GROUP STANDARD TERMS OF BUSINESS

#### 6.1 Validity

This Quotation/Tender will remain valid for a period of 30 days from the date of offer. Claude Group reserves the right to adjust the offer after expiry of this period.

#### 6.2 Terms of Payment

- 30 % Deposit is payable on acceptance of the proposal.
- 10% payable on completion of drawings.
- 45% on completion of manufacture.
- Balance on completion of installation.

Ownership of the equipment will remain the property of Claude Group until final payment (excluding retentions if applicable) is made. Claude Group credit terms are strictly 30 days from date of invoice.

#### 6.3 GST

The quoted price is exclusive of any applicable GST, unless otherwise stated. Claude Group is registered for GST and will provide a tax invoice in the approved form.

#### 6.4 Associated Works

This Quotation/Tender covers the supply, installation, services and/or design as specified within the covering letter. Unless specifically stated, auxiliary works such as platforms, structural support, primary power supply, preventative maintenance etc have not been included.

#### 6.5 Warranty

Unless specifically expressed otherwise, Claude Group offers 12 months warranty on all products used in construction except electrical components where the warranty is 3 months. No warranty is applicable in the event of misuse. The warranty term is voided if a person is permitted to carry out repair or servicing of the products without Claude Group's approval.

#### 6.6 Hours of Work

Unless specifically stated otherwise, this Quotation/Tender is based on all work being carried out within normal working hours (5 day week, 38 hours, between 7.30am to 6.00 pm). Should the Purchaser require work to be undertaken outside of normal hours, the extra cost will be to the Purchaser's account.

#### 6.7 Special Site Conditions

Unless specifically stated otherwise, no special/latent site conditions have been included for within this Quotation/Tender.

#### 6.8 Site /Productivity Allowance

Unless specifically stated otherwise, this Quotation/Tender does not include for Site specific allowances of any kind. Should such be applicable, the costs of such, plus associated on-costs will be to the Purchaser's account.

#### 6.9 Delivery Program

Claude Group will make every effort to comply with the delivery and programming requirements of the contract. However, Claude Group does not accept any liability or damages resulting from late delivery of product or services unless a specific agreement is in place detailing the extent of the liability.

#### 6.10 Variations

Variations to the agreed contract value shall be advised in writing. Claude Group shall not be bound to complete requests for variations unless a) they have been advised in writing and b) the costs for such have been agreed, prior to the commencement of such variation works. Variations may extend the delivery schedule.

#### 6.11 Permits

It shall be the responsibility of the Purchaser to obtain any necessary permission for the installation, use and operation of the signs. The Purchaser shall obtain any necessary permissions or consents from the owners of the premises where the sign is to be installed and any other person whose permission or consent is a requisite for the installation of the sign. Any failure by the Purchaser to obtain any such necessary permissions or consents or any subsequent revocation or removal of any such permission or consent shall not in any way affect the validity of this Agreement and the Purchaser's liability to pay for the sign.

Claude Group, at the written instruction of the Purchaser will obtain the permits, consents or approvals on behalf of the Purchaser. However, the extra costs associated with carrying out this work will be to the Purchaser's account unless specifically included within this Proposal

#### CONCLUSION

Hi Greg I apologise for not being able to meet your budget requirements, however, we know how strongly you feel about the importance of portraying the highest quality image for your electorate.

Should you have any questions whatsoever, please do not hesitate to contact me on (02) 9315 2777 or alternatively on my mobile 0423 782 142.

Yours faithfully CLAUDE GROUP PTY. LTD.

Nick Rigney New Business Manager

S02425

19 October 2006

#### **MEMORANDUM**

TO: MAYOR AND COUNCILLORS

COPY TO: GENERAL MANAGER AND DIRECTORS

FROM: DIRECTOR TECHNICAL SERVICES

## SUBJECT: INSTALLATION OF ENTRY SIGNS

Advice has been received from the manufacturer regarding the cost associated with the proposed entry signs.

Given that the cost for the larger style entry signs is approximately \$32,000 and the smaller style signs is approximately \$12,000, it will be necessary to reduce the number of signs to be installed in order to keep the cost within the budget limitations of approximately \$125,000.

It is not proposed to reduce the scale or quality of the proposed signs in order to comply with the budget framework set by Council.

Consequently, it is proposed to install three (3) larger signs on Ryde Road, Pymble; Mona Vale Road, St Ives; and Boundary Street, Roseville, with one (1) of the smaller signs at the Pacific Highway, Roseville.

Further consideration may need to be given to the installation of the entry signs at the other locations subject to consideration of available funding.

It is proposed that installation of these signs is scheduled for early December 2006.

Greg Piconi Director Technical Services

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

#### 14 AUGUST 2007

#### <sup>296</sup> Completion of Entry Signs

File: S02646

#### Notice of Motion from Councillor A Ryan dated 31 July 2007.

In February 2006, Council considered my Notice of Motion on the installation of entry signs.

Since that time, four (4) entry signs have been installed with three (3) large signs installed at Ryde Road, Mona Vale Road and Boundary Street, and one (1) small sign installed on the Pacific Highway at Roseville. Initial advice received indicated that the cost of installing one (1) large sign and two (2) smaller signs is approximately \$50,000.

I move:

- "A. That one (1) large entry sign be installed at the Pacific Highway, Wahroonga, and two (2) small signs be installed at Lady Game Drive, Lindfield, and The Comenarra Parkway at Wahroonga.
- B. That up-lighting be provided for the entry signs at the Pacific Highway, Wahroonga, Ryde Road, West Pymble and Boundary Street, Roseville.
- C. That funding for the work be made available from the revenue from the bus shelter advertising".

#### **Resolved:**

(Moved: Councillors Cross/Shelley)

That this matter be referred to the Finance Committee.

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

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

(Moved: Councillors Ryan/Lane)

That the above Notice of Motion as printed be adopted.

S03211 2 October 2007

## **ROAD NAMING MOUNT VIEW PLACE, WAHROONGA**

Ward: Wahroonga

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To report on the proposal to name a new road off Grosvenor Street, Wahroonga into the new Mount View Estate, 'Mount View Place.'
BACKGROUND:	A request was received from the developers of the new sub-division off Grosvenor Street Wahroonga. 'Mount View Estate.'
COMMENTS:	The street name suggested by the applicant of the sub-division site is 'Mount View Place.'
RECOMMENDATION:	That Council names the new road off Grosvenor Street, Wahroonga into the new Mount View Estate 'Mount View Place' and that notices be published in a local newspaper and the NSW Government Gazette.

## PURPOSE OF REPORT

To report on the proposal to name a new road off Grosvenor Street Wahroonga into the new Mount View Estate, 'Mount View Place.'

## BACKGROUND

The name Mount View Place was suggested by the developer of the site because of the history and heritage significance of the buildings.

## COMMENTS

The new sub-division at Wahroonga has 12 lots and the new road will service all lots. A copy of the sub-division plan with the proposed street name is attached to this report.

Under Section 162.1 of the Roads Act 1993, Council is the road naming authority. If Council resolves to adopt the name suggested, 'Mount View Place', Section 162.1 of the Roads Act 1993 requires publication of the new name in a local newspaper and in the NSW Government Gazette. Council is also required to advise Australia Post, the Registrar General, the Surveyor General and the Geographical Names Board.

The proposed street name does not conflict with any other existing road name in the Ku-ring-gai area. It is therefore considered appropriate to name the new street after the house named "Mount View."

## CONSULTATION

Council has consulted with Australia Post, the Registrar General, Surveyor General, Geographical Names Board and advertised the proposed street name in the Public Notices section of the North Shore Times.

No objections have been received to the naming of 'Mount View Place.' following the advertising.

Following Council resolution, the adopted street name needs advertising in a local newspaper and the NSW Government Gazette.

## FINANCIAL CONSIDERATIONS

Minor costs are associated with this request such as the provision of a street sign and administration work. The developer will be required to fund the installation of the new street sign.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Council's Strategy and Corporate Departments have been consulted in this process and will be advised of the new details following approval by Council.

## SUMMARY

Council has been asked to approve the name of 'Mount View Place' for the road within the new sub-division at Wahroonga. No objections have been received from Australia Post, the Registrar General, Surveyor General, Graphical Names Board and the public.

## RECOMMENDATION

- A. That Council names the new street off Grosvenor Street into the Wahroonga subdivision as 'Mount View Place.'
- B. That a notice of the new street name be published in a local newspaper and the NSW Government Gazette.
- C. That Council informs Australia Post, the Registrar General, Surveyor General and the Geographical Names Board of the new street name.

Robert Happ	Roger Guerin	Greg Piconi
Technical Support Officer	Manager Design & Projects	<b>Director Operations</b>

Attachments: Street Name Plan - 818298

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Image: set of the set of th	





S05919 22 October 2007

## THE SWAIN GARDENS DRAFT LANDSCAPE MASTERPLAN

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To report the results of the Councillor's site inspection, and to seek Council approval to place the Swain Gardens draft Landscape Masterplan on public exhibition and name Swain Native Park as The Swain Gardens.
BACKGROUND:	At the Ordinary Meeting of Council on 14 August 2007 Council resolved to defer consideration of the draft Landscape Masterplan pending a site inspection.
	Research for the preparation of a draft Landscape Masterplan for the site revealed that it was registered with the Geographical Names Board of New South Wales as 'Swain Native Park'.
COMMENTS:	The draft Landscape Masterplan for The Swain Gardens provides for the protection and enhancement of The Swain Gardens and The Swain Reserve. Changes to the draft Landscape Masterplan since it was considered by Council at the 14 August meeting are consistent with the minutes of the Inspection Committee.
RECOMMENDATION:	That Council resolves to place the Swain Gardens draft Landscape Masterplan on public exhibition (with the inclusion of amendments recommended in this report) for 28 days with a further 14 days for comments to be received prior to final reporting to Council, and that Council liaise with the Geographical Names Board to rename Swain Native Park as The Swain Gardens.

## PURPOSE OF REPORT

To report the results of the Councillor's site inspection, and to seek Council approval to place the Swain Gardens draft Landscape Masterplan on public exhibition and name Swain Native Park as The Swain Gardens.

## BACKGROUND

Council considered a report on 14 August 2007 seeking approval to place the Swain Gardens Draft Landscape Masterplan on public exhibition. Council resolved to defer consideration of the draft Plan pending a site inspection. The site inspection was conducted on Wednesday, 12 September 2007 and the Inspection Committee Minutes **(Attachment 2)** were received and noted by Council on 16 October 2007.

Demand for developed open space in Ku-ring-gai is high and the provision of parks and sportsgrounds is relatively low and not evenly distributed, with some suburbs having far less developed open space per population than others. Predicted increases in the population will have a significant impact on the ability of our existing parks and sportsgrounds to cater for the needs of current and future residents.

Previous studies undertaken by Council were instrumental in the decision to embark on the preparation of landscape masterplans for Council's fifteen district parks.

One such study was the Open Space Distribution Needs Study (2000), which identified that "Council's local and district parks are not (in terms of both quantity and suitability) fully meeting the recreation needs of existing populations and do not have the capacity, therefore, to absorb the recreation needs and demands of new populations".

Further the current 2004-2009 Section 94 plan acknowledges that *"a large number of parks require further embellishments to more effectively meet the needs and expectations of (existing and future) recreational users".* 

Recognising the inability of existing parks in Ku-ring-gai to meet the needs of new populations in conjunction with the impact of predicted increases in population, Council included the preparation of District Park Landscape Master Plans into the Community Development section of Council's 2005-2009 Management Plan.

Swain Native Park is located at 77 Stanhope Road, Killara. The site was bequeathed to the public by Mr A. N. Swain and consists of two distinctive landscape areas, one area covers 1.2ha of bushland and the other covers 0.72ha of cultivated gardens.

The bushland area was purchased by the National Trust of Australia (New South Wales) in 1960 with funds made available by Swain & Company Pty. Ltd. The gardened area was created by Mr Swain and is located behind private properties and eventually accessed from Northcote Road by a right-of-way (Lot 11). Lot 11 was transferred by the National Trust to the Swain family in 1980. Upon his death in 1973 Mr Swain bequeathed the Gardens to the National Trust who held it until 1980.

7/3

In 1980, the National Trust of NSW transferred the Swain Native Park to the Council of the Municipality of Ku-ring-gai.

## COMMENTS

The Swain Gardens is one of Ku-ring-gai's best kept secrets. It is located in Stanhope Road Killara, behind The Swain Reserve. The Swain Gardens were created during the 1940s to 1960s by Arthur Newling (Mick) Swain, a Sydney bookseller and amateur gardener. Both properties were bequeathed to the public by Mr Swain.

The Gardens are culturally significant. They are a post war landscape with a modernist studio and an intricate network of sandstone retaining walls and concrete paths that showcases nonindigenous (or exotic) vegetation. Mr Swain intended that his gardens be in a natural setting and he purchased the adjoining Reserve from a development company to ensure this.

Community input has focussed on what type of activities people would like to see happening here, not what changes will be made to The Gardens. This is because of the site's cultural significance which limits activities. Because it is a culturally significant site, the draft Landscape Masterplan does not involve developing the site, but rather conserving it and introducing sustainable practices such as the water harvesting project which will be installed to provide irrigation.

The Burra Charter formed the basis for the development of the conservation plan. These needed to be determined first, to assess what type of activities are suitable, due to the fragility of The Gardens.

Mr Swain created a modernist garden of an extent and design consistency that was rare during the period. The visual and spatial structure of The Gardens is based on a botanical collection of nonindigenous vegetation that is contrasted with the adjoining indigenous vegetation of the Swain Reserve and Wombin Reserve. These natural areas merge into adjoining County Open Space, then Garrigal National Park, which is within the Middle Harbour catchment. This has resulted in a complex, layered landscape that is unique both culturally and physically. In response to this, the draft Landscape Masterplan is a synthesis of three distinct areas of interest:

- 1. Heritage/culture
- 2. Sustainability/ecology
- 3. Social/economic values

The framework for The Swain Gardens District Landscape Masterplan report is based on the NSW Local Government Amendment (Ecologically Sustainable Development) Act, 1997, which aims to "protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development, and to reduce the risks to human health and prevent the degradation of the environment".

A summary of recommendations outlined in draft Landscape Masterplan, a copy of which is **Attachment 1** to this report, is as follows:

#### S05919 22 October 2007

#### **Conservation**

- Strengthen the contrasting landscapes of the Gardens and adjacent Reserves which is integral to the experience of the landscape setting;
- Maintain The Gardens in a manner which retains and preserves the original character;
- Maintain the fabric in good condition and, in particular, consult a qualified stone-mason with heritage expertise for advice on preserving stonework and an arborist to report on the condition of significant trees;
- Improve the sense of arrival provide interpretative signage at Reserves and Gardens;
- Update 1992 plant list; and
- The Old Tennis Court area in The Swain Reserve is the place of least significance and most suitable for new developments if required.

#### <u>Sustainability</u>

- Incorporate water sensitive urban design principles to ensure the health of the catchment such as riparian zone planting and a sedimentation pond where Wombin Creek exits the Gardens
- Implement stormwater harvesting project with riparian zone planting
- Implement sustainable horticultural practices
- Select exotic and endemic plant species that will not spread into adjacent areas
- Install sedimentation pond below where creek exits Gardens
- Recycle waste

#### Social opportunities

- Promote The Gardens as a place of botanical displays, particularly in spring and autumn;
- Label Camellias and significant trees;
- Provide disabled parking onsite for two cars; and
- Provide activities within the constraints of the physical site and its cultural significance, particularly activities related to the arts, such as open-air theatre, poetry readings and music recitals, also filmmaking, photography and functions such as weddings. Promote the Garden Room/Viewing Lawn for hire for activities such as gardening groups, book clubs, knitting/sewing circles, catered meals, weddings, filming and gardening clubs.

#### Site inspection – changes to draft Landscape Masterplan

At the site inspection held on Wednesday 12 September 2007 (see **Attachment 2** Inspection Committee Minutes) Councillors made a number of requests and suggestions, for changes to the draft Landscape Masterplan. As a result a number of changes will be made to the draft Landscape Plan before it is placed on public exhibition, as follows:

- Stormwater harvesting project planting around the proposed stormwater storage tank as a screening measure.
- Old tennis courts area a lightweight roofed structure to be constructed over the ground level flat stage and electricity supply to be provided to the BBQ area and performance space for events.
- Toilet block adjacent to old tennis court area baby change table, widened doorway, improved accessibility around toilet block, grip rails beside toilet.

#### Ordinary Meeting of Council - 30 October 2007

#### Item 7

- Access pathways check whether existing stone lip on the edge of pathway leading to old tennis court and width and grade meets relevant standards or whether a railing is required.
- Garden entry from Stanhope Road consideration to be given to the inclusion of steps from Stanhope Road to the Gardens.
- Community Room encourage and promote a wider variety of community activities in the community room, supplemented by BBQ facilities and a coffee cart for events and functions.
- Any future modifications to the community room should be sensitive, interpretive, and sympathetic to the cultural significance of the building.
- Council-owned leased house at 77 Stanhope Road community-based use to be considered in the long term, including comments about possible uses, such as 'in conjunction with weddings.

Staff support the various matters outlined in the Inspection Committee minutes and these matters will be included in the exhibited draft Landscape Masterplan.

The suggestions regarding the access pathways and steps from Stanhope Road will require further investigations during the exhibition period by Council. Initial investigations indicate that to meet AS 1428, a 1:14 access ramp from the disabled parking bays down to the toilet block and old tennis court area would require 85 metres of pathway with curbed ramps and handrails and 1m<sup>2</sup> landings at 9 metre intervals.

It is further recommended that the following objective be included in the draft Landscape Masterplan prior to it being placed on public exhibition:

Within the existing value framework of The Gardens, seek to improve accessibility throughout The Gardens to meet AS 1428 Design for Access and Mobility.

The National Trust of NSW transferred the site to Council with a set of covenants and Council agreed to accept the Terms and Conditions, including Item 1 which specifies the name of the site as follows:

- *1. The Ku-ring-gai Council, for itself, its successors and assigns hereby covenants with the National Trust:* 
  - *a)* The area to be dedicated to The Ku-ring-gai Council other than Lot 11, Deposited Plan 601545 shall be named by The Ku-ring-gai Council as 'The Swain Gardens' and are hereinafter so named.
  - *c)* The Ku-ring-gai Council shall cause the name of the late A. N. Swain to be permanently and prominently recorded with the National Trust as the public benefactor of The Swain Gardens in a position in The Swain Gardens open to easy view by the public.

During the development of draft Landscape Masterplan it was discovered that this matter has not been finalised and it is recommended that Council make application to the Geographical Names Board to enable its finalisation.

#### S05919 22 October 2007

Following further review and outcomes from the site visit, the draft Landscape Masterplan is considered ready for exhibition.

## CONSULTATION

Invitations to an information session held on Saturday 16 June 2007 from 10.00am-11.30am at the Garden Room within The Swain Gardens were mailed to residents in streets surrounding the Gardens and the Friends of Swain Gardens. Information panels and a draft Landscape Masterplan were provided to generate discussion. The ten local residents who attended the information session were unanimously supportive of the draft Landscape Masterplan.

Councillors have been briefed on the development of the draft Landscape Masterplan and were invited to a site inspection held on 12 September 2007.

All those who have provided input to the development of the draft Landscape Masterplan have been notified of this report going to Council.

## FINANCIAL CONSIDERATIONS

The draft Landscape Masterplan provides Council with a long term view on the management of the gardens which can be prioritised to assist in future financial planning. Some works are of an operational nature and can be completed within existing recurrent budgets and others would be subject to future capital works and/or grant proposals.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Council's Strategy Department, Operations Department and Community Department have been consulted in the development of the draft Landscape Masterplan.

## SUMMARY

The draft Landscape Masterplan for The Swain Gardens provides for the protection and enhancement of The Swain Gardens and The Swain Reserve. The draft Landscape Masterplan is considered ready for exhibition.

## RECOMMENDATION

That Council:

A. Resolve to place The Swain Gardens draft Landscape Masterplan on public exhibition for 28 days with a further 14 days for comments to be received prior to final reporting to Council.

#### S05919 22 October 2007

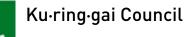
- B. Make amendments to the draft Landscape Masterplan prior to it being place on public exhibition to reflect the minutes of the Inspection Committee, as discussed in this report.
- C. Include the following objective in the draft Landscape Masterplan prior to it being placed on public exhibition:

*Within the existing framework and values of the Gardens, seek to improve accessibility throughout the Gardens to meet AS 1428 Design for Access and Mobility.* 

D. That Council apply to the Geographical Names Board to finalise naming of "The Swain Gardens".

Jenny Cronan	Roger Faulkner	Steven Head
Project Officer	Sport & Recreation Planner	Director Strategy

Attachments: 1. The Swain Gardens Draft Landscape Masterplan – 811111, 844058, 844060, 844061, 844062, 844063, 844064, 844067, 844069, 844071, 844072, 844094 2. Inspection Committee Minutes – 832415



## The Swain Gardens Landscape Masterplan



**July 2007** DRAFT



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## **Executive summary**

This document provides guidelines for the protection and enhancement of The Swain Gardens and The Swain Reserve.

The Gardens were created during the 1940s to 1960s by Arthur Newling (Mick) Swain, a Sydney bookseller and amateur gardener. Mr Swain created a modernist garden of an extent and design consistency that was rare during the period. The visual and spatial structure of the Gardens is based on a botanical collection of non-indigenous vegetation that is contrasted with the adjoining indigenous vegetation of The Swain Reserve and Wombin Reserve. These natural areas merge into adjoining County Open Space, then Garigal National Park which is within Middle Harbour catchment.

The landscape treatment of the Gardens responds to the sloping topography of the site and results in a number of garden precincts. The hillsides are terraced to form a series of north and east facing garden beds that are contained within sandstone retaining walls and accessed by a tight network of concrete paths. The lower area contains Wombin Creek which is piped underground, but evident to the west where it is lined in sandstone and crossed by two bridges. To the north is the Turpentine forest. The gardens include two buildings: a garage/garden room and an amenity building which is near the old tennis court.

The Swain **Reserve** must be recognized as being separate from, and not part of, the Swain **Gardens**. It contains evidence of its past use as a residential property and this dictates its landscape character. There are four precincts: the entrance road to the Gardens from Stanhope Road which contains Shot Machine Creek and a remnant garden; a 1920s bungalow which is leased-out by Council; an old tennis court that has been redeveloped as a function space; and bushland to the rear.

The juxtaposition of intricately designed and planted Gardens adjoining natural areas along with the close proximity to the national park has created a complex, layered landscape that is unique both culturally and physically. This document is a synthesis of three distinct areas of concern:

- 1. Heritage/culture
- 2. Sustainability/ecology
- 3. Social/economic values

The Local Government Act 1993 targets specific areas that aim to protect and preserve both natural and cultural heritage while guiding development in accordance with community expectations. The framework for this report is based on one part of the NSW Local Government Amendment (Ecologically Sustainable Development) Act, 1997 which aims to "protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development, and to reduce the risks to human health and prevent the degradation of the environment".

The Act covers four key areas:

- the precautionary principle;
- intergenerational equity;
- biological conservation; and
- economic valuation, pricing and incentive

However, this report considers precautionary principles as a filter to identify the key issues affecting the companion principles. The precautionary approach seeks to forecast issues that are considered serious or irreversible and put into place strategies to control or prevent these from occurring.

#### 1. Intergenerational equity

This area is concerned with social equity or discrimination - both now and into the future. The Act states that "The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations." Protecting the cultural significance of the Gardens as a modernist private garden that has not been compromised by contemporary fashion is critical for us and for future generations. Heritage conservation guidelines are based on the Heritage Act 1997 and the Australia ICOMOS Charter for Places of cultural Significance (The Burra Charter) 2002. The Burra Charter is the widely accepted reference document for heritage conservation standards Australia-wide. It defines the basic principles and procedures to be followed in the conservation of heritage places.

#### 2. Biological conservation

This section considers the ecology of the Gardens within the framework of its significance and the adjoining reserves to ensure recommendations are ecologically sustainable and to improve the biological health of the catchments.

3. Economic factors - improved valuation, pricing and incentive mechanisms

This section of the Act is based on the argument that if social and environmental costs were included in the price of goods and services, then the balance of supply and demand would be more realistic. The Gardens are the only Botanical garden available for the public in Ku-ring-gai. This section discusses ways of enhancing the Gardens for the enjoyment of the casual visitor and developing social programs that will allow the Gardens to be more economically viable.

#### Landscape masterplan

The report culminates in the masterplan which is thematically arranged and contains the recommendations along with a summary of discussions from previous sections. This identifies the areas of concern where new works are required to revitalise the place and improve visitor experience, and lists the actions required to improve access, facilities and interpretation without compromising heritage values. Recommendations are conceptual and require detailed design work.

The landscape masterplan section stands alone. The report is designed to be read backwards if required, in which case the previous sections provide the rationale behind the decisions.

## PART 1 INTRODUCTION

## Background

In November 2005 Council resolved to implement a program for the development of landscape masterplans for Ku-ring-gai's district parks. District parks have features that attract people from outside the immediate neighbourhood such as a unique landscape character, or large areas of open space for active and passive recreation. The Swain Gardens is a private garden with an extensive botanical collection which is available to the public for passive recreation.

## Landscape Masterplan definition

A landscape master plan designates the intentions and planning criteria that must be met to ensure the inherent characteristics of the place are understood and agreed on by management and users. The plan determines priorities for maintenance and any improvement works for the next 5 to 10 years.

## The Study Area

This report covers The Swain Gardens which is listed on the Geographical Board as one area of parkland but contains two distinctive landscapes: a bushland area of 1.2 ha and a cultivated garden of 0.73ha. It also considers the relationship between the Gardens and adjacent Wombin Reserve.

## Definitions

The bushland area is referred to as 'Swain Reserve' and the garden areas as 'The Swain Gardens' to clarify the two distinctive areas of the site.

## Limitations

This report does not address indigenous heritage significance.

## **Community input**

The Draft Landscape Master Plan will be placed on public exhibition for a minimum of 28 days with a further 14 days to allow for written submissions to be made to Council. Following any amendments the final Landscape Master Plan will be adopted.

## PART 2 INTERGENERATIONAL EQUITY

This section provides an understanding of how the site evolved to determine Mr Swain's vision in order to preserve the integrity of the Gardens for future generations. Mr Swain did not leave an account of his work. Information is derived from interviews with Mr Swain's family, Council documents, existing Master Plan documents, and secondary sources. The information gathered in this section determines the relevance of the existing Statement of Significance.



## UNDERSTANDING THE PLACE

## Historical overview

The Swain Gardens was created by Arthur Newling (Mick) Swain (1905-1973) (fig 1), a Sydney bookseller who was a keen gardener, bird-watcher and photographer. Mr Swain inherited Swain & Co. Pty. Ltd. Bookshop in Pitt Street, from his father, Henry Charles Swain who founded the company in 1895 (fig 2).

Mr Swain lived at 71 Stanhope Road Killara and, over time acquired 75 Stanhope Road and the rear of 73 Stanhope Road, providing an area of 0.73 hectares behind his home. This area was originally natural bushland and Mr Swain felt that part of the land could be developed as a terraced area and that if it were planted with suitable trees and shrubs it could form a contrast with, yet complement, the adjoining natural bushland (figs. 3 and 4). The site did not have street access until 1950 when Mr Swain purchased a property in Northcote Road and created a right-of-way to the Gardens (the right-of-way is no longer part of the Gardens).

"Adjoining the formal garden is 1.2 ha of bushland situated on the north-east of the property and entered from Stanhope Road ... This area was purchased by the National Trust in 1960 with funds made available by Mr. A. N. Swain. The Swain Natural Reserve Committee was formed, with Mr Swain as a member, and the Reserve was first open for inspection on 17th September 1960."

Upon his death in 1973 Mr Swain bequeathed his garden to the National Trust which held it until 1980 when they transferred the Gardens and adjacent area of bushland to Council and sold 75 Stanhope Road. Mr Swain bequeathed 75 Stanhope Road to the National Trust with the intention that the rent would maintain the Gardens. It is now privately owned.

"The site is named in memory of Mr H. C. Swain, founder of Swain & Co Pty. Ltd."



*Figure 1. Arthur Newling (Mick) Swain* 



Figure 2. Henry Charles Swain

The transfer of the properties from the National Trust to the Council was spearheaded by the neglected state of the gardens and led by the community, particularly Mary Haynes, with the assistance of Mr R Burrows, Council Director of Parks. During the early years of Council ownership a 530A Committee was formed under the Local Government Act 1919 which allowed community groups to manage Council owned land. Many of the original committee members are still involved through the 'The Friends of Swain Gardens' providing funding and assisting with working bees.

Reference: Appendix "A Broad Outline of the History of The Swain Gardens"

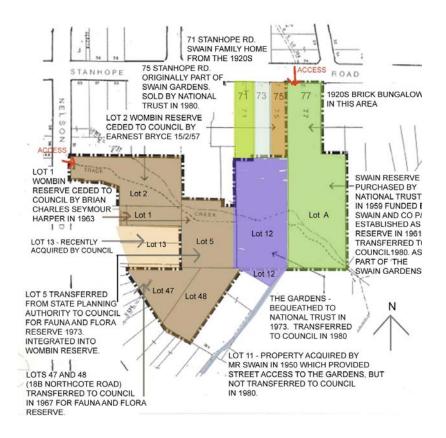


*Figure 3. The endemic vegetation was cleared to create the Garden which contrasted with the bushland setting. Source: J L Trezise, 'Swain's Garden, Killara' in Garden Journal December 1985.* 



*Figure 4. Mr Swain in his garden. This image demonstrates the planting style of the north facing terraces.* 

## Land acquisition and ownership history



#### The Swain Gardens - garden areas

Lot 12 DP 601545, 0.7269ha gifted by Swain to the National Trust.

This lot is an amalgamation of Nos. 71, 73 and 75 Stanhope Road which extended to the creek. Mr Swain lived at Lot 71 and purchased Lot 75 and the rear of Lot 73, possibly in the 1940s. He also acquired Lot 11 Northcote Road in 1950 and created a right-of-way.

#### The Swain Gardens – Swain Reserve

Lot A DP 386850 1.2ha with residence 'Kingsfold' and an old tennis court.

Wombin Reserve - located at 49 Nelson Road and comprising five Lots:

- Lot 2 DP 403719 gift from Mr Ernest Bryce who lived at 47 Nelson Road
- Lot 1 DP 507500 gift from Brian Charles Seymour Harper. Covenant J577130 27/11/63
- Lot 5 DP 547142 transferred to Council by the Department of Planning
- Lot 47 DP 5289 transferred to Council by the Department of Planning
- Lot 48 DP 5289 transferred to Council by the Department of Planning
- Lot 13 DP 1012827 This lot has recently been acquired by the Department of Planning. Negotiations are underway with the Department to transfer the land to Council, subject to Land Transfer Agreement and Order. If successful this will consolidate the Lot into Wombin Reserve and enable it to be governed by Council's Bushland Plan of Management 2006.

The Swain Gardens (Lots 12 and A) is classified as Community Land, category Parkland and zoned Recreation 6a, although the area where the dwelling is on Lot A is zoned 2b Residential.

	DEVELOPMENT CHRONOLOGY
	The Swain Gardens - Mr Swain's garden (Lot 12)
4000	
1928 1940s -1960s	Swain family home built at no. 71 Stanhope Road. Mr Swain acquires no. 75, and the rear of no. 73 Stanhope giving him an area of 0.7269 ha behind his residence. He builds the Gardens on this site. The site does not have road access.
1950	An additional block of land is acquired in Northcote Road and a right-of-way is established to provide street access to the Gardens.
1961	A commemorative plaque is installed in the Gardens, dedicated to Annie Wyatt and placed on a seat which is located in the north facing terraces. (The date coincides with the early history of The Swain Reserve).
1972—79	Garden bequeathed to the National Trust. It becomes overgrown and neglected during this time. Refer to reports by Mr R Burrows dated 5/4/77 and May 1977 in the Appendices.
1977	Letter by Council's Mr. R Burrows, Director of Parks, to the NSW Planning and Environment Commission National Trust of Australia (N.S.W.) regarding the neglected state of The Swain Gardens. Refer to Appendix.
1978 1979	National Trust sells residence on allotment no. 75 Stanhope Road National Trust deeds the Gardens to Council with conditions:
	Summary of conditions. 1. The area shall be named 'The Swain Gardens'.
	<ol> <li>The Gardens remain in perpetuity for the benefit of the public as a park or reserve.</li> <li>The name of the late A. N. Swain; in memory of H. C. Swain is to be permanently and prominently recorded along with The National Trust as the public benefactor of The Swain Gardens in a position open to easy view by the public.</li> </ol>
	Maintain the Gardens in an order and condition suitable for a reserve or park to which the public has access. Refer to Title Deed in Appendices.
1981	Council resolved that a Section 530A Committee; The Swain Gardens Advisory Committee, be established to care for The Swain Gardens, consisting of three aldermen and nine residents. Refer to 'Restoration of the Swain Gardens' and 'Task of The Swain Gardens 530A Committee' in
1982-95 1983	Appendices. Mary Haynes holds the position of Swain Garden Committee Chairperson. Site analysis and Plan of Management by 'The Garden Advisory Service.' Refer to 'Initial Site Analysis' in Appendices.
1988	Pergola donated by Lions Club of Ku-ring-gai.
1988-1996	The Swain Garden Committee operates with the following members Arthur Brown, Mary Haynes, Bruce Hutcherson, Heather Pittar, Harry Churchill, John Knight, Trevor Langford-Smith and Harvey Lang.
1988	Japanese tourist opportunities proposed by tour operator as suitable for the Gardens and adjacent Reserves.
1988 1980s	First Swain Gardens Open Day which continues to be held annually in September. Mr Swain's garden shed made of Cyathea trunks is demolished
17005	The stile over the small wall, which provides access to The Swain Reserve from the lower garden area is demolished, but another stile built later on. Old tennis court area is landscaped as a function area.
1989	January. Lions Club plant 50 Rhododendrons to create a 'Rhododendron Walk' in the Turpentine
1990	forest area. The Swain Gardens awarded third place in Ku-ring-gai Council 1990 Spring Garden Competition.
1992	Swain Gardens Plan of Management by Environmental Design Group, State Projects, a Division of NSW Public works Department. Adopted November 1992.
1992 1996	Inspection of trees and a Tree management survey prepared. Draft Plan of Management by Design Collaborative Pty Ltd. Adopted 1996.
2000-2001	Gardens participate in the Australian Open Garden Scheme 2000/01 Season.
2000 2006	Three wrought iron rose frames installed on uppermost north-facing terrace. Sculpture "House in the Forest" by Peter Sugden dated 2001 installed in the location of the
	original garden shed.
2006	<i>Wollemia nobillis</i> (Wollemi Pine) is planted in the Turpentine forest in September, by Mayor Elaine Malicki, to commemorate the centenary of Ku-ring-gai Council.
2007	The Swain Gardens Landscape Masterplan prepared by Council.

	The Swain Gardens – Swain Reserve (Lot A)
1960	Lot A transferred from St Ives Development Pty. Ltd. to the National Trust of Australia (New South Wales). Thereby The Swain Reserve is established by a gift of funds from Swain & Company Pty. Ltd. to the National Trust in honour of its founder Mr. H. C. M. Swain. Transfer No 4569378 dated 2.8.1960. Developments included a 1920s brick bungalow 'Kingsfold', garden and tennis court. • 1922 – Lawn established, stone seating nook and paths created • 1923 – Creek partly covered in and lined with stone. • 1932 - tennis court built 1927-34 – Stanhope Road built up and giant bamboo planted.
1960-80	'Swain Natural Reserve Committee' established by the National Trust. Members include Baigent, Mowbray, Sommerlad, <b>Swain</b> , Syndham and Wyatt. (Mr Mowbray is the architect who designed the garden room/garage and Mr Wyatt is Annie's husband and president of the National Trust at the time).
1961	Official opening of The Swain Reserve. The minutes of the Committee's meeting May 7, 1961 state that the opening was scheduled for mid September and included afternoon tea by the Women's Committee and possible inspections of certain nearby gardens as well as Mr. Swain's. Refer to National Trust Reserve Killara Use of Native Plants in Appendices.
1961	The 'Swain Natural Reserve Committee' develops a plan for a landscape based on Australian native plants at The Swain Reserve for the area between Stanhope Road and the old tennis court. Refer to National Trust Reserve Killara Use of Native Plants in the Appendices.
1966	Removal of cottage garden plants from the old garden "which are out of keeping at the gateway to a natural reserve".
1980	Landscape Architect Bruce Mackenzie visits the site and recommends (in part): "I consider that the single object of preserving the pocket of bushland is not sufficient in itself. With abundant areas of virgin bushland near at hand and an already leafy environment surrounding the Reserve a further specific attraction or function needs to be introduced sooner or later to justify a continuing maintenance program.
	As a site for a cultural or recreational development it could hardly be equaled. If the area was located in one of Sydney's depressed suburban environments then pure preservation of bush would be ample reason for effort."
1991	Application by Ku-ring-gai Art Society to lease the bungalow as a 'Gallery in the Gardens' for exhibitions and art classes. Application rejected. Restraints: limited access and parking, security, increased noise, and increased traffic in a residential street. The building is limited in its use due to its design and size.
1998 2000s	Property (and adjacent garden areas) transferred from the National Trust NSW to Ku-ring-gai Council. Transfer S192435. Registered 8.12.1980 with covenant to name the site as 'The Swain Gardens' Plan for walking tracks through site. Council begins negotiating for public access through County Open Space on private properties to the east in order to connect Shot Machine Track with Two Creeks
2002 2007	Track which leads to Roseville Bridge. When achieved this will provide pedestrian access, through local streets, from the railway stations to Echo Point, Middle Harbour. Outdoor Theatre production 'Beneath Eyes' by Sarah Becker performed at the old tennis court area. Water harvesting and irrigation project with gazebo.
	Wombin Reserve
1963	January 22. Ernest John Bryce deeds Lot 2 to Council. 'The Wombin Reserve' (no. 49 Nelson Road (Lot 2 DP 403719) with covenants and as a sanctuary for the purpose of the conservation preservation and protection of native fauna and flora.' Refer to Deed between E J Bryce and The Council of the Municipality of Ku-ring-gai in the Appendices.
1968	Lot 1 transferred to Council from Brian Charles Seymour Harper. Covenant J577130 27/11/63.
1972	January 26. State Planning Authority hands over Lots 47 & 48 DP 5289 (known as 18B Northcote Road) to Council.
Probably 1980s 1994	Timber gazebo installed just inside Wombin Reserve, near the south/west corner of the Gardens. It is funded by the Lions Club but destroyed by fire by vandals. Replacement Gazebo installed on footings of earlier one. DA 3982/94.
1994	November 2. State Planning Authority hands over Lot 5 to Council for use as public park, reserve or recreation area (land between Swain Garden and Mr Bryce's land). Refer to Transfer Lot 5 State Planning Authority to Council in Appendices.
2007	Acquisition of Lot 13

## CONVERSATION WITH DR. JOHN BRYAN SON-IN-LAW OF MR A. N. (MICK) SWAIN

*Text (enlarged and re-arranged) from notes taken on a walk around Swain Reserve and Gardens on Tuesday 11<sup>th</sup> September 1990. Text in brackets is a qualifier by M. Lehany.* 

Source: Swain Gardens Plan of Management, 1992

Mick Swain owned 'Everglades' (at Leura in the Blue Mountains, N.S.W.) and 'gave it' to the National Trust. He acquired it as a house and garden developed by the original owner (Dr Van de Veldt). His principle contribution at Everglades was the development of the Azalea Walk, above the waterfall.

## Stanhope Road entry - Bungalow area

*Council put the road in. Mick Swain intended the cottage be used as a gardener's residence – with view to oversight the area (security, vandalism etc.)* 

The large Cedar Wattle (Acacia elata) to east of tennis court (thought to have been planted by Mick Swain).

## Swain Reserve

Mick Swain acquired the bushland to the east of the garden, at public auction, with a view to saving it from residential development and retaining the bush as a setting for his garden. Occasionally, the bushland was weeded by groups of local boys, being paid for their effort.

To reduce the fire risks the bushland either side of the garden was occasionally cleaned out within a band beyond the boundary line. There is an excellent water pressure to the site – copper pipes – good for any bush fire control

## The Swain Gardens

At The Swain Gardens, the native rock was excavated and used to create the main fabric of the retaining walls that terrace the site – sandstone from Gosford quarries was used for the capping. A Lebanese 'stonemason' worked at weekends with fellow workmen and later all week, to build the walls, terraces, paths and drive – he also spent some time at 'Everglades', as required to repair the walling etc. The rock spoil at The Swain Gardens was used as a foundation course for the paving and a cement surface was laid over this. (Much of this is now breaking down with some paving on paths and drive being replaced by concrete).

I worked in the garden at weekends for several years from 1968 onwards, the main tasks being lawn mowing, most of the eastern terraces being lawn set with cypress trees and spring flowering 'fruit' trees (mainly Prunus species) – the lawn coming right up to the tree trunks – some plants, in places, were placed at the back of the terraces, usually shrubs. The existing top lawn of the eastern side originally had more blossom trees planted in it – possibly on the outer edge. The Eucalyptus up here was planted.

The lower garden or creek area originally had a larger lawn area with trees and Camellias planted about it (to the north and west). Mick Swain had a mulcher and clippings were processed, the mulch being laid about the plantings in the areas that could not support lawn (Most of these trees and Camellias survive but a large section of the presumably non-viable lawn has been set to a woodland planting in the post-Swain era). Tree ferns, Camellias, shrubs, herbaceous plantings and bulbs now replace some of the original lawn. The two (quarry faced dry set) sandstone paths (laid in a contained crazy style) are new (post-Swain). Previously a straight path led from the creek (western) end to the outlet (eastern) end.

Mick Swain was very keen to properly shape the trees and shrubs so that the general effect was one of deliberately composed plant form where the overgrowth of plants was contained to ensure the satisfactory, even growth of the individual specimen. (This is not to say that planting was not close and in some cases deliberately composed but an image of a certain gardened effect was religiously pursued. This open pruning of trees, especially the Japanese Maples is still clearly evident).

All the Crepe Myrtles (in the garden) were heavily pruned back (in the traditional way) and flowered well – the flowering peaches were pruned in a special way to encourage good blossom.

The Deodar in the large circle replaces an original pond – the pond was filled-in in 1968 because it leaked and concern for safety with children. The Deodar was planted by Mick Swain.

*Mick Swain grew Camellias from seed and kept selected worthwhile forms. One notable form he named after his wife – 'Alma Elizabeth' a lightly scented C. japonica in the lower lawn area. (A double light red-pink with prominent stamens). Not known if the form is registered.* 

Lower area was built first – creek covered in – and other areas worked up from this. Rings of bulbs (Scilla sp.) around trees of lower area, were planted by Mick Swain.

There was no plan, Mick Swain visualised the work to be done. He was a fairly determined person and had the resources to carry out his ideas – he was a keen garden visitor (to other gardens) and used to discuss his observations of gardens he had seen – he subscribed to 'Your Garden' magazine.

A Crab-Apple has gone from the lower area (south-east of the junction of the two random stone paths).

The very large old Weeping Willow was a feature of the design, forming a focal point from many parts of the garden. The tree developed a major lean (over the drive) and had to be cut back by Council. (This tree is located directly south-west on the creek bank near the driveway bridge).

*Tree ferns generally would have not been allowed to develop as they have in the creek area of the lower garden – they have now obscured important views and vistas both from the bridge, built of stone from the Tank Stream, and looking back to the bridge from parts of the lower garden.* 

### Western Garden

Top south-east corner was always a rose garden, once with Gardenias. The stonework in the adjacent Wombin Reserve is likely to have been built by (or under the direction of) Mick Swain.

The deciduous tree to the top north-east bed is a Golden Elm and the bamboo beyond it was planted as a screen when the site behind became Newington College Preparatory School.

The old tree stumps in this bed (between Elm and Bamboo) were Prunus sp.

(The legal boundary to the east is represented by the section of straight-line weldmesh gates and fence – this boundary continues through the beds either side of this fence. John Bryan is agreeable in principle to a good looking resolution of this area – no objection to a new pipe and mesh fence following the top edge of the stone retaining walls now within the Bryan property – new planting bed to reduce extent of concrete drive.)

Mick Swain had a collection of slides for the garden from the 1950s but this had been mislaid.

Michael Lehany Landscape Architect September 1990

#### CONVERSATION WITH MRS. JOY BRYAN MR SWAIN'S DAUGHTER Notes taken at the Gardens Tuesday 27 March 2007 by J. Cronan

I don't think my father had a plan for the garden. Being a sloping block, it lends itself to terracing and the garden grew little by little. He was influenced by large country gardens, particularly those belonging to friends from the Blue Mountains including Mt Wilson, and the Southern Highlands such as the Horderns at Milton Park, Bowral, and Everglades at Leura, which he was particularly fond of.

My mother was very supportive of my father's interests and helped him in the garden. People came to visit the Gardens and she made wonderful teas which were held in the garden room.

My father, like his father, was a keen photographer and took a camera and big wooden tripod to photograph gardens; he collected ideas and design details which he incorporated into the next part of his own garden as it evolved. I don't think he was influenced by English gardens in particular, he did not travel there, but having the book shop he had access to a wide variety of gardening books and publications. He liked cold climate trees and Camellias. He had a lot of books on Camellias and would get experts in to help with grafting.

The lower garden area contained many of his Camellia varieties including "Alma Elizabeth", which is named after my mother and has a small flower and mild perfume. It is not a registered variety. In the early years of Council ownership this area was a lawn and used for weddings but the mosquitoes were a problem. Today the Camellias are not getting enough light due to the tree canopies. Members of the Friends of Swain Gardens have labeled the Camellias with a number with the intention of producing a brochure that lists the plant varieties against the number and includes information on the gardens. The Rhododendrons in the lower garden were planted by my father and transplanted from Everglades.

In the early years the garden contained bamboo which was used as screens. The garden around the Deodar was originally a pond containing fish. The tree is growing on bedrock. The garden terraces along the eastern boundary had gardenias. The peach trees in the mid garden were planted by my father and are the variety Lillian Boroughs. The cherry trees growing up near the gazebo were also planted by my father.

My father had a large car and designed the driveway with enough space to accommodate it. He drove very slowly looking carefully at the plantings. Along the west of the drive were Camellias, Azaleas and Daphne.

The Turpentine Forest was not developed as part of the garden. My father possibly intended it as forest or he just ran out of time.

The large Philodendron in the top terrace was probably planted by my father – I remember he had Philodendrons in several areas, but they were always clipped back.

The garden room/garage was designed by the architect Brian Mowbray, who also lived at Stanhope Road, opposite the Reserve. The building is painted the original colours and the furnishings are original, the bench around the sink may have been replaced and the linoleum floor is original and has been resealed. The room that now contains the gent's amenities was a tool room.

My father brought good quality soil. He did not plant lawns, but mowed areas that were not yet planted as gardens. Grassed areas include the viewing area next to the garden room, the lower garden and two of the upper terraces, one with the Golden Elm and the other is the area now used for weddings.

The stone seat dedicated to Annie Wyatt, dated 1962, has always been located where it is today, Annie's husband lvor was a family friend and past president of the National Trust.

Views within the gardens were very important to my father. He was a keen photographer and liked to take slides, particularly from the lookout and the viewing lawn where he would set up the tripod. The slides were eventually destroyed by fungus.

# Physical evidence

"The fabric of a place is the most accurate (though often incomplete) document of its history. . . physical evidence tells the story of what actually happened, rather than what someone intended should happen, or believed did happen. It provides data on the sequence of changes and intimate information on human usage and habit".

Knowledge of the period and similar places and uses facilitate interpretation of incomplete evidence. (Kerr 2000 p. 7)

Refer to landscape plans at the back of this section:

- Garden plan showing the original concept.
- Garden plan showing changes to the landscape since Mr Swain's ownership from 1961 for The Swain Reserve and from 1973 for The Swain Gardens.
- Plan Camellia species survey.

# Design integrity

The Swain Gardens exist as a remarkably intact garden of its period. The apparent integrity has been compromised during the post-Swain period with few alterations and these are reversible, if sometime in the future they are deemed unnecessary. Elements that have been removed from the Gardens include the garden shed, made with *Cyathea sp.* trunks and the stile or small stone step over the boundary wall to the Reserve. Much of the shrub and groundcovers have died, although many of the trees planted by Mr Swain have survived.

The bushland area (Swain Reserve) has been compromised by the Council access road and utility shed. The Old Tennis Court area has been furnished with seating, barbeque and stage area. The bushland area (Swain Reserve) is not as significant as the garden areas (The Swain Gardens) because it was not owned, or developed by Mr Swain. It plays an important role in providing the bushland setting for the Gardens and is the most suitable location for interventions.

# Landscape setting

Prior to clearing Lot 12 for the Gardens, it was part of the Sydney Turpentine-Ironbark forest that survives in the adjoining bushland areas as an endangered ecological community.

The landscape character of the Gardens relies on the contrast between the man-made, highly engineered landscape of the Gardens with its non-indigenous plants, and the adjacent natural bushland areas with its indigenous plants. Mr Swain highlighted the importance of this by building low stone walls along the east and western boundary lines to encase the Gardens.

The landscape character of the Gardens has evolved over a long period of time in an unplanned manner. The gardens contain many trees such as conifers that come from cold climate regions.

Despite the lack of an overall guiding design, the landscape character of the Gardens relies on a strong sense of order. The Gardens were intensively maintained by Mr Swain and tightly controlled through tree and shrub pruning.

Management problems are arising from tall trees in the adjacent bushland areas overshadowing the Gardens and preventing sunlight from reaching nonindigenous plants in the Gardens.





*Figure 5. Low stonewalls form the east and west boundaries of the Gardens.* 

## Views and vistas

The natural topography of the site provides views across the Gardens and Mr Swain's terracing of the slopes was designed to capture the views. He had a large collection of slides, taken from these vantage points, but over time they were destroyed by fungus. As the trees (and tree ferns) have grown their canopies (and fronds) have obscured the views.

The most significant view is from the Garden Room and adjacent lawn where the whole Gardens can be viewed, although the ground detail is obscured by canopies. A purpose-built lookout is located at the top south/west corner of the Gardens, at the interface with Wombin Reserve overlooking the gardens (the post-Swain gazebo is adjacent to this lookout).

Mr Swain considered a willow tree an important garden element; it was located next to the vehicular bridge and could be viewed from various areas in the gardens. "The very large old weeping willow was a feature of the design, forming a focal point from many parts of the garden" (Conversation with Dr. John Bryan). The willow died around 1988 and was replaced with a Peppercorn Tree (*Schinus areira*) due to its similar form, but less invasive characteristics in the Reserve.

Significant elements are located within the Gardens where they can be viewed from a distance. The following views are observed:

- Views over Gardens from the Garden Room and Viewing Lawn
- Views into the Turpentine Forest, particularly at the entrance point to The Swain Gardens and from the Garden Room
- Glimpses into the Gardens, at the entrance point to the Gardens from the access drive
- View into Wombin Reserve from the cross-axis drive

- View from the south/east corner of the garden over The Swain Reserve and County Open Space looking east into the valley
- Potential views of the sandstone vehicular bridge which is currently blocked by tree ferns growing in the creek
- Views across the gardens from the terraces which are obscured by canopies and tree fern fronds



Figures 6 and 7. The lookout where Mr Swain would set up his tripod to photograph the Gardens.

# Spatial qualities, access and circulation

The Gardens were conceived as a place without street access. Access was from the Swain family home until 1950 when Mr Swain secured an adjoining property and created a right-ofway to the Gardens from Northcote Road. This gave vehicular access to the garage which is where he parked his car, rather than the Stanhope Road access to the family house.

The current entry to the Gardens is from 77 Stanhope Road, through The Swain Reserve, signposted "Ku-ring-gai Swain Gardens" at the entry ramp. The access does not provide a good first impression and there is no indication of the Garden's cultural significance. The entry is not negotiable for people with special needs, particularly wheelchairs, but vehicular access can be arranged by special permission with a full vehicular circuit of the garden possible. Other access points to the Gardens are pedestrian only, from Wombin Reserve off Nelson Road to the west and potential pedestrian access from the bush track from Roseville Bridge, through Swain Reserve to the east, but currently this trespasses in part through private property.

# **Built fabric**

### Generally

Mr Swain built the gardens from a limited palette of materials which were readily available: sandstone, concrete and timber. He employed the best available gardeners, stone-masons and tree surgeons and the Gardens were widely known and visited.

### **Building and structures**

Mr Swain built few structures in the Gardens: three buildings, a swimming pool and pond, (the pool and pond were filled in by Mr Swain), two bridges and one pergola over the swimming pool after it was filled in.

The main building is designed by architect Brian Mowbray (Plates 1-6). It is modernist and organic in design, somewhat like the work of the American architect Frank Lloyd Wright with its stonework and timber panelling. The building is in excellent original condition. It comprises a single garage with garden room above and two bathrooms which contain 1950s fittings. The interior contains the original cupboards and shelving, a pull-out bed, fixtures and fittings. The external timber boarding is painted in earthy-brown tones as chosen by Mr Swain.

The pergola (over the filled in swimming pool) has *Ficus pumila* growing over the stone pillars and a Camphor Laurel is growing behind the structure. A Wisteria is planted in the centre of the northern section. The seat around the edge of the structure was installed in response to recommendations in the Plan of Management, 1992. A barbeque/outdoor fire place is located nearby (Plates 7-10).

The amenities block (Plates 11–12) is located near the Old Tennis Court. It contains separate male and female rooms with original fixtures that are in fair condition and is constructed of brick-sized stone. The roof has copper flashing and timber overhangs suitable for supporting the existing Wisteria vine. The third building is a small garden shed built from *Cyathea sp.* trunks. It was constructed to store poisons and located near the east boundary but was removed by Council staff years ago for reasons unknown.

A fish pond was located in the lower garden where the Deodar is located. Mr Swain filled in the pond because it leaked. The Deodar is planted on bedrock and needs to be monitored for stability.

A sandstone seat with a plaque, dedicated to Annie Wyatt and dated 1962 is located on the lower grass terrace (north facing) (Plate 13). It is unusual for a dedication plaque to be positioned in a private garden, but Mr Swain opened his gardens to the public on special occasions. The dedication is after the official opening of the Swain Reserve in September 1961. The plaque reads:

*Presented by the Ku-ring-gai Tree Lovers Civic League In Loving Memory of Our Founder, Mrs I B Wyatt O.B.E. 1962.* 

The two bridges are located in the lower garden. One bridge, along the drive has a plaque which reads:

*This bridge is constructed of stone taken from the Tank Stream during excavations for Mr Swain's city store.* 



Ku-ring-gai Council – Draft Landscape Master Plan for Swain Gardens

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Plates 1-6 The Garden Room/Garage



Plates 7 - 8 The viewing lawn.



Plates 9-10 The viewing lawn.



Plates 11-12 Amenities building in the Gardens and near the Old Tennis Court.



Plate 13 Stone seat with plaque to commemorate Annie Wyatt





Plates 14 – 16. Bridges

## **Post-Swain structures**

The three main structures erected at the Gardens post-Swain are the Council shed, pergola and gazebo (Plates 17- 19). The Council shed probably dates from the 1980s and is located behind the residence, unfortunately in a very prominent position near the entrance to the Gardens.

The pergola is located at the junction of the north-south axis and the drive. It blocks vistas from the bridge and competes with the bridge because it is located too close. It appears awkward because it is too high, being built to allow for maintenance vehicles using the drive. The roots of the wisteria growing over the pergola are damaging the stonework.

The gazebo is located at the top south/west corner of the gardens, just inside Wombin Reserve. This is a high point where there are good views over the gardens, which also means that the gazebo dominates the gardens, being viewed from various areas. The original gazebo was a timber structure, donated by the Lions Club of Ku-ring-gai. It was burnt down by vandals and was replaced with an aluminium gazebo by Council.



Plates 17-19 Post-Swain structures

## Stonework

Lebanese stonemasons were engaged to construct the sandstone walls. The sandstone was acquired from various sources although most of the stone was excavated on site. The small quarry area is evident in the lower garden. It is integrated into the garden design in a curved cutting which originally formed a backdrop to Mr Swain's circular pond. Paths tend to be concrete, with sandstone capping, which came from Gosford quarries. The sandstone used in the bridge came from Pitt Street as mentioned earlier.

The sandstone walls are still in good condition: they are not leaning, but cracks are evident in a few places. The sandstone is susceptible to moss growth, particularly around Wombin Creek and on south-facing walls. The two crazy-style sandstone paths in the lower garden are from the period after Mr Swain's ownership. Construction methods range from rubble to dimensioned stone (Plates 20 – 26).



Plates 20-26 - Stone construction methods.

## Stairs

The layout of the Gardens is based on a tight network of paths over sloping terrain and it contains many sets of steps. They are all built from sandstone but of various designs. With so many stairs, the Gardens are not fully accessible for people with disabilities. Handrails have been installed by Council to stairs that are located in places that the public may need to access such as the Garden Room and Wedding Lawn.





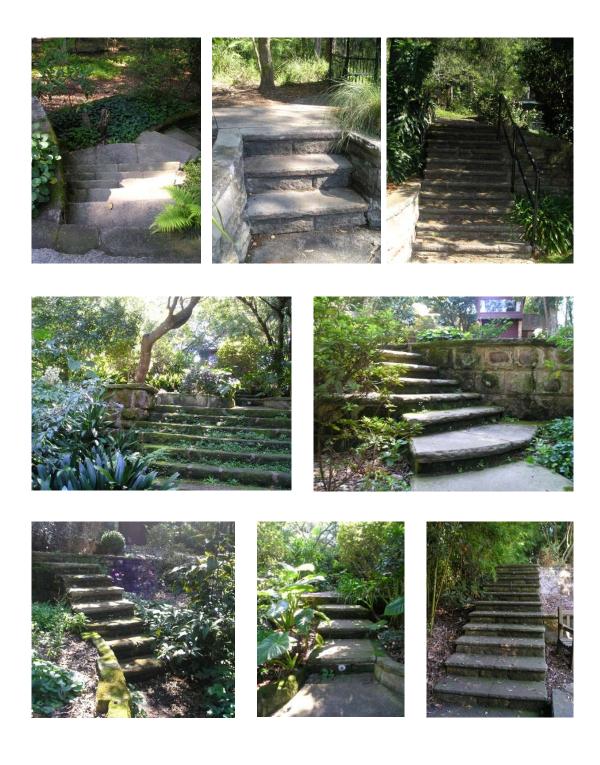














Plates 27 – 44 Examples of stairs built by Mr Swain.



*Plate 45. Stairs installed by Council in The Swain Reserve* 

## Stone detailing

Mr Swain brought back ideas from country gardens, particularly from the Blue Mountains and Southern Highlands. It is unknown what elements inspired him, but his interpretation is evident in the detailing of the Gardens. The long graceful-curves of the sandstone walls are common in large country gardens, such as Everglades (Plates 46 – 49). Mr Swain generally terminated his walls with small-scale garden beds (Plates 50 – 58).

The lookout is constructed entirely of sandstone and located above a cutting (another quarry) for the access drive. The lookout is positioned at this high point to provide views back towards the garden room. Two small garden beds are directly below the lookout and highlight the feature from the driveway.

Little stone walls delineate the east and west boundaries and contain the garden, separating it visually and physically from the surrounding bushland, as discussed under "Landscape Setting".

Small plinths are another detail that Mr Swain introduced to embellish elements and provide interest. Plinths are located on one of the bridges, beside a set of steps in the lower garden near the bridge and on top of the quarry area (Plates 59 – 62). A section of wall in the north facing terraces has a wide flattened area, and pots have been placed here in response to the Swain Gardens Plan of Management 1992.



Plates 46 – 49 Curved shapes of the walls





Plates 50 – 58. Design details - small areas for specialist planting.



Plates 59 – 62 Design details - plinths

## Concrete

The access drive and most of the paths are concrete, which was an expensive material during the time the gardens were constructed. The concrete is cracked in places, but is not structural.

## Garden taps

The Gardens are locally referred to as the 'Garden of Taps' because Mr Swain installed many taps throughout the Gardens. The taps are generally of high quality copper and many are dated. The plumbing is generally concealed as the taps tend to be built into the retaining walls and thereby provide evidence of when sections of the garden were constructed. Post-Swain plumbing is evident in several places (Plate 63).



Plate 63. This pipe is not in keeping with Mr Swain's high standards.

## Embellishments

The only embellishment that possibly dates from Mr Swain's ownership is the sundial (Plate 64). It has a waisted flagstone column which is typical mid-century design. It is located in the area now known as the Wedding Lawn.

Otherwise, the furniture and ornaments appear to be post-Swain (Plates 64 – 69). The teak benches were recommended in the Plan of Management, 1985 and are catalogue items. They are located throughout the Gardens. The lower area includes a large artificial-stone birdbath with a memorial plaque. Another birdbath on a pedestal and a cast-iron bubbler are located in the small quarry area where the path widens around the deodar. More recent additions are mostly in response to the Plan of Management, 1992 and these include three rose trellises and a series of 1950s style concrete pots. In 2006 a sculpture, "House in the Forest" by Peter Sugden, dated 2001, was installed in the location of the original garden shed.

The Gardens have not been embellished to the extent that they have lost the private garden feel, nor does the landscape feel cluttered with embellishments.



*Plate 64 The sundial installed Plates 65 – 66 Post-Swain embellishments by Mr Swain* 







Plates 67 – 69 Post-Swain embellishments

# **Plant material**

## Planting philosophy

Mr Swain did not leave a planting plan for the Gardens and over time the plant material has altered considerably. Swain Gardens Plan of Management 1992 provides the following analysis:

The original design intention was one of a fairly 'bald' and clearly defined system of concrete paths and drives, terrace walling and lawn to the lower and central beds with Blossom trees, rigorously shaped and other trees and shrubs likewise 'kept in order'. With few exceptions the planting was contained within the lawns, beds, and paths. Plantings since the current planting style has softened this hard effect and may partly be the result of deliberate modification from various gardeners, committee members, management reports etc. The plants selected may represent a 'specialist' interest in the garden.

Today the gardens are increasingly canopied by large trees and some selective pruning would be beneficial (Plates 70 – 71). Thinning or crown lifting would assist with increasing light which is necessary for flowering plants. Pruning would also increase views as well as displaying the unique forms and textures of individual trees. Shrubs have grown around the trunks of feature trees and the tree ferns have grown tall, blocking views of, and competing with the tree's canopies. Mr Swain removed the tree ferns - the original garden shed was built from their trunks. The species, *Cyathea cooperi* grows up to 12 metres tall and will eventually dominate the canopy area in some areas of the Gardens.

Mr Swain did not plant lawn, but areas were mown until they were planted as garden beds. The lower garden area was lawn in the early years of Council ownership, but because the mature canopies have obscured the light, the lawns failed and this area is now a large garden bed.

Mr Swain's Gardens are masculine: they are dominated by retaining walls and concrete paths, as described by The Garden Advisory Service's report c.1983 (Refer to Appendix Garden Advisory Report). The report describes the landscape "with so many large areas of concrete and stone throughout the garden the visual effect is inclined to be 'hard' . . . ... The large expanse of concrete used for vehicular access needs softening ... the straight paths laid at right angles to one another give an extremely rigid effect ". The report describes the planting of many cold climate species which is consistent with Mr Swain's admiration for cold-climate gardens of country NSW, and it suggests that their inclusion at the Gardens is possibly due to the topography of the site; particularly the lower garden where the coolness of the creek provides a cooling microclimate in Sydney's warm-temperate climate and this is where Mr Swain transplanted the Rhododendrons from Everglades.

Mr Swain intended the gardens to be best in spring and planted suitable trees such as Magnolias and flowering fruit trees, along with Conifers, Maples, Camellias and Rhododendrons. He grew Camellias from seed and kept selected forms.

The terraces provide a series of walled backdrops to display plant specimens, however much of the original shrub and groundcover plantings appear to have been lost over time.



Plates 70 – 71 The Garden plants were more defined several years ago (left) than today (right).

# **Plant selection**

Mr. R. Burrows in Council's 'Report by the Director of Parks' dated 19 May 1977 states that

*Mr Swain was in particular a Camellia, Azalea, Rhododendron, Crab Apple, Maple, Magnolia and Rose fancier and I knew the garden well before its designer passed away. Briefly speaking the Garden's contents and maintenance were of a high order. Mr Swain employed the best available gardeners, stone masons and tree surgeons and the garden was widely known and visited.* 

Jane Mundy's article (1989), (see Appendix U) provides the following description:

Swain removed the native plants from the site and in their place planted Conifers, Magnolias, Maples, flowering fruit trees, Camellias and Rhododendrons. Intending a spring garden, it is at its best when the Prunus species are in flower, Crepe Myrtles and the Crab Apples are blooming, Daffodils and ... are carpeting, the beds and Camellias and Magnolias are in their final flush.

These early accounts designate the Gardens as a place for showcasing specialist plant species. Many cultivars were difficult to acquire during the post-war years and yet Mr Swain was very selective in his choice of trees, planting these species that were rare at the time. However, the Gardens were originally known for the Camellias and Rhododendron displays having over 50 different camellia varieties. Over 100 additional Rhododendrons have been planted post-Swain, including 50 specimens of *Rhododendron vireya*. Mr Swain created two main Rose beds and a third which contains 'historic' roses using varieties bred over 100 years ago.

Many of the woodland species and perennials were planted post-Swain by Jack Trezise, a former nurseryman and secretary of The Swain Gardens Committee. His influence is evidenced in the Lower Garden where he developed the specialist planting theme based on perennials. (See Appendix X for a list of plantings by Jack Trezise)

## Landscape precincts character and condition assessment

### Swain Reserve

## Stanhope Road area

The residence 'Kingsford' (also spelt Kingsfold) has an interesting history: The plaque on the far left side of the Garden near the creek reads:

> *In loving memory of Madge Halliwell Previously Pickering (nee Lindfield) 1901-1996 and the Lindfield family Who Built and Lived in 'Kingsford' 77 Stanhope Road at at the Entrance to Swain Gardens 1915-1921.*

From 1921 the property was owned by Mr H M Green, author of the 'History of Australian Literature' and librarian at the University of Sydney. The garden was extensive and included the area around the creek where there was perennial woodland, stone seat niche, walls, paths, steps, circular bays for planting and lining of the creek banks. The remnant stonework exists and the paths and steps have the potential to form a section of Shot Machine Track. The garden was 'buried' by landfill in the 1930s when Stanhope Road was built and two clumps of Giant Bamboo were planted to soften the large concrete culvert. Reference Swain Gardens Plan of Management 1992.

The previous intention of Mr Swain and the old National Trust Swain Reserve Committee was to redevelop the garden using 'native' plants (See Appendix M). Currently a water harvesting project is underway which includes a water tank concealed in sandstone foundations and with a timber viewing structure on top (see Sustainability section for more details).

## South-west boundary of the Reserve

This area of the Reserve has good views over the valley which, although it is private property, is classified as county open space and protected from development. The area in the top south/east corner of the Reserve, behind the school is degraded. The Reserve is divided from the Gardens in this corner by a screen of bamboo that was planted in the Reserve. The bamboo is difficult to contain and is invading the bushland. It extends to the north blocking views from the Gardens into the bushland. Newington School intends to erect a new multistorey building in this corner of their site. Additional tall plantings are required to screen the new building from the Gardens.

## Old Tennis Court area

This area has been updated by Council for community use with a flat stage, BBQ and seating. Plays and musical performances have been held in this area.

The area is difficult to maintain because of overshadowing by adjacent trees creating conditions that are not suitable for growing lawn. Also the surface of the old tennis court does not drain properly.

The area has an attractive outlook over bushland to the east.

### The Swain Gardens

## **Turpentine Forest**

Mr Swain did not develop this area; it is cleared of understorey and therefore is woodland-like in the tradition of the great European gardens. However, there have been various attempts to establish an understorey such as *Hymenosporum flavium* which have been planted and Pittosporums, which have been allowed to self-seed. The Lions Club established a Rhododendron Walk, planting over 50 Rhododendrons, but most have not survived.

## **Terraced Areas**

The Swain Gardens consists of a series of garden areas linked by a well-defined circulation pattern based on a network of terraces and paths and designed with gracious curves.

The concrete drive provides a wide north-south axis along the western boundary and provides an area for smaller terraced gardens with an easterly aspect, while the north facing terraces are contained within a loop of the road and divided by a north-south axis path, with secondary paths forming cross axes. This spatial arrangement is suited to a 'showcase garden' – to stroll around and admire the plant material. The upper terrace is lawn and used for functions, particularly weddings.

## Viewing Lawn and Garden Room

Next to the Garden Room/Garage is a small lawn, which was the transition point between the Swain family home and the Gardens. It provides an outdoor space adjoining the garden room. It originally included the family swimming pool and barbeque, but the pool was filled in by Mr Swain and transformed into a garden bed with a pergola and surrounding seating. The pergola stonework is covered in *Ficus pumila*. The Mulberry tree was a present from Mrs Swain's parents in the 1920s and is a unique feature today due to its knarled trunk.

The east facing terraces along the western boundary are tightly arranged with small garden beds. Against the western boundary the Cyathea trunk garden shed was once located. More recently the sculpture by Peter Sugden, dated 2001, and titled 'House in the Forest', has been installed.

The south/western corner, near the gazebo, was always a rose bed. The right-of-way no longer exists and the entrance drive has been reduced in width and a new gate installed. Gardenias have been planted in this area as remembered by Dr. John Bryan.

The north facing terraces are located at the rear of the site where the aspect is sunny and the trees provide strong shadow lines. The terraces are asymmetrical, being divided by a north/south axis path, with larger terraces on the east. Original tree plantings included blossom trees and conifers with mixed shrubs. The top terrace, known as the 'Wedding Lawn' is the only grassed space in the Gardens that can accommodate larger groups of people. (The other larger grassed area is the Old Tennis Court in The Swain Reserve). The lowest terrace has retained the lawn as demonstrated in the early photo, figure 4. This area lacks direct access, but a sandstone seat dedicated to Annie Wyatt, sits against the wall.

1950s style planters have been placed at featured wall ends of terraces in response to the 1992 Plan of Management.

## Lower Gardens

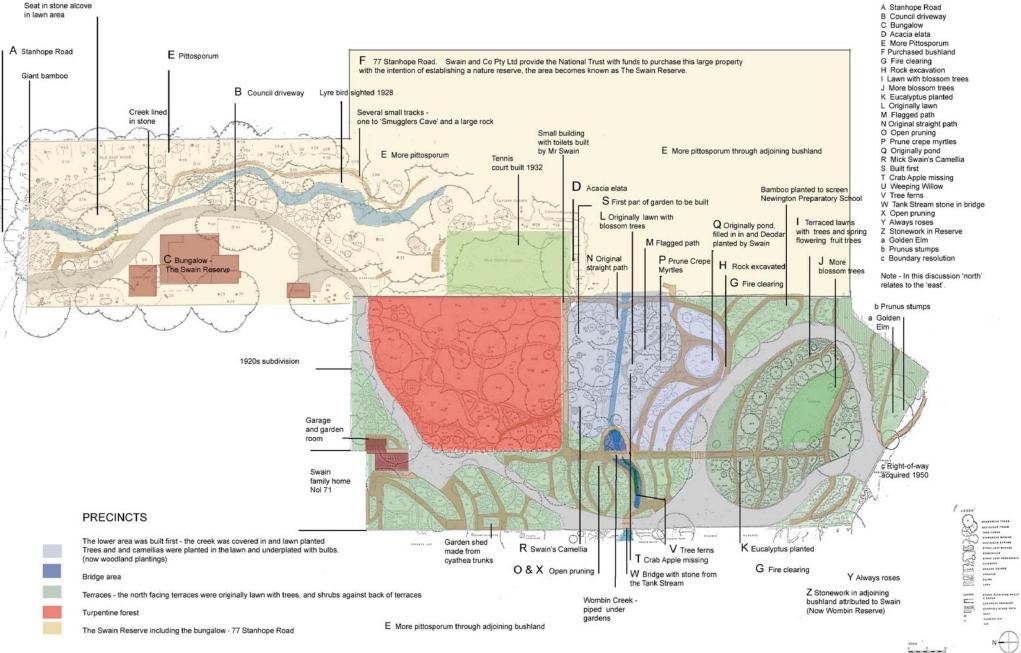
The lower level of the garden is where Mr Swain began construction. He piped the creek underground and planted trees underplanting them with Bluebells. As the trees grew this area became shaded and has been planted with perennials. This has been successful, but in some areas plants have become chocked by adjacent competitive planting.

The Lower Gardens include a number of important features, such as the large round bed, previously a pond, planted with a Deodar by Mr. Swain. An elaborately detailed set of stairs is carefully placed as part of the north-south axial path, but it is hidden from view except when approaching the north-south axial stairs from the south. A sandstone pedestrian bridge is another feature of this part of the garden. This area contains several decorative items as discussed earlier under 'Embellishments'.

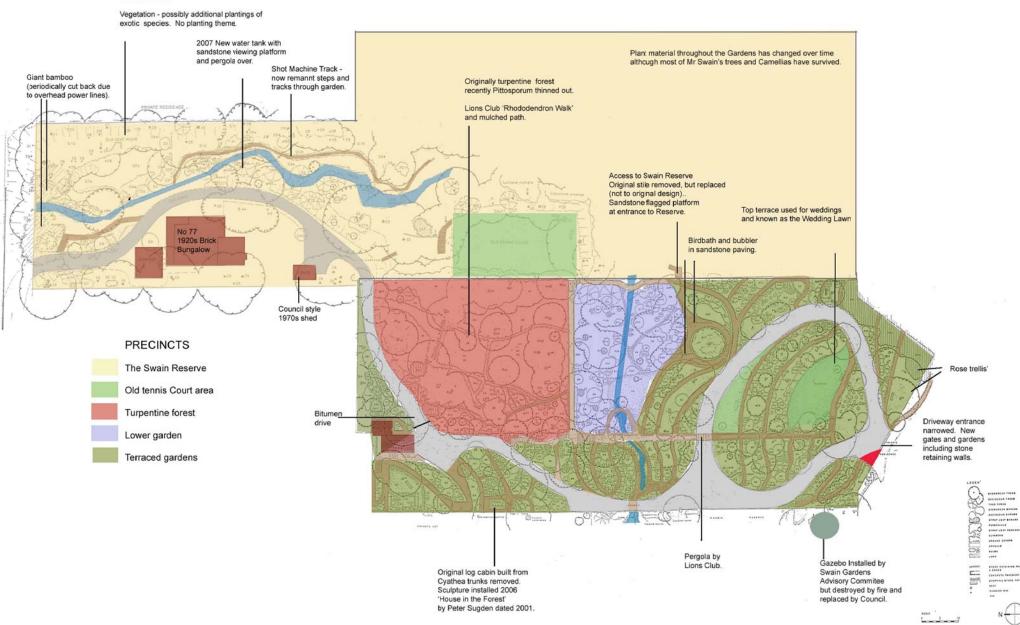
Nearby is a cross axis path (east/west) that leads directly to the amenity building and Old Tennis Court. The path is constrained in this area and narrows as it gets closer to the toilets. Many of these features are obscured by tree ferns.

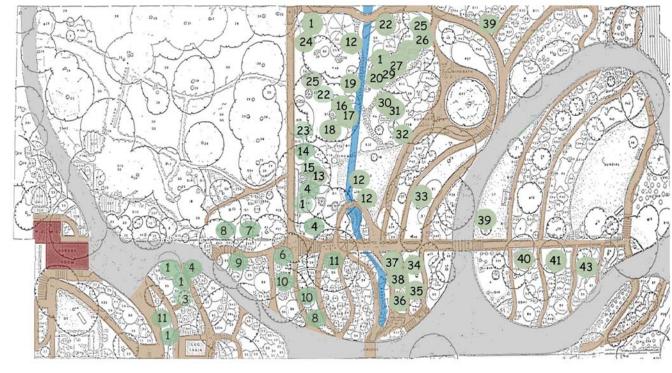
#### 1920s English inspired garden belonging to to No 77 Stanhope Road. Foxgloves, violets and maidenhair fern removed in the 1960s by The Swain Reserve commitee (Mr Swain was a member) with the intention of replacing with native plants.

#### CONVERSATION WITH DR BRYAN



#### Creek erosion.





# Camellia species survey

- Camellia japonica 'Jean Lyne' (white striped and flecked carmine, 1. semi-double to peony form)
- 2.
- C japonica 'The Czar' (rich purple, large, semi-double) C reticulata 'Prince Eugene Napoleon' (cherry red, formal double)
- C. japonica 'Great Eastern' (wine red, semi-double)
- C. japonica 'Dr. Tinsley' (pale pink deeper edge, semi-double)
- C. japonica 'Czar' (bright red, large semi-double form)
- C. japonica 'Eugene Lize' (light rose pink/white marble, loose peony semi-double)
- C. japonica 'Prince Frederick William' (clear salmon rose, formal double)
- 9.
- C japonica 'Otahuhu Beauty' (rose pink, peony form) C japonica 'Elizabeth Le Bay' (deep rose-pink, large peony to double) 10.
- C hybrid 'Boukuhand Tinsie' (single red) 11.
- 12. C. Pukekawa?
- 13. C hybrid 'Alma Elizabeth' (unregistered)
- C hybrid 'Bowen Bryant' (deep pink, large semi-double) 14.
- C. japonica 'Blood of China' (large salmon-red semi-double) 15.
- C. japonica 'Elegans Champagne' (creamy-white, large anemone) 16.
- C. japonica 'Polar Bear' (White semi-double) 17.
- C. Unknown (big single white flowers) 18.
- C. reticulata 'Lila Naff' (slivery pink with wide petals, large semi-double) 19.
- 20.
- C japonica 'Debutante' (pink, informal-double) C reticulata 'Howard Asper (Soft salmon pink, double diseased plant) 21.
- C. Unknown 22.
- C japonica 'Cho-Cho-San' (light pink to white, semi-double)
   C. japonica 'Marie Mackall' (mid pink informal double large)
- 25. C japonica 'Mrs. D. W. Davis' (blush pink, very large semi-double)
- 26. C hybrid 'Anticipation' (deep rose pink, large peony form)
- C. japonica 'Erin Farmer' (white shaded orchid pink, medium informal double 27. form)
- C. japonica 'Guilio Nuccio' (coral rose, large semi-double) 28.
- C hybrid 'E. G Waterhouse' (light pink to white, 29. formal-double)
- 30. C. japonica 'Pink Gold' (orchid pink, semi-double formal)
- C reticulata 'Red Crystal' (red heavily textured petals, single) 31.
- 32. C. Wirlinga Princess (pale pink with crinkled petals, semi-double)
- 33. C. Unknown
- 34. C. ? 'Onija'?
- C japonica 'Spencers Pink' (pink, single)
   C hybrid 'Tiny Princess' (Pink with white edges, semi double)
- C. japonica 'Easter Mom' (soft pink, informal-double) 37.
- 38. C. japonica 'Atomic Red' (deep pink with red veins, semi-double)
- 39. C hybrid 'Snow Drop' (miniature single white with edges flushed pink and gold)
- 40.
- C Japonica 'Lady Loch (light pink veined deeper, informal double) C Japonica 'R. L. Wheeler' (pink/red variegated semi-double anemone) C Japonica 'Cho-Cho-San' (light pink to white, semi-double) 41.
- 42.
- 43. C. japonica 'Moshio' (dark red, medium semi-double)
- C miniature hybrid 'Baby Bear' (light pink, tiny, single) 44.
- 45. C japonica' Latifolia' (red with white markings semi-double)

# **CULTURAL SIGNIFICANCE**

Cultural significance means *aesthetic, historic, scientific, social or spiritual value for past, present or future generations. The cultural significance of a place and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy.* 

(The Burra Charter)



### The Swain Gardens Statement of Significance

The Swain Gardens are culturally significant for the following reasons:

They are the idiosyncratic creation of an amateur garden designer, who had the private means to construct a garden of an extent and design consistency that is rare for its period in suburban Sydney. The original design, although not of a high order of artistic achievement or of 'high style' for the period is very representative of a now vanishing popular garden style of paths and sandstone terracing, that had its origins in 'accessible' garden literature of the 1920s to 1960s such as 'Your Garden' magazine'.

The materials and planting in the garden are highly significant of the period and reflect a vision of the 'English Garden', rather than forming the principal focus of a garden of uniquely Australian character.

The concept of developing the back block to the original and comparatively modest 1920s family bungalow is characteristically Australian here realised on a grand scale for the period.

The whole original complex, comprising no. 71 Stanhope Road (the linear brick bungalow with lawn tennis court behind), the flagstone barbecue area, the Garden Room with its plate glass picture window, the extensive area of (originally) expensive cement paving and sandstone walling, the pond roundel (now Deodar) and sandstone flag sundial, forms a living catalogue of social and philosophical attitudes and tastes, unusual for its survival in a rapidly changing suburban environment.

The whole amalgamated site, including the Swain Reserve, Wombin Reserve and associated areas of urban bushland, reflects the public generosity of the original benefactors and is the manifestation, however contradictory of the ongoing popular Australian iconographical romance with 'the bush'. (Often suburban based and notable in the literature, although not contemporary, of Henry Lawson, Banjo Paterson etc.).

The subsequent development and evolution of the garden since Council ownership has made a valuable contribution to the cultural significance of the place, especially with the addition of plant species and subtle but complimentary re-interpretation of the 'English Garden' or 'Surrey School' of design.

Ku-ring-gai municipality is significant within Sydney as an area of north shore garden suburbs developed originally within a bushland setting. The resulting character is relatively consistent with and reflects the attitudes, aspirations, resources and lifestyle of the people who progressively developed the area.

With the opening up of the area following the extension of the northern railway and subsequent sub-division of the bushland ridges beginning from early twentieth century, the area attracted a new type of resident who sought a garden refuge from city life and often had a great empathy with the bushland environment. The increasing status of the area with this unique combination of accessibility to the city and bushland attracted both the well heeled professional and merchant citizen as well as those of more modest means. This is reflected in the wide diversity of properties along Stanhope Road.

Swain Gardens provides an outstanding example of a garden which reflects the attitudes, aspirations and of the lifestyle of its creator and demonstrates the influences which formed the municipality as a whole.

Swain Gardens Plan of Management November 1992. Written by Environment Design Group State Projects, a Division of NSW Public Works Department, Sydney.

### **CONSERVATION POLICIES**

Conservation policies arise from the Statement of Significance.



### Existing conservation policies

### Management Philosophy

The Swain Gardens, The Swain Reserve and Wombin Reserve form a comprehensive whole in terms of being adjacent properties under the ownership of Ku-ring-gai Council. The lot boundary lines and the land categorisation guide management of each site. The area is also considered environmentally as a sustainable biolinkage from developed suburban areas to natural areas.

Through transfer deeds, covenants, policies, Acts and plans of management, Council has committed to the management of The Swain Gardens and The Swain Reserve in a manner consistent with the original character and design context and to the management of adjacent Wombin Reserve for the protection of native flora and fauna.

This commitment to The Swain Gardens is supported by Council's annual allocation of resources being sufficient to implement the maintenance service plan for the site. Maintenance is seasonally related and two gardeners are employed there two days a week.

Council may allocate funds from Capital Works and Asset Improvement programs for specific projects or repairs, for example the 2005 Environmental Levy stormwater harvesting and irrigation reuse project.

#### Practices

Continue with current management philosophy and manage the Gardens as historic gardens, as described in the Statement of Significance, and the adjacent Reserves as indigenous flora and fauna reserves.

### Swain Gardens Plan of Management 1996

This Landscape Masterplan reviews the existing Swain Gardens Plan of Management, adopted in 1996, which provides general conservation policies that are maintenance orientated, to include additional Conservation Policies that are specific and address areas of concern.

Swain Gardens Draft Plan of Management, 1996, was prepared to achieve the following objectives:

- To meet Council's obligations under Chapter 6 of the Local Government Act 1993 in respect of Public Land Management
- To ensure that Swain Gardens is developed in a way which best serves its user group while recognising and preserving the identified heritage values of the Reserve.

Swain Gardens Draft Plan of Management, 1996, comprises three sections:

- 1. Basis for Management this incorporates the core values of the community (then) and regular users which are reflected in the vision for Swain Gardens and its role as an open space resource.
- 2. The Management Objectives these have been developed in response to key issues identified through consultations, review of previous management documents and other relevant documents and assessment of current conditions.

 The Strategy Plan and Monitoring Program – this defines strategies to achieve the management objectives of the Plan. Performance indicators are included at the end of this section and provide a basis for measurement upon which to evaluate the implementation of strategies.

#### Practices

The place is to be managed in accordance with the conservation management principles set out in the Swain Gardens Plan of Management, adopted 1996.

### Swain Gardens Plan of Management 1992

### Principles

This Draft Landscape Master Plan is based on the existing Statement of Significance contained in the Swain Gardens Plan of Management 1992. The 1992 document also contains historical evidence, physical analysis, and a list of recommendations which have been reviewed to reflect recent changes to the Place, to include additional research and to implement current heritage practices.

#### Practice

Adopt the Statement of Significance from the Swain Gardens Plan of Management, 1992.

### Statutory and other external constraints

#### **Practices**

Adopt relevant statutory documents:

- NSW Local Government Amendment (Ecologically Sustainable Development) Act, 1997
- Heritage Act 1997 ESD
- Comply with Occupational Health and Safety Act
- Building Code of Australia
- Disability Discrimination Act (within the framework of the site's cultural significance and topographic constraints)

### Requirements arising from cultural significance

### **Design integrity**

#### Principles

The retention of the cultural heritage values of Swain Gardens is dependent on recognition and conservation of the principles of design underlying the development of the Gardens by Anthony Swain.

Being a collection of living organisms with finite life spans, any garden should develop and evolve over time. In the case of Swain Gardens, where the original character of the gardens has been identified and listed (on the Ku-ring-gai Heritage Study, 1987) as an item of heritage to be preserved, there is a need to manage the evolution of the gardens so as to continue the intentions of the original designer.

Moreover, in light of the fact that Swain Gardens has changed status from privately owned domestic gardens to publicly owned and accessible open space, there is an equally important need to retain the origin of the site as a private garden. To this end, features which tend to draw attention to the now municipal ownership of the Gardens should be avoided. (Swain Gardens Plan of Management, 1996).

#### Practices

"Ensure that Swain Gardens are maintained and developed in a manner which retains and preserves their original character as privately owned 'Romantic' gardens in a bushland setting" (Swain Gardens Plan of Management, 1996).

Develop "a policy for management of sponsorship and donations to ensure that items funded or donated are in keeping with the design intent and identified heritage values of the Gardens. The policy should also cover means of acknowledgement of sponsorship or donations in order to avoid the possibility of a plethora of acknowledgement signs appearing in the place". (Swain Gardens Plan of Management, 1996).

New developments are to be located in the old tennis court area of The Swain Reserve which is the least significant area of the place.

### New Conservation policies

### Landscape setting

### Principles

Retain appropriate visual setting and other relationships that contribute to the cultural significance of the place. Setting includes the visual setting and the other relationships that contribute to the cultural significance of the place. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

#### **Practices**

The relationship between the Gardens and adjacent Reserves is integral to the experience of the landscape setting, therefore:

- Highlight the contrast between the Gardens and Reserves by keeping vegetation off, and away from the low sandstone-boundary-walls.
- Develop a boundary planting regime: strengthen the bushland setting by removing weeds and establishing an understorey, create views along the existing track, and vistas from the bridge into the creek.
- Do not plant tall trees in the reserves, near the boundary, to overshadow the gardens.

The landscape character of The Swain Gardens relies on a strong sense of order, therefore:

- Maintain gardens in a clipped and tidy manner
- Restrict 'softening' the gardens, with spill-over plants,
- Conceal undesirable and crudely constructed elements such as wire fencing, timber posts and handrails.

### **Responsibility for decisions**

Principles

The organisations and individuals responsible for management decisions should be named and specific responsibility taken for each such decision.

*Competent directions and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.* (Burra Charter)

### Development and changes to the built fabric

Principles 1. New work

- New work, such as additions to the place, may be acceptable where it does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.
- New work should be readily identifiable as such.
- New work may be sympathetic if its siting, bulk, scale, character, colour, texture and material are similar to the existing fabric but imitation should be avoided. (Burra Charter)

### 2. Maintaining the fabric

Determining appropriate measures to maintain fabric:

<u>Preserve</u> where the existing fabric demonstrates evidence of cultural significance, or where insufficient evidence is available to allow other conservation processes to be carried out.

<u>Restore</u> only if there is sufficient evidence of an earlier state of the fabric.

<u>Reconstruct</u> where a place is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the fabric. Reconstruction should be identifiable on close inspection or through additional interpretation.

<u>Adaptation</u> is acceptable only where the adaptation has minimal impact on the cultural significance of the place. Adaptation should involve minimal change to significant fabric, achieved only after considering alternatives. (Burra Charter)

### 3. Changing the fabric

The impact of proposed changes on the cultural significance of a place should be analysed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes following analysis to better retain cultural significance.

*Existing fabric, use, associations and meanings should be adequately recorded before any changes are made to the place. A log of new evidence and additional decisions should be kept.* (Burra Charter)

General treatment of the built fabric

- The built fabric is generally of a high standard of workmanship; this is an important element to the overall effect and needs to be retained.
- Works are to be carried out with minimal removal or concealment.
- Works are to be carried out on elements of lesser significance than higher significance

   the old tennis court area is considered less significant than the Gardens proper.
- Works are to be carried out by people with appropriate knowledge and skills.
- Works should, where possible, be reversible.

### Materials

 Where appropriate restrict the palette of materials to stone, timber and concrete to preserve Mr Swain's choice of materials. Allow new materials where practical, such as the black chain wire fencing which is necessary for safety. Be consistent and conceal these elements with plantings where possible.

### **Buildings and structures**

- Conserve the original fabric, particularly of the Garden Room/Garage which retains its original colour scheme. Promote the shapes of the structures in the Garden, such as the complexity of the Garden Room/Garage's form.
- Maintain stonework in good condition and consult a qualified stone-mason with heritage expertise for advice on preservation and repairs (Fig 8).
- Retard deterioration of sandstone walls by removing plants with aerial roots or sucker-like discs that attach to the surface from stonewalls and replace with trailing plants where required. This can be done gradually to maintain visitor experience. Replace with plants with non-damaging root structures (Figs 9 – 12).
- Remove all tree ferns from stone work. Inspect stonework for damage by tree roots – provide root barriers or remove trees where necessary.
- Inspect stonework for water damage from irrigation system.

*Figure 9 This Convolvulus is a good spill-over plant with non-damaging root structure and spring flowers.* 

### Stonework



*Figure 8 Cracks resulting from minor movement.* 





Figures 10-12 The roots of these plants are 'attached' to the surface of the walls.

### **Concrete paths**

Monitor concrete paths, particularly for trip hazards. Repair as required, ensuring patches match existing concrete.

### Garden taps

Retain all garden taps and record dates from the taps to document when each section of the Gardens was constructed.

### Embellishments

- Do not embellish the gardens with additional elements.
- The replacement of garden elements is to be consistent with the period during which the place was created.
- The large memorial birdbath is a successful scale, but the plaque should be removed and installed in a less prominent location nearby.
- The small birdbath and bubbler are out-of-keeping in style and located in a prominent place. Move these to a less obtrusive place in the adjacent garden area.
- The existing teak benches can be seen as a missed opportunity to reinforce the period character of the Gardens. Consider replacing benches with 1950s style garden seats (Traditional Australian garden seats of metal frame and timber slats)



Figure 13 Existing seating.



*Figure 14 Proposed slatted seating consistent with 1940s to 1960s period. This seat is by Street Furniture Australia.* 

### Interpretation

### **Principles**

The Swain Gardens has an interesting history and visitors generally respond positively to detailed information. Provide opportunities to interpret the significance of the Gardens to visitors in a way that will not adversely affect the character of the place.

### **Practices**

- Continue to provide pamphlets and internet site.
- Update signs based on significance; include maps, plans and history.
- Encourage event organisers to display images after the event.
- Provide information on maintenance and restoration practices.
- Provide labels for trees to develop horticultural theme.

## Where the use of a place is of cultural significance it should be retained. A place should have a compatible use.

Conservation, interpretation and management of a place should provide participation of people for whom the place has special associations or who have social, spiritual or other cultural responsibilities for the place.

(Burra Charter)

# Australia.



### Statement of conservation policy

Conservation for The Swain Gardens and The Swain Reserve aims to preserve and enhance the appreciation of the cultural and heritage significance of the place and to retain significant fabric, form, spaces, character, qualities and meanings and determine compatible and appropriate uses for the present and in the future.

### PART 3 CONSERVATION OF BIOLOGICAL DIVERSITY AND ECOLOGICAL INTEGRITY

This section considers the ecology of The Swain Gardens and the adjoining Reserves in relation to the catchment and provides management guidelines based on sustainable principles.

The Gardens, in particular, provide an opportunity to demonstrate how sustainable principles can be implemented into an existing garden of non-indigenous plants and at the same time conserve and enhance both the natural and cultural values. This is particularly relevant for Ku-ring-gai where many properties are adjacent to, or near natural areas and their management directly impacts on the ecosystem function and therefore the amenity these areas provide for the entire community.



### Sustainable strategies

Sustainable strategies are aimed at enhancing the regional ecology and are divided into three areas: environment, social/cultural and economic and specific issues that this document seeks to address are listed under these headings.

An analysis of the regional ecology is on page 51.

EnvironmentProtect and enhance native plants and habitatPrevent erosion and sedimentation from occurringIncorporate water sensitive urban design principlesReuse, recycle and reduce wasteManage off-site impacts such as noxious weeds and encroachmentsPrevent garden chemicals from impacting on local water qualityProtect local habitats from invasion by non-indigenous species	Social/cultural Provide the best possible access and amenity, within the physical constraints and cultural significance of the place Offer opportunities for a range of activities, as suitable for a culturally significant site Minimise impacts on neighbours such as traffic, parking, noise, light and litter	<ul> <li>Economic</li> <li>Implement programs to reduce energy and water consumption</li> <li>Improve Council operations and maintenance practices within the budget</li> <li>Work with community groups to improve facilities</li> <li>Make improvements to reduce public liability and insurance risks</li> <li>Work with hirers and lessees for mutual benefit</li> <li>All uses of the garden need to satisfy global warming tests</li> </ul>

The Swain Gardens/Reserve is located in Gordon Creek sub-catchment, which feeds east into the larger Middle Harbour catchment. Tributaries include Shot Machine Creek from Stanhope Road, Wombin Creek from Nelson Road and Tadpole Creek from Slade Avenue which all flow into Gordon Creek. The creeks are fed from the Council's piped stormwater system and interallotment drainage in the suburban areas of Killara and Lindfield upstream. These creeks share the route with sewer mains installed during the early 1930s. Much of the surrounding single dwelling housing was modest and built before 1920, with infill development of grander housing from the 1930s and more recently urban renewal and higher densities such as SEPP 5 developments.

The Swain Gardens/Reserve area is connected to a small expanse of bushland, Wombin Reserve to the west. Wombin Reserve was ceded to Council in 1957 and is managed under the Bushland Plan of Management and also covered by a legal document to preserve it as a nature reserve for wildlife. The large expanse of natural areas to the east consists of Council's Seven Little Australians Park, Lindfield Soldiers' Memorial Park, private land zoned County Open Space and NSW National Parks land being Garigal National Park (previously known as Davidson Park).

The underlying geology of these areas is Hawkesbury Sandstone which provides rock outcrops on the slopes and a variety of plant communities, from open-forests, woodlands, heaths and wet sclerophyll vegetation along the creek lines dominated by Coachwoods. The creeklines and areas of drainage concentration are weed impacted with Privet and other noxious plant species.

The natural areas provide food and habitat for fauna. The dense understorey of the open forest provides habitat for birds and small mammals, the grasslands and woodland areas provide open habitat for raptors and the dense ferny areas provide protection for small mammals and ground-dwelling birds. There is a strong local anecdotal history of lyrebirds and bowerbirds occurring in the valley. Threatened species include the Powerful owl (*Ninox strenua*) and the Grey-headed flying-fox (*Pteropus poliocephalus*).

The natural areas are used for passive recreation, particularly bushwalking.

The geology of Swain Gardens is Hawkesbury Sandstone which is evidenced in the remains of rock ledges which have been quarried for rock to be used elsewhere on site and to form fill sections of sandstone retaining walls. Stone reclaimed from the construction of the Killara Reservoir was used to cover Shot Machine Creek and elevate and join both ends of Stanhope Road. Yellowblock sandstone from the Tank stream extracted when the Swains City store was modified was used to build the stonewalls along the watercourse.

The Gymea soil landscape dominates in the natural areas and is typically found on undulating hills with slopes of between 10-25%. Mr Swain imported quality garden soil for the terrace gardens.

#### Recommendations

The following recommendations aim to minimise the impact on adjoining natural areas and improve the water quality in the catchment.

- Implement sustainable horticultural practices such as mulching to reduce water use
- Select non-indigenous plant species for the Gardens with low water requirements
- Select non-indigenous plant species for the Gardens that will not spread into adjacent bushland
- Improve water quality of urban runoff from surrounding residential areas and roads
- Liaise with Sydney Water to track sewer main leaks, stormwater overflows and illegal drainage to the sewer that exacerbates this
- Encourage on site detention from adjoining lands to reduce impacts of high flow
- Improve water quality of runoff from the Gardens by installing a sedimentation pond with macrophytes, located in The Swain Reserve where Wombin Creek exits The Swain Gardens
- Reduce silt loads and restore creek structure
- Implement stormwater harvesting proposals and recycling schemes
- Strengthen links with natural areas wildlife corridors etcetera
- Examine, minimise and monitor fertilizer use in the gardens to assess downstream impacts
- Introduce recycling bin (for plastic/glass/tins)
- Continue to recycle garden clippings at Council waste depot (off-site composting is more efficient due to Council operating a bulk waste composting facility).

### Stormwater harvesting and irrigation project

The Swain Gardens is composed of non-indigenous plants that are dependent on irrigation in dry times. Because of this Mr Swain installed taps throughout the terraced areas - there are so many taps that the Gardens are sometimes referred to as the 'Garden of Taps'. The cultural significance of the gardens is dependent on good horticultural practices because the plants are a living collection, dependent on nutrients, water and sunlight. It is important to maintain the plants well because it is the only public botanical garden in Ku-ring-gai.

The Gardens are watered during hot, dry spells and over the last 20 years the Gardens have used a median of 2.0ML a year, with the 25 and 75 percentile water usages at 1.4ML and 2.55 ML a year respectively. The stormwater harvesting project will reduce Ku-ring-gai Council's usage of Sydney Water mains at the Gardens by 70%. The irrigation system will use drip irrigation where possible, elsewhere a sprinkler system or tap will be installed. This irrigation system will be more cost effective by reducing the need for hand-watering.

Water usage will be reduced by a planting strategy that maintains Mr Swain's plant selection where known, and elsewhere supplement plants that have low water dependence.

The project has environmental benefits. Currently water is directed from properties through drains and watercourses into Shot Machine Creek at The Swain Reserve. From here water leaves the urban areas and enters bushland areas, flowing into Gordon Creek before entering Middle harbour. The project will harness water at The Swain Reserve, where it will be treated to improve water quality before being either used for irrigation or discharged back into the creek.

harvest water> clean wa	er 👝 🦴 store water	recycle water
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### Environmental benefits of the project

- Incorporate strategies to control flash flooding and clean stream water by removing pollutants
- Reduce peak discharge of water during heavy rain
- Improve the condition of water discharged from Shot Machine Creek
- Reinstate riparian zone vegetation before reaching the Gardens proper
- Manage stormwater flows to provide for bed and bank stability of creeks and reduce erosion and silt build-up at Shot Machine Creek.

### Regional ecology analysis



**Topography** 90 metres above sea level at highest point, grading towards the creek at RL 75.



#### Natural areas

Garrigal National Park Bushland in parks and reserves



Soil landscapes

Gymea (gy) Hawkesbury (ha) Lucas Heights (lh) Glenorie (gn)



#### Vegetation

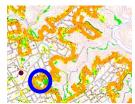
- Local ecological communities M3d Sydney Turpentine Ironbark Forest M3e Sydney Sandstone
  - Gully Forest, L3a Sydney Sandstone Ridgetop Woodland.
  - T3a Blue Gum High Forest



Water catchment \_\_\_\_\_ Riparian zones



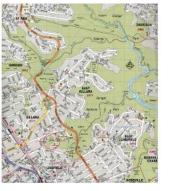
Hydrology Sewer Stormwater



#### Fire Fire break Fire buffer zone Tree canopy 2002 Remnant trees



Description of the existing environment The Gardens and adjoining Reserves cover an area of 3.4121 ha.



#### Geology and soil

Geology: Hawkesbury Sandstone - at the Gardens the sandstone outcrops have been either quarried to be used for site works, or modified to accommodate the retaining walls.

#### Soils:

Gymea soils, which are typically found on undulating hills with slopes of between 10-25%. Shallow to moderately deep yellow earths and earthy sands, yellow podsolic soils and siliceous sands (Chapman & Murphy 1989). Gymea soils may be prone to erosion.

#### Vegetation

The original vegetation Sydney Turpentine Ironbark Forest.

#### Native animals

*Ninox strenua* (Powerful owl) which is 'vulnerable'. (Recovery plan prepared Local Gov Act 1993 Sections 36A-36D).

#### Hydrology

The Swain Gardens and The Wombin Reserve drain to Wombin Creek, and The Swain Reserve drains to Shot Machine Creek. Both creeks are tributaries of Gordon Creek, which flows through the natural areas of Seven Little Australians Park and Garigal National Park before reaching the waterways of Middle Harbour.

#### Climate/microclimate

Climate warm temperate climate. Average annual rainfall exceeds 1100mm and peaks in autumn to late winter. Spring is the driest season.

The microclimates on the site have been modified and become shadier as the trees have grown. The creek areas are cool and shaded.



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# PART 4 IMPROVED VALUATION, PRICING AND INCENTIVE MECHANISMS

*ESD* (Ecological Sustainable Development) in the Local Government Act argues that the social and environmental impacts of goods and services should be included and paid for separately. Charging for goods and services will balance supply and demand in order to achieve more realistic outcomes.



### True valuation and pricing

The 'True valuation and pricing' is reflected in the provision of environmental goods and services and the measure of economic sustainability. In line with this, the principles outlined throughout this document are aimed at maximising benefits and minimising costs. The following table demonstrates some examples of this. The companion cost is not exclusive to each value, but generally translates to all values.

#### Value/benefit

Improving the sustainability of the Gardens Improving the ecology of the natural areas Improving the water quality of the catchment Safeguarding the unique qualities of the site Providing for specialist opportunities eg film makers, photographers Social opportunities – changing demographics – apartment living and aging population Bequest value for future generations Educational role Function spaces such as weddings, theatre

#### **Companion cost**

Replacement materials and mulch Bush regeneration programs Water harvesting project Vandalism and damage General repairs General maintenance Improved facilities Horticultural/arborist expertise Conservation specialists Staff training Rubbish removal Vandalism and damage

While the true valuation and pricing as described in the Act argues for a user pays system, the Burra Charter argues that the socio-economic values of a place are based on their appeal to visitors. Attracting visitors to a place assists with conservation because an informed and interested public provide support for a place. The support needs to come from the wider community; beyond the immediate neighbourhood. The conservation policy should 'identify a use, a combination of uses, or constraints on use, that are compatible with the retention of the cultural significance of the place and that are feasible'. The Burra Charter.

In response to these arguments, this report seeks to improve the Gardens for the enjoyment of the casual visitor and to develop a range of activities that generate income, but are appropriate with the cultural significance of the Gardens.

Refer to cultural analysis of the local area on page 56.

### Visitor use and programs

The Swain Gardens provides a place with unique qualities, as a private garden created by a family with the means to achieve this and is now available for public use without charge to the casual visitor - this is rare and a valued facility by the community. Such spaces are often considered a luxury due to the pressing ecological concerns of today, but their value is important due to their effect on the human sense of well-being. Suburban space is generally dominated by sports grounds/facilities, playgrounds, and in Ku-ring-gai, bushland. The Gardens offer an alternative as a contemplative place. It is used by local residents, including Swain Manors Retirement Village, Lourdes Retirement Village and Newington Preparatory School.

The Gardens have been in constant use as public space since the National Trust's ownership in 1972. During this time a number of diverse uses have been explored such as the 'Gallery in the Gardens', proposed for the dwelling in The Swain Reserve. Most often ideas are received with enthusiasm, but when explored further rejected due to the constraints of the site, such as lack of parking, and the impact on local residents from increased traffic and noise.

The fragility of the historical fabric needs to be considered in deciding what activities are compatible within the Gardens. Uses which would have an adverse effect on the place (requiring additional services or structures) should be discouraged.

The most appropriate activities promote the cultural significance of the place such as gardening groups/clubs. The place is well suited to quiet pursuits that will not disturb other park users, such as book clubs, knitting/sewing circle, yoga/meditation and walking. Small to medium groups of people can be accommodated at the old tennis court at The Swain Reserve and musical and theatrical performances have successfully been held there. The Garden Room and adjacent Viewing Lawn should be developed as a combined space suitable for small group activities. The Wedding Lawn can be booked for functions, particularly weddings and photographic sessions. More recently filmmakers have made several films at the Gardens, and it should be promoted to artists and the film industry for its unique landscape features, modernist architecture and embedded cultural values.

Council has encouraged an active program of community participation from garden clubs and service clubs. The Friends of The Swain Gardens provide assistance by fund raising and participating in working bees. Encouraging personal adoption of garden areas has been reasonably successful, but to be most effective 'the adopted' areas need to be designed and maintained in a compatible manner.

Horticultural staff working at the Gardens report that they are used on a daily basis by 15-20 people. The main activity is walking along the track through Wombin Reserve and through the Gardens. Many people walk with a dog and they tend to be unleashed, but owners generally collect the dog droppings. The second most popular activity is on weekends where families use the barbeque at the Old Tennis Court area in The Swain Reserve and the third most popular activity is for weddings which generally occur in spring.

During school holidays, school-aged people use the lawn areas for reading/studying, either on their own or with friends. Couples use the terraced lawns for picnics and over the years, a series of homeless people have taken up residence in the Gardens, possibly made more comfortable due to the showers in the amenity buildings.

Council is working towards linking Shot Machine Track from Killara Railway Station to Roseville Bridge at Echo Point, through The Swain Reserve. This is dependent on gaining access through privately owned County Open Space adjoining The Swain Reserve. When this is achieved it will provide a day-long walk and the amenities at the Gardens will be a valuable resource that can be enjoyed by walkers.

### Licences and leases

There are no licences. There is one lease for the residence at The Swain Reserve.

### Risk management

- Manage the Gardens in a way that minimises risks to public, staff and the environment
- Establish process to identify long term issues and hazards and minimise risk
- Establish procedures to deal with emergencies.

### Recommendations

- Balance tranquillity and conservation with passive recreational uses
- Manage, protect and interpret the natural and heritage assets of the site
- Provide activities within the constraints of the physical site and its cultural significance
- Use the site for suitable purposes and, where possible create income opportunities
- Accept that site constraints for parking and access will always limit use
- Comply with Council's events policy requirements
- Education provide a guidebook with information on the Gardens its history conservation, sustainable and management issues
- Cultural Provide a guide to promote the garden experience, particularly seasonal (views, sensations, scent sound, seasonal subtleties of colour)
- Provide information on the gardens as a botanical collection (the Friends Group are working on plant labels)
- Establish appropriate leisure activities at the site, such as tai chi, yoga etcetera
- Consider the Gardens as a tourist destination, such as the enquiry by a Japanese group who were interested in indigenous and non-indigenous vegetation
- Continue to encourage grounds hire for weddings caters for maximum 70 guests
- Encourage visits in cooperation with related organisations such as garden clubs
- Associate the Garden with events, particularly historic, or personalities
- Continue the Annual Swain Gardens Open Day which showcases spring flowers and includes Devonshire teas and lunches, local school music ensembles, orchestras and bagpipes
- Encourage open-air theatre and music recitals
- Create a formalised garden walk with botanical brochure
- Consider exhibitions such as sculpture in the park, artist in residence
- Catered meals for small groups
- Promote cultural significance of the Gardens for filmmakers and photographers
- Encourage Garden Room/Viewing Lawn hire
- Highlight alternative public transport to reduce the physical impact of the motor vehicle on local streets. Include route from station on information posters and pamphlets.

### Killara – cultural analysis

#### Killara profile

Population Total population Australian born Overseas born Aged 65 +	8,110 5,255 2,546 1,347	
Aged 18 – 64 Children 5 - 17	4,743 1.606	
	•	
Infants 0 – 4 years Housing	351	
Dwellings (total)	3.041	
Private dwellings	2.838	
Average household	2 85	
/weruge nousenotu	2.00	

*Source: Australian Bureau of Statistics, Census 2001* 





#### **Bushcare sites**

Bushcare' groups assist in conserving bushland in Wombin Reserve and Seven Little Australians Park.

'Parkcare' and the 'Friends of Swain Gardens' assist in the conservation of Swain Gardens.



Public facilities in East Killara



Sports grounds Local parks (bushland) National Parks



Walking tracks



Ku-ring-gai council – Draft Landscape Master Plan for The Swain Gardens

### PART 5 LANDSCAPE MASTERPLAN

This section is a synthesis of conservation policies, sustainable strategies and usage. It identifies where additional works are required to rectify problems and ensure visitor enjoyment. Proposed works are consistent with the Burra Charter.

The Burra Charter advocates a cautious approach to change: respect the existing fabric, use associations and meanings; do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.



### Objectives

- Conserve The Swain Gardens in a way that will retain the cultural values as outlined in the Statement of Significance
- Introduce sustainable strategies to ensure the long-term viability of the Gardens
- Promote on-going uses and encourage new uses that will enhance public appreciation of the cultural significance of the Gardens and adjoining Reserves and ensure their conservation for future generations

### Constraints and opportunities

### Constraints

- Poor sense of arrival from Stanhope Road
- Poor orientation confusing division between Gardens, Reserves and private properties
- Lack of parking on site and adequate parking along Stanhope Road
- The access road is steep, narrow and shared by Council vehicles and pedestrians. It is difficult for prams and wheelchairs
- No disabled parking on site
- Loss of original plant species
- Negative impact of the Gardens on adjoining natural areas, particularly fertilisers increasing nutrient levels in waterways

### **Opportunities**

- Review conservation measures
- Introduce sustainable strategies
- Provide disabled parking
- Highlight Mr Swain's design details and draw attention to focal points
- Establish planting regime
- Strengthen views and vistas
- Strengthen spatial qualities, access and circulation
- New signage
- New uses

The recommendations in this section are conceptual and require detailed design work.

### Views and vistas

#### Issues

- Views into, out of and within the place are defined by the fabric and are significant and should be protected
- Views maintain visual connections between spaces

#### Actions

- Remove tree ferns and prune tall shrubs where necessary to open views
- When replacing trees, consider their mature size and place them in a location to avoid obscuring views within the gardens
- Establish the Viewing Lawn as a significant area. Remove the Magnolia which is located below the viewing lawn and is a post-Swain planting. Its canopy has spread and is obscuring the view over the garden from this important vantage point. If it is not possible to remove the tree, directional prune the canopy.
- If possible, relocate the pergola to the Old Tennis Court area to re-establish views along the north-south and east-west cross axis
- A series of terminating paths exist along the eastern boundary where there are excellent views into the valley. Gradually replace the bamboo from this section with a less invasive bamboo species. Where the paths terminate, do not plant bamboo, rather leave 'windows' to highlight the views and to integrate the paths into the landscape. Frame views as similar at Everglades
- Create views into Reserves
- Locate plants in order to create vistas that unfold along garden walks
- Create framed views to specimen trees and focal points



Vegetation used to frame distant view at Everglades

### Spatial qualities and circulation

#### Issue

 The spaces in a garden are as important as the plants that define them and their arrangement provides a variety of visitor experiences.

#### Actions

- Draw attention to the unique design qualities of the Gardens by highlighting the network of curved paths and steps and the associated sweeping curves to the garden beds. Select plants carefully so they do not grow too large and obscure these qualities.
- Create meaningful circulation. In some areas paths terminate without meaning. Ensure that there is a view or specialist planting in these situations, particularly along the eastern boundary of the gardens.



Use specialist planting in small garden areas to highlight design details and circulation patterns

### Sense of arrival

#### Issues

- The entry to the Gardens, from Stanhope Road via Swain Reserve does not provide a good first impression for visitors to the Gardens.
- The division between the Gardens and adjacent The Swain Reserve is confusing and, because of this lessens the experience of the Gardens.
- The entry is not negotiable for disabled or wheelchair visitors, but access can be arranged. Other access points are pedestrian only and from adjacent Reserves.

### Actions

 Provide new signage at all road entrances; include plans, orientation, history and connecting walking tracks. Incorporate the benefactors – Mr H. C. Swain and the National Trust. Refer Appendices.

Signage should convey layers of cultural meanings, a definite sense of a private garden of non-indigenous plants surrounded by the endemic vegetation of adjacent Reserves.

- Ordinance signs should include where to park cars and leave bicycles, dog control measures, garbage locations and speed limits.
- Create a formal entry to The Swain Gardens at the 'boundary' to the Gardens (Lot 12), to clarify the Gardens as a separate entity and provide a new 'sense of arrival' that is appropriate for a place of cultural significance.
- Provide disabled parking for two cars behind the dwelling and adjacent to the Council shed at The Swain Reserve, provide adequate turning area.
- Consider extending the width of the access road to provide marked pedestrian access, particularly for the narrow section of road which is the first section near the bungalow
- Provide a display board and encourage users to promote their activities at the Gardens.





#### Existing signs to be replaced

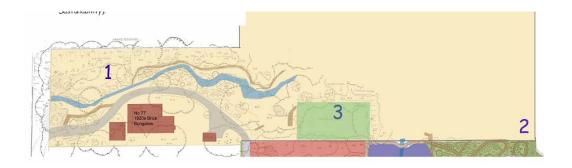


*Use signage to communicate cultural significance* 



Activities board at Everglades displaying a children's tea party.

### Swain Reserve



### 1. Stanhope Road area

### Issues

- This area contains remnant stonework from a 1920s garden including seat niche, walls, paths, steps, circular bays for planting and lining of the creek banks. The paths have the potential to form a section of Shot Machine Track. Refer to Sustainability and Usage sections for more details.
- Vegetation includes two clumps of giant bamboo along with an assortment of exotic shrubs and Tree Ferns.
- The area is narrow, bounded by residential development, located below the road and it tends to be damp.

#### Conservation

- Maintain the relationship between the Gardens and adjacent Reserves which is integral to the experience of the landscape setting.
- Revegetate this area for clarity of the overall design to contrast with the ordered character of the Gardens. Leave existing non-indigenous plants, gradually replacing them with endemic species over time. Use small trees to retain light and solar access to adjoining properties.
- Conserve remnant sandstone elements as 'ruins' of an old garden - seating niche, planter beds and walls. Restore tracks and steps that are to be incorporated into Shot Machine Track.







*Remnant sandstone elements in Swain Reserve near Stanhope Road* 

#### Sustainability

- Implement stormwater harvesting project.
- Establish riparian zone planting to reduce silt loads.
- Revegetate with endemic species for low maintenance, low water usage, no fertilizer usage and to provide habitat. Direct funding for maintenance to the Gardens proper rather than extending the garden areas into the Reserve.
- Strengthen links with natural areas for wildlife corridors.
- Introduce garbage recycling remove bins throughout gardens and install three large bins near the Council's shed or at the entrance to The Swain Reserve – two bins for general garbage and one recycle bin for plastic, glass and tins.

### Usage

- Continue to work towards acquiring the 'missing link' in the Shot Machine Track walk which links Killara railway station with Echo Point, Middle Harbour.
- Promote the use of the new gazebo as an integral element in the Shot Machine Track walk. The gazebo will feature as a comfortable rest place and house information about the walk to Echo Point.
- Continue to lease the house as a private residence that generates income for the upkeep of community facilities.

#### Actions

- Screen adjacent buildings where possible, particularly foundations and associated domestic utilities.
- Provide a bay for the residence's bins.
- Where space is limited screen with black pipe and mesh fence and cover with vines for less intrusive appearance.



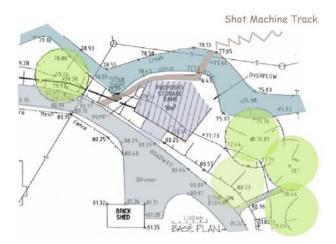
Screen boundaries

Provide bay for bins

Provide disabled parking at rear of bungalow

### 2. Stormwater harvesting and irrigation project

Design concept for in-situ stormwater storage tank and proposed shelter on top located at The Swain Reserve.



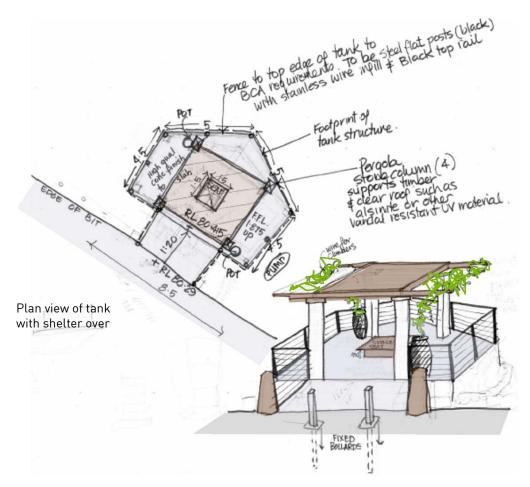
Survey plan



Location of water storage tank



Location of stormwater tank and pedestrian path



*Sketch of shelter on top of tank. Design is based on the pergola at the Viewing Lawn at The Swain Gardens* 



Pergola at the Viewing Lawn, The Swain Gardens



- Conceal the water tank finishes are to be stone faced, otherwise bagged and painted or rendered and painted
- The tank footprint is set back inside the stone wall allowing space for plantings
- The top of the tank slab will be finished as high quality concrete suitable for deck surface
- The tank will be about 125mm higher than the road allowing a 1:20 ramp up to the tank deck. This is calculated by locating a 1.85m high tank at the bottom level of the base of the road batter, and on the tank area being for a minimum 75000 litres. The tank is a pentagram and symmetrical
- If possible, pour the top to allow for columns, pots, railings and seating
- Offset the wall for the tank from the creek with stone edge min 1200mm to allow pedestrian access
- Locate pump on the side away from the residence
- Install a basic, small footbridge bridge over the Shot Machine Creek, ensure it does not retard water flow or cause flooding. The footbridge provides a link from the bitumen road, down the existing restored stone steps to the track on other side of creek

### 3. The south-western boundary of the Reserve

#### Issues

• This area, near Newington School is degraded and bamboo is invading the bushland. Newington School is intending to extend into this area. Plant tall trees to screen development.

#### Sustainability

- Select non-indigenous plant species for the Gardens that will not spread into the Reserve
- Investigate urban runoff from neighbouring properties
- Liaise with Sydney Water to track sewer main leaks, stormwater overflows and illegal drainage to the sewer that exacerbates this.
- Encourage on-site detention from adjoining lands to reduce impacts of high flow
- Continue with bush regeneration program, 'revegetating' to control erosion, choke weeds and reestablish forest qualities.
- Install sedimentation pond with macrophytes at Wombin Creek exit from the Gardens.

#### Actions

- Gradually replace bamboo in the top area of the Gardens with a non invasive species. Plant to frame view as discussed earlier.
- Plant additional trees in the Reserve and Gardens to screen proposed development at Newington School
- Treat stormwater runoff



*Valley view that is concealed by the bamboo* 

### 4. Old Tennis Court area

#### Issues

- There is an attractive outlook to the east into the valley.
- The area is difficult to maintain because it is overshadowed by adjacent trees creating shady conditions which is not suitable for lawn and there are drainage problems.
- The area has been developed as the social hub for the place with the inclusion of a barbeque, picnic table, stage and area of lawn.

#### Conservation

• New developments are to be located in the Old Tennis Court area of The Swain Reserve which is less significant than the Gardens proper.

#### Usage

- Reinforce this area as a performance space. Encourage use by groups involved in music, plays and poetry readings etcetera, allowing for restricted access for some people with disabilities.
- Promote the area as a place suitable for barbeques and picnics.

#### Actions

- Establish the identity of the Old Tennis Court as part of The Swain Reserve by landscaping with endemic plant species and highlighting the views into bushland to the east. Remove weeds from bushland.
- Seal the path from the access road to this area with crushed sandstone and soften the steps from the access road with plantings.
- Repair the heritage sandstone steps that lead directly onto the court area.
- Drainage works have recently been carried out and the new irrigation system allows this area to be watered. Plant with tough shade-loving turf, check for compaction, grade from the centre and towards the edges for drainage.



The more recent upgrade of the Old Tennis Court area has reinforced its spatial qualities and provided social opportunities



Improve view into forest from Old Tennis Court into valley



Seal path

### The Swain Gardens

### 1. Interface Wombin Reserve and the Gardens

#### Issues

- Very tall eucalyptus trees overshadow the Gardens.
- Weeds, particularly Fish Bone ferns (*Nephalepis cordifolia*) confuse the division between the Gardens and Reserve.
- Walkers use the track in Wombin Reserve to access the Gardens or as part of a longer walking route.

### Conservation

- Develop a boundary planting regime: Strengthen the bushland setting by removing weeds and establishing an understorey, arrange to create views along the existing track, and vistas from the bridge into the creek.
- Highlight the contrast between the Gardens and Reserves by keeping vegetation off, and away from the low sandstone-boundary-walls.

### Sustainability

- Continue the Bushcare program in the Reserve
- Treat stormwater runoff

#### Actions

- Create a threshold and highlight the entrance to Wombin Reserve from Swain Gardens by installing sandstone paving similar to the paving at The Swain Reserve if possible and provide signage.
- Screen neighbouring development.
- Do not plant tall trees in the Reserves, near the boundary, that will in time overshadow the gardens.



#### Entrance to the reserve



*Adjoining development – photo taken from the Gardens* 

### 2. Turpentine Forest

#### Issues

The Turpentine forest appears to be 'unresolved' in its relationship with the ordered design of the rest of the Gardens. In response to this there have been various attempts to establish an understorey including the 'Rhododendron Walk' and the introduction of *Hymenosporum flavens* (temperate forest/rainforest species of NSW and QLD). Pittosporum have self-seeded and some have been removed, but many remain.

### Actions

- Plant additional Turpentines and several Angophoras.
- Where possible remove the small trees and understorey because they are a different scale to the Turpentines and will always appear inconsistent. Retain existing Rhododendrons as the Lion's club contribution. Retain Birds Nest ferns and Maidenhair ferns. Transplant Birds Nest ferns to the edge near the Old Tennis Court and plant in long sweeping curves. Plant Birds Nest ferns in clumps where required to make 'pictures' or divide spaces within the forest. Restrict the Cordylines to a small area next to the access road and keep clipped low.
- Aim to highlight the forest qualities of the Turpentines, by emphasising textures, light and shade, and the connection between the Gardens and surrounding natural areas. The Turpentine Forest is viewed from the access drive and particularly from the new entrance to the Gardens – create vistas into the forest from the drive.







Image 1 and 2 existing Turpentine forest.

Image 3 is the forest at Everglades demonstrating consistency in scale of tree trunks and simple mulched surface emphasising quality of light.

- Consider regrading the ground surface (where roots allow) to achieve smooth, even contours and remove unattractive bumps.
- Consider not having paths through the Turpentine Forest, mulch and allow access throughout. If paths are necessary here, create exaggerated, sweeping curves of crushed sandstone. The curves should lead the eye to distant elements, such as large trees or distant hills.

### 3. Terraced gardens

#### Issues

- The stone walls are in good condition; they are not leaning or extensively cracked. The few cracks are generally not noticeable.
- Concrete paths are cracked in places.
- Refer to 'Plant Material' at the end of this section for planting regime (page 74).

#### Conservation

- Maintain stonework in good condition and consult a qualified stone-mason with heritage expertise for advice on preservation and repairs.
- Retard deterioration of sandstone walls by removing plants with aerial roots or sucker-like discs that attach to the surface from stonewalls and replace with trailing plants where required. This can be done gradually to maintain visitor experience.
- Provide root barriers where tree roots are putting stress on walls.
- Do not fill cracks with mortar as this is cosmetic only and often draws attention.
- Cracks that are of concern can be monitored by gluing a glass strip over the top.
- Clean sandstone according to heritage stonemason's advice.

#### Sustainability

- Implement sustainable horticultural practices and continue mulching to reduce water use.
- Reduce water use by selecting plants with low water requirements.
- Communicate conservation issues to the wider community.
- Select non-indigenous and endemic plant species that will not spread into adjacent areas.
- Examine, minimise and monitor fertilizer use in the gardens to assess downstream impacts.

#### Usage

- Promote the use of the Wedding Lawn
- Promote the Gardens as a place of botanical displays
- Develop one of the smaller terraces along the eastern boundary as a grassed area to increase public use, for meeting, picnics, resting, reading, etcetera

### 4. Viewing Lawn and Garden Room

- Next to the Garden Room/Garage is a small lawn which was the transition point between the Swain family home and the Gardens.
- The viewing lawn has the potential of being combined with the Garden Room as additional space for functions..
- The old pool, which is now a garden area with pergola over has *Ficus sp.* growing over the sandstone pillars.
- The knarled old mulberry was a present from Mrs Swain's parents in the 1920s.
- The Garden Room/Garage is in excellent original condition, including flooring, fixtures and fittings and colours.

#### Conservation

Issues

- Preserve the area as a Viewing Lawn.
- Conserve the pergola remove *Ficus sp.* and Camphor Laurel.
- Transplant the Wisteria to the northern edge of the structure, prune to central stem and train leaders along wires. Monitor growth and vigour to ensure the vine does not put pressure on the structure.
- Remove the Magnolia tree (post-Swain) on the terrace below to regain views – plant *Camellia* to match existing plantings in this bed.
- Retain the original fixtures, fittings and colours of the Garden Room/Garage.

#### Usage

- The Garden Room is used by Council staff and Friends of The Swain Gardens.
- Encourage the use of the Garden Room as a meeting place for other small groups such as book clubs, study groups, knitting circle, garden clubs, etc.







Details - viewing lawn

- Draw visitors into the Viewing Lawn and give it a new purpose through interpretation.
- Remove the tree in front of the *Ginkgo biloba* if possible. This tree species is very slow growing and this is a mature specimen. It should be highlighted as a feature of the Garden. It is botanically unusual because it is a prehistoric coniferous tree with autumn foliage (from China and Japan).
- Remove the Magnolia that is blocking view over Gardens, if possible.
- Continue to maintain the Mulberry tree, fertilise and remove dead wood. Consider installing a root barrier to protect the retaining wall.
- Screen the adjoining property (originally the Swain family home)
- Plant the garden bed under the pergola
- Paint the garden seat around the pergola

## 5. North facing terraces

- Initiate planting design and review individual beds.
- Prune shrubs to reduce competition with the trees.
- Gradually remove Ficus from walls, and plant shrubs to the rear of the terraces such as espaliered Camellias.
- The terraces to the west of the central axis path require the shrubbery and mixed herbaceous planting to be kept to a more compact or characteristic individual form and to showcase the trees. Leave some areas overgrown to provide habitat for Bower Bird and other wildlife.
- Increase activities by introducing an additional lawn area on one of the smaller eastern terraces.







Opportunities for specialist planting to highlight details

## 6. Lower Gardens

#### Issues

- This area was once lawn and used for weddings, but the trees have grown and in response it is planted with shade-tolerant plants.
- The large round bed with the Deodar is planted on bedrock.
- The bridge over Shot Machine Creek has been obscured by tree ferns blocking vistas back to the Tank Stream stonework arch.
- Large trees are creating too much shade for the Camellias, which require morning sun.

#### Conservation

- Relocate bubbler and birdbath to a less obvious area.
- Relocate memorial plaque from the large bird bath to a less obtrusive position in paving either set flush or slightly raised and not visible from lawn.

- Clearly define each species of herbaceous planting (clump definition) and clean out straggly plantings to reduce visual confusion.
- Conserve the rings of bulbs around the trees. Remove/trim away competing plants.
- Continue to increase mulch depth.
- Investigate drainage to Deodar bed and monitor the tree for safety
- Initiate design to supplement width of long narrow east-west walk.



Bubbler and birdbath to be relocated



Clearly defined species without visual confusion

## Plant material

#### Issues

- Mr Swain chose specialist plant species and rare or unusual cultivars, particularly for trees.
- Mr Swain was a Camellia enthusiast
- The Gardens are at their best in spring (blossoms) and autumn (Camellia flowers and leaf colours).
- The Gardens are a valuable botanical asset.
- The gardens are valuable for their scientific effort to acclimatise non-indigenous cold-climate trees to Sydney's warm temperate climatic condition.
- The perennial planting of the lower garden area was created voluntarily by Mr J. Trezise. His dedication and horticultural contribution, particularly in managing changing site conditions due to tree growth, is an important contribution to the history of the Gardens.

#### Conservation

- Keep the Gardens 'fairly bald' in line with documentary evidence on the original planting regime (allowing for the needs of wildlife).
- Where Mr Swain's choice of plants is unknown, choose
  - 1. Specialist tree species or rare/unusual cultivars suitable for site conditions;
  - 2. plants that were commonly used during the 1940s to 1960s; and
  - 3. plants that require low water usage.
- Promote the Gardens as a botanical collection:
  - 1. Provide information on botanical seasonal highlights for spring and autumn
  - 2. Label trees, include place of origin and botanical information that is of interest.
  - 3. Label Camellias and promote the Gardens as a showcase for Camellia cultivars.
  - Plant more Camellias (they are moderately drought tolerant).
  - Restrict the use of fashion-dictated plant material, such as mondo-grass which works well in the lower garden area but was uncommon during the time the Gardens were created.
  - Maintain the lower garden as a perennial garden created by Mr J. Trezise.

#### **Sustainability**

 Design garden areas based on the irrigation drawing and select plants with very low water requirements in areas that the irrigation system does not cover. Elsewhere, chose plants with low water requirements, particularly small shrubs, groundcovers, and creepers.

#### Usage

 Promote the gardens as a walking experience, a place to come and admire the plant collections, particularly during Spring and Autumn. Mr Swain planted the best cultivars. Label the trees and include botanical information, produce a visitor brochure, or create an internet site for seasonal highlights – the flowering blossoms during spring and the tree's leaf colours and Camellia flowers during autumn.

- Arrange plants to highlight the soft curves of the garden beds, repeat plant species to create a rhythm between the terraces.
- Provide space around specimen trees by pruning tall shrubs that surround the trees.

- Maintain individual plant species in a compact and ordered form so that they make a clearly defined contribution to the overall composition. Where appropriate, ruthlessly maintain 'lines of' neatness.
- Prune shrubs where they conceal the form of trees.
- Replace trees as they deteriorate beyond reasonable condition and plant near to the original, retaining views and vistas.
- Develop a tree strategy that maintains a mixed age resource, replacing 1-2 trees a year.
- 'Directional' prune trees as required to maintain correct form.
- Select the best trees and highlight these to create focal points.
- Remove the Tree Ferns from the Gardens because they compete with the tree canopies and create a confused landscape character.
- Strengthen the unique characteristics of each garden area, rather than present a series of similarly planted spaces.



*Plant labels similar to this one from Everglades, but include botanical information for the trees such as country of origin and unusual characteristics* 



Prune shrubs so they do not compete with trees



*Remove tree ferns because they compete with tree canopies and Mr Swain planted specialist species that should be highlighted* 

## Suggested plantings including new improved cultivars

#### Trees

Lagerstroemia indica 'Natchez' (white), 'Sioux Pink' (other new cultivars and the standard form) Acer beugeranum Gordonia axillaris Magnolia soulangiana Magnolia stellata Magnolia 'Little Gemm' Magnolia grandiflora (dwarf cultivar) Pyrus ussuriensis 'Red Spire' (also 'Chanticleer' (narrow form) Prunus persica (flowering peach) Ulmus 'Louis Van Houtte' (Golden Elm-needs protection) Arbutus unedo *Fraxinus raywoodii Michelia* 'Bubbles' *(and other small varieties) Cupressus sempervirens* 'Glauca' (Italian cypress - improved cultivar) *Juniperus* Spartan'

#### Shrubs for sun

*Spiraea lanceolata Euonymous '*Albo-marginata' *Abelia grandiflora* 'Nana' *Raphiolepis indica* (sterile cultivars)

### Shrubs for sun or shade

Buxus microphylla Gardenia florida Brunfelsia eximia Viburnum 'Emerald Beauty' (mite-free form of *V. tinus* - great hedge) Nandina domestica (good for sun and an amazing amount of shade, don't use N. 'Nana')

### Ground cover light shade

*Gardenia radicans Ajuga reptans* 'Jungle Beauty' (also 'Caitlins Giant')

*Trachelospermum tricolour Helleborus hybrids* 

#### Strappy Plants light to heavy shade

*Liriope* 'Evergreen Giant' (also 'Joy Mist, 'Samantha') *Ophiopogon* 'Stripy White' (variegated) (also *jaburnum & jaburnum* 'Variegata') *Clivea* (new culitavars)

#### Bulbs

Jonquil, Bluebells, Snowflakes

#### Flowering perennials

For sun: *Salvia* 'Mystic Spires' - 25 cm flowers blue most of the year For hot, dry embankments*: Russelia equisetiformis* (red flowers) (also 'Lemon Falls')

#### **Reliable Camellias**

*C. sasanqua* 'Plantation Pink' (also 'The Creek'-(a white Plantation Pink and 'Jennifer Susan').

## Risk management

- Manage the Gardens in a way that minimises risks to public, staff and the environment
- Establish process to identify long term issues and hazards and minimise risk
- Establish procedures to deal with emergencies.

## MASTERPLAN

#### GENERALLY

#### SUSTAINABILITY/ECOLOGY

Incorporate water sensitive urban design principles to ensure the health of the catchment – such as riparian zone planting and a sedimentation pond where Wombin Creek exits the Gardens.

Implement the stormwater harvesting project.

Implement sustainable horticultural practices at the Gardens.

Select endemic plant species for the Reserves that will not overshadow the Gardens, and non-indigenous plant species for the Gardens that will not spread into the Reserves.

Recycle waste.

#### HERITAGE/CULTURE

Strengthen the contrasting landscapes of the Gardens and adjacent Reserves which is integral to the experience of the landscape setting.

Maintain the Gardens in a manner that retains and preserves the original character.

Maintain the fabric in good condition and consult a qualified stone-mason with heritage expertise for advice on preserving stonework and consult an arborist to report on the condition of significant trees. Update the 1992 species list.

Improve the sense of arrival – provide interpretative signage at Reserves and the Gardens with maps, walking tracks and its history.

Locate new developments at the old tennis court area in The Swain Reserve which is the place of least significance.

#### SOCIAL /ECONOMIC VALUES

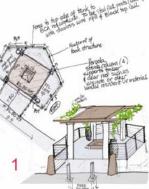
Accept that social opportunities are restricted by the topography of the site, particularly disabled access throughout the Gardens. Provide disabled parking in the Reserve at the entrance to the Gardens.

Restrict the use of the Gardens for recreational activities that are within the constraints the physical site and its cultural significance.

Promote the Gardens as a place of botanical displays, particularly in spring and autumn. Label Camellias and significant trees. Promote the Gardens for activities that are related to the arts, such as open-air theatre, poetry readings and music recitals, also filmmaking, photographing and formal functions such as weddings etcetera.

Provide the Garden Room/Viewing Lawn for hire by small groups such as gardening groups, book clubs, knitting/sewing circles, catered meals, etcetera.





This plan identifies the areas of concern where new works are required to revitalise the place and improve visitor experience, and lists actions required to improve access, facilities and interpretation without compromising heritage values.

Recommendations are conceptual and require detailed design work.

#### GARDEN PRECINCTS

#### 1. THE SWAIN RESERVE

Conserve 1920s sandstone elements and Giant Bamboo. Install water harvesting project with viewing platform and pergola. Provide disabled parking on site.

#### 2. OLD TENNIS COURT AREA

Establish identity as part of the Reserve. Restore remnant steps and reseal path. Grade to edges and plant with shade tolerant turf. Relocate existing pergola from the Gardens to this area.

#### 3. TURPENTINE FOREST

Regrade ground to smooth surface. Remove small trees if possible, plant Turpentines and several Angophoras Transplant Birds Nest ferns and arrange in groups at the western edge. Plant and encourage existing Maidenhair ferns to cover the ground.

#### 4. INTERFACE WOMBIN RESERVE AND THE GARDENS Develop boundary planting regime that will reinforce the contrasting aesthetics qualities of the Gardens and Reserves. Install sandstone entrance paving similar to The Swain Reserve.

5. VIEWING LAWN AND GARDEN ROOM

Develop the viewing lawn (adjacent to the garden room) for recreational use. Restore the garden bed/pergola. Conserve the garden room/garage including original colour scheme.

Screen adjacent residence

#### 6. NORTH FACING TERRACES

Promote the use of the wedding lawn.

Grass an additional terrace along the eastern boundary for recreational use. Remove bamboo to create 'windows' to frame the view, similar to Everglades Initiate planting design to highlight details such as small garden beds.

#### 7. LOWER GARDENS

Retain current planting regime. Relocate bubbler and birdbath to a less obvious area. Clearly define each plant species.



# APPENDICES

## Family history

### Appendix A Mr Henry Charles Maitland Swain and the bookshop

Mr Swain's father, Henry Charles Maitland Swain was born in 1873. In 1895 he established H.C. Swain & Company bookstore that was primarily a family business. Henry Swain's son, Arthur Newling (known as Michael or Mick, d. 1973) became a principal and managing director of the store. Initially located in Moore Street, the business moved to 121, 123, then expanded to 119-123 Pitt Street, Sydney, and incorporated an art gallery and rare books division. The name also changed to Swain & Company Pty. Limited. The Everglades in the Blue Mountains was purchased as a company acquisition of Swain's in the late 1950s. In July 1960 Swain's merged with Angus and Robertson.

Reference: Field Librarian's notes Sept. 2003 and internal evidence from papers.

# APPENDICES

## Family history

### Appendix A Mr Henry Charles Maitland Swain and the bookshop

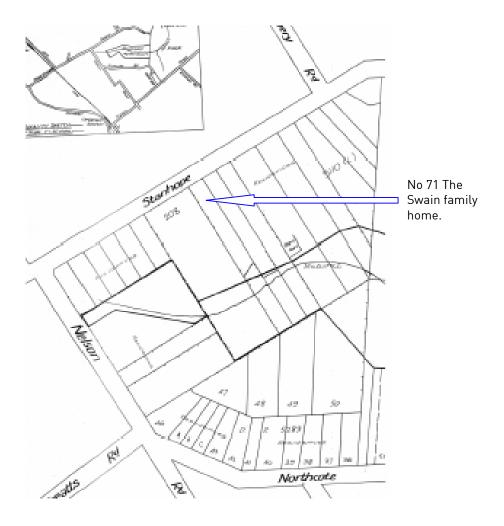
Mr Swain's father, Henry Charles Maitland Swain was born in 1873. In 1895 he established H.C. Swain & Company bookstore that was primarily a family business. Henry Swain's son, Arthur Newling (known as Michael or Mick, d. 1973) became a principal and managing director of the store. Initially located in Moore Street, the business moved to 121, 123, then expanded to 119-123 Pitt Street, Sydney, and incorporated an art gallery and rare books division. The name also changed to Swain & Company Pty. Limited. The Everglades in the Blue Mountains was purchased as a company acquisition of Swain's in the late 1950s. In July 1960 Swain's merged with Angus and Robertson.

Reference: Field Librarian's notes Sept. 2003 and internal evidence from papers.

## The Swain Gardens

### Appendix B Residential subdivision of Stanhope Road

This plan demonstrates the depth of the properties along Stanhope Road. Mr Swain lived at No 71 and purchased No. 75 and the the rear of No. 73 to create a large area that was amalgamated into Lot 12 and became The Swain Gardens.



### Appendix C The Swain Gardens Council description

07

08:21 #1		The Swain Gardens	AGRESS: Stanhope Road,
		& Wombin Nature Reserve	Killara
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		1.1.1	ADVISED: YES/XX
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Unundaries of	Proposed List	See attached plan	h.
for its exten- val arguired bushland and a terraced as shrubs it com	very well ke naive collect by the late won by him t Mr. Swain f rea and that ald form a c ost of the w	pt and delicately land tion of camellias and Antiany Scala in prev O the National Trust. elt that part of the 1 if it were planted wi ontrast with and vet c	then owner the late Hr. accept garden area noted magnoliss. The property and the development and The site was originally and could be developed as th suitable trees and orpliment the adjoining done in the late 1940's-

early issues. The Swain garden has been laid out with good taste, great core and expense and the work involved in developing the garden has included driveways, a number of small access paths and bridges, a large amount of stone valling to retain and terrace the hillsides and an extensive water service in addition to the planting. A carden room was incorporated into the formal design. Hr. Swair was, in particular, a camellis, atalea, rhodondendoor, crah apple, maple, sognotic and rose fancier and the yarden's contents and monitonance w...i. . if order at Nr. surgeons.

Adjoining the formal garden is 1.2 ha of bushland which was purchased by the National Trust in 1960 from funds made available by Mr. Swain. A Swain Natural Reserve Committee was formed and the Reserve opened for inspection on 17th September, 1961.

The property and the old residence had a somewhat interesting history itself:- The land was originally part of a Crown Grant made towards the end of the nineteenth century. Since that time there have been various owners, the owner prior to 1942 being Mr. M. Green - at that time Librarian to Sydney University.

When purchased by the National Trust the property was named the Swain Gardens and the Swain Nature Reserve (in memory of Mr. H.C. Swain, founder of Swain and Co. Pty. Ltd.).

The garden and reserve have been acquired from the Trust by Ku-ring-ga: Municipal Council and is currently under restoration. The Swain Nature Reserve was renamed the Mombin Nature Reserve by Council.

#### REASONS FOR LISTING:

The Svain Gardens make an important contribution to the heritage of the Ku-ring-gai Municipality and as such they should be considered significant to the environmental heritage of the State.

The Gården and Nature Raserve reflect the personal beliefs of the lat Mr. Anthony Swain, who had a special affinity for nature.

### Appendix D A broad outline of the History of the Swain Gardens 1990

A BROAD OUTLINE OF THE HISTORY OF THE SWAIN GARDENS

This land when under the care of its then owner the late Mr. Swain, was a very well kept and elaborately landscaped carden area noted for its extensive collection of camellias and magnolias. The property later to be known as The Swain Gardens was acquired by the late Mr. Anthony Swain to prevent its development and later given by him to The National Trust. given by him to The National Trust.

The site was originally natural bushland and part of an area which could almost be described as a rain forest and is well-known for could almost be described as a fair follow and the owner of the its birdlife including lyrebirds. Mr. Swain (the owner of the property) felt that part of the land could be developed as a terraced area and that if it were planted with suitable trees terraced area and that if it were planted with suitable trees and shrubs it could form a contrast with, and yet complement, the adjoining natural bushland. In developing the garden Mr. Swain set himself a goal which would have daunted most people and carried through the work he himself planned for it - the main work being done in the late 1940's - early 1950's.

The garden is of good soil in a sheltered spot with two slopes (one from Stanhope Road and one from Northcote Road) meeting in a gully which contains a small creek. The garden has been laid out with good taste and great care and expense. The work involved, in developing the garden, has included driveways, a number of small access paths and bridges, a large amount of stone walling to retair and terrace the hillsides and an extensive water service in ad-dition to the planting itself. A very pleasant garden room was also incorporated into the formal design.

Mr. Swain was in particular a camellia, azalea, rhododendron, crabapple, maple, magnolia and rose fancier and the garden's conte and maintenance were of a high order. Mr. Swain employed the best available gardeners, stone-masons and tree surgeons and the garden was widely known and visited.

Adjoining the formal garden is 1.2 ha. of bushland situated on the north-east of the property and entered from Stanhope Road approxi-mately opposite Kardella Avenue. This natural reserve was pur-chased by The National Trust in 1960 from funds made available by Mr. A.N. Swain. The Swain Natural Reserve Committee was formed and the Reserve was first open for inspection on 17th September, 1961. 1961.

The property and the old residence had a somewhat interesting history itself. The land was originally part of a Crown grant made towards the end of the nineteenth century. Since that time there have been various owners, the owner prior to 1942 being Mr. H. Green, at that time Librarian to the University of Sydney.

When purchased by The National Trust the property was named The Swain Gardens and The Swain Natural Reserve (in memory of Mr. H.C. Swain, founder of Swain & Co. Pty. Ltd.)

The garden and reserve have recently been acquired from the Trust by Ku-ring-gai Municipal Council and are currently being restored by Council to its former glory.

ENVIRONMENT DESIGN

13 JUL 1990 RECEIVED

### Appendix E Letter by Mr R. Burrows, Council Director of Parks, to the NSW Planning and Environment Commission, National Trust of Australia (NSW) 1977

NEW SOUTH WALES FLAMMING AND ENVIRONMENT COMMISSION

NATIONAL TRUST OF AUSTHALIA (N.S.W.) LAND IN

STAL HOPE ROAL, KILLARA

This land when under the care of its then owner, the late Mr. Swain, was a well kept and elaborately landscaped garden area noted for its collection of Camultian and Magnolias. It was well known to Camultia enthuciasts and 1 knew the garden well during that period.

The land at present, and as inspected on 5th April, 1977, is in a most neglected and overgrown state, but not beyond redemption. I have not as yet made a therough inspection of the former garden, but it is clear that much work will be required to bring the area to a standard approaching that of Council's more popular parks. However it has great potential and with <u>very careful restoration work</u> could once again be a show-place of the Municipality.

Reconnenaed

 That the Surveyor be asked to prepare a map of the area showing boundaries and ownershi; of adjacent land.

2. That a Works Inspection be carried out or that Ward Alberman assess the area.

SKUMMIN R. G. Burrows Director of Parks

5th April, 1977 RCB:AW

1. The Town Clerk

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### Appendix F Report on the condition of The Swain Gardens by Mr R. Burrows, Council Director of Parks , April 1977

#### SWAIN GARDENS

There is in our municipality of Ku-ring-gai, an exotic walled and terraced garden of magnolias, camellias, azaleas, rhododendrons and other treasures set in a valley surrounded by green bushland.

It is a garden that we in Ku-ring-gai should be very proud of and are very privileged to own.

As yet the general public know little about it because it was part of the private garden of the late Mr. Arthur Newling (Mick) Swain of Stanhope Road, Killara. Mr. Swain bequeathed the garden to the National Trust. Unfortunately after his death the Trust did nothing with it. Neglected for years, many of its plants lost, damaged by vandals and grossly overgrown with weeds, the ruined garden was given to Ku-ring-gai Council which last year formed a committee to direct its restoration and provided the finance to do it.

The committee is responsible for the garden of 3 to 4 acres and for the two Council reserves that border it - the Wombin Nature Reserve and the Swain Reserve.

Such a garden in such a setting is not likely to be built again. It is unique and it must never again be in danger of being destroyed by lack of care. Two gardeners work full time in the garden and in the reserves. Already much has been done but much more needs to be done.

The committee besides planning the restoration, does some work in the garden, mainly weeding. Members of the St. Ives Garden Club also spend some time once a month weeding 'their' particular garden beds. It is hoped that eventually the garden will be relatively weed free.

All garden clubs in Ku-ring-gai are being asked to participate in the restoration by helping with weeding (taking a garden bed under their care) or by helping to remove morning glory, etc, from the reserve or if they have a specialised knowledge of certain plants (e.g. camellias), give expert help in that direction.

An individual or a group from a club who could spend a pleasant couple of hours a month in the garden weeding, would be making a worthwhile contribution.

The Swain Gardens Committee invites your club to visit the gardens and inspect them. If you telephone Mrs. A. Bullen on 48 5286 and arrange a day, one of the committee members will be happy to show you around.

Then we hope some of your members will be as enthusiastic as we are and will want to be a friend to the garden and help it to grow to full beauty.

W. I. Tay Town Clerk

On behalf Swain Gardens Committee

### Appendix G Report by Council Director of Parks, Mr. R. Burrows, 19 May 1988 The Swain Gardens Killara. Page 1 of 2

#### REPORT BY THE DIRECTOR OF PAIRS OF 19TH MAY, 1971 THE STADE GARDELS FILLARA

#### Ares

This garage extended from and included by. Swaln's residence in Stanhope Rood to the rear of the properties factor Northcose hous Maintenance access to the garden was gained with a right-of-way from Berthcote Rood to a substantial inner driveway, copable of corrying trucks, which traverses the parden proper.

Land

The garden is of good soil in a sheltered spot with two sloper - one free Stanboys Nod and one from Northeets Road - meeting in a guily which contains a small creek. The garden is flamked on sloe bounderies by buchland.

The Garden

The area has been laid out with good tasts plus great care and superms. Gwaller access piths via bridges, lead off from the main drive. The hill aides have been painstakinly retained and terraced with good quality storm work.

#### Former nature of the garden

Mr. Swain was in particular a Camellia, Azalea, Noododentron, Crah.Apple, Haple, Hagnolia and Rose funcier and I know the garden well before its designer passed way. Brieldy pasking the Garden's contents and maintanance were of a high order. Mr. Swain exployed the best wallable gardeners, stone macont and tree surgeons and the garden was widely known and visited.

Present state

The garden is in an extremely over grown and run down condition and one can bet fore the impression that little if anything has been dome for the garden birds the doprium of fr. Swain. Surprisingly little vanialize or here has occurred to date.

#### Possibilities

The garden could be won back. Such a task would be long and alow and should only be carried out under expert and sympathetic super-vision. Buguided persons, however high their motives, would reduce the garden to a more curiosity.

#### Practical Aspects

(1) Standard. Should Council decide to maintain the area than I feal it should be with the view in mind of restering the Garden's former superstance and character. It would thus call for a more intensive cast than that given to any of Council's existing gardens.

(2) Access. Good access either from Northcole Road or via Council's bushland reserve in Melson Road would be essential.

ENDINATED OF A DIST OF A

(3) Printenance. The profess would be gradually won back by the permanent employed there in of a leaster Hand Garcener and essistant. A traver of the second barrer to reverse used and dorbs would be treas and smuth should receive early attention, followed later b careful tree, should not reserve interime. Tolowed later b careful tree, should not reserve interime. This parties not had an excellent vater service, now "tead". This reserve had an excellent vater service, smoole still be in post condition.

(b) Public arrectation. Such should be high, once the existence of the parties with the peneral public. It did present a year-room colorful and beaulful a spearance. It is of course by its nature a specializing garder, man-made and has little for the "malives only" enthusiast.

(5) Security. It is not the type of carden to be left open at all herrs, nor to or left unstaffed. The area should be staffed whilst open to the public and should be closed at might. Any degree which would discourse the beft, wenduins and athereas which would discourse any maintaining group, be it found1. Seciety or individual.

(6) Adjacent Areas. Should Council adopt the garden it would be expected by the public that Council spend much more time on adjoining bushland which is infested with Privat and other words.

(7) Pinancing of the Garden. Should Council take over the area I can see Council as the only source for finance and maintenance. Certain Socialies and Guiss Would's of the apiland Council's taining over the garden and vouls extend their noral support and give faving on hoc Council should main the garden. The Gamelia Society may be able and willing to help financially. Nowewer it is new deeply involved in the L. G. Waterhouse Camelia Garden within Sutherland Shire.

Recommended

(a) That Council whole heartafly take over the gras being fully aware of what would be expected of Council, and with full consideration of maintenance, access, finance and security.

(b) Decline all requests to maintain the garden.

N. G. Burrows Farks Department 19th Hey, 1977 RCE: AM

1. The Town Clerk

NOTE BT TOWN CLERK:

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The area to be taken over in its oriinal state could best be described as a prince park or raid botanical gerden. The landscoped meaning walls and wills have to be seen to be the state of the area, and it is surgested that before any consideration is given, the area be the subject of a Works Committee inspection.

Ku-ring-gai Council – Draft Landscape Master Plan for The Swain Gardens

#### Appendix G

## Report by Council Director of Parks, Mr. R. Burrows, 19 May 1988 The Swain Gardens Killara. Page 2 of 2

(File: Jark: Stanhope)

#### THE SALL GARDE

- 1. Maintenance of the Garden
- ?. It is asked that Gourcil, in considering the maintenance costs of the garder, note roints raised in sy report of 19th May, 1977, a cory of which is attached.
- 1. J. Staffing It is estimated that at current rates of pay, staffing of the parcen for ordinary working days would cost Council ......

\$16,705.00 per annua These figures are based on the salaries of (1) Leading Hand Gardener and (1) Gardener.

Prosunding that Council would wish the garden to open to the Public and be staffed by (1) man on Saturdays, Sundays and Public Helidays for the protection of Council's assats, this would cost Council

\$7,197.00 per annum at the current rates of pay

- 2. Haterials
- 2. 2. Buijment, manures, fertiliser, insecticides, fungicides and weedicides for the first year of maintenance are estimated to cost \$1,625.00
  - and \$700.00 per year there-after.
- Summary on yearly maintenance costs 3.
- Plasse note. The shore figures do not include costs for trucks and drivers involved in the recent of unsented material or the merrices of three gamy beam required as it is presented that such merrices would be emiltible to this garden with other Council-maintained parks and gardem... <u>Builteings</u> 4.
- It is presented that the buildings within the garden (tollets and gardener's store ares) are sequate and in mailsfactory condition as both will be required.
- 5. Water Service
- It is presumed that the existing water service is in working order. 6. Security
- Council will wish to consider security of its assets. I suggest to Council that this is not the type of garden to be left to the

- CARA COMMITTEE CIRCULATED / / / / - 4

mercy of thieves and other undesirables outside vorking hours. Thurefore, fencing will no doubt be found to be essential. As 1 as still not clear at this store as to which areas the garden it to include I cannot give an estimate on fencing.

- 2 -

- 7. Access to the Garmen
- 7. 1. Access for the Public

It is not clear at this stage from which point, or points, access for pedestrian public should or could be provided is. Starbope Road, Nelson Road, Northcote Road.

7. 2. Maintenance Access

As attack in my report of 19th May, 1977, such access is essential and was provided via a driveway which now leads to the resistence at No. THE morthwork Book. If a transponds are be made with the Markowski and the strange of the state of the state of the it leads to a heavy-duty encrete driveway within the gavies. Failing this maintenance access could probably only be provided via Gouncil's reserve in Boleon Road and in such case the provision of a driveway which a required.

R. G. Durrows Director of Parks 12th October, 1977 NGB:4W

1. Town Clerk

### Appendix H Transfer from the National Trust of Australia (NSW) to the Council of the Municipality of Ku-ring-gai. Page 1 of 2

(b)

(c)

(4)

2.

One

foreD is made the nd nine hundred and seventy-nine BETWEEN THE NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES) a body corporate constituted by The National Trust of Australia (New South Wales) Act being Act No. 10 of 1960 of Observatory Hill, Sydney in the State of New South Wales (bereinafter called "The National Trust") of the One Part AND THE COUNCIL OF THE MUNICIPALITY OF KU-RING-GAI, Council Chambers, Gordon in the said State (hereinafter called "The Kuring-gai Council") of the Other Part WHEREAS :

day of

The National Trust is the owner of

٨.

- (i) Swain Reserve in Stanhope Road, Killara being the lands described in the First Schedule hereto;
  - (ii) The land described in the Second Schedule hereto which hads substantially consist of lands devised to The National Trust as a reserve by the late Mr. A.N. Swain.
- The National Trust proposes to dedicate to The Kuring-gai Council the lands described in the First and Second Schedules hereto and The Ku-ring-gai Council has agreed to accept the dedication on the terms and conditions hereinafter montioned.

NOW THIS DEED WITNESSETH as follows:-The Ku-ring-gai Council, for itself, its successors 1.

and assigns hereby covenants with The National Trust: The area to be dedicated to The Ku-ring-gai Council (a) other than Lot 11, Deposited Plan 601545 shall be named by The Ku-ring-gai Council as "The Swain Gardens" and are hereinafter so named.

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The Eu-rime-gai Council shall not alienate charge or in any way dispose of The Swain Gardens or any part thereof and The Ru-ring-gai Council shall Maintain The Swain Gardens in perpetuity for the benefit of the public as a park or reserve. The Ku-ring-gai Council shall cause the name of the late A.K. Swain to be permanently and prominently recorded with The National Trust as the public benefactor of The Swain Gardens in a position in The Swain Gardens open to easy view by the public. The Ku-ring-gai Council shall reasonably maintain The Swain Gardens in order and condition suitable

-7-

for a reserve or park to which the public has access. \_The Ku-ring-wal Council shall transfer to Dr.

and Bryan Lot 11 in Deposited Plan 601545 free of cost to the Transferees except for reasonable legal and survey expenses the said Lot shall be consolidated with No. 18A Northcote Road, Lindfield, the present zoning of the said Lot shall not be altered.

The Ku-ring-gal Council agrees with The National 3. Trust to pay all legal costs, disbursements in relation to this Deed, the subdivision and the dedication.

The Ku-ring-gal Council agrees with The National Trus 4. that The National Trust may maintain a Caveat against the title of The Swain Gardens in respect of its interest in The Swain Gardens as set forth in this Deed.

IN WITNESS WHEREOF the parties hereto have executed this Deed on the day and year first hereinbefore mentioned.

### Appendix H Transfer from the National Trust of Australia (NSW) to the Council of the Municipality of Ku-ring-gai. Page 2 of 2.



### Appendix I The task of The Swain Gardens 530A Committee

TASK OF THE SWAIN GARDENS 530A COMMITTEE

In creating the Swain Gardens 530A Committee, Council accepted the advice of the Director of Parks, who said (15th October, 1961):

- The Committee should be composed of people who have a deep interest and knowledge of ornamental horticulture. For this reason, the members of local horticultural and garden clubs would appear to be ideal.
- 11) The Committee members must be prepared to undertake the physical work required to restore the Gariens. A Committee which merely produces recommendations and leaves the problems of funding, organising and supervising to Council would be futile.
- iii) Any Committee must work within the broad objectives of restoring and maintaining the Gardens according to their original character, that is, a spring garden in the English style. Council should be careful to ensure that the character of the Gardens is not altered by the introduction of plants such as natives.

On 19th October, 1981 Council resolved (amongst other things), as follows:

"That a Section 530A Committee be established to care for the Swain Gardens."

The phrase "...to care for..." is the only statement, embodied in a resolution, which refers to the task of the Committee.

On 16th October, 1981, the Director of Parks prepared a budget report for Council (dealing with the Swain Gardens) in which he said:

- "... the basic objectives should be threefold, as follows:
- a. To restore the garden as near as is reasonably possible to the style and character envisaged by its original developer.
- To maintain the garden in that style and character.
- c. To ensure that public access to, and appreciation of, the garden is maximised, provided that attainment and maintenance of the two previous objectives is not jeopardised in so doing."

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In the debate that followed, no disagreement with those objectives was voiced, and they can therefore be regarded as having Council's tacit approval.

It is essential that the task of the Committee be identified, stated explicitly, and confirmed by resolution (of the committee and of Council). Experience indicates that if this is not done, committees have difficulty in functioning (due to the inevitable differences of opinion that later arise).

### Appendix J Restoration of The Swain Gardens letter to residents

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Park Stanhope Swain TBR.EB 30th August 1982

DEAR RESIDENT,

#### RESTORATION OF THE SWAIN GARDENS

On 19th October 1981, Council formed a Committee comprising three Aldermen and nine residents of the Municipality who have the necessary expertise to restore the Swain Gardens.

The Committee's objectives are :

- TO restore the Swain Gardens as near as is reasonably possible to the style and character envisaged by its original developer.
- $\frac{2}{2}$  . TO maintain the Swain Gardens in that style and character.
- 3. TO ensure that public access to and appreciation of the Gardens is maximised, provided that attainment and maintenance of the two previous objectives is not jeopardised in so doing.
- TO incorporate the restoration and maintenance of the adjoining areas of publicly owned reserves with the Swain Gardens.

The Committee seeks your support and co-operation in fulfilling its objectives by ensuring that exotic plants or garden clippings are not introduced to the Swain Gardens and surrounding reserves. and surrounding reserves.

Yours faithfully,

N'I Taylor W. I. Taylor Town Clerk

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### Appendix K Initial Site Analysis by the Garden Advisory Service July 1983. Page 1 of 3



### THE GARDEN ADVISORY SERVICE

INITIAL SITE ANALISIS

(02) 449.5767 The subles arrests is a cloughtful hideoway, illurately suble for responden to be former glory for a number of they you're to an indenie lockerape, gifted to he public by a generous benefictor whom I an eve would placed be even I being utilized as a public amonity to be futed extent.

Remedial work required to bring it back to to former boundy charable phased according to generated fironese.

She MUNLYELE.

Hord SURFACES.

Excellent eights of wolking through gordone allows the wide beepene in anRed. Haven, arriber of these walkage one in the pacese of chelenionshop of edges broking loge creaks checkping. The loge represe of anometic word for which are so needs coffiring this could be achieved with loge sondetne platen tube, accound exciting. I keel it to not financeally wrake to remase these constructions are so the other materials. Small growthinging plats such as Thyme could be allowed by spread aboy creaked sectors of anometic be allowed of releasing plates sort into the ain when welked upon. The bad are when the course plates that providence with adops bracking and possibly these straight paths laded right orgits lo are and of the clangest paths and a plate of a more wording system of welkerings creaked as elepting strake using radom sockable flying affect claude bord for more wording system of welkerings



## THE GARDEN ADVISORY SERVIC,

(02) 44.

#### Shooding while.

Mony beautifully constructed by qualified tradeomes when godan was arguedly built. Impression its that some of the walks have be reconstructed in the at a later date by workman not versed in the art of the store mason.

Perhaps, workeds had danaged the existing store walls, requiring restration work on them.

with so more the costs of another and stone throughout the gater its unsual effect is inclined to be hard. I incline in farmer years more delightful plants accorded down over these walls and I was pleased to see plantage of Consolution maunitarieus solkning the soddore in a number of acco.

hav coocading shrule and peronicals acutable planted to contrive this effect especially where the walk denot particularly attractive in their anstruction reg lage martan joins

#### FACILITIES FOR LICHORS

Talets - are any not maintained at a satisfactory level. 1. Litter Bris- Nil.

Obviously new takks will be required to be built and the inclusion of littler bins throughout.

s. Sumnug.

Few. Needs to be upgraded, hielen Track Benchs and one existing are on excellent investment being durable Confortable and windwally maintenance fee. They have the added benefit of blocking boulifully with the add climate shyle godon.

MARGARET DUNSTAN . SUE MONTGOMERY, MAIN. . ANNE THOMSON, MAIN

U N

### Appendix K Initial Site Analysis by the Garden Advisory Service July 1983. Page 2 of 3



THE GARDEN ADVISORY SERVICE

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#### THE GARDEN ADVISORY SERVICE

(02) 449-5767 + Liama. Hone . highing call increase the usefulness of the goden eg musical functions army summer months. Investigate highling shuctures compatible acin keeping with shift of gorden. og Close English lordrenn Elyle even Lipur - se nakway lonterna.

Well supplied with top filling throughout goden. Problem would be the tobar intersubjected of hod watering. - highing tobar etc. are even a long and. WATER Inschight an integrition system especially are on an automotic timer.

#### Vegetation .

Style of the goodonie typical of mony add almost goodone. reministrat of the English Goden. Portrage of those European treas and charles deads three in the proglected micro climate . Below list mony of post species. Hagnolia Illifora Hagnaha soulangiana Hagnolla grandifora Gordonia axillaris palmakin r acor Comethia Japonica Comellia saconqua

VEG MITTICES Jacararda mimoraifolia Cedrus species Prove blierana Anne persion Iniperus apocies Holus epucies Nysea syluchica Netosideros eccelso Coorus allantea 'Goura Rendute' Hibiacura ' apple Blokeom' Ficus elostica Cectrus liboni Saplum sebilerum Coloneaster species Taxodium dissecture Acer regundo 'Queo Voriegata' Eucolyphia scoporta Oter negado Chamecyports species anythina crista-galli

SHOURS Hyprongen species Ozalens Weigena space Chaenomeles opecits Euonymus japonieus Oheula joponica Humaya ponteulate Viburnem apocles Dalura apecies. Roame Folisia japonica Condyline stricter Nordina domadica Gordonia Florida

(02) 449 576

TP

Programments Burn Blue Bella Scilling Enginon anis whether

FERNS Cyclica austolie Adianum aethiopicum CUMBERS 4 Wietera Ginnela

Li)

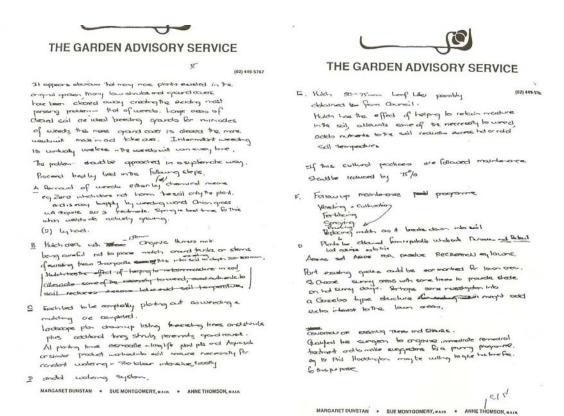
MARGARET DUNSTAN . SUE MONTGOMERY, MAIN . ANNE THOMSON, MAIN

MARGARET DUNSTAN . SUE MONTGOMERY, MAIN. . ANNE THOMSON, MAIN

Rhadoderdron epecies

Ku-ring-gai Council – Draft Landscape Master Plan for The Swain Gardens

### Appendix K Initial Site Analysis by the Garden Advisory Service July 1983. Page 3 of 3



## Swain Reserve

Appendix L Title Deed – transfer of Lot A Stanhope Road from St Ives Development Pty. Ltd. to the National Trust 1960. Page 1 of 2.



Appendix L Title Deed – transfer of Lot A Stanhope Road from St Ives Development Pty. Ltd. to the National Trust 1960. Page 2 of 2.

Sr. . were De ine l mite of the Pac Qual Trust of Mustalia (New. outh water 115 nove the registered propriets. of the and within gaterioed, aled 2nd august 1060 TRANSFER No. 1569378 See Novauber Entered 25h 060 REGISTRAR GENERAL The Council of the Municipal GISTERED PROPR Rí R 200 DECISTRAR GENERAL

### Appendix M National Trust Reserve Killara proposed use of Native Plants May 1961 Page 1 of 4.

6 Boypert WINUTES OF WEETING OF THE STAIN NATURAL RESERVE COMMITTEE HELD AT 9.30 A.M. ON 7TH MAY 1961 AT THE RESERVE.

-

#### PRESENT M/s Scamerlad, Swain, Beigent & Tyatt. APOLOGIES M/3 Wyndham and Mowhray.

<u>BUSINESS</u> (1) Mr. Wystt advised Mr. Mowbray was preparing a colour scheme for the atternal part of the octage and would also list essential minor repairs.

It was agreed this work should commence about late June or early July.

- (2) It was decided to sock scales gifts for the aloping bank mear the entrance.
- (3) Ur. Beigent was congratulated on the work to date and it was agreed no further private would be taken out at present accept in polymaym etc. The isportance of it being a natural bunhland area was streesed.
- (ii) Decided to reconcend to Trust Executive that the Official Opening be short and Beptamber 1961, with a factores too by Wenen's Committee and possible increations of cortain nearby gordens as well as Mr. Swain's.
- (5) Cleaning of paths to be done during August.
- (6) Installation of gordsm-seats and notice-woord to be considered later. The Secretary reported the "interne was connected (JM5692) and a Vists mover had been purchased.
- (7) Mr. Sommerlad to limiton with Mr. M. Roberts re planting of nativo shrubs etc.

NOTE Attached herewith plause find copy of report from Mr. Roberts. In selecting shrubs thought mus be given to types providing food for birds.

I. F. LTATT. Hon. Secrotery. 22.5.61.

#### HATIONAL TRUST RESERVE - KILLARA UDE OF MATIVE PLANTS.

1. OENERALI (a) There are amough trees - only alrube and scaller plants are required to provide the display sought.

(b) Nost of the more level area is subject to excessive moisture, and drying out would be alow in winter months because of continuing scopage and lack of direct sunlight,

This is an all-important factor taken into consideration in the sugrested list of plants that follows. The area is shown as  $\frac{1}{2}$ ,  $\frac{1}{2}$ .

(c) The natural bushland on the eastern boundary which alops to the drainage encount provides a high degree of shade, but on the other hand offere guite good deminage (swom scenges would be constantly moving) and excellent protection from front and wind.

It is suggested that initially plantings should be confined to within a few feet of the lower fringe of the timber. Access paths may be constructed later and shittional plantings music them, Incidentally, these paths should be made soress and not down the contour to prevent soil screator.

This cros is marked "B".

(d) There is a more open space to the sout of the easement which finishes in an outcrop of rook a short distance from the tonnis court.

Its two main features are reasonable drainage and da led sumlight. It is shown as area "C".

Immediately in front of the termis court is a high level platform which is the rusting area for pakyors using the court. This area is well drained and sunny and is marked "D".

(f) In Front of (e) is a sloping bank measure the house and on the loft welking towards the court. This skx is widged to sum and shade at different times of the day and contains a number of rock pockets no doubt of varying depth (no tests made). It is shown as area "S".

The area between the outerop of rock mentioned in (d) and (f) is low-lying and at the meant is used for burning off. As yet it is not ready for cultivation and is therefore not considered in this plan.

#### 2. PLANTING:

(s) In view of the general dampness and abade throughout the area if is sug-seted planting be deforred until September or Ostober. No growth would be made and the small plant sould be set back by being perpetually "cold"durin; the winter southe.

### Appendix M National Trust Reserve Killara proposed use of Native Plants May 1961 Page 2 of 4.

(b) It is recommended that only small plants be purchased. Advanced plants generally prove unsatisfactory. Any in apposed positions can be protected in the spamer by a crude improvised abaltor.

-2-

(c) Hand-wood-don't cultivate with a fork.

(d) Keep young plants domp - NOT wet. As they grow stronger lot them fend for themselves but no not allow to "dry-out".

(e) As a general rule trim efter flowering as necessary.

(f) Plents are seentimes subject to normal insect infostction. I use "Bug-Ostim" for normal leaf-sating and mukting insusta and a miture of "Cioncel" and white oil to provot scale and mita. However, other agricultural eprays can be used seconding to directions.

(g) The whole principle of planting in this type of gordan is to plant haphosardly and not in any scablance of ordered formality. COSTI

3

The average shall plant will cost between 2/6 and 4/6.

kecommanded nurseries are:

Hazelwood Bros. of Epping (limited native supply).

Mindethans Nursery Dripstons, N.S.S. (the largest range in Australia). Floralanda Hursory, Karlong, vis Gosford,

4. PLANT GELECTION:

AREA A.

Bottlebrushes -

to be planted adjacent to the sameant Callistance salignum (1 only, to be planted on the lower ground between the house and sameant). Callistance itrinum (ayn. C. ismovolatus). Callistance linearies.

Malalauosa -

This genus generally is ideal for the deep conditions but not all Melaleucas are suitable, notably score from '.A. Melaleuca thymifolis - (cals 2-3 fishigh -plant in clusters of 6 plants in alude). (Melaleuca nodess (Melaleuca decuments (same area se Callist. Melaleuca Wilson) Melaleuca Wilsoni Melaleuca hypericifolia Melaleuca istoritia.

-3-. 1 . Lept, squarrosum (ayn. L. scoparium var. peraiciflorum) Lept, rotundifelium. (Tea trea) MOTS: The hybrid tes trees company, grown are NCT recommended. Boronia magantigma - Brown Boronia. Anigomanthos Manglesil - Compan Red and Drean Mangaroo Paw, Influ: - Reddish " flavida var. - Yellowish. Blandfordis flammen - large Gosford Christmas Sell - plant in groups of a down or noive. AREA D. Sriactanan myoporoides - white "crowei (ayn. Crowes saligam) - pimk. Prostanthera inclas -"rotundifalia -"denticulata -"incona -"sloberi -Dwarf Mint Buches - mostly purple Boronia hetarophylls - Red ) " danticulatu - Fink ) " ledifolia - Fink (right en edge of tree cover) " ledifolia - Fink (right en eis highly recommended because " mollis - Fink (this ene is highly recommended because conditions same as local habitat. Hard to get). Disnella coorules - purple Dilleynia ericifolia) floribunda, - c.28 and bacon Gompholobium latifolium - Goldan pea flower grandiflorum. Charizens cordatum - heine flome pess AREA CA. Drowilles dallachiana Growilles dallachiana Growilles dalpino Corres rubra Corres rubra Corres documbans Olacvie dunnians Twaplatonia retuns Habalius squamuloaum Telopen speciesissian Vertiorella plumesa Acaeia Drummondi pink and white
 orange and red
 red
 red, seal prostrato.
 naure or pink.
 red - 7.A.
 yellow
 spatch
 mentch

- purplish roro, from ..... plan.

### Appendix M National Trust Reserve Killara proposed use of Native Plants May 1961 Page 3 of 4.

. 1 .

(b) It is recommended that only small plants be purchased. Advanced plants generally prove unsatisfactory. Any in exposed positions can be protected in the summer by a crude improvised shalter.

-2-

(c) Hand-weed-don't cultivate with a fork.

(d) Keep young plants damp - <u>HOT</u> wet. As they grow stronger let them fend for themselves but do not allow to "dry-out".

(e) As a general rule trim after flowering as necessary.

(f) Plants are sometimes subject to normal insect infestation. I use "Bug-Ostka" for normal leaf-esting and wucking insects and a mixture of "Clancel" and white oil to prevent scale and mite. However, other agricultural sprays can be used seconding to directions.

(g) The whole principle of planting in this type of gardan is to plant haphasardly and not in any semblance of ordered formality.

COSTI 3.

The average anall plant will cost between 2/6 and 4/6.

kenommended nurseries are:

Magelwood Bros. of Epping (limited native supply).

Mindethans Nursery Dripstone, N.3.7. (the largest range in Australia). Florslands Nursery, Karlong, vis Gosford.

4. PLANT BELECTION:

ARBA A. Bottlahrushes -

to be planted adjacent to the second Callistemon salignum (1 only, to be planted an the lower pround between the house and encount). Callistemon pheenicioum (rom Washe). Callistemon pheenicioum (from Washe).

This genus generally is ideal for the damp conditions but not all Meleleuses are suitable, notably some frum ".A. Melaleuse thymifolis - (only 2-3 ft.high -plant in clusters of 6 plants in shade). (Melaleuse nodesa (Melaleuse tocsata (same area as Callist. Melaleuse filecni Melaleuse filecni Melalencas -

Melaleuca Wilsoni Melaleuca hypericifolia Melaleuca lateritia.

(Ten tree)	Lept. squarrosum (ayn. L. scoparium war. persiciflorum) Lept. rotundifolium.
	<u>NOTS:</u> The hybrid tea trees commonly grown are NCT recommended.
Boronin megastign	a - Brown Boronia.
Animoganthos Vene	lesii - Compon Red and Leson Kangeroo Paw

-3-

Anigos croo Paw. Rufus - Reddish flavida var. - Yellowish.

Blandfordis flammen - large Cosford Christmas Boll - plant in groups of a dozen or more.

#### AREA D.

Sriontanon myoporoides - white " crowei (ayn. Crowes saligns) - pink.

- Prostanthera inclas -"rotundifolia -"dentioulata -"inconsa -"aleberi -Dwarf Mint Buches - mostly purple
- Boronia heterophylls Red " denticulate Fink from W.A. " ledifolia Fink (right en edge of tree cover) " mollis Pink (right en edge of tree cover) " mollis Pink (this one is highly recommended because conditions some as local hubitst. Hard to get).

Dianella coerules - purple

Dilleynia ericifolia) "floribunda, - c.gs and bacon

Gompholobium latifolium - Goldon pea flower grandiflorum.

Charisens cordatum - i.e.i. flame pes.

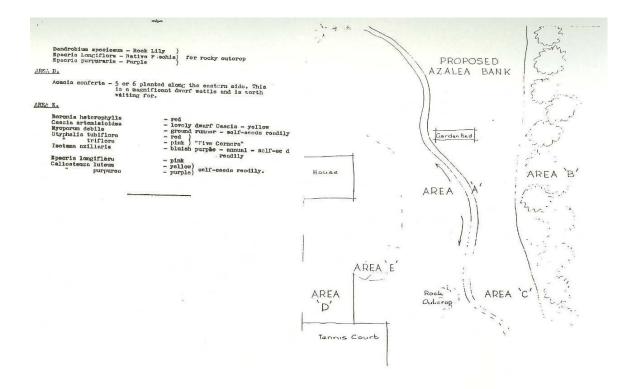
AREA CA.

Corvilies dailechiane Grevilies daine Grevilies doumies Correa documiens Olecris doumiens Diesris dumniens Phobelius squamulesum Telopen specieslistim Verticordia plumese Acesia Drummondi

- pink and white - orange and red - reddish brown - rare

- red: red, semi prostroto. neure or pink. red T.A. red T.A. yellow Garatch Garatch purplish raro, from tak. lowely dwarf Gattle From tak. -g iden.

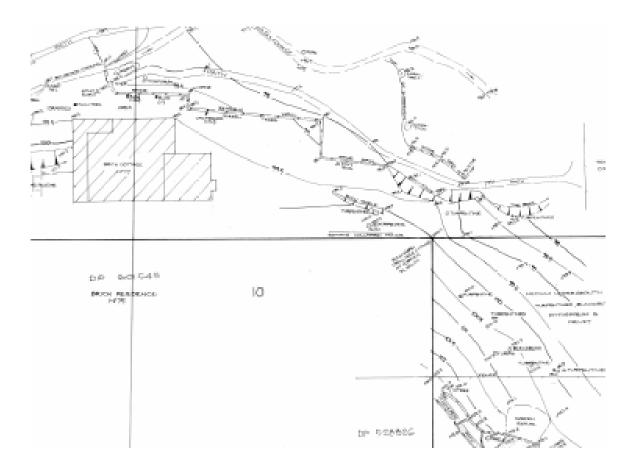
### Appendix M National Trust Reserve Killara proposed use of Native Plants May 1961 Page 4 of 4.



### Appendix N

### The Swain Reserve, Council survey for proposed vehicular access from Stanhope road dated 28 October 1982

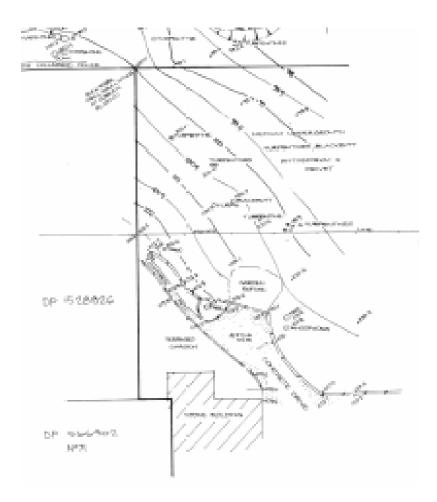
Showing the location of the original stone paths and retaining walls



### Appendix O

### The Swain Reserve, Council survey for proposed vehicular access from Stanhope road dated 28 October 1982

Showing the original concrete drive and turning area to the garage and, the turpentine forest planting.



## Wombin Reserve

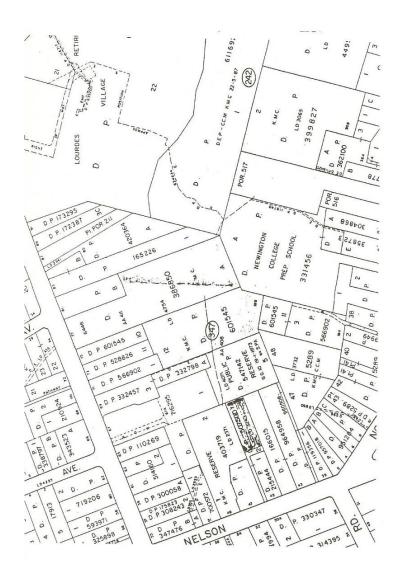
Appendix P Deed between E J Bryce and The Council of the Municipality of Ku-ring-gai. Page 1 of 3.

F. G 6575 Registration :-:10 1:11 3: ...... CAVEAT BY THE REGISTRAR GENERAL FORBIDDING REGISTRATION OF 100 DEALING WITH ESTATE OR INTERE ... .7 (REAL P Acr. 1900.) 21 ... . 11 La po 10 •.... DATED in .1 de la lassa -1

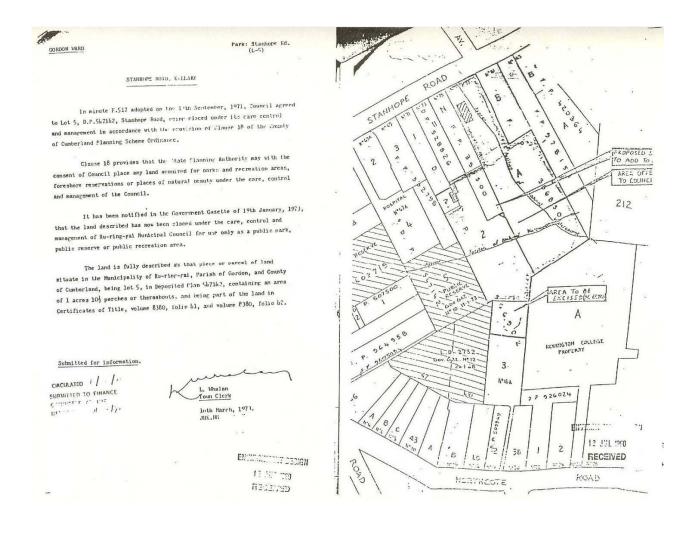
Appendix P Deed between E J Bryce and The Council of the Municipality of Ku-ring-gai. Page 2 of 3.

cate from the same trees or shrubs of Privet, Camphorlaurel, Da Hultiflors and other non-native trees and shrubs which shall be or may become pests or may detrimentally affect the growth and development of Australian native flors growing on the said land and to keep in check the growth of Pittosporum trees thereon. While not restricting access to the said land by members of the 4. public the Council shall take all reasonable steps and measures to insure that the said land shall not be used for a playground or picnic ground or for other purposes or in a manner which might result in or cause the destruction of or damage to the Australian native plants and bird life within the same. IN WITNESS whereof the said Ernest John Bryce hath hereunto subscribed his name and affixed his seal and the Common Seal of the Council of the Municipality of Ku-ring-gai hath hereunto been affixed the day and year first hereinbefore written. SCHEDULE REFERRED TO. ALL THAT piece of land containing an area of about 1 acre 372 perches situated at Killars in the Municipality of Kuring-gai Parish of Gordon and County of Cumberland being the land shown in the plan annexed to Memorandum of Transfer bearing date the twentysecond \_\_\_\_\_day of January\_\_\_\_1957 from the Settlor to The Council Dealing No. C 656660 and being part of the land comprised in Certificate of Title Registered volume 6750 folio 3. SIGNED SEALED and DELIVERED Ernest John Bryce by the said ERNEST JOHN BRYCE in the presence of ; John O. Maddox Solicitor Sydney THE COMMON SEAL of THE COUNCIL OF THE MUNICIPALITY OF KU-RING-GAI was hereto affixed by resolution of the Council on the Thirty-first day of January L.S. MAYOR i 1957. A. N. Campbell N. L. Griffithe TOWN CLERK. We, the undersigned Clerks to Messieurs Dowling Tayler Pratt & Nicol of Wingello House, Angel Place, Sychey, Solicitors, hereby cartify that the writing contained above and on the one preceding page is a true copy of the original Declaration of Trust the same having been examined therewith by us this fifth day of February in the year One thousand nine hundred and fifty seven. Film u. Henne m. Scandrett.

Appendix P Deed between E J Bryce and The Council of the Municipality of Ku-ring-gai. Page 3 of 3.



### Appendix Q Transfer of Lot 5 from the State Planning Authority to Council



## Garden descriptions from newspapers and magazines

Appendix R Trezize, J. L., *Swain's Garden, Killara*, Garden Journal, Dec 1985



### Swain's Garden, Killara

by J.L. Trezise

Walking along the carefully tended front gardens of Sydney's North Shore suburb, Killara, you may almost bypass the signs inviting you to enter an area of parkland and flowering reserve, introducing itself as Swain's Garden.

You would not expect that, right amidst that wealthy residential area, such an extensive piece of land — about three-and-a-half acres — could have remained set aside for the public's recreation, a charming oasis set in the middle of a luscious green environment.

The community is the beneficiary from the garden's founder, Arthur Newling (Mick) Swain, well-known in Sydney as the owner of one of the city's leading bookshops (now incorporated under the flag of Angus and Robertson). He and his charming wife, Alma, bought their Stanhope Street residence in 1928, greatly attracted by the wide sweep of natural bushland at the rear. Mick Swain was an ardent amateur photographer and was keenly interested in bird life, so he decided that this was the right place for the family settlement. He himself had not yet realised how his new possession would also bring out his talents as horticulturist and landscape gardener.

In years to come, he bought up more and more of the adjoining grounds as viewed from his back verandah, which meant more and more structural innovations. When he stopped working in his shop on Friday night he had to get ready for his home work over the week-end. He certainly had help from gardeners and stonemasons, but as the brain centre of all the major operations he had no remission from his duties. Under his directions a bridge had to be built across the creek right on the slope nearest his home; he used for it stone retrieved from the Tank Stream during excavations carried out beneath his shop in Pitt Street, next to the Angel Arcade.

All these developments took quite a few years, and it was not until the late 1940s and early 1950s that his dreams had turned into reality. A comfortable Garden Room was built, the headquarters of Mick Swain's favourite pursuits. He could indulge himself as photographer as well as ornithologist, but by then he also had become a proud horticulturist, keeping a watchful eye on the splendour of his plantings.

For a man without professional training, it is remarkable that he succeeded in laying out a garden with such spectacular effects and views. Focal points are several cedars which attract the eye from different angles across the beds. A stunning variety of camellias, including reticulatas (at present being catalogued by the Camellia Society), interspersed with magnolias and prunus provide colour in winter and spring. Autumn tints have a rich source in Japanese maples, several Gingkos and Nyssas.

When the land on the eastern side of the garden was about to be sub-divided for housing, Swain provided funds so that DECEMBER 1985



it could become a reserve instead. The garden now lies tranquil and hidden, almost a secret garden, enclosed by the sheltering green of bushland reserves.

As Mick Swain wanted his treasured garden preserved in all its magic, he bequeathed it in its entirety to the National Trust. He died in 1973, not suspecting that his decision was not to work out in the way in which he had intended. To maintain an estate of this kind requires the loving care of a parent nearby and, what is more, a parent ready to fork out for enough working hands — conditions which could not be met by the National Trust which, after several years, abdicated and handed its precious ward over to Ku-ring-gai Council.

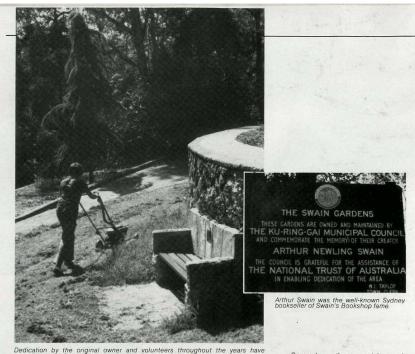
It was soon realised that the task of keeping Swain's Garden in its accustomed manner exceeded the available local government facilities; goodwill and active co-operation from the community was required to supplement the upkeep. This was an inspiring challenge and soon enthusiastic volunteers rallied round in this worthwhile task.

The neglect of the years in between was not easily rectified, and also the organization of helping hands was not a problem that could be solved overnight.

By now, a promising new phase has been reached, and in fullest co-operation with the Council everything is set to restore Swain's Garden to its former glory and to invite all citizens to enjoy the delights which Mick Swain had intended for them. Appendix S *Caroline Etches finds enchantment under the shade of an old mulberry tree*, Northern Life (date unknown).



## Appendix T Trezise, Jack, Garden Heritage, Gardenscene, June, 1986. Page 1 of 3.



Dedication by the original owner and volunteers throughout the years have established the Swain Gardens as an important heritage landscape.

# Garden Herita

#### Pictures and Text by: JACK TREZISE

Without the care and dedication of voluntary workers many of the lovely old gardens of Australia would not be seen by those of us today and would be forever lost to those that come after. We all owe a great debt to such people. Swain's Gardens is only one of the many such treasures to be found both in our cities and out in the barden content of the forever the forever the harsher conditions of the 'country'.

GARDENSCENE - JUNE, 1986

Somewhere, there must be a clear dividing line between the terms "garden" and "park". Personal ownership alone would not suffice to define the distinction nor would the size of the area be a reliable pointer. As we understand it, a park exists for the benefit of the public as visitors, which means that any design must bear in mind such wider aspects.

The band of voluntary helpers, endeavouring to restore Swain's Garden in Sydney's Northern suburb Killara to its pristine glory, constantly watch their steps to make their individual horti-cultural preferences conform to these demands.

demands. The three and a half acres, situated between Stanhope and Nelson Streets, were originally the property of the late for Arthur Newling Swain, a well-known Sydney bookseller. He developed the area in the late 1940s and early fittes, with generous use of both labour and money. Though not a trained horti-culturist, his taste in selection and lay-out deserves the highest praise and admiration. He had good reason to be 15



# Garden Heritage

proud of his achievement and wanted his efforts to benefit the community, hence he bequeathed the garden to the National Trust after his death.

Problems in administration and financial handling made the transfer to Ku-ring-gai Council necessary after a few years of comparative neglect. The excessive demands of the task have now proved too much, even for this very sympathetic authority and additional hands become an imperative need. A committee, working in close co-operation and consultation with the Council is now intent on replanting the various beds, curbing over-exuberant growth and shaping the vistas in keeping with the original concept.

Among the existing plantings is a fine specimen of *Cupressus macrocarpa* "Aurea Saligna", which makes a beautiful picture, when viewed across the valley in which the garden nestles.

Numerous magnolias, including mature trees of Magnolia liliflora x soulangeana, variety "Alexandrina" and also several plantings of Magnolia stellata make a spectacular show in late winter and early spring.

Winter colour is also provided by simple camellia plantings, both japonicas and reticulatas. Unfortunately, names have been lost of many varieties, **16** 

31

but they are gradually identified, as they are coming into flower. Among those already listed are: Hanafuki, Lady Loch, a very large plant of Jean Lyne.

An informal avenue of *Prunus* campanulata has been made a feature in the centre of the garden. In addition, there are both crabapples and flowering plums which extend the flowering season until later in the spring, when the rhododendrons take over.

An attractive landmark gracing the scenery is a stone bridge, crossing the quaintly named Shot Machine creek. The material used in its construction was excavated from underneath Swain's bookshop in Sydney's Pitt Street, as it was retrieved from the historic Tank Stream. There it stands now, surrounded by large Japanese maples which colour brilliantly in autumn.

In the lower section of the garden, at present still rather bare, before long there will spread out a carpet of daffodils and bluebells. Furthermore a large iris bed is going to unfold its joyous tones in that corner.

As the garden is bordered on two sides by native reserves, the area provides an ideal haven for bird life of great diversity. With a bit of luck, a visitor may even enjoy the rare spectacle of a lyre bird.

Above: Mature trees and comfortable walking paths are a feature of Swain's Gardens.



A creek flows through the gardens encouraging moisture-loving trees and ferns.

JUNE, 1986 - GARDENSCENE

# Appendix T Trezise, Jack, *Garden Heritage*, Gardenscene, June, 1986. Page 3 of 3.



#### Appendix U Mundy, Jane, Old World Enclave, Your Garden 1989. Page 1 of 3.

# ne man's dream - to tame a piece of Australian bush and

transform it into an exotic paradise for future generations of garden lovers - has become a reality, thanks to his own generosity and to the doggedness of a hardworking band of disciples who share his vision. The Swain garden, covering nearly

#### A restored landscape stages a comeback and inspires visitors

North Shore, is a testament to the work of Arthur Newling (Mick) Swain, a city bookseller who put almost all his time, money and creativity into develo-

10ha in suburban

Killara on Sydney's

ping a sanctuary for plants and birdlife that the surrounding community could enjoy.

An avid birdwatcher and photographer, Mick Swain designed his garden to attract birdlife from adjacent bushland now known as the Wombin Reserve. He built a garden room from which he could watch over the whole garden and its feathered visitors rainbow lorrikeets, king parrots, butcher birds, currawongs and bower birds.

Back in the mid-1940s 'going native' was not yet in vogue. Many people still found the Australian bush harsh and unyielding, and were much more in sympathy with European-style gardens filled with gentle prettiness.

Accordingly, all native plants were removed from the site. In their place. Mick Swain planted conifers, mag-nolias, maples, flowering fruit trees, camellias and rhododendrons. Intended as a spring garden, it is at its best when YOUR GARDEN . AUGUST, 1989

the prunus species are in flower, the crepe myrtles and the crabapples are blooming, the daffodils and freesias are carpeting the beds and the camellias and magnolias are in their final flush.

The site Mick chose for his garden was both charming and difficult. Set into a gully, the land falls quite steeply on each side towards a ferny creek. Without tight terracing, the garden beds during heavy rain would have simply washed away. To deal with this problem, the pathways that weave through the garden are all bordered with stone walls that contain plantings and at the same time provide appealing visual detail.

Local materials were used for the stone walls and pathways, Sydney sandstone was dug out of a now disused quarry next to the garden and a team of



Story by JANE MUNDY Pictures by LORNA ROSE 86

Ku-ring-gai Council – Draft Landscape Master Plan for The Swain Gardens

# Appendix U Mundy, Jane, *Old World Enclave*, Your Garden 1989. Page 2 of 3.





30 gardeners, stonemasons and laborers altered the landscape to Mick Swain's own design.

A small bridge constructed across the creek uses stone retrieved from Sydney's Tank Stream during excavation carried out beneath the Pitt Street bookshop. Many would have considered the task of transporting it some 20km up the North Shore impossibly difficult but Mick's commitment to authenticity and atmosphere would not allow such a small obstacle to stand in his way.

His basic plantings remain intact with few exceptions. After 40 years, the conifers, including *Chamaecyparis* obtusa 'Crippsii' (golden hinoki cypress), *Thuja plicata* and *Cedrus deodara* are well established, with the jewel of the collection, a magnificent Metasequoia glyptostroboides (dawn redwood) rising some 25m.

Magnolias are well represented. The evergreen *M. grandiflora*, and the deciduous *M. lilifora* and *M. lilifora* 'Nigra', and *M. stellata* all enjoy the rich acid soil of the area, and, because the deciduous varieties are protected in the gully from hot and strong winds, they retain their blooms well after bright new green spring leaves appear. Several huge maples, which turn

Several huge maples, which turn color brilliantly in autumn, make a wide canopy under which spring flowering bulbs thrive, forming a border to a small, soft lawn of perennial rye grass.

small, soft lawn of perennial rye grass. Some large jacarandas herald summer with a startling splash of mauve. They're at their best, many say, after a dry winter. There is an Eriobotrya japonica (loquat), loved by parrots but

YOUR GARDEN . AUGUST, 1989 87

not by those who fear its fruit may provide a winter harbor for fruit-fly larvae, and a knotty old mulberry with its black and juicy late-spring fruits the scourge of any playground.

The garden was originally known for its camellias and rhododendrons. The 50 or more different camellia varieties include many *C. reticulata*, and in the last year, more than 100 additional rhododendrons have been planted. These include 50 specimens of *Rhododendron vireya*, bred by a Wollongong nursery especially for the temperate conditions of Sydney and featuring a wide range of colors, shapes and flowering periods.

The garden took a decade to complete and, when he wasn't selling books, it totally absorbed Mick Swain's imagination. So committed was he to preserving his oasis from intrusion that he purchased an adjacent property, threatened by a proposed housing development, in order to secure its privacy. On his death in 1973, Mick Swain bequeathed the entire garden to the public.

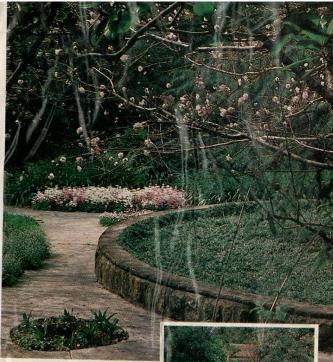
The task of maintaining the garden proved to be beyond the resources of its guardians, the National Trust, and it became derelict and overgrown. It was eventually transferred to its new custodians, Ku-ring-gai Council, who now manage it with the help of a voluntary committee.

Committee president Mary Haynes says the breakthrough came when the local council agreed to make a permanent, full-time gardener available to look after the garden. John Jaja's efforts in restoring the garden to its former glory have been appreciated by all who have visited it since.

Because of the sloping terrain, the garden has always needed maintenance. Drainage has always been a problem. Heavy winter rains in Sydney recently flooded the creek and run-off constantly threatens to erode walls and cement paving. Topsoil is easily washed away and there is a running battle to control privet invasion from the adjacent bushland.

The garden needs a lot of fertiliser, mostly mushroom compost, and loads of it go on all the exhibition beds, especially the rose gardens. Swain Garden has two main rose beds and a third which is home to a rare collection of 'historic' roses, varieties bred 100 years ago, such as moss roses and the heavily perfumed tea roses.

The garden committee secretary, Mr



Jack Trezise, a former nurseryman in both Melbourne and Sydney, is an expert on perennials who had a frustrated desire to create his own perennial border. His involvement with the garden has enabled him to fulfil his wish, and the result is a wonderful mixture of Helleborus orientalis; italian aster, Aster amellis, japanese anemone, Anemone hupehensis; bonfire salvia, Salvia spendens; the crepey, poppy-like Romneya coulteri, and statice, Limonium sinuatum.

Bulbs, including freesias, daffodils, ranunculus, grape hyacinths, *Iris japonica* and tritonias, as well as some annuals, such as primulas and violas, add color to spots where shrubs are not yet established and around grassed areas where people picnic or simply sit to take in the peace and beauty.

With help from Lions clubs and from camellia and orchid societies and a number of sympathetic garden clubs, the Swain Garden committee has worked hard for the preservation of this unique garden. Their reward is to see it today much as its creator, Mick Swain, would have wanted it to be – a charming and fascinating cottage-style garden, faithfully restored as a gift to all those who love gardens.

The Swain Garden is at 77 Stanhope



Top: Prunus and primula sparkle in the spring light. Above: A stone-edged pathway leads to the pergola.

Road, Killara. It is open seven days a week during daylight hours, and although on a slope, it is not demanding, even for the elderly. For those more energetic, a comfortable two-hour bushwalk from the east side of the garden will take you to the Roseville Bridge.

The committee is always in need of more keen garden helpers. If you are interested, please phone Jack Trezise on (02) 92 7421.

# Swain Gardens Plan of Management 1992

Appendix V Plant survey

Much of the plant material has altered over the years and this list is not necessarily Mr Swain's choice of plant material.

# **Evergreen trees**

- 1. Acacia elata Cedar Wattle
- 2. Acacia melanoxylon Blackwood
- 3. *Angophora costata* Sydney Red Gum/Smooth Barked apple
- 4. *Arbutus unedo* Irish Strawberry Tree
- 5. *Bambusa arundinacea* Giant Bamboo
- 6. Banksia serata Old Man Banksia
- 7. Brachychiton acerifolium Illawarra Flame
- 8. Callicoma serratifolia Black Wattle
- 9. *Callistris sp.* native conifer
- 10. Allocasuarina torulosa Forest Oak
- 11. Cedrus deodora
- 12. *Ceratopetalum gummiferum* NSW Christmas Bush
- 13. Chamaecyparis obtusa 'Crypsii'
- 14. Cinnamomum camphora Camphor Laurel
- 15. Cupressus sp
- 16. *Cupressus macrocarpa* 'Aurea Saligna'
- 16 a. Cupressus sempervirens 'Swane's Golden'
- 17. *Cupressus tetragona* 'Aurea'
- 18. *Cyathea cooperii*. Coin Spot Tree Fern
- 19. *Dicksonia antartica* Soft Tree Fern
- 20. *Elaeocarpus reticulatus* Blueberry Ash
- 21. Eucalyptus sp.
- 22. *Eucalyptus gummifera* Red Bloodwood
- 23. Eucalyptus pilularis Blackbutt
- 24. *Exocarpus cupressiformis* Native Cherry
- 24a Gordonia axillaris Gordoniaia
- 25. *Hymenosporum flavum* Native frangipanni
- 26. Magnolia grandiflora
- 27. Metrosideros excelsa
- 28. Pittosporum undulatum
- 29. Syncarpia glomulifera Turpentine
- *30. Sygygium paniculatum*
- 31. Thuja orientalis
- 32. Thuja plicata
- 33. Unidentified possiblly *Laurus sp*.
- 34. Unidentified

## **Deciduous trees**

- 35. *Acer palmatum* Japanese Maple
- 36. Acer palmatum possibly Dissectum
- 37. Acer sp.
- 38. *Aesculus hippocastanum* Horse Chestnut
- 39. Alnus sp.
- 40. *Betula pendula* Silver Birch
- 41. *Betula pendula* standard form
- 42. Erythrina variegata (sny. Indica Coral Tree
- 43. *Ginkgo biloba* Maidenhair Tree
- 44. Jacaranda mimosifolia
- 45. *Lagerstroemia indica* Crepe Myrtle
- 46. *Liriodendron tulipifera* Tulip Tree
- *Liquidambar styraciflua* Liquidambar
- 47. Magnolia denudata
- 48. Magnolia liliaflora Nigra'
- 49. Magnolia soulangeiana
- 50. *Magnolia stellata* Star Magnolia
- *51. Malus floribunda Crab apple*
- 52. Malus ioensis
- 53. *Malus purpurea* Purple Crab Apple
- 54. Morus nigra
- 55. *Prunus campanulata* Bell Flowered Cherry
- 56. *Prunus cerasifera*? (purple leaf, white flower)
- 57. *Prunus mume*? (apricot flower)
- 58. Prunus persica Peach
- 59. *Prunus yedoensis* Cherry
- 60. *Prunus sp*. Weeping Cherry
- 61. *Prunus sp.* (white flower)
- *62. Taxodium distichum* Swamp cypress or *Metasequoia glyptostroboides*
- 63. *Ulmus procera* 'Louis van Houlte' Golden Elm
- 64. Unidentified (Crab Apple or Plum)
- 65. Unidentified

#### Evergreen shrubs

- *S1 Abutilon megapotamicum* 'Variegatum' (?)
- *S2 Artemisia abrotanum* Old Man, Southernwood
- *S3 Ardisia crispa* Coral Ardisia
- *S4 Aucuba japonica* 'Variegata' Gold Dust Plant
- S5 Azalea indica
- S6 Azalea kurume
- S6a Azalea sp.
- *S7 Buddleia sp.* Butterfly Bush
- *S8 Buxus sempervirens* 'Suffruticosa' Edging Box
- *S9 Camellia japonica*
- S10 Camellia reticulata
- S11 Camellia sasanqua
- *S12 Camellia sasanqua* (espaliered)
- *S12a Coleonema pulchrum* 'Nanum" Dwarf Diosma
- S13 Coprosma kirkii

<i>S14</i>	Cotoneaster sp.
<i>S15</i>	Cotoneaster horizontalis
S15a	<i>Cuphea micropetala</i> – Cigar Flower
516	Daphne odora – Winter Daphne/Sweet Daphne
<i>S17</i>	Datura suaveolens – Angels Trumpet
<i>S18</i>	<i>Dodoneae triquetra</i> – Hop Bush
S18a	Epacris sp.?
S18b	Eranthemum pulchellum – Blue Sage Bush
519	<i>Euonymous japonicus</i> – Spindle Bush
<i>S20</i>	<i>Eupatorium megalophyllum</i> – Mist Flower
S20a	<i>Fatsia japonicus</i> – Aralia
<i>S21</i>	<i>Fuchsia arborescens</i> – Tree Fuchsia
<i>S22</i>	<i>Gardenia augusta</i> 'Florida'
<i>S23</i>	Hebe sp
<i>S24</i>	<i>Hibiscus rosa sinensis</i> 'Apple Blossom'
<i>S25</i>	<i>Hypericum sp</i> . – St John's Wort
526	<i>Jasminum mesneyii</i> – Primrose Jasmine
<i>S27</i>	<i>Lonicera sp.</i> – Honeysuckle
S27a	<i>Monstera deliciosa</i> – Fruit Salad Plant
528	<i>Murraya paniculata</i> – Mock Orange, Orange Jessamine
529	<i>Nandina domestica</i> 'Nana' – Sacred Bamboo
530	<i>Osmanthus fragrans</i> – Sweet Osmanthus
531	<i>Pieris japonica</i> – Lily of the Valley Bush
S31a	<i>Plumbago auriculate</i> – Leadwort
532	<i>Pyracantha sp</i> . – fire Thorn
533	Raphiolepis indica
534	Rhododendron sp.
<i>S35</i>	<i>Sambucas nigra</i> – Elderberry
S35a	<i>Solanium mauritanum</i> – Tobacco Tree
536	<i>Streptosolen jamesonii</i> – Orange browallia
537	<i>Strobilanthes anisophyllus</i> – Goldfussia
538	<i>Tibouchina urvilleana</i> dwarf form
539	<i>Tibouchina heteromalla</i> – Lasiandra/Glory Bush
<i>S40</i>	<i>Vitex trilobum</i> – Cranberry Viburnum

S40a unidentified

## Deciduous shrubs

S41	<i>Aloysia triphylla</i> – Lemon Scented Verbena
-----	--

- S41a *Chaenomeles speciosa* 'Japonica'
- S42 Exochorda racemosa Pearl Bush
- S42a Forsythia sp.
- S43 *Hydrangea macrophylla*
- S44 Pentas lanceolata
- S45 *Philadelphus coronarius* Mock Orange
- S46 Prunus glandulosa
- S47 *Punica granatum* Pomegranate
- S48 Rosa sp. Rose bush
- S49 *Spiraea* 'Anthony Waterer' Pink Flowering cotoneaster
- S50 Spiraea cantoniensis May Bush
- S51 Spiraea thumbergii
- S52 *Stachyurus praecox –* Early Spiketail
- S53 Virbunum burkwoodii Burkwood Virburnum
- S54 Virbunum plicatum Japanese Snowball Bush
- S55 Weigelia sp.
- S56 unidentified

# Strap leaf shrubs

S56a Bambusa sp. Common Bamboo (Go	Gold/green stem, light yellow foliage)
------------------------------------	--

- S57 *Cordyline stricta* Erect Palm Lily
- S58 Nandina domestica Sacred Bamboo
- S58a *Doryanthes excelsa* Gymea Lily

# Perennials

P1 Acanthus mollis – Oyster Plant P2 Alocasia indica – Elephants Ear P3 Anemone hupehensis – Japanese Wind Anemone P4 Anemone japonica syn. hupehensis – Wind Anenome P5 Arctotis hybrida - Aurora Daisy P6 Artemisia sp. 'absinthium' or 'lactiflora' - wormwood Ρ7 Aspidistra elatoir – Cvast Iron Plant Aster sp. - Easter Daisy P8 P9 Campanula sp. – Canterburry Bells P10 Canna generalis - Canna P11 *Cheiranthus semperflorens* – Perennial Wall Flower P12 Chrysanthemum frutescens – Marquerite Daisy P13 Chrysanthemum maximum – Shasta Daisy P14 Cococasia esculenta- Taro P15 Crassula portulacea P16 Crinum moorei P16a Ctenanthe lubbersiana – Bamburanta P17 Dahlia imperialis – Tree Dahlia P17a Dianella sp. P18 Fuchsia corymbiflora Fuchsia hybrid P18a P19 Gamolepis chrysanthemoides – Marguarite Daisy P20 Gazania hybrida P20a Geranium sp. Hedychium flavum P21 P21a Helleborus sp. – Winter Rose, Christmas Rose P21b Heuchera sp. – Coral Bells P22 Justicia carnea syn. Jacobinia carnea – Brazillian Plume Flower P23 Hypericum calycinum - St. John's wort P24 Lavendula sp. – Lavenda P25 Mesembryanthemum sp. - Pig face P25a Osteospermum sp. – African Daisy P26 Pelargonium spp. – Geraniums P27 Penstemon sp. (prostrate habit) P28 Plectranthus australis - Spur Flower P29 Plectranthus oertendahlii – Brazilian Coleus P30 *Plectranthus parviflorus* (grey leaf) P31 *Rosmarinus lavandulaceus* sny. R. prostrates. (prostrate form) P32 Salvia sp. – Sage P33 Salvia sp. – Tree Sage P34 Salvia sp. - age P34a Salvia leucantha - Mexican Bush Sage P35 Stachys byzantina – Lamb's Ears P36 Zantedschia aethiopicia – Arum Lily

# Strap leaf perennials

- P37 *Agapanthus orientalis*
- P38 *Clivea miniata* and *C. robusta*

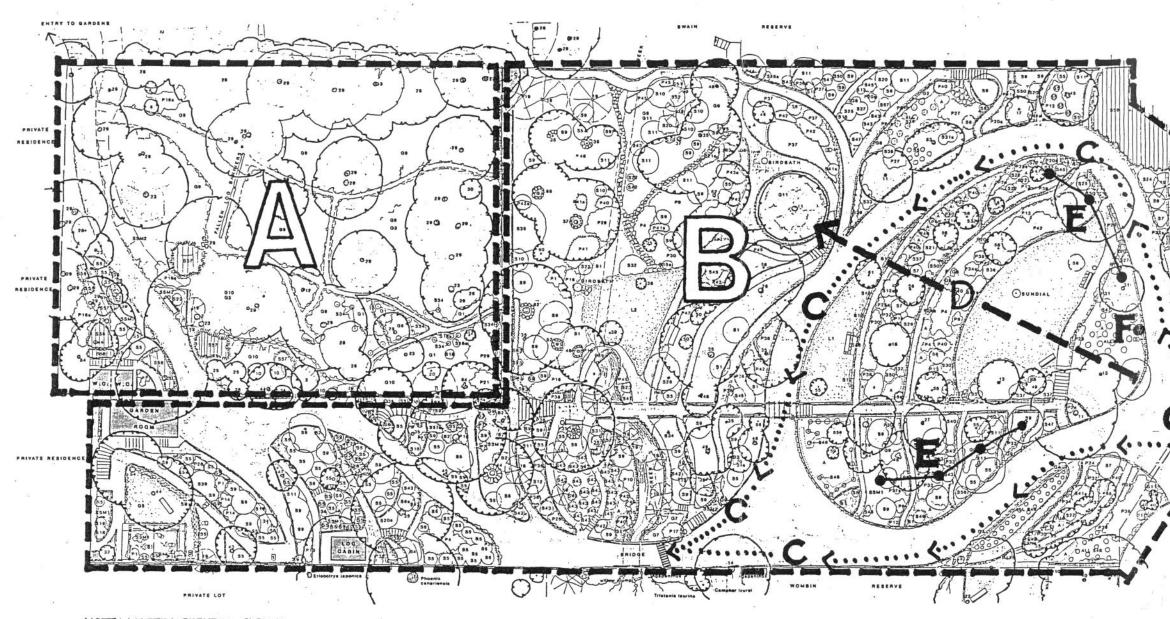
P39	<i>Hemerocallis sp</i> . – Day Lily	
-----	-------------------------------------	--

- P40 *Iris germanica* Bearded Iris
- P41 Iris kaempferi Japanese or Higo Iris
- P41a *Iris laevigata* (pale blue flower)
- P42 Iris louisiana Louisiana Iris
- P43 Iris unguicularis syn. Stylosa Algerian Iris
- P43a Iris xiphium hybrid Dutch Iris
- P44 *Liriope muscari* Liriope
- P45 *Ophiopogon japonicum* syn. Liriope japonica Mondo Grass
- P46 *Ophiopogon sp.* Giant Mondo Grass

# Ground covers

G1	<i>Adiantum aethiopicum</i> – Maidenhair Fern	
G2	Ajuga reptans	
G3	<i>Chlorophytum comosum</i> – Spider Plant	
G4	<i>Convolvulus mauritanicus</i> – Moroccan Glory Vine	
Gs	Dichondra repens	
G6	<i>Duchesnea indica</i> – Wild Strawberry	
G7	Erigeron karvinskianus	
G7a	Ferns	
G8	Juniperus conferta	
G9	<i>Nephrolepis cordifolia</i> – Fishbone Fern	
G9a	<i>Ranunculus sp.</i> – Butttercup	
G10	<i>Tradescantia albiflora</i> – Wandering Dew	
G11	<i>Vinca minor</i> – Small Leaf Periwinkle	
G11a	<i>Viola hederaceae</i> – Native Violet	
G12	<i>Viola odorata</i> – English Violet	
G13	<i>Viola sp.</i> - Parma Violet	
		Climbers
1	Vicus pumila	
2	<i>Ipomoea indica</i> – Morning Glory	
3	Jasminum polyanthum – Pink Jasmine	
4	<i>Rosa banksii</i> – Yellow Banksia Rose	
- 5	Wisteria sinensis	
6	Wisteria sinensis 'Alba' – White Flowered Chinese Wisteria	
0		
		Bulbs
B1	Narcissus spp. Daffodils and Jonguils	

- B1 Narcissus spp. Dattodils and Jonqu
- B2 *Scilla peruviana* Peruvian Lily
- B3 *Leucojum vernum* Snowflake



NOTE: LETTERY REFER TO GARDEN ECOLOGY NOTES IN TEXT

- TURPENTINES A
- B TERRACING ETC
- MAIN RUNOFF C
- D SEEPAGE
- E BETTER DRAINED
- CLIMBING ROSE WITH WET FEET. F

NOTE: I SMALL LETTER CODED NUMBERS REFER TO SPECIES LIST

> 2 LARCE LETTERS REFER TO TEXT IN REPORT





GARDEN ECOLOGY

SCALE

PLAN OF MANAGEMENT 1990

# SWAIN GARDENS



FIG.

12



1.....

LEGEND

NEWINGTON COLLEGE PREP SCHOOL

EVERGREEN TREES DECIDUOUS TREES TREE FERNS EVERGREEN SHRUBS DECIDUOUS SHRUBS STRAP LEAF SHRUBS PERENNIALS STRAP LEAF PERENNIALS CLIMBERS GROUND COVERS ANNUALS BULBS

STONE RETAINING WALLS

CONCRETE PAVEMENT

STEPPING STONE PATH

LAWN

SEAT

TAP

& EDGES

RUBBISH BIN

## Appendix X

Plantings by Jack Trezise, a former nurseryman and secretary of The Swain Gardens Committee.

Perennials

Helleborus orientalis Aster amelisis Anemone hupeinenis Salvia spendens, Romneya coulteri Limonium sinatum

Bulbs: Freesias Daffodils Ranunculus Grape Hyacinths *Iris japonica* Tritonias.

# Appendix Y Community Consultation

Consultation included meetings with The Friends of Swain Gardens, discussion with local residents, and members of the Ku-ring-gai Historical Society. An Open Day for the Masterplan was held on site on Saturday 16 June and ten residents attended.

# Resident feedback

Friends of Swain Gardens 12 March, 2007 Open Day with local residents on 16 June, 2007

## The main activities undertaken at the Gardens/Reserve

- Passive recreation
- Picnics/barbeques x 3
- Walking x 5 enjoying the scenery, admiring the beautiful plants and meandering paths, reading on the carefully placed benches.
- Social functions children's parties (x2), weddings (x2)
- Informal play Children playing hide and seek, searching for the bower bird.
- Children exploring
- Morning tea with children in rotunda

#### Activities that you would like to be available

- No more activities
- Garden walks identifying the plants
- Girl guides use
- Garden fair
- School garden encouragement days
- Jazz concerts
- Encourage more local community groups to visit the Gardens/Reserve to raise community awareness for its future survival
- We love the Gardens just as they are they are a peaceful, tranquil haven, an oasis away from the crowded, busy city-life.
- More rubbish bins, discretely placed and aesthetic regularly emptied.
- Consider an inclinator like Hornsby's Lisgar Gardens
- Advertise our flowering displays etc, in the Council column
- Label/ tag important trees and plants; number and map the Gardens layout

- Bring in school working groups and TAFE horticulture students to work on the Gardens seed bed and features
- Jack Trezise's book on the Gardens provided a tagged system of locating plants and trees in the Gardens

# Activities that you would not like to see happening at the Gardens or Reserve

- Activities involving HUGE numbers would take away the marvellous feeling of being able to 'drop out' in a super local garden
- Nothing too loud or intrusive
- I do not like the fact that some of the neighbours bordering Wombin Reserve have 'extended' their boundaries into the Reserve ... dogs from private homes wander freely in and out of the reserve...
- I wish that dog owners would not remove the leashes from their dogs the moment they enter Wombin Reserve --- I do not want it to become an official 'off-leash' area although it virtually is already.
- I would not like cars be able to drive in.
- I would not want crowds of people at once since this sometimes results in damage to the Gardens and creates lots of litter.
- Mass meetings/ rock concerts
- Off-leash dogs
- Night barbeques
- We would like them to be heritage listed and a wildlife sanctuary (especially for birds) echidnas, water dragons. Maybe there should be some signs about this, especially for dog owners.

# Values

- Quietness
- Old fashioned atmosphere
- Hidden away aspect
- Its tranquillity and the balance between Wombin Reserve with its natural flora and the formal gardens of Swain Gardens
- The serenity and tranquillity somewhere to collect ones thoughts, to admire the beauty of the Gardens amidst some native trees, the beautiful birds, especially the bower bird.

- Nature peace and quiet
- The combination of planned garden and bush
- I was brought-up with a professional gardener father of the same era in Killara and as a child spent many hours wandering around similar gardens of my father's friends. A magical experience as it also is for my grandchildren at Swains.
- The workmanship and layout of the gardens
- The plant selection is very good; it is a great marriage location
- Peaceful oasis in suburbia; but difficult for wheelchair access
- Unique and remarkable place peaceful and tranquil
- Unique only place like this in Ku-ring-gai quiet and well-located
- Quiet bushland with good plants and landscaping/ stonework
- It is a unique 1940's large scale, carefully landscaped garden area
- Introduced exotic species have been blended with natives in a good mix
- Size, space and birdlife
- Vistas of the garden are important eg. the Mulberry tree
- Historic things in the Gardens *like Annie Wyatt's seat*
- It is always going to be here and it won't change too much
- Bower-birds and others are very special
- Community interest and involvement to keep it special
- The upkeep, strolling, the bird life especially in summer, exotic plants, seeing three generations together enjoying a barbecue meal at the Old Tennis Court. Meeting so many people who <u>love</u> the gardens.

#### What you least like

- Need to clean up Wombin encroachment of privet, bamboo etc. beyond the Gardens into surrounding bushland
- Unleashed dogs
- Vandals damaging the plants and releasing fireworks at night
- Dogs off-leash scaring the birds and some small children
- The use of noisy leaf blowers for several hours at a time could we go back to using rakes/brooms
- Dogs not on leash
- No disabled access
- Fire-prone pergola
- Being in the middle of suburbia is a double-edged sword

- At one stage the garden attracted a vagabond sleeping there at nights some of us gave him some food parcels
- Accessibility problems steepness of grades makes it difficult for some
- Steep terrain and high maintenance
- Water restrictions have changed the way the garden is managed
- Accessibility for garden club members some difficulty for ageing members to do gardening
- Gardens are an unknown even some locals don't know of it
- Surface drainage of BBQ area is poor the grading and soil does not promote grass growth
- Clarity of direction signs to visitors to the Gardens there is need for entry signs and for a map of the highlights of the garden.
- Need to replace species as they die eg. Crab-Apple
- Need to closely manage the gardens
- Heritage seed-stock bank needs to be maintained and developed
- Keep attracting local bird and possums and powerful owls
- Keep mulching the garden to tidy it up and conserve water
- In the longer term the creek area could be bridged etc
- Dam the creek and pump the water up higher in the creek to create a flow
- Document the history and background of the Gardens; then use it as a guide for what we will do.
- The problems of the Reserve, i.e. not being able to keep the paths in order.

S04495 23 October 2007

# DRAFT KU-RING-GAI TOWN CENTRES SECTION 94 CONTRIBUTIONS PLAN

# **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To have Council consider and adopt for exhibition the Draft Ku-ring-gai Town Centres Section 94 Contributions Plan.
BACKGROUND:	On 8 May 2007 Council adopted the Town Centres facilities plan for new public infrastructure as the first stage in developing the contributions strategy. On 28 August 2007 Council adopted the second stage of the process through the Developer Contributions strategy that examines the different contribution mechanisms available to fund the infrastructure works identified in the facilities plan and recommends which facilities should be incorporated in a Contributions Plan.
COMMENTS:	The Draft Town Centres Development Contributions Plan lists the public facilities amenities and purposes likely to be required to meet the demand generated by expected development in the town centres, identified the nexus between expected development and facilities, identifies the funding sources and identifies the contributions that will apply to each centre.
<b>RECOMMENDATION:</b>	That the Draft Ku-ring-gai Town Centres Section 94 Contributions Plan be placed on formal exhibition.

# PURPOSE OF REPORT

To have Council consider and adopt for exhibition the Draft Ku-ring-gai Town Centres Section 94 Contributions Plan.

# BACKGROUND

Council submitted six draft Town Centre LEPs and DCPs to the Minister for Planning for Gazettal in December 2006. Development approved under the plans will generate significant requirements for new public infrastructure. A proportion of the cost of the delivery of new works and facilities can be met through a development contributions (or Section 94) Plan for the town centres.

There have been three stages required in the preparation of a formal Section 94 Plan. This included the development of a Facility Plan, Developer Contribution Strategy and finally the draft Section 94 Plan. The process and timing of the development of these plans were adopted by Council on 27 March 2007.

The stages involved in the process have been as follows:-

- Stage 1 involved the preparation of a Town Centres Facilities Plan which identifies a full list of public infrastructure items for each centre, where they are to be located, further consultation requirements and when they are to be delivered. The Town Centres Facilities Plan was approved by Council for further development and consultation at its meeting of 8 May 2007.
- Stage 2 was the preparation of a Developer Contributions Strategy which identifies how much each item will cost, how each item will be funded whether through Section 94 contributions, planning agreements or by Council or others. The Contributions Strategy was adopted by Council on 28 August 2007.
- Stage 3 has involved the preparation of a draft formal Section 94 Plan, which identifies development contributions to be collected towards the provision of the specific infrastructure and facilities identified in the contributions strategy as suitable for inclusion in the contributions plan. The Plan will be publicly exhibited for 4 weeks and the review of public submissions reported to Council.

Since it is likely that planning agreements will form part of the total funding strategy, Council has also committed to preparing a policy and procedures document for the use of planning agreements. A draft Voluntary Planning Agreement Policy is being reported to Council for information as part of the progress report into the reclassification of Council properties.

# COMMENTS

#### Role of the s94 Plan

Section 94 of the Environmental Planning and Assessment Act authorises Council to collect contributions from new development towards the provision of public infrastructure and amenities to meet the demands of new residents.

The draft Town Centres Development Contributions Plan (Attachment 1) has been prepared to enable Council to levy Section 94 contributions towards the provision of the relevant infrastructure and facilities identified in the Development Contributions Strategy and Facilities Plan previously adopted by Council. Specifically, the plan:

- lists the public facilities, amenities and purposes likely to be required to meet the demand generated by expected development in the town centres;
- identifies the relationship (or nexus) between expected development and the facilities to be provided in the town centres;
- identifies the level of public services and amenities to be funded via town centre development and the residual that will need to be funded from other sources; and
- identifies the contribution rates that will apply to different development types in each town centre.

#### Facilities for which contributions will be collected

The *Ku-ring-gai Town Centres Section 94 Contributions Plan* focuses on the additional infrastructure required to support substantial new development within the town centres themselves. The new works have been identified in the *Ku-ring-gai Town Centres Development Control Plan.* Much of the new work is focussed on accessibility with additional streets and pedestrian linkages to facilitate movement by both pedestrians and vehicles, improved public transport interfaces and improvements to the public domain including the streetscape and new civic spaces to accommodate more on-street activity. Other works include augmentation of Council's community facilities. Many sites offer potential for some of the new works to be carried out in kind. This provides potential savings to Council in terms of time and cost for the delivery of the facilities while also minimising the monetary contributions by the developer.

The facilities contained in the plan were initially identified in Council's adopted Town Centres Facilities Plan and recommended for inclusion by the Development Contributions Strategy. Councillors have been involved in a number of workshops where the works programme has been discussed in detail and the final list further refined. The full works programme is found in a schedule to the draft contributions plan in **Attachment 1**.

The *Ku-ring-gai Town Centres Section 94 Contributions Plan* will apply to land within a corridor surrounding the town centres of Gordon, Lindfield, Pymble, Roseville, St Ives and Turramurra. The area covered by the new Contributions Plan includes all land included in stages 1 and 2 of Council's residential strategy, (ie. land zoned under LEP 194 and 200, Minister's targeted sites and the draft Town Centres LEP). These are the areas which will accommodate future growth in Ku-ring-gai and for which the new facilities in the town centres are needed. Maps showing the area covered by the plan are contained in part 2 of the attached draft contributions plan. The Town Centres Contribution Plan will not apply to land in Wahroonga, as the Wahroonga Centre has not

been included in the town centres LEP, nor are there any new facilities proposed for this centre. Residential development in Wahroonga will still be subject to the Residential 2004-2009 Plan.

#### Relationship to 2004-09 Contributions Plan

*Ku-ring-gai Section 94 Contributions Plan 2004-2009* applies to all residential development in the Ku-ring-gai Local Government Area – including residential development within the town centres. In the Town Centres, the draft *Ku-ring-gai Town Centres Section 94 Contributions Plan*, will apply in addition to this existing Contributions Plan. The two contributions plans levy for different works. *Ku-ring-gai Section 94 Contributions Plan 2004-2009* levies for the provision of additional open space, embellishment of some existing parks, community facilities, traffic and transport facilities, and pedestrian and public domain improvements. The Town Centres Contribution Plan will focus on the infrastructure essential to allowing the centres to function well with the influx of additional population. These works include new link roads and changes to existing streets, public domain works such as streetscape improvements and new civic spaces, additional car parking and augmentation of community facilities.

Extensive modelling has been undertaken to eliminate the potential for double-dipping. This will result in some changes to the existing adopted *Ku-ring-gai Section 94 Contributions Plan 2004-2009*, to discount the contributions applicable to development to which the Town Centres Contributions Plan will also apply. These changes are currently being prepared for concurrent exhibition with draft *Ku-ring-gai Town Centres Section 94 Contributions Plan*. Exhibition is expected to commence in November.

#### Development and population projection.

The draft contributions plan make assumptions on future development take up and population growth. These have been based on staff assessments of the likely development potential of sites within the town centres over the next 25 years as well as a detailed analysis of dwellings approved under LEP 194 to date.

A detailed demographic and development forecast analysis is currently being undertaken by SGS Economics and Planning. The demographic analysis contained in this study is being based the latest available 2006 census data and will also contain a development constraints assessment of the centres using a recognised methodology to project likely future development take up. The results of this study will more accurately inform the likely future development take up rates and demographic changes that would affect the future demand for facilities as well as income flows and the anticipated level of contributions over the life of the plan. The results of this study will be available during the exhibition period of the draft plan and will be incorporated in the plan prior to its final adoption by Council.

#### **Voluntary Planning Agreement Policy**

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions. Planning agreements may specify how non-monetary development contributions are to be implemented by a developer. Planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions

#### Ordinary Meeting of Council - 30 October 2007

#### Item 8

Plan. They must be publicly advertised and submissions from the public may be made and must be considered.

Consistent with the contributions strategy adopted by Council on 28 August 2007, planning agreements are one mechanism Ku-ring-gai Council intends to use to implement the facilities and public domain works associated with the *Ku-ring-gai Town Centres Development Control Plan*, to implement the *Ku-ring-gai Town Centres Draft Development Contributions Plan* and to assist in the orderly development of Council owned land.

A draft Planning Agreement Policy has been prepared and is also being presented to the Council on 30 October 2007 as part of the report relating to the reclassification of Council land.

The draft Policy sets out the matters for consideration in the negotiation of a planning agreement and the process to be followed in negotiating, exhibiting and entering into a planning agreement.

#### Review and implementation of the contributions plan.

The Town Centres Section 94 Contribution Plan is planned to come into effect from the gazettal of the Town Centres LEP. The contributions plan has been prepared on the basis of the anticipated development outcomes of the draft town centres LEP as submitted to the Department of Planning under Section 68. Should any amendments be made to the LEP prior to gazettal which result in increased yields within the centres, then the contributions plan would need to be reviewed to reflect any changes in anticipated growth. This would also provide the opportunity to further review the works schedules contained in the plan.

# CONSULTATION

Councillors have been involved in the development Contributions Strategy and Plan throughout the process. The development of the Facilities Plan, Contributions Strategy and Contributions Plan was considered at the Councillors workshop in February 2007 and the process and timing of the development of these plans were adopted by Council on 27 March 2007.

Council has been kept informed of the progress of the plans through staged reporting and numerous workshops throughout 2007, including the presentations and updates at the Planning Committee meetings on 15 May, 20 June, 13 August and 18 September 2007.

Further workshops with Councillors are envisaged during the exhibition period including presentations and discussions at the Planning Committee.

A formal 28 day public exhibition period is required for the draft Town Centres Section 94 Contributions Plan under the legislation. A full copy of the draft Contributions Plan will be made available on Council's website and hard copies will be available at Council's customer service and in Libraries. Following the exhibition of the draft Town Centres Section 94 Contributions Plan, there would be a further report to Council to consider the submission and any further amendments to the draft plan.

# FINANCIAL CONSIDERATIONS

The financial implications that may arise from works to undertake the revitalisation of public domain and community infrastructure are considerable. A key outcome of the Town Centres Working Program 2007 is a financial strategy fully integrated into Council's overall Long Term Financial Model. The development of this funding strategy is highlighted as an ongoing priority over the entire year with the final reporting due concurrent with the final adoption of Council's Section 94 Plan for the town centres following its exhibition. Further reference to the long term financial modelling is outlined in the report to Council on the update on the reclassification of Council land.

Given the significant financial commitment contained in the draft contributions plan, further refinement of the financial modelling may result in further rationalisation of the works schedule.

Costs incurred for the development of the Section 94 Plan and the associated Development Contributions Strategy will be recouped through the contributions plan.

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

There has been ongoing consultation with all sections of Council in the development of the Town Centres Facilities Plan and Development Contributions Strategy and the development of the Draft Town Centres Development Contributions Plan.

# SUMMARY

A proposed draft Town Centres Section 94 Contributions Plan has been developed to facilitate the collection of development contributions for the provision of infrastructure and facilities in each of the town centres, the draft plan is based on the recommendations of the Development Contributions Strategy which examines the different development contributions mechanisms available to fund the infrastructure works identified in the Facilities Plan.

This report seeks the endorsement of Council to the exhibition of the draft plan for the statutory period of 28 days. Following the exhibition of the draft Town Centres Section 94 Contributions Plan, there would be a further report to Council

# RECOMMENDATION

A. That the draft *Ku-ring-gai Town Centres Section 94 Contributions Plan* be placed on public exhibition commencing in November and that a further report be prepared at the close of the exhibition period.

B. That consequential amendments to *Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Amendment No 1* be placed on concurrent public exhibition.

Kate Paterson Infrastructure Co-ordinator

Craige Wyse Senior Urban Planner

Antony Fabbro Manager Urban Planning Steven Head Director Strategy

Attachments: Attachment 1 - Draft Town Centres Section 94 Contributions Plan - Circulated separately

# Ku-ring-gai Town Centres Section 94 Contributions Plan



Prepared by



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# **1.** Part A – Introduction and Summary Schedules

# **1.1** Overview of this Plan

Section 94 of the *Environmental Planning and Assessment Act* 1979 (EPA Act) authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring the payment of a monetary contribution or the dedication of land free of cost, or both, towards the provision of public amenities and public services.

Where the consent authority is a council, a contribution under section 94 of the EPA Act may only be imposed on a development if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan enables Ku-ring-gai Council (Council) to levy section 94 contributions for the certain public amenities and services where new development will or is likely to increase the demand for these facilities.

Council, with the involvement of the Ku-ring-gai community, has in recent years undertaken a comprehensive master planning exercise for the following town centres:

- Gordon
- Lindfield
- Pymble
- Roseville
- St lves
- Turramurra

The centres are referred to throughout this Plan as the 'Ku-ring-gai town centres'.

The plans that have been prepared for the Ku-ring-gai town centres<sup>1</sup> envisage that much of the land located within each town centre will be redeveloped. Assuming that all development potential under the plans were to be achieved, there would be an additional:

- 12,000 dwellings;
- 21,000 residents; and
- 105,000 square metres of retail and commercial floor space,

in the town centres.

Development expected to be approved under the plans will generate requirements for new public amenities and services (or infrastructure) such as traffic management and car parking facilities, streetscape facilities, open space and community facilities. Indeed, the

<sup>&</sup>lt;sup>1</sup> Ku-ring-gai Local Environmental Plan 2006 (Town Centres) and Ku-ring-gai Town Centres Development Control Plan

planning vision for each centre cannot be achieved without investment in this infrastructure.

A list of required infrastructure is contained in Council's draft Town Centres Facilities Plan. The draft Facilities Plan was approved by Council at its meeting of 8 May 2007.

The total cost of infrastructure included in the draft Facilities Plan is significant. Council has determined that the cost cannot be met through ordinary rate income and that development approved in the centres should make a reasonable contribution toward the provision of the works.

The specific public amenities and services, their costs and program for delivery, and maps showing their location are contained in Section 4 of this Plan.

This Plan has been prepared having regard to the Practice Notes issued by NSW Department of Planning in accordance with clause 26(1) of the *Environmental Planning and* Assessment Regulation 2000 (EPA Regulation).

This Plan sets out:

- the relationship between the expected future development in the Ku-ring-gai town centres and the public amenities and services required to meet the demands of that development;
- the formulas to be used for determining the contributions required for different categories of public amenities and services;
- the contribution rates for the anticipated types of development in the Ku-ring-gai town centres;
- maps showing the location of the public amenities and services proposed to be provided by the Council supported by a works schedule setting out an estimate of their cost; and
- the administrative and accounting arrangements applying to section 94 contributions that are required by this Plan.

Background information to this Plan is contained within the references included in Appendix A of this Plan.

# **1.2** Summary of works and contribution rates

	Tetel cost of					Contrib	ution (\$)				
Contribution Area and Facility Type	Total cost of facilities in Plan apportioned to development (\$)	Per person	Per bedsit or 1 bedroom dwelling	Per 2 bedroom dwelling	Per 3 bedroom dwelling	Per 4 bedroom dwelling	Per 5 bedroom dwelling	Per seniors living dwelling	Per 100m <sup>2</sup> of retail GFA	Per 100m <sup>2</sup> of business GFA	Per car parking space
Occupancy rate		1.0	1.27	1.78	2.56	3.33	3.88	1.30			
Gordon											
Access and Transport Facilities	\$ 8,158,125	5 \$ 711			\$ 1,821	\$ 2,368	\$ 2,760	\$ 925	\$ 11,125	\$ 3,771	\$ 22,056
Community Facilities	\$	- \$ -	\$-	\$-	\$-	\$-	\$-	\$-			
Streetscape and Public Domain Facilities	\$ 14,899,300	\$ 2,823	\$ 3,586	\$ 5,026	\$ 7,228	\$ 9,402	\$ 10,955	\$ 3,670			
Other	\$ 50,242	2 \$ 10	\$ 12	\$ 17	\$ 24	\$ 32	\$ 37	\$ 12			
Total	\$ 23,107,667	7 \$ 3,544	\$ 4,501	\$ 6,309	\$ 9,073	\$ 11,802	\$ 13,751	\$ 4,607	\$ 11,125	\$ 3,771	\$ 22,056
Lindfield		-			-						
Access and Transport Facilities	\$ 3,866,065	5 \$ 536	\$ 681		\$ 1,372	\$ 1,785	\$ 2,080	\$ 697	\$ 8,321	\$ 2,821	\$ 42,000
Community Facilities	\$ 3,260,514	\$ 623	\$ 792	\$ 1,109	\$ 1,596	\$ 2,076	\$ 2,418	\$ 810			
Streetscape and Public Domain Facilities	\$ 11,329,064	\$ 2,166	\$ 2,751	\$ 3,855	\$ 5,544	\$ 7,212	\$ 8,403	\$ 2,815			
Other	\$ 45,839	9 \$ 9	\$ 11	\$ 16	\$ 22	\$ 29	\$ 34	\$ 11			
Total	\$ 18,501,482	2 \$ 3,334	\$ 4,234	\$ 5,934	\$ 8,535	\$ 11,102	\$ 12,935	\$ 4,334	\$ 8,321	\$ 2,821	\$ 42,000
Pymble											
Access and Transport Facilities	\$ 6,415,690	) \$ 2,128	\$ 2,703	\$ 3,788	\$ 5,448	\$ 7,087	\$ 8,258	\$ 2,767	\$ 37,841	\$ 12,827	\$ 16,163
Community Facilities	\$ 300,000	\$ 223	\$ 283	\$ 396	\$ 570	\$ 742	\$ 864	\$ 290			
Streetscape and Public Domain Facilities	\$ 6,565,062	2 \$ 4,874	\$ 6,190	\$ 8,675	\$ 12,477	\$ 16,230	\$ 18,910	\$ 6,336			
Other	\$ 38,929	9 \$ 29	\$ 37	\$51	\$ 74	\$ 96	\$ 112	\$ 38			
Total	\$ 13,319,681	\$ 7,254	\$ 9,212	\$ 12,912	\$ 18,570	\$ 24,155	\$ 28,144	\$ 9,430	\$ 37,841	\$ 12,827	\$ 16,163
Roseville											
Access and Transport Facilities	\$ 4,029,550	2,377	\$ 3,019	\$ 4,231	\$ 6,085	\$ 7,916	\$ 9,223	\$ 3,090	\$ 28,671	\$ 9,719	\$ 22,750
Community Facilities	\$ 682,915	5 \$ 377	\$ 478	\$ 670	\$ 964	\$ 1,254	\$ 1,461	\$ 489			
Streetscape and Public Domain Facilities	\$ 4,420,249	9 \$ 3,382	\$ 4,295	\$ 6,020	\$ 8,658	\$ 11,262	\$ 13,122	\$ 4,397			
Other	\$ 44,679	9 \$ 34	\$ 43	\$ 61	\$ 88	\$ 114	\$ 133	\$ 44			
Total	\$ 9,177,393	3 \$ 6,170	\$ 7,836	\$ 10,982	\$ 15,795	\$ 20,545	\$ 23,939	\$ 8,021	\$ 28,671	\$ 9,719	\$ 22,750
St Ives											
Access and Transport Facilities	\$ 3,680,230	) \$ 672	\$ 854	\$ 1,197	\$ 1,721	\$ 2,239	\$ 2,609	\$ 874	\$ 5,900	\$-	\$ 20,657
Community Facilities	\$ 1,924,261	\$ 525	\$ 666	\$ 934	\$ 1,343	\$ 1,747	\$ 2,035	\$ 682			
Streetscape and Public Domain Facilities	\$ 23,526,163	3 \$ 6,414	\$ 8,146	\$ 11,417	\$ 16,420	\$ 21,358	\$ 24,886	\$ 8,338			
Other	\$ 63,675	5 \$ 17	\$ 22	\$ 31	\$ 44	\$ 58	\$ 67	\$ 23			
Total	\$ 29,194,329	\$ 7,628	\$ 9,688	\$ 13,578	\$ 19,528	\$ 25,402	\$ 29,598	\$ 9,917	\$ 5,900	\$-	\$ 20,657
Turramurra		•	•		•	•				•	
Access and Transport Facilities	\$ 13,161,170	) \$ 2,911	\$ 3,697	\$ 5,182	\$ 7,452	\$ 9,694	\$ 11,295	\$ 3,784	\$ 23,054	\$-	\$ 21,104
Community Facilities	\$ 1,886,677	7 \$ 473	\$ 601	\$ 842	\$ 1,210	\$ 1,575	\$ 1,835	\$ 615			
-	\$ 13,697,441	\$ 3,433	\$ 4,360	\$ 6,111	\$ 8,788	\$ 11,432	\$ 13,320	\$ 4,463			
-	\$ 53,665	5 \$ 13	\$ 17	\$ 24	\$ 34	\$ 45	\$ 52	\$ 17			
Total	\$ 28,798,952	2 \$ 6,830	\$ 8,674	\$ 12,158	\$ 17,485	\$ 22,745	\$ 26,501	\$ 8,879	\$ 23,054	\$ -	\$ 21,104

# 2. Part B - Administration and operation of this Plan

# **2.1** What are development contributions?

Development contributions are contributions made by those undertaking development approved under the EPA Act.

Contributions may be in the form of money, dedication of land or some other material public benefit (or a combination of these) directed:

- in the case of contributions made under Section 94 of the EPA Act toward the provision or improvement of public amenities or services (or the recouping of the cost of provision or improvement of public amenities or services); or
- in the case of contributions made under a planning agreement prepared in accordance with Sections 93F to 93L of the EPA Act – toward public purposes.

#### 2.1.1 Section 94 contributions

Section 94 of the EPA Act enables councils to seek contributions from developers where development increases the demand for public facilities. Section 94 contributions are levied at the time of development consent.

The EPA Act establishes that a council can only require a section 94 contribution if:

- it is satisfied that a development, the subject of a development application, will or is likely to require the provision of, or increase the demand for, public amenities and public services within the area;
- it has adopted a contributions plan justifying the contribution; and
- the contribution is reasonable.

The power to levy a section 94 contribution relies on there being a clear relationship (or 'nexus') between the development being levied and the need for the public amenity or service for which the levy is required.

Generally, contributions can only be made towards:

- capital costs including land acquisition costs;
- public facilities which a council has a responsibility to provide; and
- public facilities which are needed as a consequence of new development.

#### 2.1.2 Planning agreement contributions

The EPA Act allows for the negotiation of voluntary planning agreements between councils, developers, and/or other planning authorities for the provision of public purposes.

Public purposes are defined in the EPA Act as (without limitation):

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) affordable housing;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and
- the conservation or enhancement of the natural environment.

Ku-ring-gai Council (Council) may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the section 94 contributions required under this Plan.

A planning agreement negotiated and made under this Plan shall be subject to any provisions of or Ministerial directions made under the EPA Act or Regulation relating to planning agreements.

# 2.2 Development contributions strategy

Prior to preparing this Plan, Council considered the facility planning task for each of the Kuring-gai town centres and funding implications via the preparation of the *Ku-ring-gai Town Centres Development Contributions Strategy* (the **Strategy**).

The main purpose of the Strategy was to consider the range of issues related to infrastructure funding and delivery in the town centres through the prism of the contributions mechanisms available to Council, as shown in Figure 1.1.



Figure 1.1 Ku-ring-gai town centres contributions issues

The Strategy recommended the following:

- That Council pursue a development contributions system underpinned by a Ku-ring-gai town centres section 94 contributions plans (this Plan), to be complemented by the use of other development conditions of consent and negotiated planning agreements to fund/deliver town centre facilities.
- Direct developer provision of infrastructure via section 80A(1)(f) conditions of consent will be appropriate where the particular work is entirely generated by an individual development.
- Voluntary planning agreements will be appropriate wherever a land owner/developer agrees to participate in an arrangement to provide works, dedicate land and/or make monetary contributions. In practice this will likely be confined to the larger single developments in the town centres and the developments which involve Council lands. The negotiation and administrative arrangements in relation to planning agreements will be contained in a policies and procedures document.

A diagram showing the Strategy framework is shown in Figure 1.2.

# **2.3** Name of this Plan

This Plan is called *Ku-ring-gai Town Centres Section 94 Contributions Plan* (the **Plan**).

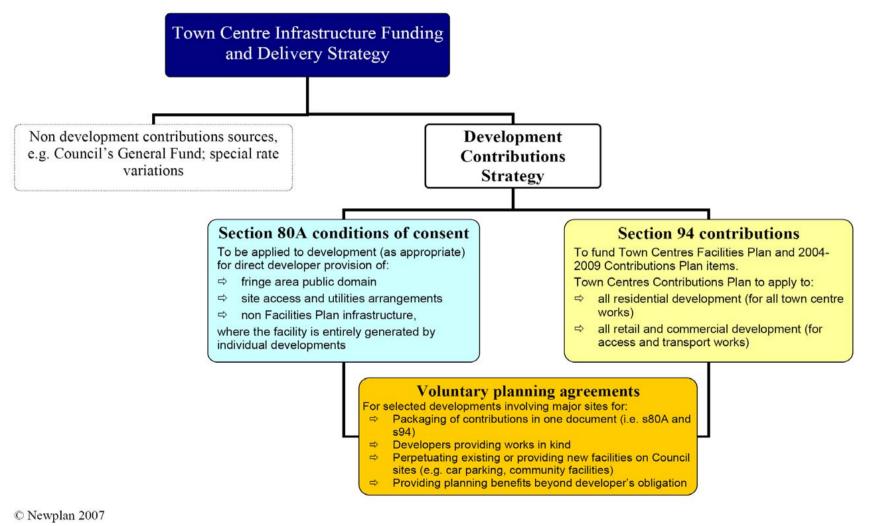
# 2.4 Purposes of this Plan

The purpose of this Plan is to enable Council to levy section 94 development contributions for the provision of public amenities and services (or public facilities) that are required as a consequence of development on land to which this Plan applies.

Other purposes of this Plan are:

- provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions for facilities required to meet the demands from Ku-ring-gai town centre development;
- provide an administrative framework under which public facilities strategies in the Kuring-gai town centres may be implemented and coordinated;
- ensure that adequate public facilities are provided for as part of any new development in the Ku-ring-gai town centres;
- to authorise Council to impose conditions under section 94 of the EPA Act when granting consent to development on land to which this Plan applies;
- ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development; and
- enable Council to be both publicly and financially accountable in its assessment and administration of this Plan.

#### RECOMMENDED DEVELOPMENT CONTRIBUTIONS SYSTEM KU-RING-GAI TOWN CENTRES





# 2.5 Commencement of this Plan

This Plan has been prepared:

- pursuant to the provisions of section 94 of the EPA Act and Part 4 of the EPA Regulation; and
- having regard to the Practice Notes issued by NSW Department of Planning in accordance with clause 26(1) of the EPA Regulation.

The Plan came into effect on X.

This Plan will apply to all development applications determined on or after that date.

# **2.6** Land to which this Plan applies

This Plan applies to land within the respective Ku-ring-gai town centre precincts shown in Figures 2.1 to 2.6.

The planning for the facilities included in this Plan has largely been based on the anticipated demands generated by expected development in these precincts.

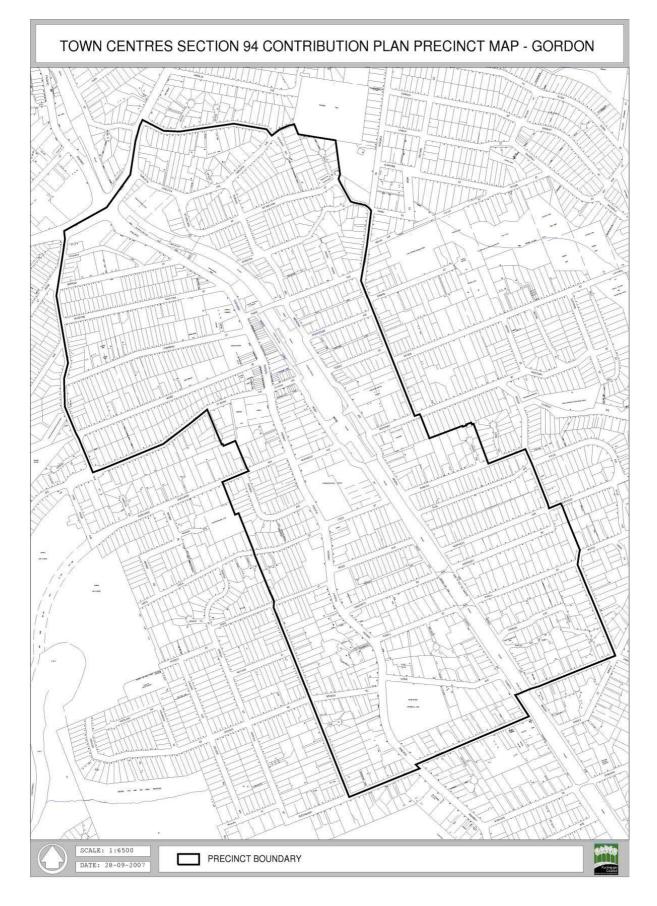


Figure 2.1 Gordon town centre contributions plan precinct

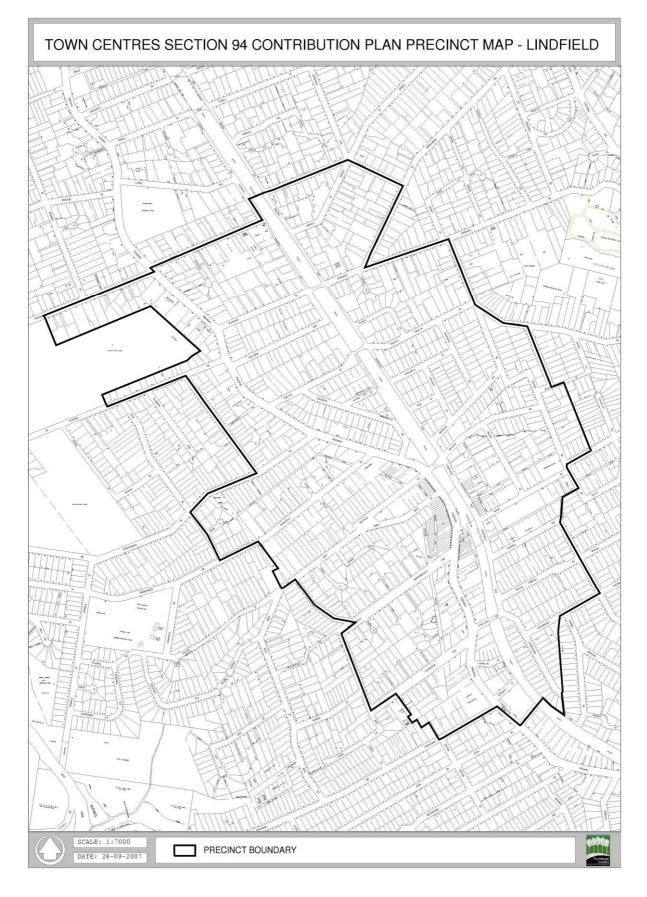


Figure 2.2 Lindfield town centre contributions plan precinct

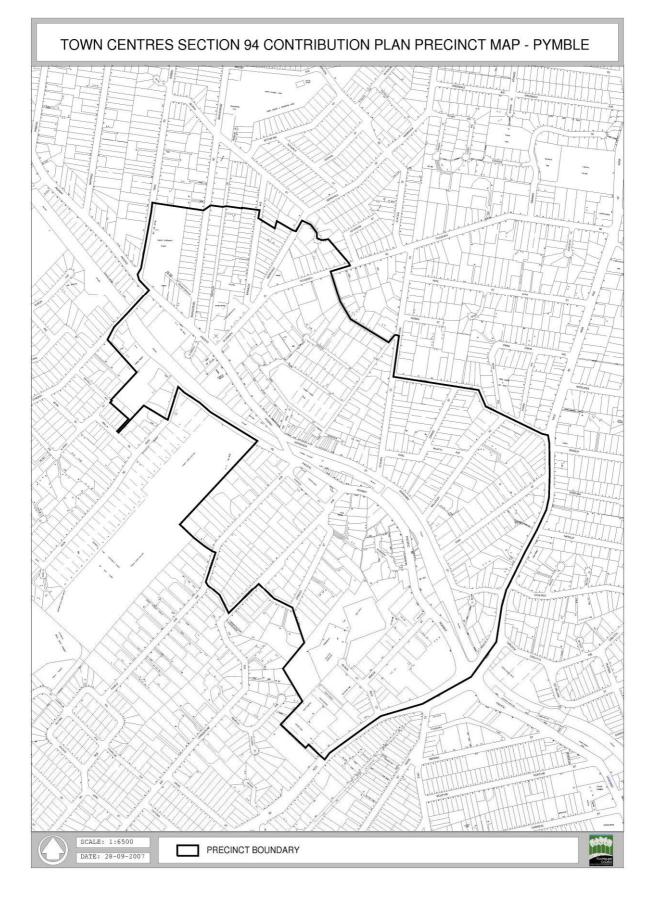


Figure 2.3 Pymble town centre contributions plan precinct

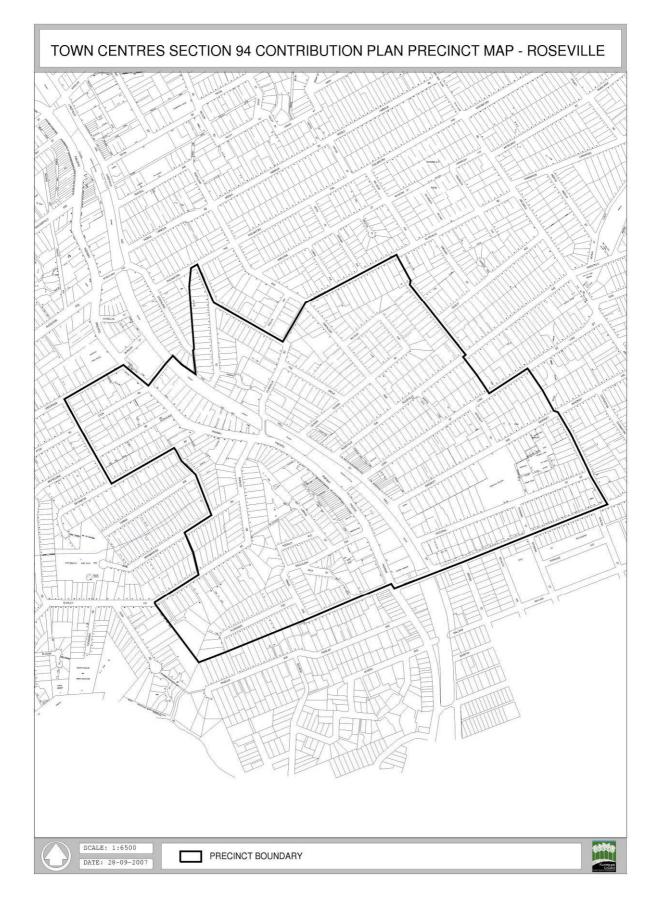


Figure 2.4 Roseville town centre contributions plan precinct

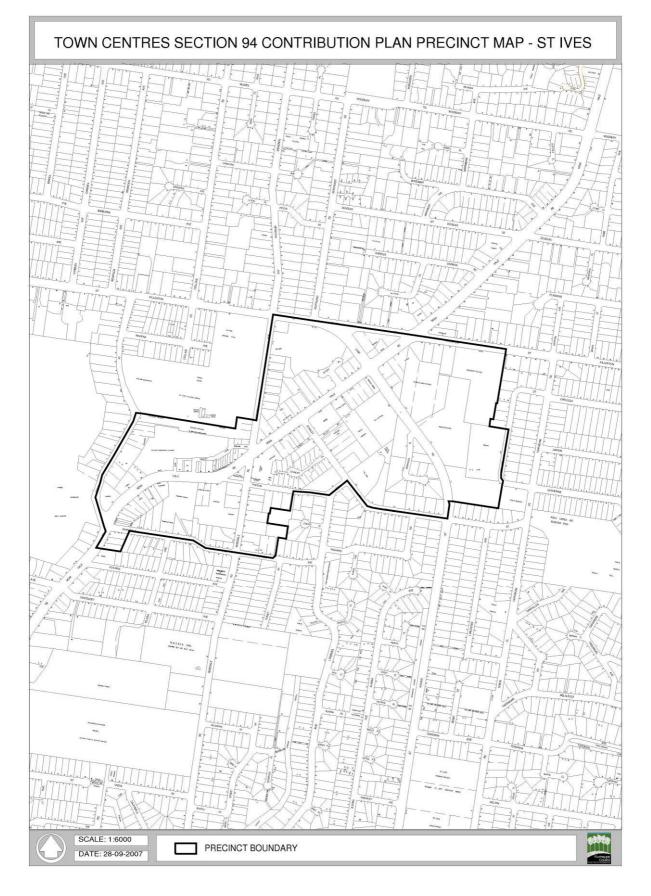


Figure 2.5 St lves town centre contributions plan precinct

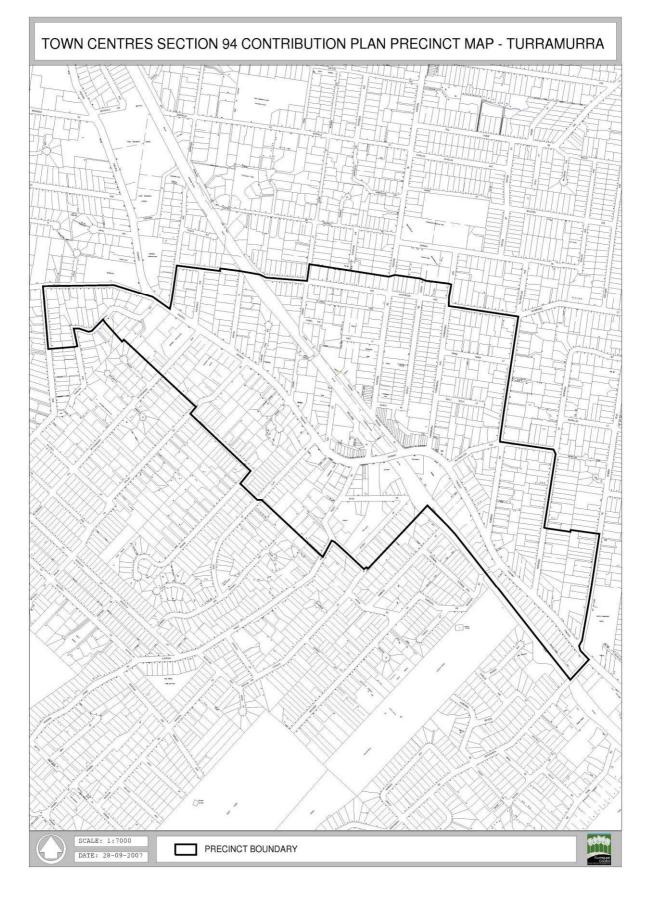


Figure 2.6 Turrumurra town centre contributions plan precinct

# **2.7** Development to which this Plan applies

Council may impose a contribution under section 94 of the EPA Act on consents issued for different types of development approved under this Plan. The type and quantum of the contribution will relate to the form of the development proposed, that is:

- contributions for facilities identified in Sections 3.2 to 3.4 may be required from development for residential purposes; and
- contributions for facilities identified in Section 3.2 may be required from development for retail and business purposes.

Council may require contributions from other types of development where such development is assessed as being likely to require the provision of, or increase the demand for, public facilities identified in this Plan. The contribution to be imposed on such development will be determined having regard to the existing and projected future demands of the development on the facilities identified in this Plan.

However, this Plan shall not apply to:

- for the sole purpose of affordable housing;
- for the sole purpose of the adaptive reuse of an item of environmental heritage;
- for the purposes of roads, public transport, drainage, utility, open space, recreation, education, health, emergency services or community facilities to be provided by or on behalf of State Government or the Council;
- for the purposes of infrastructure identified under this Plan or another contributions plan prepared under section 94 of the EPA Act;
- for facilities provided by Sydney Water, Integral Energy or equivalent water, sewer or energy provider; or
- that in the opinion of Council does not increase the demand for the categories of public facilities and services addressed by this Plan.

For the purpose of this clause, 'affordable housing' has the same meaning as the definition contained in the EPA Act.

## **2.8** Relationship to other contributions plans

Council's *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (*Amendment No. 1*) addresses the facility needs associated with expected development throughout the Ku-ring-gai LGA, including the Ku-ring-gai town centres.

In addition to the contributions included in this Plan, some of the types of contributions included in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) will apply to development on land to which this Plan applies.

This is reasonable because the demand for certain works included in that contributions plan is supplanted by the demand for similar works included in this Plan. The subsequent contributions reduction applied to town centre development under *Ku-ring-gai Section* 94

*Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)* avoids any perception of 'double dipping'.

The contributions under *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) that <u>will not</u> apply to development on land to which this Plan applies are shown in Table 2.1.

Table 2.1	Contributions in Ku-ring-gai Section 94 Contributions Plan 2004-2009 –
	Residential Development (Amendment No. 1) that do not apply to
	development on land to which this Plan applies

Facility category	Contribution type					
Community Facilities						
Multipurpose Community Centre	Stage 1 - Masterplan, Feasibility Study and concept design					
	Stage 2 - New library and fitout including relevant IT provision, administration space and parking					
	Stage 3 -5 - Multi-purpose community space					
Recreation Facilities						
Southern Area Embellishment Works	Southern area works					
Northern Area Embellishment Works	Northern area works					
LGA Wide Embellishment Works	LGA wide works					
Traffic and Transport						
Traffic Management And Road Safety Improvements	Traffic management and road safety works					
Roadworks Program	Roadworks					
Pedestrian Network Improvements	Pedestrian works					
Cycle Network Improvements	Cycle works					
Public Domain Improvements	Shopping centre improvement program					
	Roadway lighting at centres					
	Street tree program					
	Public domain study					
Traffic Studies	Undertake traffic studies					

This Plan does not affect the operation of any other contributions plans adopted by Council.

# 2.9 **Definitions**

In this Plan, the following words and phrases have the following meanings:

Attributable cost means the estimated cost for each item in the works schedules set out in Section 4 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

**Consumer Price Index** means the *Consumer Price Index* (*All Groups Index*) for Sydney as published by the Australian Statistician.

**Contribution** means the dedication of land or the making of a monetary contribution, as referred to in section 94 of the EPA Act.

Council means Ku-ring-gai Council.

**DCP** means the Ku-ring-gai Town Centres Development Control Plan.

EPA Act means the Environmental Planning and Assessment Act 1979.

EPA Regulation means the Environmental Planning and Assessment Regulation 2000.

GFA means gross floor area.

LGA means local government area.

**Planning agreement** means a voluntary agreement referred to in section 93F of the EPA Act.

**RTA** means Roads and Traffic Authority of NSW.

State road means a classified road as defined in the Roads Act 1993.

**Works in kind** means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan.

**Works schedule** means the schedule of the specific public facilities for which contributions may be required, and the likely timing of provision of those public facilities based on projected development, the collection of development contributions and the availability of funds from supplementary sources, as set out in Section 4 of this Plan.

## 2.10 Facility costs

For the purposes of calculating the contribution rates in this Plan, the following facility cost components have been included:

- the capital costs of the proposed works
- the costs of such master planning, detailed design and studies as are required for the proposed works; and
- the cost of acquiring land at current average market prices, discounted where appropriate to account for the transfer of development rights that is provided for under the DCP.

For the purposes of calculating the contribution rates in this Plan, the following components have been excluded:

 the cost associated with the share of any proposed facilities and services (capital and land costs) which are intended to serve the existing population or to make up for an existing deficiency of provision;

- any tied grants, subsidies or funding from other sources which may be available to Council in respect of any nominated work;
- any recoverable funding which has been provided for works which may have otherwise been provided under section 94;
- costs associated with ongoing or routine maintenance, staff resources or other recurrent expenses, other than where these are required as part of a contract to provide a program or service; and
- any facilities or services which may be required as a consequence of the expected development, which another organisation or government agency is responsible for providing.

# **2.11** Operation of this Plan

#### **2.11.1** Plan authorises imposition of section 94 conditions on consents and certificates

This Plan authorises the Council or an accredited certifier, when determining a development application or an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EPA Act requiring:

- the payment of a monetary contribution; and/or
- the dedication of land free of cost,

to the Council towards the provision of public facilities to meet the demands of the development as specified in the works schedule to this Plan.

Contributions will be determined according to the net increase in population applicable to a particular development.

The net increase in population will be determined by the assumed development occupancy and peak hour trip rates contained in Tables 2.2 and 2.3. A credit equivalent to the contribution attributable to any existing development on the site of a proposed new development will be allowed for in the calculation of the contributions. Where the credit is attributable to a type of development not addressed in Tables 2.2 and 2.3 Council will determine the credit based on the circumstances of the case.

Table 2.2	Assumed population by development type
-----------	--

Development type	Occupancy rate (persons per dwelling)
Bedsit or 1 bedroom dwelling	1.27
2 bedroom dwelling	1.78
3 bedroom dwelling	2.56
4 bedroom dwelling	3.33
5 bedroom dwelling	3.88
Seniors living dwelling	1.3

Development type	Trip rate (peak hour vehicle trips per hour)
Bedsit or 1 bedroom dwelling	0.40
2 bedroom dwelling	0.50
3 bedroom dwelling	0.65
4 bedroom dwelling	0.85
5 bedroom dwelling	0.85
Seniors living dwelling	0.45
Retail development (per 100m <sup>2</sup> GFA)	5.9
Business or commercial development (per 100m <sup>2</sup> GFA)	2.0

Table 2.3Assumed peak hour vehicle trips by development type

#### 2.11.2 Obligations of accredited certifiers

It is the responsibility of the principal certifying authority to accurately calculate and apply the section 94 contribution conditions to complying development certificates where applicable. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of any person issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EPA Regulation. Failure to follow this procedure may render such a certificate invalid.

## **2.12** Indexation of contribution rates under this Plan

It is Council's policy to review contribution rates to ensure that the monetary contributions reflect the costs associated with the provision of the particular public facility.

The contribution rate will be reviewed on the following basis:

- for all costs other than land acquisition costs by reference to the *Consumer Price Index* (*All Groups*) for Sydney published by the ABS, reviewed at least quarterly; and
- for land acquisition costs by reference to average land valuation figures published by Council in Council's Management Plan, reviewed at least annually.

In accordance with Clause 32(3)(b) of the EPA Regulation, the contribution rates for works schedule items would be indexed in accordance with the following formulas:

#### Contribution rates for all works schedule items (other than land acquisition items)

\$C<sub>A</sub> + Base Index

Where:

\$CA	is the contribution rate for works schedule items (other than land to be acquired) at the time of adoption of the Plan expressed in dollars
Current Index	is the <i>Consumer Price Index (All Groups Index) for Sydney</i> as published by the Australian Statistician at the time of the review of the contribution rate
Base Index	is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the date of adoption of this Plan

Note: In the event that the current index is less than the previous index, the current index shall be taken as not less than the previous index in each case.

#### **Contribution rates for land acquisition items**

CLV + \$CLV X (Current LV Index – Base LV Index)
Base LV Index

Where:

- $C_{\text{LV}}$  is the land values within the Plan at the time of adoption of the Plan expressed in dollars
- Current LV Index is the Land Value Index as published by the Council at the time of the review of the contribution rate
- Base LV Index is the Land Value Index as published by the Council at the date of adoption of this Plan

Note: The contribution rate for land acquisition will not be less than the contribution rate specified at the date of the adoption of this Plan.

# **2.13** Indexation of contributions required by a condition imposed under this Plan

The contributions stated in a consent are calculated on the basis of the section 94 contribution rates determined in accordance with this Plan, as adjusted under the terms of clause 2.13.

If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at time of payment in the following manner:

 $C_P = C_D + \frac{[C_D C X (C_Q - C_C)]}{C_C}$ 

Where:

 $C_P$  is the amount of the contribution calculated at the time of payment

\$C<sub>DC</sub> is the amount of the original contribution as set out in the development consent

- $C_Q$  is the contribution rate applicable at the time of payment
- \$C<sub>c</sub> is the contribution rate applicable at the time of the original consent

The current contributions are published by Council and are available from Council offices. Should the Council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

# 2.14 Timing of payment of monetary contributions required under this Plan

A contribution is payable in full as follows:

- in the case of development applications involving subdivision before the release of the construction certificate related to the subdivision works or the release of the linen plan/subdivision certificate, whichever occurs first;
- in the case of development applications involving building work before the release of the construction certificate;
- in the case of development applications involving both subdivision and building work before the release of the construction certificate or the release of the linen plan/subdivision certificate, whichever occurs first; and
- in the case of development applications where no construction certificate is required at the time of issue of notification of consent or prior to commencement of the approved use, or prior to occupation of the premises, as may be determined by Council.

Where (as discussed above) payment is required prior to the release of a construction certificate, and the development is a staged development or otherwise involves the issue of more than one construction certificate, payment in full is required prior to the issue of the first construction certificate for the development.

## **2.15 Policy on deferred or periodic payments**

Deferred payment generally will not be accepted by Council. However Council may accept a deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies Council that:

- compliance with the provisions relating to when contributions are payable is unreasonable or unnecessary in the circumstances of the case; and
- non-compliance with the terms of clause 2.14 will not increase the cost or prejudice the timing or the manner of providing the facility or service for which the contribution was required as outlined in the works schedule.

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

Council may, if it decides to accept the deferred or periodic payment of a contribution, require the applicant to provide a bank guarantee by an Australian bank for the contribution or the outstanding balance on condition that:

- the guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing, not earlier than six months (or a term determined by Council) from the provision of the guarantee or completion of the development or stage of the development to which the contribution or part relates;
- the guarantee prohibits the bank from:
  - ⇒ having recourse to the applicant or other person entitled to act upon the consent before paying the guaranteed amount;
  - A having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount;
- the bank's obligations under the guarantee are discharged:
  - ⇒ when payment is made to the consent authority according to the terms of the bank guarantee;
  - $\Rightarrow$  if the related consent lapses;
  - if the consent authority otherwise notifies the bank in writing that the bank guarantee is no longer required; and
- the applicant pays interest to Council on the contribution or the outstanding amount at the overdraft rate on and from the date when the contribution would have been otherwise payable in accordance with clause 2.14 of this Plan.

Where Council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under Section 88E of the *Conveyancing Act* 1919 to be registered on the title to the land to which the relevant development application relates.

# 2.16 Works in kind and other material public benefits offered in part or full satisfaction of contributions

A person may make an offer to the Council to carry out work or provide another kind of material public benefit in lieu of making a contribution in accordance with a section 94 condition imposed under this Plan, in the terms described below.

The Council may accept an offer by the applicant to make a contribution by way of works in kind (defined as an item in the works schedule to this Plan) or material public benefit for works or the dedication of land (defined as an item that is not included in the works schedule to this Plan).

The decision will be at the sole discretion of Council.

# 2.16.1 Matters to be considered by the Council in determining offers of material public benefits

Factors that Council will take into consideration in making its decision will include the following:

- The value of the works and/or dedication of land is at least equal to the value of the contribution that would otherwise be required under this Plan.
- The standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction.
- Whether the acceptance of the works and/or dedication of land will prejudice the timing or the manner of the provision of public facilities included in the works program of this Plan.
- The extent to which the works and/or dedication of land satisfies the purpose for which the contribution was sought.
- The conditions applying to the transfer of the asset to the Council are to Council's satisfaction.
- The financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer).
- The overall benefit of the proposal.

#### 2.16.2 Works in kind and material public benefit agreements

Council will require the applicant to enter into a written agreement for the provision of works in kind or a material public benefit prior to the commencement of the development.

Works in kind and material public benefit agreements shall be made between the Council, any person entitled to act upon the consent and the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and the contribution plan, and the program for delivering the works.

Where an offer is made prior to the issue of development consent, the offer should be in the form of a planning agreement. If the offer is made by way of a draft planning agreement under the EPA Act, Council will require the agreement to be entered into and performed via a condition in the development consent. Planning agreements shall address the matters included in the EPA Act and EPA Regulation.

#### **2.16.3** Valuation of offers of works-in-kind and material public benefits

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

# **2.17 Pooling of contributions**

Council's ability to forward fund services and amenities identified in this Plan is very limited. Consequently their provision is largely contingent upon the availability of contributions funds.

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary section 94 contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary section 94 contributions under this Plan are the priorities for works as set out in the works schedule in Section 4, where possible. However changing rates of development in different areas may alter those priorities.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

# 2.18 The Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office (ATO) was that the payment of development contributions made under the EPA Act is exempt from the Goods and Services Tax (GST).

Items in the works schedule of this Plan have been calculated without any GST component.

## **2.19** Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EPA Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council, on provision of reasonable notice.

# 2.20 Review of Plan

This Plan with supporting information will be subject to review by Council, so as to:

- monitor development trends and income received by the Plan;
- ensure that contributions rates reflect actual costs incurred by the Plan; and
- enable alteration to the works schedule if development rates differ from original expectations (refer Section 3.3.1).

Contribution rates may be revised by a review of the Plan and adjustment to the assumptions within the Plan. Any material change in the Plan, with the exception of limited adjustments permitted under clause 32(3) of the EPA Regulation, will require the Plan to be amended, including public exhibition of the amendments and consideration of any public submissions received.

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections or amendments to rates resulting from changes in the Consumer Price Index or Land Value Index (see Section 2.12).

## **2.21** Savings and transitional arrangements

A development that has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the contributions plans that apply at the date of determination of the application.

# **3.** Part C - Facility demands and strategy plans

# **3.1** Facility needs associated with the expected development

#### **3.1.1** Facility planning overview

The planning of each town centre was predicated on a planning vision statement, which was in turn prepared with the involvement of the Ku-ring-gai community. Each vision statement refers to opportunities and constraints upon developable land, supported by infrastructure strategies and measures required to sustain the planned growth.

Provision of new and augmented public facilities is integral to achieving the planning vision for each centre, for example:

St lves centre will become more accessible particularly for pedestrians, pram walkers, people with disabilities, cyclists and public transport users. Vehicle access to the centre will be improved and more parking, with better access, will be provided (excerpt from St lves town centre planning vision included in the DCP)

New public spaces will be located in centrally accessible locations together with a range of community facilities such as a library, seniors' resource centre and youth space, and leisure-based activities such as cafes and restaurants. New and upgraded public connections that are accessible for all users will be provided to encourage a walkable community (excerpt from Lindfield town centre planning vision included in the DCP)

Traffic improvements will be made to the Highway, streets and lanes in the centre which are currently facing traffic problems such as bottlenecks or conflicts with pedestrians. Improvements such as new pedestrian crossings, new streets, traffic signals and one way streets will be provided. Public parking areas will be retained and improved in terms of location, design, quantity and safety (excerpt from Gordon town centre planning vision included in the DCP)

The DCP, in addition to containing controls relating to the development of private land in each centre, translates each planning vision into an outline of upgraded or new infrastructure that will be required including:

- parks and open space facilities;
- streetscape and public domain facilities;
- water management facilities;
- community services and facilities;
- pedestrian/cycle access and circulation facilities;
- public transport facilities;
- vehicle access and circulation facilities; and

• car parking facilities

As part of the preparation of the DCP, Council commissioned studies and other work to provide greater specificity and justification for these facilities as well as other work to support the future provision of facilities. This work included preparation of the following:

- traffic and parking studies for each town centre;
- a riparian policy for the entire LGA;
- a open space acquisition strategy for the entire LGA;
- holding of public hearings into the reclassification of Council-owned land in several of the town centres; and
- a public domain strategy and manual (in progress at the time this Plan was prepared).

This research translated into the preparation of a draft Facilities Plan for the Ku-ring-gai town centres.

#### **3.1.2** Current and expected future development

#### Town centre precincts

Figures 2.1 to 2.6 show the boundaries of each Ku-ring-gai town centre precinct for the purposes of contributions collected and applied under this Plan.

Precincts addressed by this Plan have been delineated on the basis of the potential for the land to be further developed for higher intensity land uses that, prima facie, will or is likely to require the provision of, or increase the demand for, public amenities and public services within the area.

Generally, the lands included in the precincts are those that have been rezoned under the following environmental planning instruments:

- Ku-ring-gai Local Environmental Plan 2006 (Town Centres)
- Ku-ring-gai Local Environmental Plan 194
- Ku-ring-gai Local Environmental Plan 200

Planning provisions relating to areas affected by LEPs 194 and 200 are described as Stage 1 of the Ku-ring-gai Residential Development Strategy. These are areas generally on the periphery of the town centres. Stage 2 of the Strategy addresses the core of the centres (that is, *Ku-ring-gai Local Environmental Plan 2006 (Town Centres)*).

This Plan, in conjunction with *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – *Residential Development (Amendment No. 1)*, accounts for the consolidated demand for public services and public amenities attributable to the development envisaged under the three environmental planning instruments.

#### Current and approved development

The precincts exhibit a range of development types including:

- retail and commercial land uses associated with each centre;
- institutional and special uses including schools, churches and community facilities and services; and
- detached housing on relatively large allotments.

The environmental planning instruments listed above are designed to promote more significant residential and non residential redevelopment at the core of the precincts (such as apartments), and more limited opportunities for the construction of additional dwellings (such as dual occupancy dwellings) are available towards the periphery of the precincts.

Table 3.1 shows estimates of current and approved development and resident population in each of the Ku-ring-gai town centres.

Table 3.1 shows that there is a significant amount of residential development that, at the time this Plan was prepared, had been approved and was either currently, or yet to be, constructed in the Ku-ring-gai town centre precincts. Although these developments (if they are acted upon) are likely to increase the demand for the facilities identified in this Plan, they cannot be levied a contribution under this Plan.

Generally, development consents for these residential developments would contain conditions requiring the payment of section 94 contributions under *Ku-ring-gai Section* 94 *Contributions Plan* 2004-2009 – *Residential Development (Amendment No. 1)* and this will be the only opportunity for Council to mitigate the facility impacts of these developments.

#### Expected future development and population

Projections of expected future development and resident population in the area to which this Plan applies are also shown in Table 3.1.

Table 3.1 shows that:

- the town centre environmental planning instruments create potential for about 12,000 net additional dwellings to be constructed in the centres;
- Gordon and Lindfield precincts have the most potential additional residential development capacity of all the centres, of up to 5,200 dwellings each;
- Pymble and Roseville precincts have the least additional residential development capacity of all the centres, of up to 1,300 dwellings each;
- most of the growth in business floor space (that is, commercial and office floor space) is anticipated to be focused on Pymble, while Roseville, St Ives and Turramurra will experience either little growth or net decline in this type of floor space;
- Gordon and St lves town centres will be the focus of 70 percent of the anticipated 83,000 square metres of retail floor space growth in the centres.

		EXISTING 2007			-	EXISTING + 2 2007 + appi		)	FULL DEVELOPMENT SCENARIO Full development under Master Plan and LE				NET ADDITIONAL P Full development - existing development			
Town centre	Dwellings	Population	Business GFA(m2)	Retail GFA(m2)	Dwellings	Population	Business GFA (m2)	Retail GFA(m2)	Dwellings	Population	Business GFA (m2)	Retail GFA(m2)	Dwellings	Population	Business GFA (m2)	Retail GFA(m2)
Gordon	505	1.147	54,859	22,200	1,042	2,067	54,859	22,200	3,568	6,424	59,862	60,100	3,063	5,277	5,003	37,900
Lindfield	625	1.342	19,317	16,902	1,135	2,214	19,317	16,902	3,653	6,573	22,919	28,448	3,028	5,231	3,602	11,54
Pymble	364	793	18,301	6,853	454	947	18,301	6,853	1,191	2,140	34,321	10,801	827	1,347	16,020	3,948
Roseville	779	1,500	9,405	10,840	803	1,596	9,405	10,840	1,559	2,807	10,379	13,728	780	1,307	974	2,888
St Ives	303	758	13,650	28,900	815	1,639	13,650	28,900	2,413	4,426	11,825	49,472	2,110	3,668	-1,825	20,572
Turramurra	547	1,105	13,890	20,838	984	1,911	13,890	20,838	2,768	5,095	11,500	27,545	2,221	3,990	-2,390	6,707
Totals	3,123	6,645	129,422	106,533	5,233	10,374	129,422	106,533	15,152	27,465	150,806	190,094	12,029	20,820	21,384	83,56

### Table 3.1 Current and future development in the Ku-ring-gai town centre contributions plan precincts

Approximately 21,000 people (or around 20 percent of the current LGA population) will be added to Ku-ring-gai LGA's population if all of the residential development opportunities in the town centre precincts are taken up.

The projections in Table 3.1 assume full utilisation of the development potential afforded by the plans applying to lands in the Ku-ring-gai town centre precincts. In practice, however, it is unlikely that this will occur for the following reasons:

- Numerous land owners and fragmented land holdings meaning that there are likely to be sites that are never developed in accordance with the town centre development plans.
- The likelihood that for some sites in the town centres, perpetuation of the current development intensity and land use mix will remain the highest and best use of those sites.

An assessment of likely development take-up by precinct is shown in Table 3.2.

# Table 3.2Likely future development in the Ku-ring-gai town centre contributions planprecincts

Town centre	Dwellings	Population	Business GFA (m²)	Retail GFA(m <sup>2</sup> )
Gordon	2,763	4,738	4,002	30,320
Lindfield	2,693	4,629	2,882	9,237
Pymble	781	1,266	12,816	3,158
Roseville	679	1,140	779	2,310
St Ives	1,840	3,186	-1,460	16,458
Turramurra	2,037	3,658	-1,912	5,366
Total	10,793	18,617	17,107	66,849

Table 3.2 shows that, across all centres, about 85 percent of the available development potential is likely to be taken up in the long term.

Nevertheless, the facilities identified in this Plan have been planned on the basis of full utilisation of development potential.

Because:

- development has been approved in the precincts prior to this Plan coming into effect;
- the available potential is not likely to be fully utilised; and
- the full cost of all facilities cannot be reasonably apportioned to expected town centre development,

Council will need to source funds from complementary sources to deliver the facilities included in this Plan.

In some cases the Plan's works schedule will be modified or scaled back to reflect the lesser impacts arising from less than full development. Review and (if necessary) adjustment of the works schedule will take place as part of regular reviews of this Plan.

#### **Characteristics of the population in the town centres**

The characteristics of the future population of the town centres is important information in determining the facility needs likely to be generated by expected development. For example, data on the projected age profile, ethnicity, family type, level of personal disability, household/family type and household occupancy rates are important in determining the need for public services and amenities, particularly community facilities.

Council has commissioned research to better understand both the rate of the expected development in each town centre and the anticipated characteristics of the resident population that will occupy the expected development. At the time this Plan was prepared this research was in progress. The research findings, when available, will be included in later versions of this Plan.

Notwithstanding the future research results, it is difficult to project population characteristics of the occupants of expected town centre development when the type of development itself has little or no precedent in the Ku-ring-gai LGA, or data is not yet available. The reasons for this include the following:

- While Ku-ring-gai LGA has many apartments and other types of housing likely to be typical of future town centre development, this housing is generally scattered throughout the LGA and is not significantly concentrated in any particular neighbourhoods. Concentrations of multi-dwelling housing do exist, particularly in seniors living developments and in parts of the railway/Pacific Highway corridor, however they are relatively small and do not comprise the smallest geographic unit of analysis available from the Census of Population and Housing (that is, the 'collector district'). Additionally, many of these multi-unit concentrations comprise housing built in the 1970s and 1980s and do not readily compare to the premium and more spacious apartment housing products typical of recent development approvals.
- At the time that this Plan was prepared, Council had approved many apartment dwellings in areas covered by Ku-ring-gai Local Environmental Plans 194 and 200 and within the precincts covered by this Plan. Such development is shown in the 'existing + approved' columns of Table 3.1. However, at the time the most recent Census was taken (August 2006) very few of these dwellings had been completed and/or occupied. As a result, little useful data from that Census is available on the likely population characteristics of the town centres.

In advance of the LGA-specific research, a comparison of collector districts predominantly comprising apartment and multi-unit dwellings that are located elsewhere in northern Sydney with population characteristics of Ku-ring-gai LGA in 2006 was undertaken. The selected locations were Hornsby/Waitara and Chatswood town centre. These locations were selected because:

- a level of public transport accessibility similar to that envisaged for the Ku-ring-gai town centre precincts;
- of their location in proximity to Ku-ring-gai LGA; and

 they comprise Census collector districts with housing mainly comprising apartments and multi-unit housing.<sup>2</sup> In the case of Hornsby/Waitara most of the apartments were constructed in the last 5 to 10 years while Chatswood town centre has a broader range of housing densities built over different periods.

The following points, table and charts illustrate the comparison.

Compared with the Ku-ring-gai LGA, the Hornsby/Waitara and Chatswood apartment precincts (in 2006) had:

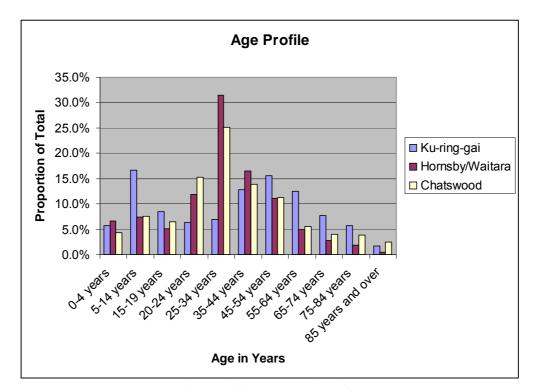
- significantly fewer children aged between 5 and 14 years;
- significant concentrations of young working age persons aged 20 to 34 years;
- generally fewer adults aged over 55 years;
- a significantly lower resident median age;
- a minority of residents either born in Australia or speaking English as the only language spoken at home, whereas there was a significant majority in both categories in Ku-ringgai LGA;
- significantly lower individual and household average incomes;
- a higher average number of persons per bedroom but a lower average household occupancy rate.

# Table 3.3Selected characteristics comparison 2006: Ku-ring-gai LGA, Hornsby/Waitara and Chatswood

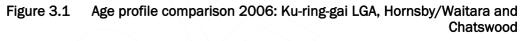
	Ku-ring-gai LGA	Hornsby/Waitara	Chatswood
Census night population	101,084	3,170	4,529
Total private dwellings	32,994	1,315	1,854
Proportion of private dwellings other than dwelling houses (%)	14.4	99.8	95.2
Median age of persons	41	31	33
Median individual income (\$/weekly)	716	690	456
Median family income (\$/weekly)	2,530	1,491	1,209
Median household income (\$/weekly)	2,147	1,356	980
Median housing loan repayment (\$/monthly)	2,500	1,836	2,066
Median rent (\$/weekly)	420	325	364
Average number of persons per bedroom	1.0	1.4	1.4
Average household size	2.9	2.3	2.1

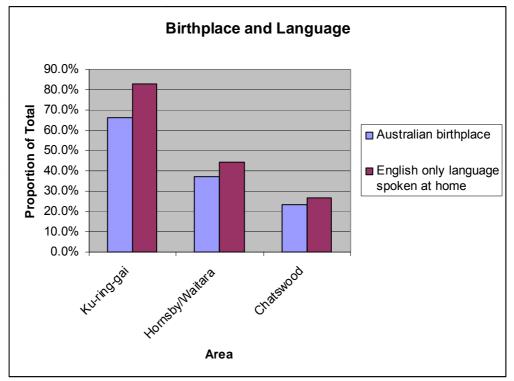
Source: Australian Bureau of Statistics Census of Population and Housing 2006 Basic Community Profile

<sup>&</sup>lt;sup>2</sup> The Hornsby/Waitara area lies south of Edgeworth David Avenue and either side of the Pacific Highway and North Shore Railway. The Census collector districts data used for the analysis are 1251513, 1251516, 1251517 and 1251518. The Chatswood town centre area is focused on Chatswood railway station and either side of the North Shore Railway as far as Johnson Street in the south, the Pacific Highway in the west, Ashley Street in the north, and Archer Street in the east. The Census collector districts data used for the analysis are 1382306, 1382316, 1382401, 1382402, 1382413 and 1382414.



Source: Australian Bureau of Statistics Census of Population and Housing 2006 Basic Community Profile





Source: Australian Bureau of Statistics Census of Population and Housing 2006 Basic Community Profile

Figure 3.2 Birthplace and language comparison 2006: Ku-ring-gai LGA, Hornsby/Waitara and Chatswood If the population characteristics of the selected apartment precincts in Hornsby/Waitara an Chatswood are to be reflected (even to a limited extent) in the characteristics of the Ku-ringgai town centre population, then it can be anticipated that such population may be:

- generally younger,
- more ethnically diverse, and
- with less individual and household income,

than the rest of the Ku-ring-gai LGA population.

The results of the comparison must be treated with caution given the results relate to development outside of the Ku-ring-gai LGA and that Ku-ring-gai LGA has not previously witnessed the level of concentration of apartment development that is expected to occur in the town centres.

The results however will provide a useful comparison with the results of the LGA-specific research when it is completed.

#### **3.1.3 Facility demands**

Existing infrastructure has been essentially designed to accommodate the current population living and working in the Ku-ring-gai town centres. Expected future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public services and amenities.

Impacts of future development in the Ku-ring-gai town centres on public services and public amenities will include the following:

- increased demand for access and transport management facilities that will support safe and convenient access to, from and within the Ku-ring-gai town centres, such as new streets, upgraded intersections, and public transport, walking and cycling facilities;
- increased demand for spaces that will foster community life and the development of social capital in the town centres and LGA as a whole, such as community centres and libraries;
- increased demand for recreation facilities, such as local and district parks, playing fields and indoor and aquatic recreation facilities; and
- a new (in the Ku-ring-gai context) demand for 'urban' public spaces and public domain, such as new and/or wider footpaths to meet the greater intensity of pedestrian activity, street tree planting, street furniture, and civic spaces and squares.

A range of public services and amenities have been identified as being required to address the anticipated demands of the expected development. More detail on:

- the demand for these services and amenities;
- the relationship between the services and amenities and the expected development; and
- the strategies for delivering the services and amenities,

is contained in Sections 4.1 to 4.3 of this Plan.

The costs and programs of works related to these facility categories are shown in Section 4 of this Plan.

A summary of the required facilities (by centre) is shown in Table 3.4.

Maps showing the location of the required facilities are shown following the works schedules in Section 4.

			C	Centre		
Facility category	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra
Access and transport facilities						
Traffic signals and intersections						
- works	$\checkmark$	✓	∕ ✓	✓	$\checkmark$	$\checkmark$
Road widening and/or modifications						
- land acquisition/dedication				$\checkmark$	$\checkmark$	$\checkmark$
- works	~		$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
New streets and lanes						
- land acquisition/dedication	✓	✓	$\checkmark$	$\checkmark$		$\checkmark$
- works	~	✓	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Transport	$\checkmark$	~	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Car parking	~	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Community facilities						
- works	~	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Streetscape, open space and p	ublic domaiı	n facilities				
Streetscape improvements	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Urban / civic space						
- land acquisition/dedication	$\checkmark$				$\checkmark$	$\checkmark$
- works	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Through-block connections						
- land acquisition/dedication		$\checkmark$	$\checkmark$	$\checkmark$		$\checkmark$
- works	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Open space						
- works (embellishment)	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$
Water cycle management	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$	$\checkmark$

#### Table 3.4Required public facilities

This Plan includes works in the facility categories shown in Table 3.4.

Additionally, there are other facility demands likely to be generated by expected Ku-ring-gai town centre development. These demands are addressed by *Ku-ring-gai* Section 94

*Contributions Plan 2004-2009 – Residential Development (Amendment No. 1).* Applicants for development of land in the town centre precincts should refer to both contributions plans to determine the contributions that apply.

# **3.2** Access and transport facilities

# **3.2.1** What is the relationship between the expected types of development and the demand for additional public facilities?

Occupants of expected development in the Ku-ring-gai town centres will utilise a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including rail infrastructure and services, bus infrastructure services and other transport services; and
- facilities for walking and cycling.

The existing transport network has generally been planned and developed to serve existing and approved developments in the area, and not necessarily future development in the Kuring-gai town centres.

There are deficiencies in the performance or level of service of the road network serving the town centres. Expected development will create additional trips that will, in turn, have a cumulative adverse effect on the performance of components of the network, whether those components' are currently performing satisfactorily or unsatisfactorily.

This is particularly the case with intersections serving the town centres. With the exception of St Ives, all of the centres rely heavily on the Pacific Highway for access. In St Ives' case, access is heavily reliant on the performance of Mona Vale Road. Some of these intersections are currently performing poorly at peak use times.

Strategies to facilitate the extra trips arising from new development that have been formulated as part of the town centre master planning process include upgrading of intersections, providing new streets and alternative access routes around centres, and facilitating multiple occupancy of vehicles and non-private vehicle modes of travel.

The access and transport strategies for the Ku-ring-gai town centres<sup>3</sup> have identified a number of transport infrastructure upgrades that will be required to mitigate the impacts of the expected town centre development and maintain current levels of service. The classes of improvements include the following:

- Upgrading of existing intersections, including new or relocated traffic and pedestrian signals and new or augmented turning lanes.
- Widening and/or realignment of existing roads and streets.
- Local area traffic management facilities and strategies, such as redirection of traffic flows, roundabouts, kerb blisters and the like.
- New streets, primarily to facilitate intra-centre vehicle access as well providing a release valve to better distribute the additional vehicular traffic generated by town centre developments. New streets and extensions/widening of existing streets also have a

<sup>&</sup>lt;sup>3</sup> Refer to Appendix A for a full list of studies and strategies used to determine the demand for access and transport facilities included in this Plan.

broader role in improving pedestrian permeability and streetscape amenity in the town centres.

- New cycleways (both on and off road) and cycle parking/storage facilities.
- New or upgraded public transport facilities, including kiss and ride, taxi and bus passenger facilities.
- New public car parking facilities, both as a response to the additional parking demands generated by centre development or required as a consequence of existing car parking facilities proposed to be displaced by centre development.

Details of the need for most of the access transport facilities attributable to the expected development of the Ku-ring-gai town centres are contained in both the transport strategies and assessments for each centre<sup>4</sup> and the DCP.

Intersection works have been planned and specified to achieve a performance goal for all turning movements at all intersections of Level of Service D or better.<sup>5</sup>

Where, because of excessive cost and/or State Government responsibility, this standard cannot be assured, facilities that allow existing conditions to be maintained at current performance levels (that is, at Level of Service E or F) have been specified and included in this Plan. Such facilities are warranted so that future development does not worsen existing conditions.

Improvements to town centre pedestrian facilities area are also proposed, including new streets, new though-block links and footpath widenings. These facilities however integrate with the quality of public spaces and the public domain of each centre. The demands for new streets – considered foremost an access and transport strategy - are addressed in this section (Section 3.2) while the demands for though-block links and footpath widenings – which are considered to relate more to streetscape and public domain strategies - are addressed in Section 3.3.

#### 3.2.2 What is the strategy for delivering facilities?

The planning for the access and transport facilities to serve the Ku-ring-gai town centres was undertaken with the wider Ku-ring-gai community as part of the preparation of the town centres LEP and DCP.

Planning objectives and strategies for the various types of access and transport are contained in the DCP.

Table 3.5 lists the DCP references for the different access and transport objectives and strategies for the respective Ku-ring-gai town centres.

<sup>&</sup>lt;sup>4</sup> Refer Appendix A for list of strategies and assessments

<sup>&</sup>lt;sup>5</sup> Refer to Table 4.2 of Guide to Traffic Generating Developments, Roads and Traffic Authority of NSW, Version 2.2, October 2002 for more information on intersection performance and planning criteria

	Ku-ring-gai Town Centres Development Control Plan section references											
Facility category	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra						
Traffic signals and intersections	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access						
Road widening and/or modifications	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access						
New streets and lanes	G2.2.9 Vehicle Access and Circulation	L2.2.14 Vehicle Access and Circulation	P2.2.13 Vehicle and Service Access and Carparking	R2.2.14 Vehicle Access and Circulation	S2.2.12 Vehicle Access and Circulation	T2.2.13 Vehicle and Service Access						
Public transport, pedestrian and cycle access	G2.2.7 Pedestrian / Cycle Access and Circulation; G2.2.8 Public Transport	L2.2.11 Pedestrian – Access and Circulation; L2.2.12 Bicycle Access and Circulation; L2.2.13 Public Transport; L2.2.16 Permeability	P2.2.10 Pedestrian Access and Circulation; P2.2.11 Bicycle Access and Circulation; P2.2.12 Public Transport	R2.2.11 Pedestrian Access and Circulation; R2.2.12 Bicycle Access and Circulation; R2.2.13 Public Transport; R2.2.16 Permeability	S2.2.9 Pedestrian Access and Circulation; S2.2.10 Cycle Access and Circulation	T2.2.10 Pedestrian Access and Circulation; T2.2.11 Bicycle Access and Circulation; T2.2.12 Public Transport						
Car parking	G2.2.10 Carparking and Access	L2.2.15 Car Parking and Servicing	P2.2.13 Vehicle and Service Access and Carparking	R2.2.15 Car Parking and Servicing	S2.2.13 Car Parking and Servicing	T2.2.13 Vehicle and Service Access						

#### Table 3.5 Town Centre DCP facility strategy references

Source: Ku-ring-gai Town Centres Development Control Plan

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to the categories of facilities identified in Table 3.3.

The maximum development contribution to be applied to any individual work will be dependent on the total cost that is assumed to be apportioned to expected development in the town centres (refer Section 3.2.3). Contributions will be secured from a range of sources to ensure all works identified in this Plan are delivered.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 20 years. Works have been assigned the following timing descriptors:

- 'S' short term or less than 5 years from the date on which this Plan commenced.
- 'M' medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the access and transport facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

#### State and local government responsibilities

Council will require contributions from developers under this Plan toward provision of certain access and transport facilities. However this Plan only addresses those facilities and services which are at least partly the responsibility of Council to provide.

Transport infrastructure is the responsibility of both State and local government. For example, most roads are the responsibility of local government to provide and maintain, others have a shared responsibility between State and local government, while higher order roads ('classified' roads, arterial roads) are the sole responsibility of State Government. Public transport facilities mainly fall within the province of State Government with local government having some role in providing passenger amenities (bus shelters, taxi stands).

The level of contribution (that is, apportionment factor) for individual access and transport facilities included in this Plan has been determined with regard to both:

- whether Council or the State Government has a responsibility to provide the facility;
- the level of demand generated by the expected development in each town centre.

More information on the methodology for determining the level of contribution for individual works is included in Section 3.2.3.

#### Facilities required to be provided by the developer by conditions of consent

A range of access and transport facilities (not addressed by this Plan) may be required by Council to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EPA Act - the demand for which is considered to be generated entirely by individual developments in the Ku-ring-gai town centres.

Such facilities may include:

- access driveways, local roads, footpaths and street tree planting not addressed by this Plan and located within or in close proximity to proposed developments; and
- traffic management devices and treatments on local roads not addressed by this Plan (both temporary and permanent) required to provide safe and convenient access to the development.

#### **3.2.3** How is cost apportionment determined?

The apportionment of costs of facilities to expected Ku-ring-gai town centres development is included in the works schedule (refer to 'apportionment factor' column in Section 4). These apportionment factors reflect the level of demand for those facilities anticipated to be generated by expected Ku-ring-gai town centres development.

#### **Contributions for intersection upgrades and associated works**

Cost apportionment for these types of access and transport facilities have been determined with regard to traffic modelling and assessment carried out for each of the Ku-ring-gai town centres. References used for this purpose are cited in Appendix A to this Plan.

The following apportionment approaches have been applied:

- 1. Where the traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.1 is likely (without further work) to result in a reduction in the performance of the intersection and the Level of Service of that intersection is currently satisfactory (that is, Level of Service D or better), then the cost of any work designed to restore or maintain the Level of Service of that intersection shall be fully apportioned to expected development.
- 2. Where there is an existing performance deficiency in the operation of an existing intersection (i.e. Level of Service E or F), and intersection or other road works are required to cater for the net additional traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.1, then the cost of such works shall be apportioned to the expected development in each town centre on the basis of the expected development's share of the projected AM or PM peak hour traffic flow (whichever is the greater) on the critical movement(s) through the relevant intersection (in vehicles per peak hour).

A worksheet showing traffic flows on the critical movements at intersections and Levels of Service with and without town centre development are shown in Appendix B to this Plan.

The application of these approaches to each proposed work results in an 'apportionment factor' of either 100 percent (in the case of apportionment type 1.), or of between 0 and 100 percent (in the case of apportionment type 2.) being applied to each work. Respective apportionment factors are shown in Section 4.

#### **Contributions for new streets and road modifications**

New streets and/or road modifications are proposed in each of the town centres to facilitate access to the centre by local traffic.

These works are principally required as a result of the performance limitations and limited affordable improvement opportunities associated with the current road network.

Several local road intersections with the main road serving each centre (that is, the Pacific Highway or Mona Vale Road) operate unsatisfactorily. Where intersections can be improved with little impact on surrounding properties, these works have been included in this Plan. In many cases, however, implementation of these works will only allow existing Levels of Service to not deteriorate further and will not improve the existing unsatisfactory performance. More expensive upgrade options (such as grade-separated intersections) are not considered feasible not only due to their cost but also that the physical impacts of these works would be incompatible with the village planning visions that have been prepared for each town centre (refer to Section 3.1.1).

Council will therefore apply the strategies of:

- converting streets to one way flow; and
- creating new or extending existing local road connections that connect to or run parallel with the main road network,

as measures to help address the traffic circulation impacts of town centre development.

The access objectives of these strategies are threefold:

- to provide multiple opportunities for development-generated vehicles to access to the main road network (that is, share traffic movements over a number of local road/main road intersections);
- to facilitate local trips for vehicles not needing to access the main road; and
- to provide a more permeable pedestrian and cycle network which will help promote noncar modes of travel within the town centres.

These works will also complement the streetscape and public domain network strategies for the town centres (refer Section 3.4) and so will address both access an amenity demands generated by town centres development.

A major issue highlighted by the Ku-ring-gai community in the master planning for the town centres was the existing unsatisfactory traffic conditions and the concern that extra development would exacerbate existing problems. The works derived from the above strategies were an outcome of the consultation process for the preparation of the town centre planning visions and the DCP. Both Council and the Ku-ring-gai community consider the works fundamental to the functioning of the future town centres.

Given the above, it is considered reasonable that the full cost of the works should be met by expected town centre development.

#### Contributions for public transport and cycling facilities

The need for these types of access and transport facilities was determined as part of the master planning process for each town centre.

The facilities are required to create a more balanced transport strategy for the occupants of expected development. The creation of compact higher density urban environments in the town centres creates the opportunity for residents to utilise non-car modes of access within and beyond the town centre precincts. The opportunity is to be fostered by provision of facilities to support public transport and cycling as a viable mode of transport for residents of town centre development.

As the facilities have been designed to create a more sustainable transport system for town centre residents the cost of these facilities has therefore been apportioned entirely to expected residential development in each town centre.

The facilities included in this Plan do not address any extra demand for rail passenger transport facilities arising from town centre development, as responsibility for these facilities lie with the State Government.

#### **Contributions for car parking facilities**

Council currently provides a level of publicly available off-street car parking in all of the Kuring-gai town centres. This parking is generally provided as both on-street car parking spaces and off-street, at-grade or decked public car parks. The latter spaces are provided as stand alone facilities or in conjunction with the provision of other Council-provided facilities such as libraries, community centres and parks.

Implementation of the town centre planning visions will result in a re-organisation, reconfiguration and some augmentation of existing car parking facilities. In some cases the proposals involve, due to the provision of other public facilities identified in this Plan, the displacement of existing facilities from one site to another nearby site.

Council will collect monetary contributions from development in the following circumstances:

- (a) Where a proposed car parking facility is part of the development of an integrated Council facility that will serve the residents of expected town centre development (such as a new urban/civic space or town square), Council will collect a contribution from all expected residential development. As the need for the works has been generated (in part) by the need to provide the integrated facility to serve the increased local population, the total cost of these facilities will be apportioned to expected town centre residential development in the same manner as the integrated facility.
- (b) For proposed car parking facilities that do not fit into category (a) (that is, stand alone car parks) Council will collect a contribution from development that does not provide sufficient on-site car parking to meet its anticipated demands. The parking demand for

any individual development is to be determined in accordance with the car parking rates in Section 5.14 of the DCP. The level of the contribution will be equivalent to the number of spaces that cannot be provided on-site multiplied by the average cost of providing the public car parks in the town centre within which the proposed development is situated.

This Section only addresses contributions for category (b) facilities. Contributions for category (a) facilities are addressed in both Sections 3.3 and 3.4 of this Plan.

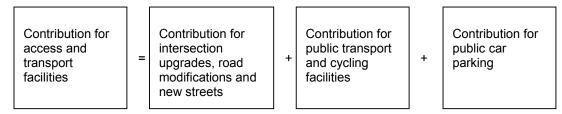
### 3.2.4 How are the contributions calculated?

Contributions for access and transport facilities are determined on:

- a peak hour vehicle trip basis (for intersection upgrades, road modifications and new streets); and
- a per person basis (for public transport and cycling facilities); and
- a per deficient on-site parking space basis (for car parking facilities).

The total contribution payable is the sum of all these contributions as they apply to the individual development.

Note that a contribution for public car parking required under this Section of the Plan will only apply where a development does not provide sufficient on-site spaces to meet its parking demand.



The components of this general formula are discussed below.

### Contributions for intersection upgrades, road modifications and new streets

$$Contribution (\$) = \sum \left( \frac{C \times AF \times T\%_{Res} \times PDev}{P \text{ total}} \right) + \sum \left( \frac{C \times AF \times T\%_{Retail} \times GFA \text{ Dev Retail}}{GFA \text{ Retail}} \right) + \sum \left( \frac{C \times AF \times T\%_{Retail} \times GFA \text{ Dev Retail}}{GFA \text{ Retail}} \right)$$

- С
- the estimated cost (including land and capital cost) of providing each of the intersection upgrades, road modifications and new streets facilities in the relevant town centre, expressed in dollars

AF	=	the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development
T% Res	=	the proportion of total peak hour vehicle trips anticipated to be made by expected residential development in the relevant town centre; total peak hour trips are determined by using the assumptions used in Table 2.3
P Dev	=	the resident population that is anticipated will occupy the proposed development (refer Table 2.2)
P Total	=	the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.1)
T% Retail	=	the proportion of total peak hour vehicle trips anticipated to be made by expected retail development in the relevant town centre
T% Business	=	the proportion of total peak hour vehicle trips anticipated to be made by expected business development in the relevant town centre
GFA Dev Retail	=	the retail gross floor area of the proposed development
GFA Retail	=	the anticipated additional retail gross floor area associated with the expected development in the relevant town centre
GFADev Business	=	the business gross floor area of the proposed development
GFA Business	=	the anticipated additional business gross floor area associated with the expected development in the relevant town centre

Except where indicated, the values for each of the variables are shown in the respective town centre works schedules in Section 4.

### Contributions for public transport and cycling facilities

Contribution (\$)	=	<b>~ (</b>	C x AF x PDev	_ \
		2 (	<b>P</b> Total	-,

С	=	the estimated cost (including land and capital cost) of providing each of the public transport and cycling facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre – Section 4)
AF	=	the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre – Section 4)
P <sub>Dev</sub>	=	the resident population that is anticipated will occupy the proposed development (refer Table 2.2)

P<sub>Total</sub> = the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.1)

### Contributions for car parking facilities

Contribution per space (\$) = 
$$\left( \frac{c}{-s} \right)$$

С	=	the estimated cost of providing all of the public parking facilities in the relevant town centre, expressed in dollars
S	=	the total number of public car parking spaces provided in the proposed parking facilities in the relevant town centre included in this Plan

## 3.3 **Community facilities**

# **3.3.1** What is the relationship between the expected types of development and the demand for additional public facilities?

The planning visions for each of the Ku-ring-gai town centres acknowledge the need to foster community development and social capital as part of the redevelopment process.

Additionally, a theme of the planning visions for these new 'urban' communities is to create a 'village' feel for the incoming residents. The village feel will, in part, be fostered by the provision of new and augmented community facilities.

The community facilities objectives, strategies and concept plans for the Ku-ring-gai town centres are contained in the DCP. The classes of facilities include the following:

- New libraries at Turramurra, St Ives and Lindfield and expansion of the Gordon Library.
- New specific and multi-purpose community and neighbourhood centres, incorporating facilities such as meeting rooms and services for youth and for senior citizens.
- Reconfiguration, retro-fitting, relocation and consolidation of existing community facilities located in and near the town centres.

### Libraries

The scope of the library facilities included in this Plan is based on a strategic review of library facilities prepared in 2004.<sup>6</sup> While the review predated the planning of the Ku-ringgai town centres, its results are still useful as it assessed need related to a projected growth in resident population of over 16,000 between 2004 and 2026 across the LGA. Population attributable to expected town centre development will contribute to the overall LGA projected growth.

The review of future space needs considered both library demands on a suburb catchment basis and contemporary standards in library space provision, as shown in Table 3.6.

Catchment	Suburbs in catchment	Projected 2006 population	Relevant floor space standard (m <sup>2</sup> GFA)					
Northern	Wahroonga, part Turramurra	36,351	42.0m <sup>2</sup> per 1,000 population <sup>1</sup>					
St lves	St Ives, part Turramurra	24,971	46.8m <sup>2</sup> per 1,000 population <sup>2</sup>					
Central	Gordon, Killara, Pymble	39,633	42.0m <sup>2</sup> per 1,000 population <sup>1</sup>					
Southern	Roseville, Lindfield	25,227	46.8m <sup>2</sup> per 1,000 population <sup>2</sup>					

# Table 3.6Library facilities catchments, planning populations and floor spacestandards

Source: Ku-ring-gai Library Facilities Study, Building and Planning Advisory Service State Library of NSW, July 2004, pages 17, 18

1 This floor space standard is a 'population-based benchmark' applying to a catchment comprising between 35,001 and 65,000 persons

2 This floor space standard is a 'population-based benchmark' applying to a catchment comprising between 20,001 and 35,000 persons

<sup>&</sup>lt;sup>6</sup> Ku-ring-gai Library Facilities Study, Building and Planning Advisory Service State Library of NSW, July 2004

Key findings of the review (relevant to future demands for library facilities) were:

- A facility strategy involving larger branch libraries. This will provide more convenient access to library services for all residents of the LGA, and alleviating pressure on the central library at Gordon.
- Extension and remodelling the existing branch library at Turramurra.
- Construction of a new library preferably as part of a consolidated community facilities building in the St Ives town centre.
- Construction of a new library preferably as part of a consolidated community facilities building in the Lindfield town centre.

The recommended strategies are generally reflected in the community facilities strategies for each town centre contained in the DCP (refer Section 3.3.2) and in the scope of the works schedule included in this Plan. However, an outcome of the master planning for the Turramurra centre was that overall community facilities objectives are best achieved by provision of a new library (rather than expansion of the existing facility).

Contributions for library facilities are calculated using the relevant floor space standards shown in Table 3.6.

### Multi-purpose community and neighbourhood centres

A place of some kind for the community to meet is considered a basic prerequisite for community development. A sense of identification with an area and seeing it as 'our community' is encouraged in a number of ways, an important one being shared activities carried out in the locality. A local community facility such as a community centre, hall or meeting room both provides a home for existing groups, encourages the formation of new groups and provides a place for both to meet and integrate. Locality based groups are some of the building blocks of community cohesion and often the focus of effective neighbourhoods.

Council manages and maintains various facilities designed to assist in community development. Many of these are located in the Ku-ring-gai town centre precincts and it is these facilities that are increasingly well utilised.

As part of planning of each of the town centres the following has been undertaken:

- Review of the adequacy of the existing facilities against their individual service goals.
- Consideration of whether it would be possible to achieve cost efficiencies by consolidating facilities into fewer buildings.
- Assessment of the need for meeting rooms and other community development facilities and services for the anticipated town centre populations.

This exercise found that, although well utilised, many of the facilities are old and do not currently meet contemporary standards (for example, no air conditioning or access for people with disabilities).

It is likely that in the future there will be an even greater demand for these types of facilities in the town centres. Most of the incoming resident population will be apartment dwellers with little private open space. Although living close to each other, apartment dwellers may be more anonymous to their neighbours than say residents in detached dwelling house neighbourhoods. The need to meet others and integrate into the social life of the community however remains a basic need and it is envisaged that community centres in the town centres will play an important role in responding to this need.

The strategy will therefore be:

- to upgrade and consolidate facilities in centres where appropriate; and
- to provide consolidated and multi-purpose community buildings to respond to the social needs of the community, particularly youth and the elderly.

Specification of the new facilities will be based on the floor space standards that Council has traditionally applied for these types of facilities.<sup>7</sup>

### Demands not addressed by this Plan

This Plan does not address all of the community facility needs anticipated to be generated by the expected development in the Ku-ring-gai town centres.

Ku-ring-gai town centre development will also contribute to the total population growth of the Ku-ring-gai LGA. LGA-wide community facility demands are addressed in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1).

Similarly, there are facilities contained in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1), the town centre population demands for which are superseded by the facilities included in this Plan. Contributions for community facilities included in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) that do not apply to development on land to which this Plan applies are listed in Table 2.1.

### 3.3.2 What is the strategy for delivering facilities?

Council's community facilities strategy will address facility demands arising from both the expected development in the town centres, expected development outside of the town centres and existing development (including existing facility shortfalls).

Council will require monetary contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. The total amount of development contributions will be proportional to the overall need for the different categories of community facilities that is attributable to expected future development.

Table 3.7 summarises the strategy for the planning and delivery of the different categories of community facilities in the Ku-ring-gai town centres.

<sup>&</sup>lt;sup>7</sup> Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) uses a standard of one community centre of 750-1000 square metres on a site of 3500-4000 square metres for 10,000-20,000 people. This standard has been rounded to 50 square metres per 1,000 residents for multi-purpose community and neighbourhood centre works identified in this Plan.

Town centre (DCP reference)	Community facilities objectives and strategies
Gordon (G2.2.6)	Objectives:
	<ul> <li>To provide a range of facilities to serve the needs of the community.</li> </ul>
	To co-locate facilities within close proximity to rail station and Council Chambers.
	Enhance the role and prominence of the civic precinct.
	Strategies include:
	<ul> <li>Relocate Life Line to multi-purpose community facilities building within the civic precinct.</li> </ul>
	<ul> <li>Potential for Old School building to accommodate increased community and civic facilities.</li> </ul>
	<ul> <li>Retain Council Chambers heritage building for community uses and provide new cultural centre at the rear.</li> </ul>
	Encourage retention of Police Station in Gordon.
	Retain Gordon Pre-School in current location.
	Retain Council administration offices within the civic precinct.
Lindfield (L2.2.10)	Objectives:
	<ul> <li>To provide a range of community facilities to serve the needs of existing and future residents.</li> </ul>
	Strategies include:
	<ul> <li>Relocate and consolidate community services at new centrally accessible locations within the retail core and around new public spaces.</li> </ul>
	Provide a larger, centrally located library adjoining the new town square in Tryon Road
	<ul> <li>Provide a visually appealing and functional multi-purpose community centre on Woodford Lane incorporating a youth space, seniors citizen centre and a residential component which could help to fund the project.</li> </ul>
	<ul> <li>Rebuild the existing Arunga units in their present location.</li> </ul>
Pymble (P2.2.9)	Objectives:
	<ul> <li>To provide a range of facilities to serve the needs of the community.</li> </ul>
	Strategies include:
	<ul> <li>Provide an additional community space in a new centrally accessible position, overlooking Robert Pymble Park and with optimum access to the Railway Station.</li> </ul>
	<ul> <li>To support the future use of the Ku-ring-gai Town Hall through the provision of additional car parking and open space.</li> </ul>
Roseville (R2.2.10)	Objectives:
	<ul> <li>To provide a range of community facilities to serve the needs of existing and future residents.</li> </ul>
	Strategies include:
	Co-ordinate provision of Roseville's community facilities with other Centre strategies.
	<ul> <li>Investigate the changing needs of the community and revise the provision of community facilities accordingly.</li> </ul>

## Table 3.7 Community facilities strategy summary

Town centre (DCP reference)	Community facilities objectives and strategies						
St Ives (S2.2.8)	Objectives:						
	<ul> <li>To provide a range of facilities to serve the needs of the community.</li> </ul>						
	Strategies include:						
	<ul> <li>Relocate and consolidate community services at new locations within close proximity the retail core and the Village Green.</li> </ul>						
	<ul> <li>Provide a new library of approximately 1500m<sup>2</sup>. The library will be centrally located adjoining the new town square.</li> </ul>						
	<ul> <li>Provide a new Neighbourhood Centre co-located with the new library.</li> </ul>						
	<ul> <li>Consolidate existing child care and Council's health facilities in the area into a new multi-purpose children's centre in or near the retail core in the vicinity of Cowan Road</li> </ul>						
	<ul> <li>Relocate the existing Scout Hall and Girl Guides building on the Village Green to more appropriate locations following consultation.</li> </ul>						
	<ul> <li>Consolidate youth activities and other community facilities within a new multi-purpose Youth Centre on the Village Green near Memorial Avenue.</li> </ul>						
	<ul> <li>Retain the existing Ku-ring-gai Community Groups Centre building and refit to meet current access standards.</li> </ul>						
Turramurra	Objectives:						
(T2.2.9)	<ul> <li>To provide a range of facilities to serve the needs of the community.</li> </ul>						
	To consolidate facilities into a central location.						
	To retain and expand existing services.						
	Strategies include:						
	<ul> <li>Relocate and consolidate existing community services, to a new centrally accessible position, overlooking William Square and with optimum access to the Railway Station</li> </ul>						
	<ul> <li>Provide a larger library and relocate the following existing community services from Gilroy Lane, within new development on William Square: Home and Community Care Centre (HACC), Senior Citizens Centre, Meals on Wheels, and Lifestart.</li> </ul>						
	<ul> <li>The new consolidated community facility is to be accessed and signified by a visually prominent entry off William Square.</li> </ul>						
	<ul> <li>Provide a new library of area 1500sqm (net) integrated with other community services New facility should orientate towards the square and have a visible 'shop front' presence. The architecture should integrate with the surrounding retail but provide a strong public presence.</li> </ul>						

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to works that meet the objectives and that execute the strategies identified in Table 3.7.

Contributions to be collected under this Plan only address the demands anticipated to be generated by the expected development. Existing backlogs in service provision will be addressed using funds from non section 94 sources.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 20 years. Works have been assigned the following timing descriptors:

- 'S' short term or less than 5 years from the date on which this Plan commenced.
- 'M' medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the community facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

### **3.3.3** How is cost apportionment determined?

### **Contributions for libraries**

The specification for the proposed library buildings has been based on the floor space standards in Table 3.6. These standards relate to the library needs of the expected residential population on a library catchment basis and consider expected development and population within and beyond the town centre precincts. It is therefore appropriate under this Plan to apportion the cost of the facilities based on the proportion of total demand generated by town centre residential development.

The total contribution is determined by calculating the per square metre cost of providing the facility on a catchment basis multiplied by the library floor space demanded by incoming population in the respective town centre.

This contribution for library facilities in each town centre, as a proportion of the total library works costs, is the apportionment factor identified in the works schedule in Section 4.

In the case of the proposed Lindfield library works, the total contribution from expected development assumes both Roseville and Lindfield incoming populations will contribute to the demand for the works (as both of these areas are located in the library service's Southern Catchment).

### **Contributions for community and neighbourhood centres**

Council provides a range of these facilities, many of which are located in the town centre precincts. Although located in these areas, they generally serve a much wider population

catchment. It will therefore be appropriate under this Plan to apportion the cost of the facilities based on the proportion of total demand generated by town centre residential development.

The specification for the proposed community and neighbourhood centre works has been based on Council's traditional standard of 50 square metres per 1,000 residents.<sup>8</sup>

In most cases, the total contribution is determined by calculating the per square metre cost of providing the facility multiplied by the community and neighbourhood centre floor space demanded by incoming population in the respective town centre.

In the case of Pymble town centre, the proposed meeting rooms are designed to meet the needs of the incoming population only. There is therefore full apportionment of these costs to the expected residential development in the Pymble town centre.

This contribution for community and neighbourhood centre floor space in each town centre, as a proportion of the total works costs, is the apportionment factor identified in the works schedule in Section 4.

In the case of the proposed Lindfield multi-purpose community centre works, the total contribution from expected development assumes both Roseville and Lindfield incoming populations will contribute to the demand for the works.

### **Contributions for other works**

Implementation of the town centre planning visions for St Ives and Turramurra will involve funding the relocation of existing community facilities in those centres. As the redevelopment of each centre generates the need for the work, it is considered that the full cost of these works be met by expected residential development in those centres.

It is also proposed to upgrade an existing community groups building in St Ives. The need for this facility is assumed to be attributable to the wider St Ives suburb or planning precinct.<sup>9</sup> The development contribution for this facility is determined by calculating the proportion of expected St Ives town centre population to the projected population of the St Ives planning precinct in 2026 – that is, 20,939. This proportion, or the apportionment factor – is shown in the works schedule in Section 4.

## 3.3.4 How are the contributions calculated?

The development contribution for each of the facilities identified in this Plan is determined by dividing the total cost of the facility that can reasonably be apportioned to the expected development in each town centre by the contribution catchment (in persons) applicable to each facility. This process ensures that fair apportionment of facility costs is calculated for development expected to occur in the town centres.

 <sup>&</sup>lt;sup>8</sup> The standard is at the lower end of the benchmark of one community centre of 750-1,000 square metres for 10,000-20,000 people contained in *Ku-ring-gai* Section 94 Contributions Plan 2000 – Residential Development. The standard was subsequently incorporated into *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1), page 43, and is considered reasonable to apply to the planning of the Ku-ring-gai town centres.
 <sup>9</sup> The *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) identifies a range of planning precincts applying to the determination of local open space and recreation needs in the Ku-ring-gai LGA, including a St lves precinct. The precinct geographic unit is considered an appropriate geographic unit to apply in the calculation of contributions for this community facility.

The monetary contribution per person is calculated as follows:

Contribution (\$) = 
$$\sum \left( \frac{C \times AF \times P_{Dev}}{P_{Total}} \right)$$

С	=	the estimated cost (including land and capital cost) of providing each of the community facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre – Section 4)
AF	=	the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre – Section 4)
P <sub>Dev</sub>	=	the resident population that is anticipated will occupy the proposed development (refer Table 2.2)
P <sub>Total</sub>	=	the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.1)

## 3.4 **Streetscape and public domain facilities**

# **3.4.1** What is the relationship between the expected types of development and the demand for additional public facilities?

A key component of the planning vision for each of the Ku-ring-gai town centres is the development of housing and retail/business services at 'urban' densities.

Housing in the town centres will predominantly be in apartment form – either stand alone or shop top developments – up to 5 storeys in height.

Residential development of this intensity is a relatively recent phenomenon for the Ku-ringgai LGA. Save for some areas of two and three storey development along the highway/railway corridor, living styles in Ku-ring-gai have hitherto been characterised by detached dwellings on relatively large and generously landscaped allotments of land.

The residents of the new developments will therefore not enjoy the same type or extent of private open space that most Ku-ring-gai residents enjoy. Council's strategy to counter this situation is to provide high quality public spaces and street environments for these residents.

Additionally, a theme of the planning visions for these new 'urban' communities is to create a 'village' feel for the incoming residents. The village feel will be fostered by the provision of outdoor meeting and activity spaces with an urban character, such as widened footpaths with street furniture and street trees, new squares and parks. The public pedestrian network will therefore perform a dual role of community gathering place and as the principal means for the community to conveniently access each centre's local services.

The creation of a seamless interface between the town centre precincts and the adjoining detached residential neighbourhoods will also be a priority. This will be done by sensitive design of built form on the fringe but also through provision of footpaths and street trees on streets that form the precinct boundary.

The streetscape and public domain objectives, strategies and concept plans for the Ku-ringgai town centres are contained in the DCP. The classes of improvements include the following:

- New parks and town / civic squares in central locations that provide community focal points for informal gatherings and formal events.
- Enlarged existing parks with high quality embellishments that are well located to the residents of town centre developments.
- Public space that provide opportunities for passive recreation for those that have limited private open space, including children's playgrounds, dog walking, informal games, cycling etc.
- New and wider footpaths and through-block links, complemented by street furniture and lighting, that provide walking opportunities and outdoor dining space for apartment dwellers and that effectively link town centre facilities and services.

- Features in the design and operation of public spaces that protect and enhance biodiversity values and result in sustainable energy and water use.
- Pedestrian priority measures on local streets, such as pedestrian crossings, kerb blisters and pedestrian refuges.
- New and upgrade pedestrian linkages near transport nodes, such as railway stations, bus stops and taxi /kiss and ride stands.

### Demands not addressed by this Plan

 This Plan does not address all of the public domain (and recreation) facility needs anticipated to be generated by the expected development in the Ku-ring-gai town centres.

Ku-ring-gai town centre development will also contribute to the total population growth of the surrounding suburbs and Ku-ring-gai LGA as a whole. Suburban and LGA-wide recreation facility demands are addressed in *Ku-ring-gai Section* 94 *Contributions Plan* 2004-2009 – Residential Development (Amendment No. 1).

Similarly, there are facilities contained in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1), the town centre population demands for which are superseded by the facilities included in this Plan. Contributions for recreation, public domain and streetscape facilities included in *Ku-ring-gai* Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1) that do not apply to development on land to which this Plan applies are listed in Table 2.1.

### 3.4.2 What is the strategy for delivering facilities?

The planning for the streetscape and public domain facilities to serve the Ku-ring-gai town centres was undertaken with the wider Ku-ring-gai community as part of the preparation of the town centres LEP and DCP.

Planning objectives, strategies and concept plans for the various types of access and transport are contained in the DCP.

Table 3.8 lists the DCP references for the different streetscape and public domain objectives, strategies and concept plans for the respective Ku-ring-gai town centres.

		Ku-ring-gai To	own Centres Developme	ent Control Plan section	n references	
Facility category	Gordon	Lindfield	Pymble	Roseville	St Ives	Turramurra
Streetscape works	G3.1 Public Domain Master Plan; G3.2 Rail Station Precinct Concept Plan; G3.3 Civic Precinct Concept Plan; G3.4 Street and Public Access	L2.2.4 Street Character; L3.1.3 Tryon Place and Pacific Highway; L3.2 Streets and Public Access	P2.2.3 Street Character; P3.1 Public Domain Masterplan; P3.2.2 Post Office Street Precinct; P3.2.3 Grandview Lane; P3.3 Streets and Public Access	R2.2.4 Street Character; R3.1.1 Larkin Lane Car Park and Memorial Park; R3.2 Streets and Public Access	S2.2.3 Street Character; S3.2 Streets and Public Access	T2.2.4 Street Character; T3.1 Public Domain Masterplan; T3.3 Streets and Public Access
Urban/civic spaces	G2.2.4 Parks and Open Space; G3.1 Public Domain Master Plan; G3.2 Rails Station Precinct Concept Plan; G3.3 Civic Precinct Concept Plan; G3.4 Street and Public Access	L2.2.7 Parks and Open Space; L3.1.1 Tryon Road Town Square; L3.1.2 Woodford Lane Village Green; L3.1.4 Tryon Place and Lindfield Station	P2.2.6 Parks and Open Space; P3.1 Public Domain Masterplan	R2.2.7 Parks and Open Space; R3.1.2 Roseville Station Concourse and Lord Street Village Green; R3.1.3 Lord Street Village Green; R3.1.4 Roseville Station Entry and Concourse	S2.2.5 Parks and Open Space; S3.1 Public Open Space	T2.2.3 Parks and Open Space; T3.1 Public Domain Masterplan; T3.2 Public Open Space and Urban Spaces
Pedestrian through-block connections	G2.2.4 Parks and Open Space; G2.2.7 Pedestrian / Cycle Access and Circulation	L2.2.11 Pedestrian Access and Circulation; L2.2.16 Permeability	P2.2.10 Pedestrian Access and Circulation; P3.2.2 Post Office Street Precinct	R2.2.11 Pedestrian Access and Circulation; R2.2.16 Permeability; R3.1.1	S2.2.9 Pedestrian Access and Circulation	T2.2.10 Pedestrian Access and Circulation; T3.2.2 William Square; T3.2.6 Church Square
Embellishment of existing parks for local passive recreation	G2.2.4 Parks and Open Space	L2.2.7 Parks and Open Space	P2.2.6 Parks and Open Space; P3.2.1 Robert Pymble Park; P3.2.4 Ku-ring-gai Town Hall; P3.2.5 Creswell O'Reilly Lookout	R2.2.7; R3.1.1 Larkin Lane Car Park and Memorial Park	S2.2.5 Parks and Open Space; S3.1.3 Village Green, S3.1.4 Rotary Park	T2.2.3 Parks and Open Space; T3.2.1 Cameron Park; T3.2.5 Queens Park
Biodiversity and water management design in public domain	G2.2.5 Biodiversity and Water Management	L2.2.8 Biodiversity; L2.2.9 Water Management	P2.2.8 Biodiversity; P2.2.9 Water Management	R2.2.8 Biodiversity; R2.2.9 Water Management	S2.2.6 Biodiversity; S2.2.7 Water Management	T2.2.7 Biodiversity; T2.2.8 Water Management

## Table 3.8 Town Centre DCP facility strategy references

Source: Ku-ring-gai Town Centres Development Control Plan

Council will collect contributions from Ku-ring-gai town centre development and apply those contributions to the types of facilities identified in Table 3.8.

The costs of, and program for the delivery of, individual works are included in the works schedule in Section 4. The costs include land acquisition and capital costs, together with the costs of studies and investigations that resulted in the preparation of this Plan.

The location of these works is shown on maps included in Section 4.

The proposed works will be staged to match the expected sequence of development over an anticipated development timeframe of up to 20 years. Works have been assigned the following timing descriptors:

- 'S' short term or less than 5 years from the date on which this Plan commenced.
- 'M' medium term or between 5 and 10 years from the date on which this Plan commenced.
- 'L' long term or more than 10 years from the date on which this Plan commenced.

The timeframe will vary from centre to centre and the works schedule staging will be reviewed and adjusted as clearer information on the rate of development in each centre is gathered.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The scope of the streetscape and public domain facilities included in this Plan is based on strategic information. It is likely that, as the planning process for the different town centres proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

### Facilities required to be provided by the developer by conditions of consent

A range of access and transport facilities (not addressed by this Plan) may be required by Council to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EPA Act - the demand for which is considered to be generated entirely by individual developments in the Ku-ring-gai town centres.

Such facilities may include:

- tree planting and footpath works not specified in the works schedule. These will generally be works situated within the relevant town centre precinct but located beyond the locations specified in the works schedule (Section 4).
- public art installation within the development site.

### **3.4.3** How is cost apportionment determined?

The specification of the streetscape and public domain facilities included in this Plan has been undertaken in response to the demand for those facilities likely to be generated by the occupants of expected residential development in each of the town centres. Given that:

- the planning vision for each centre, which seeks to create a 'village' feel in what is a 'urban' living style that is new in Ku-ring-gai;
- the lack of private open space that will be available to apartment dwellers in the town centres and the need to meet passive recreation demands by providing equivalent facilities at ground level;
- the proposed facilities will be able to readily accessed by the town centre resident populations; and
- the reason for the works is to provide extra capacity for the additional population and to mitigate the impact of the new development and more people in the town centres.

It is reasonable that the full cost of the facilities will be met by expected residential development in each of the town centres.

While the town centres will accommodate some growth in non residential floor space, this development will largely be occasioned by the increased local resident population of each centre. Therefore the overwhelming majority of any demand for the streetscape and public domain facilities is likely to be generated originally by the additionally town centre residents. As a result, this Plan does not levy non residential development for streetscape and public domain facilities.

### 3.4.4 How are the contributions calculated?

The development contribution for each of the facilities identified in this Plan is calculated by dividing the total cost of the facility that can reasonably be apportioned to the expected development (in this case, the full cost) by the contribution catchment (in persons) applicable to each facility.

The monetary contribution per person is calculated as follows:

Contribution (\$) = 
$$\sum \left( \frac{C \times AF \times P_{Dev}}{P_{Total}} \right)$$

- C
   =
   the estimated cost (including land and capital cost) of providing each of the streetscape and public domain facilities in the relevant town centre, expressed in dollars (refer to works schedules for each town centre Section 4)

   AF
   =
   the apportionment factor, being the proportion of the cost of each facility in the relevant town centre that is reasonable to attribute to the expected development (refer to works schedules for each town centre Section 4)

   PDev
   =
   the resident population that is anticipated will occupy the proposed
- development (refer Table 2.2)
- P<sub>Total</sub> = the resident population that is anticipated will occupy all of the expected development in the relevant town centre (refer Table 3.1)

# 4. Works schedules and maps

## **Gordon Centre Works**

										SEC	TION 94 CON	TRIBUTIONS		
tem Description of Work No.	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortf
								5,277	37,900	5,003		4,357	3,818	
								persons 1630.5 peak trips 41.1%	square metres 2236.1 peak trips 56.4%	square metres 100.1 peak trips 2.5%		persons	persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
1 Modification to traffic signals to suit one way flow	Intersection of Pacific Highway and St Johns	\$0	\$230,000	\$230,000	57%	\$131,100	М	\$10	\$195	\$66		\$121,705	\$100,758	\$129,242
2 New traffic signals	Avenue Intersection of Pacific Highway and Moree Street	\$0	\$386,000	\$386,000	57%	\$220,020	М	\$17	\$327	\$111		\$204,252	\$169,099	\$216,901
3 Removal of traffic signals	Intersection of Pacific Highway and Dumaresq	\$0	\$100,000	\$100,000	100%	\$100,000	М	\$8	\$149	\$50		\$92,834	\$76,856	\$23,144
4 New traffic signals	Street Intersection of Pacific Highway and Ravenswood	\$0	\$350,000	\$350,000	100%	\$350,000	S	\$27	\$521	\$176		\$324,918	\$268,996	\$81,004
5 new pedestrian activated signals	Avenue Intersection of Pacific Highway and Park Avenue	\$0	\$375,000	\$375,000	100%	\$375,000	м	\$29	\$558	\$189		\$348,126	\$288,210	\$86,790
6 New roundabout	Intersection of Vale Street and Dumaresg Street	\$0	\$45,000	\$45,000	100%	\$45,000	м	\$4	\$67	\$23		\$41,775	\$34,585	\$10,415
7 New roundabout	Intersection of Park Avenue, Pearson Avenue	\$0	\$48,000	\$48,000	100%	\$48,000	м	\$4	\$71	\$24		\$44,560	\$36,891	\$11,109
8 New roundabout	and Werona Avenue Intersection of Henry Street and railway underpass	\$0	\$45,000	\$45,000	100%	\$45,000	S	\$4	\$67	\$23		\$41,775	\$34,585	\$10,415
NEW STREETS	underpass													
New 13m wide street, two way traffic, no on-street parking (land to be acquired by Council)	Between McIntyre and Dumaresq Streets	\$1,014,000	\$488,200	\$1,502,200	100%	\$1,502,200	М	\$117	\$2,234	\$757		\$1,394,546	\$1,154,533	\$347,667
New 13m wide street, two way traffic, no on-street parking (land to be acquired by Council)	Dumaresq Street and Moree Street (behind Gordon Centre)	\$0	\$454,200	\$454,200	100%	\$454,200	L	\$35	\$676	\$229		\$421,650	\$349,081	\$105,119
611 New 13m wide street, two way traffic, no on-street parking ( <i>land to be acquired by Council</i> )	Between Dumaresq Street and Moree Street	\$1,170,000	\$361,110	\$1,531,110	100%	\$1,531,110	М	\$119	\$2,277	\$772		\$1,421,384	\$1,176,752	\$354,358
<ul> <li>Parking (and to be dequired by Council)</li> <li>New 16m wide street, two way traffic, with on-street parking (land to be acquired by Council)</li> </ul>	Between Moree Street and St Johns Avenue	\$1,440,000	\$268,370	\$1,708,370	100%	\$1,708,370	М	\$133	\$2,541	\$861		\$1,585,941	\$1,312,987	\$395,38
ROAD MODIFICATIONS														
One way traffic and road narrowing	Park Avenue	\$0	\$46,200	\$46,200	100%	\$46,200	м	\$4	\$69	\$23		\$42,889	\$35,508	\$10,692
618 Widen laneway with footpaths 619 Modifications for new bus route	Wade Lane Henry Street and Ravenswood Avenue	\$0 \$0	\$576,500 \$60,000	\$576,500 \$60,000	100% 100%	\$576,500 \$60,000	L S	\$45 \$5	\$857 \$89	\$291 \$30		\$535,186 \$55,700	\$443,076 \$46,114	\$133,424 \$13,886
G20 One way traffic and other modifications	St Johns Avenue (east and west)	\$0	\$286,750	\$286,750	100%	\$286,750	М	\$22	\$427	\$145		\$266,200	\$220,385	\$66,365
TRANSPORT														
Construction of new bus interchange (on Rail Corp land)	Henry Street	\$0	\$542,275	\$542,275	100%	\$542,275	S	\$103				\$447,734	\$392,345	\$149,93
622 Construction of new bicycle ways - on road 623 Construction of new bicycle ways - off road	as per Town Centre DCP strategy as per Town Centre DCP strategy	\$0 \$0	\$9,400 \$25,000	\$9,400 \$25,000	100% 100%	\$9,400 \$25,000	S M	\$2 \$5				\$7,761 \$20,641	\$6,801 \$18,088	\$2,599 \$6,912
223 Provision of bike parking	as per Town Centre DCP strategy	\$0 \$0	\$12,000	\$12,000	100%	\$12,000	S	\$3 \$2				\$9,908	\$8,682	\$3,318
G25 new bus stops	Pacific Highway	\$0	\$45,000	\$45,000	100%	\$45,000	S	\$9				\$37,155	\$32,558	\$12,442
upgrade existing bus stops	Pacific Highway	\$0	\$45,000	\$45,000	100%	\$45,000		\$9				\$37,155	\$32,558	\$12,442
PUBLIC CAR PARKING														
G26 new 340-space public car park as above ground structure (part of site redevelopment)	Wade Lane car park	\$0	\$7,883,920	\$7,883,920			L				\$22,056			\$7,883,92
G27 new 25-space public underground car park (part of site redevelopment)	Moree Street	\$0	\$1,077,000	\$1,077,000			М				\$22,056			\$1,077,00
<ul> <li>Relocation of 50 surface commuter car parking to existing Rail Corp commuter parking areas</li> </ul>	From Henry Street to Werona Avenue (as per Town Centre DCP Part 3)	\$0	\$192,500	\$192,500			S				\$22,056			\$192,500
Sub Total		\$3,624,000	\$13,952,425	\$17,576,425		\$8,158,125		\$711	\$11,125	\$3,771		\$7,503,795	\$6,239,448	\$11,336,97



										SECTION 94 CONTRIBUTIONS					
ltem No.	escription of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	receipts	Funds shortfa
									5,277	37,900	5,003		4,357	3,818	
•	······								persons	square metres	square metres		persons	persons	
Comr	munity Facilities														
C	OMMUNITY FACILITIES														
Sub Tota	al		\$0	\$0	\$0		\$0		\$0				\$0	\$0	\$0
Publi	ic Domain and Streetscape Faci	lities													
	TREETSCAPE IMPROVEMENTS ommercial Streets														
	treetscape works as per main retail/commercial treets (refer Town Centre DCP Part 3)	Pacific Highway (Mona Vale Road to Ravenswood Avenue)	\$0	\$1,405,000	\$1,405,000	100%	\$1,405,000	L	\$266				\$1,160,050	\$1,016,542	\$388,458
G33 St	treets (refer Town Centre DCP Part 3) treetscape works as per main retail/commercial treets (refer Town Centre DCP Part 3)	Merriwa Street (part)	\$0	\$168,920	\$168,920	100%	\$168,920	М	\$32				\$139,470	\$122,217	\$46,703
G34 St	treets (refer Town Centre DCF Part 3) treets (refer Town Centre DCP Part 3)	McIntyre Street (part)	\$0	\$226,000	\$226,000	100%	\$226,000	L	\$43				\$186,599	\$163,515	\$62,485
G35 St	treets (refer Town Centre DCF Part 3) treets (refer Town Centre DCP Part 3)	Dumaresq Street (part)	\$0	\$130,500	\$130,500	100%	\$130,500	S	\$25				\$107,748	\$94,419	\$36,081
G36 St	treets (refer Town Centre DCP Part 3)	Moree Street (part)	\$0	\$198,000	\$198,000	100%	\$198,000	М	\$38				\$163,480	\$143,256	\$54,744
G37 St	treets (refer Town Centre DOF Part 3)	St Johns Avenue - east	\$0	\$135,320	\$135,320	100%	\$135,320	S	\$26				\$111,728	\$97,906	\$37,414
G38 St	treetscape works as per main retail/commercial treets (refer Town Centre DCP Part 3)	St Johns Avenue - west (part)	\$0	\$122,820	\$122,820	100%	\$122,820	М	\$23				\$101,407	\$88,862	\$33,958
G39 St	treets (refer Town Centre DOF Part 3)	Park Avenue (part)	\$0	\$122,820	\$122,820	100%	\$122,820	S	\$23				\$101,407	\$88,862	\$33,958
G40 St	treetscape works as per main retail/commercial treets (refer Town Centre DCP Part 3)	Wade Lane and Henry Street	\$0	\$614,000	\$614,000	100%	\$614,000	M-L	\$116				\$506,954	\$444,240	\$169,760
G41 St	treetscape works as per main retail/commercial treets (refer Town Centre DCP Part 3)	Clipsham Lane	\$0	\$108,500	\$108,500	100%	\$108,500	L	\$21				\$89,584	\$78,502	\$29,998
G42 St	treets (refer Town Centre Dor Fait 6) treets (refer Town Centre DCP Part 3)	Churchill Lane	\$0	\$128,500	\$128,500	100%	\$128,500	L	\$24				\$106,097	\$92,972	\$35,528
R	esidential Streets														
	treetscape works as per residential streets (refer	Merriwa Street (part)	\$0	\$226,100	\$226,100	100%	\$226,100	L	\$43				\$186,681	\$163,587	\$62,513
G44 St	own Centre DCP Part 3) treetscape works as per residential streets (refer	Fitzsimons Lane	\$0	\$206,500	\$206,500	100%	\$206,500	M-L	\$39				\$170,498	\$149,406	\$57,094
G45 St	own Centre DCP Part 3) treetscape works as per residential streets (refer	McIntyre Street (part)	\$0	\$186,900	\$186,900	100%	\$186,900	S	\$35				\$154,316	\$135,225	\$51,675
G46 St	own Centre DCP Part 3) treetscape works as per residential streets (refer own Centre DCP Part 3)	Dumaresq Street (part)	\$0	\$143,500	\$143,500	100%	\$143,500	S	\$27				\$118,482	\$103,825	\$39,675
G47 St	treetscape works as per residential streets (refer own Centre DCP Part 3)	Moree Street (part)	\$0	\$144,200	\$144,200	100%	\$144,200	S	\$27				\$119,060	\$104,331	\$39,869
G48 St	treetscape works as per residential streets (refer own Centre DCP Part 3)	Werona Avenue and Pearson Avenue	\$0	\$655,200	\$655,200	100%	\$655,200	L	\$124				\$540,971	\$474,048	\$181,152
G49 St	treetscape works as per residential streets (refer own Centre DCP Part 3)	Henry Street and Ravenswood Avenue	\$0	\$403,200	\$403,200	100%	\$403,200	М	\$76				\$332,906	\$291,722	\$111,478
G50 St	treetscape works as per residential streets (refer own Centre DCP Part 3)	Bushlands Avenue	\$0	\$77,000	\$77,000	100%	\$77,000	М	\$15				\$63,576	\$55,711	\$21,289
	MBELLISHMENT OF NEW URBAN/CIVIC PACES														
G52 Er	mbellishment of new town square (1000sqm) mbellishment of new railway square nprovements to existing Civic Square	Location to be confirmed corner St Johns Avenue and Wade Lane Corner of Pacific Highway and Park Avenue	\$4,800,000 \$1,800,000	\$802,695 \$369,284 \$382,041	\$5,602,695 \$2,169,284 \$382,041	100% 100% 100%	\$5,602,695 \$2,169,284 \$382,041	M M S	\$1,062 \$411 \$72				\$4,625,913 \$1,791,088 \$315,435	\$4,053,646 \$1,569,514 \$276,413	\$1,549,049 \$599,770 \$105,628
	onstruction and embellishment of urban park 000sqm) (Council owned land)	(adjoining Gordon library) Corner Park Avenue and Werona Avenue		\$219,220	\$219,220	100%	\$219,220	L	\$42				\$181,001	\$158,609	\$60,611
т	HROUGH BLOCK CONNECTIONS														
G57 M	lodifications to existing rail bridge for wider footpath	ns Park Avenue	\$0	\$186,000	\$186,000	100%	\$186,000	М	\$35				\$153,572	\$134,574	\$51,426
G58 lm	nprovements to existing pedestrian way (Council	Between Dumaresq Street and MacIntyre Street	\$0	\$70,740	\$70,740	100%	\$70,740	S	\$13				\$58,407	\$51,182	\$19,558



									SECTION 94 CONTRIBUTIONS					
Item Description of Work No.	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortf
								5,277	37,900	5,003		4,357	3,818	
								persons	square metres	square metres		persons	persons	
OPEN SPACE IMPROVEMENTS														
G61 Embellishment works to existing park	Gordon Recreation Grounds, Werona Avenue	\$0	\$629,410	\$629,410	100%	\$629,410	S	\$119				\$519,678	\$455,389	\$174,021
G62 Embellishment works to existing park	Heritage Square, St Johns Avenue	\$0	\$66,930	\$66,930	100%	\$66,930	S	\$13				\$55,261	\$48,425	\$18,505
WATER CYCLE MANAGEMENT G66 Stormwater Harvesting - new interface streets (western side), open space (Bushlands Avenue)	western side	\$0	\$170,000	\$170,000	100%	\$170,000	М	\$32				\$140,362	\$122,998	\$47,002
Sub Total		\$6,600,000	\$8,299,300	\$14,899,300		\$14,899,300		\$2,823				\$12,301,734	\$10,779,899	\$4,119,401
Other														
STUDIES/CONSULTANTS FEES														
Traffic Study		\$0	\$16,577	\$16,577	100%	\$16,577		\$3				\$13,687	\$11,994	\$4,583
Public Domain Study		\$0	\$20,000	\$20,000	100%	\$20,000		\$4				\$16,513	\$14,470	\$5,530
Public Domain Manual		\$0	\$0	\$0	100%	\$0		\$0				\$0	\$0	\$0
Contributions Plan Quantity Surveyor		\$0 \$0	\$10,565 \$3,100	\$10,565 \$3,100	100% 100%	\$10,565 \$3,100		\$2 \$1				\$8,723 \$2,560	\$7,644 \$2,243	\$2,921 \$857
Sub Total		\$0 <b>\$0</b>	\$50,242	\$50,242	100 %	\$50,242		\$10				\$41,483	\$36,351	\$057 \$13,891
						· ·								
Totals		\$10,224,000	\$22,301,967	\$32,525,967		\$23,107,667		\$3,544	\$11,125	\$3,771		\$19,847,012	\$17,055,699	\$15,470,268



## Lindfield Centre Works

										SEC	TION 94 CON	TRIBUTIONS		
Item Description of Work No.	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortfall
								5,231 persons 1616.3 peak trips 68.2%	11,546 square metres 681.2 peak trips 28.7%	3,602 square metres 72.0 peak trips 3.0%		4,359 persons	3,757 persons	
Access and Transport Facilities														
TRAFFIC SIGNALS AND INTERSECTIONS														
L1 Remove existing pedestrian signals and install new traffic signals	Intersection of Tryon Road and Lindfield Avenue	\$0	\$400,000	\$400,000	44%	\$176,000	S	\$23	\$438	\$149		\$155,987	\$130,982	\$269,018
L2 Modifications to the intersection to suit one way flow		\$0	\$70,000	\$70,000	100%	\$70,000	м	\$9	\$174	\$59		\$62,040	\$52,095	\$17,905
east bound L3 Extend right turn bay	at railway underpass On Pacific Highway and Balfour Street/Havilah	\$0	\$32,000	\$32,000	27%	\$8,640	S	\$1	\$22	\$7		\$7,658	\$6,430	\$25,570
L4 New Traffic Signals	Road intersection Intersection of Strickland Avenue and Pacific Highway	\$0	\$350,000	\$350,000	48%	\$168,000	S	\$22	\$418	\$142		\$148,897	\$125,028	\$224,972
NEW STREETS L5 Construction of new civic street (acquisition of land by Council)	Between Beaconsfield Parade and Bent Street	\$378,000	\$548,800	\$926,800	100%	\$926,800	S	\$121	\$2,308	\$782		\$821,416	\$689,739	\$237,061
L6 Construction of new road (land to be acquired by	Between Bent Street and Balfour Street	\$450,000	\$287,775	\$737,775	100%	\$737,775	L	\$96	\$1,837	\$623		\$653,884	\$549,064	\$188,711
Council) L8 Construction of new road near Tryon Place (acquisition of land by Council)	Between the Pacific Highway, Tryon Place, and Strickland Avenue	\$603,750	\$211,800	\$815,550	100%	\$815,550	S-M	\$106	\$2,031	\$688		\$722,816	\$606,945	\$208,605
L12 Construction of new road (land to be acquired by Council)	From Treatts Road to Wolseley Road	\$0	\$439,200	\$439,200	100%	\$439,200	М	\$57	\$1,094	\$371		\$389,260	\$326,859	\$112,341
TRANSPORT														
L17New kiss-and-ride zone and taxi ranksL18New bicycle way (on road)	Pacific Highway and Lindfield Avenue Beaconsfield Parade, Lindfield Avenue and Tryon Place	\$0 \$0	\$47,600 \$8,750	\$47,600 \$8,750	100% 100%	\$47,600 \$8,750	S S	\$9 \$2				\$39,665 \$7,291	\$34,187 \$6,284	\$13,413 \$2,466
L19New bicycle way (off-road)L20Upgrade existing bus stopsL21Bicycle parking	Beaconsfield Parade Pacific Highway and Lindfield Avenue Pacific Highway and Lindfield Avenue	\$0 \$0 \$0	\$371,750 \$90,000 \$6,000	\$371,750 \$90,000 \$6,000	100% 100% 100%	\$371,750 \$90,000 \$6,000	M S S	\$71 \$17 \$1				\$309,780 \$74,997 \$5,000	\$266,998 \$64,640 \$4,309	\$104,752 \$25,360 \$1,691
		ψυ	ψ0,000	ψ0,000	10070	φ0,000	0	Ψ1				40,000	ψ <del>1</del> ,000	<u> </u>
L24 New 25-space underground public car park (constructed as part of site redevelopment)	Havilah Lane	\$0	\$1,050,000	\$1,050,000			M-L				\$42,000			\$1,050,000
Sub Total		\$1,431,750	\$3,913,675	\$5,345,425		\$3,866,065		\$536	\$8,321	\$2,821		\$3,398,692	\$2,863,561	\$2,481,864
Community Facilities														
COMMUNITY FACILITIES														
L25 New library (1200m2)	Adjoining new town square on Tryon Road	\$0	\$2,424,000	\$2,424,000	20%	\$494,518	М	\$95				\$412,082	\$355,172	\$2,068,828
L26 Library fit out	as above	\$0	\$1,560,000	\$1,560,000	20%	\$318,254	М	\$61				\$265,202	\$228,576	\$1,331,424



											SEC	TION 94 CON	TRIBUTIONS		
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortfall
									5,231	11,546 square	3,602 square		4,359	3,757	
L22	New 135-space underground public car park (constructed as part of site redevelopment)	Tryon Road car park area	\$0	\$5,670,000	\$5,670,000	20%	\$1,156,731	М	persons <b>\$221</b>	metres	metres		persons <b>\$963,906</b>	persons <b>\$830,785</b>	\$4,839,215
L27	Multi purpose community centre (1500m2) incorporating a senior citizens centre and youth centre	Woodford Lane	\$0	\$4,380,000	\$4,380,000	17%	\$763,726	L	\$146				\$636,414	\$548,522	\$3,831,478
L23	New 72-space underground public car park (constructed as part of site redevelopment)	Woodford Lane	\$0	\$3,024,000	\$3,024,000	33%	\$527,285	L	\$101						\$3,024,000
Sub	Total		\$0	\$17,058,000	\$17,058,000		\$3,260,514		\$623				\$2,277,604	\$1,963,055	\$12,070,945
Str	eetscape and Public Domain Facil	ities													
	STREETSCAPE IMPROVEMENTS Main Retail/commercial streets														
L28		Pacific Highway (between Strickland Avenue and Treatts Road)	\$0	\$1,517,000	\$1,517,000	100%	\$1,517,000	M-L	\$290				\$1,264,118	\$1,089,537	\$427,463
L29	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Lindfield Avenue (between Strickland Avenue and Havilah Road)	\$0	\$635,900	\$635,900	100%	\$635,900	S-M	\$122				\$529,896	\$456,715	\$179,185
L30	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Balfour Street (part)	\$0	\$86,100	\$86,100	100%	\$86,100	М	\$16				\$71,747	\$61,839	\$24,261
L31	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Chapman Lane and Kochia Lane	\$0	\$180,000	\$180,000	100%	\$180,000	S-M	\$34				\$149,994	\$129,279	\$50,721
L32	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Bent Street (part) and Bent Lane	\$0	\$204,650	\$204,650	100%	\$204,650	M-L	\$39				\$170,535	\$146,983	\$57,667
	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3		\$0	\$178,400	\$178,400	100%	\$178,400	S-M	\$34				\$148,661	\$128,130	\$50,270
	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3		\$0	\$132,500	\$132,500	100%	\$132,500	М	\$25				\$110,412	\$95,164	\$37,336
L35	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3 Residential Streets	Woodford Lane and Drovers Way (part)	\$0	\$280,800	\$280,800	100%	\$280,800	M-L	\$54				\$233,991	\$201,676	\$79,124
L36	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Milray Street	\$0	\$264,000	\$264,000	100%	\$264,000	S-M	\$50				\$219,992	\$189,610	\$74,390
L37	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Tryon Road (part)	\$0	\$200,900	\$200,900	100%	\$200,900	S-M	\$38				\$167,410	\$144,290	\$56,610
L38	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Drovers Way (part)	\$0	\$306,900	\$306,900	100%	\$306,900	M-L	\$59				\$255,740	\$220,421	\$86,479
L39	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Gladstone Parade (part)	\$0	\$102,300	\$102,300	100%	\$102,300	M-L	\$20				\$85,247	\$73,474	\$28,826
L40	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Bent Street (part)	\$0	\$262,600	\$262,600	100%	\$262,600	M-L	\$50				\$218,825	\$188,604	\$73,996



											SEC	TION 94 CON	TRIBUTIONS		
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortfall
									5,231	11,546	3,602		4,359	3,757	
L41	Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Balfour Street (part)	\$0	\$262,600	\$262,600	100%	\$262,600	M-L	persons <b>\$50</b>	square metres	square metres		persons <b>\$218,825</b>	persons <b>\$188,604</b>	\$73,996
L42	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Nelson Road (part)	\$0	\$187,600	\$187,600	100%	\$187,600	М	\$36				\$156,327	\$134,738	\$52,862
L43	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Havilah Road	\$0	\$472,100	\$472,100	100%	\$472,100	М	\$90				\$393,402	\$339,071	\$133,029
L44	DCP Part 3 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Havilah Lane	\$0	\$125,250	\$125,250	100%	\$125,250	Μ	\$24				\$104,371	\$89,957	\$35,293
	URBAN/CIVIC SPACES														
L45	New town square (Council-owned land)	Tryon Road car park	\$0	\$1,097,230	\$1,097,230	100%	\$1,097,230	М	\$210				\$914,323	\$788,051	\$309,179
L46	New village green (Council-owned land)	Woodford Lane car park	\$0	\$1,018,582	\$1,018,582	100%	\$1,018,582	L	\$195				\$848,786	\$731,564	\$287,018
L47	New public space (road reserve and Rail Corp land)	Tryon Place	\$0	\$346,402	\$346,402	100%	\$346,402	M-L	\$66				\$288,657	\$248,792	\$97,610
	THROUGH BLOCK CONNECTIONS														
L48	New pedestrian and cycleway - 6m wide corridor (land to be acquired by Council )	Havilah Lane to Milray Street	\$252,000	\$147,500	\$399,500	100%	\$399,500	М	\$76				\$332,904	\$286,928	\$112,572
L49	New pedestrian access way (acquisition of land by Council)	Gladstone Parade to Drovers Way	\$480,000	\$571,250	\$1,051,250	100%	\$1,051,250	S-M	\$201				\$876,008	\$755,027	\$296,223
L50	New pedestrian access way (acquisition of land by Council)	Drovers Way to Beaconsfield Parade	\$390,000	\$460,000	\$850,000	100%	\$850,000	S-M	\$162				\$708,306	\$610,486	\$239,514
L51	New pedestrian bridge linking paths noted above	Drovers Way to Beaconsfield Parade	\$0	\$303,000	\$303,000	100%	\$303,000	S-M	\$58				\$252,490	\$217,620	\$85,380
L53	OPEN SPACE IMPROVEMENTS Upgrading and expansion of existing park (acquisition of land by Council)	Ibbotson Park	\$0	\$773,500	\$773,500	100%	\$773,500	М	\$148				\$644,559	\$555,542	\$217,958
	WATER CYCLE MANAGEMENT														
L55	Stormwater Harvesting	Tryon Road Town Square, Woodford Lane, Drovers Way south - open space	\$0	\$90,000	\$90,000	100%	\$90,000	S-M	\$17				\$74,997	\$64,640	\$25,360
Sub	Total		\$1,122,000	\$10,207,064	\$11,329,064		\$11,329,064		\$2,166				\$9,440,526	\$8,136,741	\$3,192,323
Oth	er														
	STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$12,174	\$12,174	100%	\$12,174		\$2				\$10,145	\$8,744	\$3,430
	Public Domain Study Public Domain Manual		\$0 \$0	\$20,000 TBC	\$20,000	100% 100%	\$20,000 \$0		\$4 \$0				\$16,666 \$0	\$14,364 \$0	\$5,636 \$0
	Contributions Plan Quantity Surveyor		\$0 \$0	\$10,565	\$10,565	100%	\$10,565 \$3,100		\$2 \$1				\$8,804 \$2,583	\$7,588 \$2,226	\$2,977 \$874
Sub '			\$0 <b>\$0</b>	\$3,100 <b>\$45,839</b>	\$3,100 <b>\$45,839</b>	100%	\$3,100 <b>\$45,839</b>		\$1 \$9				\$2,583 \$38,198	\$2,226 \$32,922	\$874 \$12,917
Tot	als		\$2,553,750	\$31,224,578	\$33,778,328		\$18,501,482		\$3,334	\$8,321	\$2,821		\$15,155,019	\$12,996,279	\$17,758,049



## Pymble Centre Works

											SEC	TION 94 CON	ITRIBUTIONS		
tem No.	Description of Work	Location of Work	Estimated Lanc Acquisition Cos (\$)		Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
									1,347	3,948 square	16,020 square		1,193	1,112	
									persons 416.2 peak trips	metres 232.9 peak trips	metres 320.4 peak trips		persons	persons	
Aco	cess and Transport Facilities								42.9%	24.0%	33.0%				
	TRAFFIC SIGNALS AND INTERSECTIONS														
P1	Left turn slip lane (Land dedicated by Sydney Water	) intersection of Telegraph Road and Pacific Highway	\$0	\$290,000	\$290,000	100%	\$290,000	L	\$92	\$1,765	\$598		\$275,767	\$235,179	\$54,821
	NEW STREETS														
-3	New lane way (8 metres wide). (Land to be acquired by Council)	From Post Office Street to Alma Street	\$4,000,000	\$308,945	\$4,308,945	100%	\$4,308,945	М	\$1,373	\$26,221	\$8,889		\$4,097,465	\$3,494,396	\$814,549
P4	Extension of existing lane (7 metres wide). (Land to be acquired by Council)	From Post Office Lane to Park Crescent	\$360,000	\$122,100	\$482,100	100%	\$482,100	М	\$154	\$2,934	\$994		\$458,439	\$390,965	\$91,135
	ROAD MODIFICATIONS														
7	Modifications to existing road for one-way traffic and increased on-street parking improve pedestrian conditions	Grandview Street between Pacific Highway and Alma Street	\$0	\$727,200	\$727,200	100%	\$727,200	S	\$232	\$4,425	\$1,500		\$691,510	\$589,732	\$137,468
8	Modifications to existing road to reduce road width and improve streetscape	Post Office Street	\$0	\$217,095	\$217,095	100%	\$217,095	S	\$69	\$1,321	\$448		\$206,440	\$176,056	\$41,039
9 910	Minor road works to improve access Changes to traffic flow	Everton Street/Avon Street Post Office Street, Park Crescent, Alma Street and Grandview Street	\$0 \$0	\$173,000 \$20,000	\$173,000 \$20,000	100% 100%	\$173,000 \$20,000	S M	\$55 \$6	\$1,053 \$122	\$357 \$41		\$164,509 \$19,018	\$140,297 \$16,219	\$32,703 \$3,781
	TRANSPORT														
P11	New bicycle path (off-road) 3 metres wide	From Telegraph Road to Park Crescent	\$0	\$136,450	\$136,450	100%	\$136,450	м	\$101				\$120,850	\$112,645	\$23,805
212 213	New bicycle way (on-road) New bicycle path (off-road) 3 metres wide	Along Park Crescent to Grandview Lane From Alma Street to Station Street	\$0 \$0	\$7,000 included in New Streets	\$7,000 \$0	100% 100%	\$7,000 \$0	M M	\$5 \$0				\$6,200 \$0	\$5,779 \$0	\$1,221 \$0
°14	Bike parking facilities	Grandview Street	\$0	\$3,000	\$3,000	100%	\$3,000	S	\$2				\$2,657	\$2,477	\$523
	New kiss and ride and taxi facilities	Grandview Street	\$0	\$20,900	\$20,900	100%	\$20,900	S	\$16				\$18,511	\$17,254	\$3,646
	New bus stop and facilities CAR PARKING	Grandview Street	\$0	\$30,000	\$30,000	100%	\$30,000	S	\$22				\$26,570	\$24,766	\$5,234
	Existing 14-space public car park relocated to P18	Alma Street	\$0	\$0	\$0			м				\$16,163		\$0	\$0
	new 80-space surface car park	Grandview Lane	\$900,000	\$393,000	\$1,293,000			М				\$16,163		\$0	\$1,293,000
	Total		\$5,260,000	\$2,448,690	\$7,708,690		\$6,415,690		\$2,128	\$37,841	\$12,827	-	\$6,087,936	\$5,205,765	\$2,502,925
	mmunity Facilities		\$3,200,000	\$2,440,000	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>		φ0,+10,000		ψ2,120	φ07,041	Ψ12,021		<i><b>4</b>0,001,000</i>	<i><b>4</b>3</i> ,203,703	Ψ2,002,320
001	COMMUNITY FACILITIES														
<b>&gt;</b> 20	New community meeting rooms (constructed as part of mixed use development)	corner of Alma Street and Park Crescent	\$0	\$300,000	\$300,000	100%	\$300,000	М	\$223				\$265,702	\$247,661	\$52,339
									•						
Sub 1	Total		\$0	\$300,000	\$300,000		\$300,000		\$223				\$265,702	\$247,661	\$52,339



protect latification and lighting lating, manual lighting lating lating latin lighting, manual lighting lating, manual lighting											SEC	TION 94 CON	TRIBUTIONS		
Mark		Location of Work	Acquisition Cost				Estimated Total	Timing		additional 100m2 Retail	additional 100m2 Business	parking	receipts assuming 100% development	receipts assuming likely development	Funds shortfa
Stretchesting         Partice									1,347				1,193	1,112	
Product burger burge									persons				persons	persons	
Number Connected Formal         Non-Connected Formal         Standard Connected Formal         Standard	Streetscape and Public Domain Fac	ilities													
21       Bits Discription work in the legistical process data base Parket Lightway are Parket Lightway ar															
22       Number Schwart (1) Schwart (1	21 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cen		\$0	\$120,000	\$120,000	100%	\$120,000	S	\$89				\$106,281	\$99,065	\$20,935
20       Since state when including space three, more space (space space s	22 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cen		\$0	\$30,400	\$30,400	100%	\$30,400	М	\$23				\$26,924	\$25,096	\$5,304
2         Similar Simi	23 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cen		\$0	\$37,600	\$37,600	100%	\$37,600	М	\$28				\$33,301	\$31,040	\$6,560
25         Status         30         3037,300         100%         5037,300         M         \$280         5288,877         \$278,528         \$88,877           25         Status	24 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cen	5,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$0	\$1,464,300	\$1,464,300	100%	\$1,464,300	М	\$1,087				\$1,296,889	\$1,208,836	\$255,464
20         20<	25 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cen DCP Part 3.3.5)		\$0	\$337,390	\$337,390	100%	\$337,390	М	\$250				\$298,817	\$278,528	\$58,862
URBANCIVIC SPACES           PEDESTRIAN THROUGH BLOCK CONNECTIONS           28         New 66 metra weite access contrider (lawed to be acquired by Council)         From Telegraph Read to Park Cressent         \$880,000         \$47,600         \$197,600         100%         \$897,600         M         \$566         \$794,880         \$740,921         \$166,021           9 New access are contrider (lawed to be acquired by Council)         From Telegraph Read to Park Cressent         \$10,000         \$122,000         \$11,22000         100%         \$1,223,000         M         \$1,135         \$1,354,112         \$1,62,224         \$266,02           OPEDESTION         From Park Cressent to Findowew Street         \$1         \$1,400,000         \$12,2000         100%         \$34,000         \$24         \$36,712         \$1,62,737         \$30,0113         \$28,665         \$95,000         \$41         \$46,712         \$45,455         \$95,000         \$1,62,737	26 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cent		\$0	\$473,900	\$473,900	100%	\$473,900	S-M	\$352				\$419,720	\$391,223	\$82,677
29         New access way         (Land to be acquired by Council)         From Park Creasent to Grandview Street         \$1,400,000         \$129,000         \$1,529,000         100%         \$1,528,000         M         \$1,135         \$1,384,192         \$1,282,248         \$266,           30         Improvements to existing pedestrian rail underpass         Under Pacific Highway to Eventon Street         \$0         \$34,000         \$34,000         \$         \$25         \$30,113         \$28,068         \$53,91           31         Upgrade existing pedestrian rail underpass         Under Pacific Highway to Eventon Street         \$0         \$55,000         \$00%         \$1,629,000         \$         \$41         \$46,712         \$45,465         \$53,91           32         Embediatment of existing park         Robert Pymble Park         \$0         \$1,182,737         \$54         \$278,235         \$44         \$218,220,77         \$51,027,77         \$51,047,517         \$576,395         \$228,077         \$210,77         \$54         \$218,277         \$51,050         \$1,182,737         \$54         \$218,2         \$267,77         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,027         \$51,050         \$1	28 New 5-6 metre wide access corridor (Land to be		\$850,000	\$47,500	\$897,500	100%	\$897,500	М	\$666				\$794,890	\$740,921	\$156,57
1         Upgrade existing Council-owned access way         From Grandview Lane to Grandview Street         50         \$55,000         \$50,000         S         \$41         \$46,712         \$45,405         \$93,95           OPEN SPACE IMPROVEMENTS		From Park Crescent to Grandview Street	\$1,400,000	\$129,000	\$1,529,000	100%	\$1,529,000	М	\$1,135				\$1,354,192	\$1,262,248	\$266,752
OPEN SPACE IMPROVEMENTS           P33         Embellishment of existing park         Robert Pymble Park         \$0         \$1,182,737         \$1,182,737         \$4,415,517         \$576,395         \$206,325         \$243,235         \$4,415,517         \$576,395         \$226,2077         \$51,11           P34         Embellishment of existing park         Cresewell O'Rellly Lookout         \$0         \$233,235         \$100%         \$243,235         \$-M         \$278         \$278         \$259,710         \$242,077         \$51,11           WATER CYCLE MANAGEMENT          \$0         \$110,000         \$100%         \$110,000         \$         \$82         \$97,424         \$90,809         \$19,1           Stormwater harvesting         \$0         \$110,000         \$100%         \$110,000         \$         \$82         \$97,424         \$90,809         \$19,1           Stormwater harvesting         \$0         \$110,000         \$100%         \$110,000         \$         \$82         \$97,424         \$90,809         \$19,1           Define         \$20         \$110,000         \$100%         \$110,000         \$         \$10,564         \$10,564         \$10,564         \$10,564         \$10,564         \$10,564         \$10,564         \$10,564         \$10,564         \$10	P30 Improvements to existing pedestrian rail underpass	Under Pacific Highway to Everton Street	\$0	\$34,000	\$34,000	100%	\$34,000	S	\$25				\$30,113	\$28,068	\$5,932
P33       Embellishment of existing park       Robert Pymble Park Cresswell OReility Lookout       50       \$1,182,737       \$1,182,737       \$-M       \$876       \$1,047,517       \$976,395       \$209, \$209,235       \$5-M       \$218       \$218       \$1,047,517       \$976,395       \$209, \$209,237       \$5-M       \$218       \$218       \$1,047,517       \$976,395       \$209, \$209,237       \$5-M       \$218       \$1,047,517       \$976,395       \$209,297       \$5-M       \$218       \$1,047,517       \$976,395       \$209,297       \$551,1         WATER CYCLE MANAGEMENT       Stormwater harvesting       \$0       \$110,000       \$100%       \$110,000       \$       \$203,235       \$50       \$50       \$97,424       \$90,809       \$19,1         Stormwater harvesting       \$0       \$110,000       \$110,000       \$       \$10,000       \$       \$10,000       \$       \$10,000       \$       \$10,100%       \$       \$10,504       \$50       \$	P31 Upgrade existing Council-owned access way	From Grandview Lane to Grandview Street	\$0	\$55,000	\$55,000	100%	\$55,000	S	\$41				\$48,712	\$45,405	\$9,595
P34         Embellishment of existing park         Creswell QReilly Lookout         \$0         \$293,235         \$203,235         \$-M         \$218         \$259,710         \$242,077         \$51,1           WATER CYCLE MANAGEMENT         WATER CYCLE MANAGEMENT         \$0         \$110,000         \$110,000         \$         \$822         \$97,424         \$90,809         \$19,1           P37         Stormwater harvesting         \$0         \$110,000         \$100,000         \$         \$822         \$4,874         \$5,814,491         \$5,419,710         \$1,145           Other         Traffic Study         \$0         \$10,564         \$00         \$10,564         \$83         \$9,356         \$8,721         \$1,8           Public Domain Study         \$0         \$10,564         \$100%         \$10,564         \$83         \$9,355         \$12,383         \$2,6           Public Domain Study         \$0         \$10,564         \$100%         \$10,564         \$100%         \$10         \$13,285         \$12,383         \$2,6           Public Domain Study         \$0         \$10,564         \$100%         \$10,655         \$10         \$10         \$13,285         \$12,383         \$2,6           Public Domain Study         \$0	OPEN SPACE IMPROVEMENTS														
WATER CYCLE MANAGEMENT           P37         Stormwater harvesting         \$0         \$110,000         \$110,000         \$         \$82         \$97,424         \$90,809         \$19,1           Stub Total         \$2,250,000         \$4,315,062         \$6,565,062         \$4,874         \$5,614,491         \$5,419,710         \$1,145           Other         STUDIES/CONSULTANTS FEES         Traffic Study         \$0         \$10,664         \$10,000         \$11         \$13,285         \$12,323         \$2,65           Public Domain Study         \$0         \$10,664         \$100%         \$10,664         \$83         \$9,356         \$81,285         \$12,323         \$2,66           Public Domain Manual         \$0         \$10,664         \$100%         \$10,665         \$83         \$9,357         \$8,721         \$1,8           Contributions Plan         \$0         \$10,564         \$100%         \$10,500         \$11         \$13,285         \$12,323         \$2,6           Public Domain Manual         \$0         \$10,665         \$10,0%         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0															\$206,342 \$51,158
Stub Total         \$2,250,000         \$4,315,062         \$6,565,062         \$4,874         \$5,814,491         \$5,419,710         \$1,145           Other         STUDIES/CONSULTANTS FEES         Traffic Study         \$0         \$10,564         \$10,564         \$8         \$9,356         \$8,721         \$1,8<           Public Domain Study         \$0         \$10,564         \$10,000         \$10,000         \$11,000         \$11         \$9,356         \$8,721         \$1,8           Public Domain Manual         \$0         \$15,000         \$10,000         \$10,000         \$10,000         \$11         \$0 <td>¥ 1</td> <td></td> <td>Ψũ</td> <td>¢200,200</td> <td>\$200,200</td> <td></td> <td><i><i><i><i></i></i></i></i></td> <td>0</td> <td>42.0</td> <td></td> <td></td> <td></td> <td><b>v=vv</b>,v</td> <td><b>*-</b> ·<b>-</b>,<b>•</b> · ·</td> <td><b>401</b>,100</td>	¥ 1		Ψũ	¢200,200	\$200,200		<i><i><i><i></i></i></i></i>	0	42.0				<b>v=vv</b> ,v	<b>*-</b> · <b>-</b> , <b>•</b> · ·	<b>401</b> ,100
STUDIES/CONSULTANTS FEES           Traffic Study         \$0         \$10,564         \$10,564         \$8         \$9,356         \$8,721         \$1,8           Public Domain Study         \$0         \$15,000         \$15,000         \$11         \$13,285         \$12,383         \$2,66           Public Domain Manual         \$0         TEC         100%         \$0         \$12,285         \$12,383         \$2,60         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0         \$0 <t< td=""><td>P37 Stormwater harvesting</td><td></td><td>\$0</td><td>\$110,000</td><td>\$110,000</td><td>100%</td><td>\$110,000</td><td>S</td><td>\$82</td><td></td><td></td><td></td><td>\$97,424</td><td>\$90,809</td><td>\$19,191</td></t<>	P37 Stormwater harvesting		\$0	\$110,000	\$110,000	100%	\$110,000	S	\$82				\$97,424	\$90,809	\$19,191
STUDIES/CONSULTANTS FEES       STUDIES/CONSULTANTS FEES       Study       \$10,564       \$10,564       \$10,564       \$8       \$8       \$9,356       \$8,721       \$1,86         Traffic Study       \$0       \$15,000       100%       \$15,000       \$11       \$13,285       \$12,883       \$2,66         Public Domain Manual       \$0       TBC       100%       \$0	Sub Total		\$2,250,000	\$4,315,062	\$6,565,062		\$6,565,062		\$4,874				\$5,814,491	\$5,419,710	\$1,145,352
Traffic Study       \$0       \$10,564       \$10,564       \$10,564       \$8       \$9,356       \$8,721       \$1,8         Public Domain Study       \$0       \$15,000       \$15,000       \$10%       \$15,000       \$11       \$13,285       \$12,383       \$2,66         Public Domain Manual       \$0       TBC       100%       \$0	Other														
Public Domain Study       \$0       \$15,000       \$15,000       \$11,00%       \$13,285       \$12,383       \$2,66         Public Domain Manual       \$0       TBC       100%       \$0 </td <td></td>															
Public Domain Manual       \$0       TBC       100%       \$0															\$1,843 \$2,617
Quantity Surveyor         \$0         \$2,800         \$2,800         \$2         \$2,800         \$2,8	Public Domain Manual		\$0	TBC		100%	\$0		\$0				\$0	\$0	\$0
Sub Total         \$0         \$38,929         \$38,929         \$29         \$34,478         \$32,137         \$6,79															\$1,843 \$488
Fotals \$7,510,000 \$7,102,681 \$14,612,681 \$13,319,681 \$7,254 \$37,841 \$12,827 \$12,202,607 \$10,905,273 \$3,707															\$6,792
	Totals		\$7,510,000	\$7,102,681	\$14,612,681		\$13,319,681		\$7,254	\$37,841	\$12,827		\$12,202,607	\$10,905,273	\$3,707,40



## **Roseville Centre Works**

											SEC	TION 94 CON	TRIBUTIONS		
tem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
٨٠٢	ess and Transport Facilities								1,307 persons 403.8 peak trips 68.0%	2,888 square metres 170.4 peak trips 28.7%	974 square metres 19.5 peak trips 3.3%		1,211 persons	1,044 persons	
	TRAFFIC SIGNALS AND INTERSECTIONS														
	Zoning change to permit realignment of road and for signal phasing changes	Intersection of Pacific Highway, Clanville Road and Shirley Road	\$0	\$0	\$0	100%	\$0	L	Section 80A	Section 80A	Section 80A		\$0	\$0	\$0
R2	Road widening to accommodate 3 northbound lanes and dedicated right turn lane into MacLaurin Parade		\$0	\$240,000	\$240,000	100%	\$240,000	L	\$125	\$2,385	\$808		\$228,009	\$191,800	\$48,200
	NEW STREETS & ROAD MODIFICATIONS														
3 4	New laneway <i>(acquisition of land by Council )</i> Upgrading existing lane way	Larkin Street through to Shirley Road Sixth Mile Lane	\$828,000 \$0	\$507,600 \$164,400	\$1,335,600 \$164,400	100% 100%	\$1,335,600 \$164,400	L M	\$695 \$86	\$13,272 \$1,634	\$4,499 \$554		\$1,268,872 \$156,186	\$1,067,368 \$131,383	\$268,2 \$33,01
5	Minor realignment of existing lane (acquisition of land	Roseville Lane from Roseville Ave to Lord Street	\$135,000	\$69,150	\$204,150	100%	\$204,150	L	\$106	\$2,029	\$688		\$193,950	\$163,150	\$41,0
3	by Council) Extension and widening of existing lane (acquisition of land by Council)	Bancroft Lane between Lord Street and Bancroft Avenue	\$660,000	\$281,000	\$941,000	100%	\$941,000	М	\$490	\$9,351	\$3,170		\$893,987	\$752,016	\$188,9
	CAR PARKING														
811	Construction of 80-space double-decked public car park (on Council owned land)	Larkin Lane	\$0	\$1,820,000	\$1,820,000			L				\$22,750			\$1,820,0
	TRANSPORT														
13	Provide new kiss and ride facilities and taxi ranks	Hill Street and Pacific Highway	\$0	\$83,600	\$83,600	100%	\$83,600	М	\$64				\$77,460	\$66,778	\$16,8
	Construction of new bicycle ways (on-road)	as per DCP strategy	\$0	\$33,000	\$33,000	100%	\$33,000	S-M	\$25				\$30,576	\$26,360	\$6,64
	Construction of new bicycle ways - off road Provision of bike parking	Hill Street and Pacific Highway Hill Street and Pacific Highway	\$0 \$0	\$901,800 \$6,000	\$901,800 \$6,000	100% 100%	\$901,800 \$6,000	S-M S	\$690 \$5				\$835,562 \$5,559	\$720,336 \$4,793	\$181,4 \$1,20
	Upgrade existing bus stops	Hill Street and Pacific Highway	\$0	\$120,000	\$120,000	100%	\$120,000	S	\$92	• • • • • • •			\$111,186	\$95,853	\$24,14
	otal		\$1,623,000	\$4,226,550	\$5,849,550		<b>\$4,029,550</b>		\$2,377	\$28,671	<b>\$9,719</b>		\$3,801,348	\$3,219,837	<mark>\$2,629</mark>
	COMMUNITY FACILITIES (LINDFIELD FACILITIES	)													
25	New library (1200m2)	Adjoining new town square on Tryon Road	\$0	\$2,424,000	\$2,424,000	5.1%	\$123,559	М	\$95				\$114,483	\$98,696	See Lind
26	Library fit out	as above	\$0	\$1,560,000	\$1,560,000	5.1%	\$79,518	М	\$61				\$73,677	\$63,517	See Lind
22	New 135-space underground public car park (constructed as part of site redevelopment)	Tryon Road car park area	\$0	\$5,670,000	\$5,670,000	5.1%	\$289,017	М	\$221				\$267,788	\$230,860	See Lind
	Multi purpose community centre (1500m2) incorporating a senior citizens centre and youth centre	Woodford Lane	\$0	\$4,380,000	\$4,380,000	4.4%	\$190,822	L	\$146				\$176,806	\$152,424	See Line



										SEC	CTION 94 CON	TRIBUTIONS		
Item Description of Work No.	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
								1,307	2,888 square	974 square		1,211	1,044	
Streetscape and Public Domain Fac	silition							persons	metres	metres		persons	persons	
-	anties													
STREETSCAPE IMPROVEMENTS Main Retail / Commercial Streets	Desitis History, Chiday Deed to Career	¢0	¢420.000	¢ 400.000	400%	¢ 420.000		¢220				\$200.400	¢2.42.520	\$00 E 40
R18 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cer DCP Part 3)	Pacific Highway - Shirley Road to Corona htre Ave/Boundary Street	\$0	\$430,080	\$430,080	100%	\$430,080	M-L	\$329				\$398,490	\$343,538	\$86,542
<ul> <li>R19 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cer DCP Part 3)</li> </ul>	Hill Street - Clanville Road to Boundary Street tre (includes rail overpass at Clanville Road)	\$0	\$691,560	\$691,560	100%	\$691,560	М	\$529				\$640,764	\$552,401	\$139,159
<ul> <li>BCF Fail(3)</li> <li>R20 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cer DCP Part 3)</li> </ul>	Lord Street (part) tre	\$0	\$103,500	\$103,500	100%	\$103,500	S	\$79				\$95,898	\$82,673	\$20,827
BOF Fail(3) R21 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cer DCP Part 3)	Roseville Ave (part) and Roseville Lane tre	\$0	\$293,400	\$293,400	100%	\$293,400	L	\$224				\$271,850	\$234,361	\$59,039
R22 Streetscape works including paving, street trees, powerlines, furniture and lighting (as per Town Cer DCP Part 3)	Bancroft Ave (part) and Bancroft Lane ntre	\$0	\$244,000	\$244,000	100%	\$244,000	M-L	\$187				\$226,078	\$194,901	\$49,099
Residential Streets R23 Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per	Maclaurin Parade (part)	\$0	\$117,400	\$117,400	100%	\$0 \$117,400	L	\$90				\$108,777	\$93,776	\$23,624
Town Centre DCP Part 3) R24 Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per	Larkin Street and Sixth Mile Lane	\$0	\$226,000	\$226,000	100%	\$226,000	M-L	\$173				\$209,400	\$180,523	\$45,477
Town Centre DCP Part 3) R25 Streetscape works including paths, grass verge, street trees, powerlines, and street lighting (as per Town Centre DCP Part 3)	Victoria Street (part)	\$0	\$136,700	\$136,700	100%	\$136,700	М	\$105				\$126,659	\$109,193	\$27,507
URBAN/CIVIC SPACES														
R26 New linear park with deep soil landscaping (on	Larkin Lane	\$0	\$726,861	\$726,861	100%	\$726,861	L	\$556				\$673,473	\$580,599	\$146,262
Council owned land) R27 New urban square <i>(on Council owned land)</i>	Western station entry on Pacific Highway	\$0	\$142,922	\$142,922	100%	\$142,922	M-L	\$109				\$132,424	\$114,163	\$28,759
THROUGH BLOCK CONNECTIONS														
R30 Upgrade existing pedestrian access way	From Pacific Highway to Larkin Lane and the Rifleway	\$0	\$117,600	\$117,600	100%	\$117,600	М	\$90				\$108,962	\$93,936	\$23,664
<ul> <li>R31 Upgrade existing pedestrian access way</li> <li>R29 New pedestrian access way (acquisition of land by Council )</li> </ul>	From Pacific Highway to Sixth Mile Lane	\$0 \$432,000	\$50,950 \$175,000	\$50,950 \$607,000	100% 100%	\$50,950 \$607,000	S L	\$39 \$464				\$47,208 \$562,415	\$40,698 \$484,857	\$10,252 \$122,143
OPEN SPACE IMPROVEMENTS														
R32 Embellishment of existing parks	Roseville Memorial Park	\$0	\$ 322,276.00	\$322,276	100%	\$322,276	М	\$247				\$298,605	\$257,426	\$64,850
WATER CYCLE MANAGEMENT														
R34 Stormwater Harvesting	as per DCP strategy	\$0	\$210,000	\$210,000	100%	\$210,000	М	\$161				\$194,575	\$167,743	\$42,257
Sub Total		\$432,000	\$3,988,249	\$4,420,249		\$4,420,249		\$3,382				\$4,095,579	\$3,530,788	\$889,46
Other														
STUDIES/CONSULTANTS FEES Traffic Study		\$0	\$11,714	\$11,714	100%	\$11,714		02				\$10,854	\$9,357	\$2,357
Public Domain Study		\$0	\$20,000	\$20,000	100%	\$20,000		\$9 \$15				\$18,531	\$15,976	\$4,024
Public Domain Manual Contributions Plan		\$0 \$0	\$0 \$10,565	\$0 \$10,565	100% 100%	\$0 \$10,565		\$0 \$8				\$0 \$9,789	\$0 \$8,439	\$0 \$2,126
Quantity Surveyor		\$0	\$2,400	\$2,400	100%	\$2,400		\$2				\$2,224	\$1,917	\$483
Sub Total		\$0	\$44,679	\$44,679		\$44,679		\$34				\$41,397	\$35,689	\$8,990
Totals		\$2,055,000	\$22,293,478	\$24,348,478		\$9,177,393		\$6,170	\$28,671	\$9,719		\$8,571,079	\$7,331,809	\$3,528,1

Lindfield library facilities accounted for in Lindfield works schedule

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## **St Ives Centre Works**

											SEC	СТІО
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	R
Acc	ess and Transport Facilities								3,668 persons 1133.4 peak trips 48.3%	20,572 square metres 1213.7 peak trips 51.7%	0 square metres 0.0 peak trips 0.0%	
	TRAFFIC SIGNALS AND INTERSECTIONS											
S1	New signalised intersection and minor road widening	Mona Vale Road and entrance to new shopping centre	\$0	\$593,850	\$593,850	NA	\$0	Μ	s80A condition	s80A condition	s80A condition	
S2	Additional right turn lane from Mona Vale Road (southwest bound) into Link Road (northwest bound), and associated widening	Intersection Mona Vale Road and Link Road	\$0	\$850,000	\$850,000	13.0%	\$110,500	L	\$15	\$278	\$0	
S3	Alterations to traffic signals and intersection layout to accommodate partial closure of Rosedale Road	Intersection of Memorial Avenue and Rosedale Road	\$0	\$330,600	\$330,600	100.0%	\$330,600	М	\$44	\$831	\$0	
S4	Install new traffic signals and remove existing pedestrian operated signals near Collins Road	Intersection Killeaton Street and Cowan Road	\$0	\$396,000	\$396,000	20.0%	\$79,200	Μ	\$10	\$199	\$0	
S5	Extension of right turn bay	Intersection Mona Vale Road and Stanley Street	\$0	\$32,000	\$32,000	100.0%	\$32,000	S	\$4	\$80	\$0	
	NEW STREETS & ROAD MODIFICATIONS											
S6	Construction of new one way road with on street parking on one side (on Council land)	Village Green Parade from Cowan Road to Denley Lane	\$0	\$431,200	\$431,200	NA	\$0	Μ	s80A condition	s80A condition	s80A condition	
S7	Widening of existing lane to accommodate indented parking bays, and turning circle at end (Council to	Stanley Lane	\$1,296,000	\$321,530	\$1,617,530	100.0%	\$1,617,530	L	\$213	\$4,066	\$0	
S8	acquire land) Extension and upgrading of laneway (Council to acqurie land)	Denley Lane to Mona Vale Road	\$0	\$177,200	\$177,200	100.0%	\$177,200	М	\$23	\$445	\$0	
	TRANSPORT											
S12	New taxi rank	Denley Lane	\$0	\$30,000	\$30,000	100.0%	\$30,000	М	\$8			
S13	New bus stops including shelters	various refer plan	\$0	\$450,000	\$450,000	100.0%	\$450,000	S	\$123			
S14	new cycle ways (off-road)	Village Green Parade; Village Green/Collins Road; and Killeaton Street (east of Mona Vale	\$0	\$815,900	\$815,900	100.0%	\$815,900	S-M	\$222			
S15	new cycle ways (on-road)	Mona Vale Road, Link Road, Stanley Street, Collins Road (north)	\$0	\$37,300	\$37,300	100.0%	\$37,300	S-M	\$10			
	CAR PARKING											
S17	Construction of 28 space public underground car park (on Council land)	Mona Vale Road opposite Stanley Street	\$0	\$1,264,400	\$1,264,400			L				1
S18	Reorganisation of existing parking areas to create 44 space at-grade public car park adjacent to Shopping Centre (on Council land)	Village Green	\$0	\$222,900	\$222,900			Μ				
Sub T			\$1,296,000	\$5,952,880	\$7,248,880		\$3,680,230		\$672	\$5,900	\$0	
				,, <b>.</b> ,								_



### **FION 94 CONTRIBUTIONS** Rate per car Projected s94 Projected s94 Funds shortfall receipts receipts assuming 100% assuming likely development development parking space take-up take-up 2,787 2,305 persons persons \$0 \$0 \$0 \$97,684 \$79,244 \$770,756 \$292,257 \$237,087 \$93,513 \$70,014 \$56,798 \$339,202 \$28,289 \$22,949 \$9,051 \$0 \$0 \$0 \$1,429,929 \$1,159,999 \$457,531 \$156,648 \$127,078 \$50,122 \$22,794 \$18,852 \$11,148 \$341,917 \$282,784 \$167,216 \$619,933 \$512,718 \$303,182 \$28,341 \$23,440 \$13,860 \$20,657 \$1,264,400 \$20,657 \$222,900 \$3,087,806 \$2,520,947 \$3,702,883

											SEC	TION 94 CON	TRIBUTIONS		
em lo.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
									3,668 persons	20,572 square metres	0 square metres		2,787 persons	2,305 persons	
Com	munity Facilities														
	COMMUNITY FACILITIES														
	Construction of new library shell (1200 m2) and fit out (as part of site redevelopment)	Within St Ives Shopping Village adjoining Town Square	\$0	\$3,984,000	\$3,984,000	14.3%	\$569,919	М	\$155				\$433,033	\$358,142	\$3,625,858
20	Construction of new Neighbourhood Centre (300 m2) (as part of site redevelopment)	Within St Ives Shopping Village adjoining Town Square and new library	\$0	\$996,000	\$996,000	61.1%	\$608,888	М	\$166				\$462,642	\$382,630	\$613,370
	Construction of new multi-purpose community centre (1500 m2) (on Council land)	Village Green	\$0	\$4,695,000	\$4,695,000	12.2%	\$574,042	М	\$157				\$436,166	\$360,733	\$4,334,268
	Upgrading of existing Community Groups building including lift	near Porters Lane in heritage precinct	\$0	\$636,000	\$636,000	17.5%	\$111,412	М	\$30				\$84,652	\$70,012	\$565,988
S23	Relocation of existing community facilities	on the Village Green	\$0	\$60,000	\$60,000	100.0%	\$60,000	S-M	\$16				\$45,589	\$37,704	\$22,296
Sub To	otal		\$0	\$10,371,000	\$10,371,000		\$1,924,261		\$525				\$1,462,081	\$1,209,221	\$9,161,779
Stree	etscape and Public Domain Faciliti	ies													
	STREETSCAPE IMPROVEMENTS														
24	Main commercial/retail streets Streetscape works including paving, street trees, powerlines, furniture and lighting	Village Green Parade	\$0	\$485,000	\$485,000	100.0%	\$485,000	М	\$132				\$368,510	\$304,778	\$180,222
		Mona Vale Road	\$0	\$1,804,260	\$1,804,260	100.0%	\$1,804,260	M-L	\$492				\$1,370,903	\$1,133,811	\$670,449
	powerlines, furniture and lighting	Stanley Street (part)	\$0	\$228,920	\$228,920	100.0%	\$228,920	L	\$62				\$173,937	\$143,855	\$85,065
27	powerlines, furniture and lighting Streetscape works including paving, street trees, powerlines, furniture and lighting	Denley Lane	\$0	\$167,000	\$167,000	100.0%	\$167,000	М	\$46				\$126,889	\$104,944	\$62,056
	Main residential streets														
	Streetscape works including paving, street trees, powerlines, furniture and lighting	Killeaton Road	\$0	\$777,640	\$777,640	100.0%	\$777,640	S	\$212				\$590,862	\$488,675	\$288,965
		Cowan Road	\$0	\$1,109,408	\$1,109,408	100.0%	\$1,109,408	S-M	\$302				\$842,944	\$697,161	\$412,247
		Porters Lane	\$0	\$385,344	\$385,344	100.0%	\$385,344	L	\$105				\$292,790	\$242,153	\$143,191
31		Link Road	\$0	\$1,053,360	\$1,053,360	100.0%	\$1,053,360	L	\$287				\$800,358	\$661,940	\$391,420
32		Collins Road and Kanoona Road	\$0	\$505,000	\$505,000	100.0%	\$505,000	L	\$138				\$383,706	\$317,346	\$187,654
333	Streetscape works including paving, street trees,	Shinfield and Lynbarra	\$0	\$505,880	\$505,880	100.0%	\$505,880	S-M	\$138				\$384,375	\$317,899	\$187,981
\$34	, or e,	Rosedale Road	\$0	\$239,800	\$239,800	100.0%	\$239,800	S-M	\$65				\$182,204	\$150,692	\$89,108
\$35		Stanley Street (part)	\$0	\$484,400	\$484,400	100.0%	\$484,400	L	\$132				\$368,054	\$304,401	\$179,999
36	powerlines, furniture and lighting Streetscape works including paving, street trees, powerlines, furniture and lighting	Newhaven Place	\$0	\$237,800	\$237,800	100.0%	\$237,800	L	\$65				\$180,684	\$149,435	\$88,365
37	Main Civic Street Streetscape works including paving, street trees, powerlines, furniture and lighting - special elements such as banner poles and public art/memorial	Memorial Avenue	\$0	\$649,280	\$649,280	100.0%	\$649,280	S-M	\$177				\$493,332	\$408,013	\$241,267
	URBAN/CIVIC SPACES														
		Old School area, Porters Lane	\$0	\$510,760	\$510,760	100.0%	\$510,760	М	\$139				\$388,083	\$320,966	\$189,794
	(on Council owned land) New Town Square (Council to acquire land)	Durham Lane area	\$1,080,000	\$719,302	\$1,799,302	100.0%	\$1,799,302	М	\$491				\$1,367,136	\$1,130,695	\$668,606
\$39															



											SEC		RIBUTIONS		
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortfall
									3,668 persons	20,572 square	0 square		2,787 persons	2,305 persons	
S16	Construction of new 150 space public under ground car park (constructed as part of site redevelopment)	Village Green Parade	\$0	\$6,740,000	\$6,740,000	100.0%	\$6,740,000	Μ	\$1,838	metres	metres		\$5,121,150	\$4,235,469	\$2,504,531
	THROUGH BLOCK CONNECTIONS														
S41	New shared footpath and cycle way (on Council land)	Village Green Promenade to Collins Road	\$0	included in S14	\$0	100.0%	\$0	S	\$0				\$0	\$0	\$0
S42	New pedestrian access way (Council to acquire land)	Mona Vale Road to Memorial and Killeaton	\$0	\$522,400	\$522,400	100.0%	\$522,400	S	\$142				\$396,927	\$328,280	\$194,120
	OPEN SPACE IMPROVEMENTS														
S43 S44	Embellishment of existing parks Embellishment of existing parks	Village Green & William Cowan Oval Rotary Park	\$0 \$0	\$2,546,297 \$242,809	\$2,546,297 \$242,809	100.0% 100.0%	\$2,546,297 \$242,809	S S	\$694 \$66				\$1,934,714 \$184,490	\$1,600,113 \$152,583	\$946,184 \$90,226
S45 S46	Embellishment of existing parks Embellishment of existing parks	Bedes Forest Memorial Park	\$0 \$0 \$0	\$321,253 \$170,913	\$321,253 \$170,913	100.0% 100.0%	\$321,253 \$170,913	S S	\$88 \$47				\$244,093 \$129,862	\$201,878 \$107,403	\$119,375 \$63,510
	WATER CYCLE MANAGEMENT														
S47	Stormwater detention and other works to address local flooding issues	Village Green and Killeaton Road Area	\$0	\$100,000	\$100,000	100.0%	\$100,000	S	\$27				\$75,981	\$62,841	\$37,159
S49	Stormwater Harvesting in parks	Village Green and William Cohen Oval	\$0	\$30,000	\$30,000	100.0%	\$30,000	М	\$8				\$22,794	\$18,852	\$11,148
Sub 1	Total		\$1,080,000	\$22,446,163	\$23,526,163		\$23,526,163		\$6,414				\$17,875,523	\$14,784,026	\$8,742,138
Oth	ner														
	STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0	\$25,970	\$25,970	100.0%	\$25,970		\$7				\$19,732	\$16,320	\$9,650
	Public Domain Study Public Domain Manual		\$0 \$0	\$20,000 \$0	\$20,000 \$0	100.0% 100.0%	\$20,000 \$0		\$5 \$0				\$15,196 \$0	\$12,568 \$0	\$7,432 \$0
	Contributions Plan		\$0 \$0	\$0 \$10,565	<del>5</del> 0 \$10,565	100.0%	ەن \$10,565		\$U \$3				\$0 \$8,027	ەن \$6,639	۵0 \$3,926
	Quantity Surveyor		\$0	\$7,140	\$7,140	100.0%	\$7,140		\$2				\$5,425	\$4,487	\$2,653
Sub 1	Total		\$0	\$63,675	\$63,675		\$63,675		\$17				\$48,381	\$40,014	\$23,661
Tot	als		\$2,376,000	\$38,833,718	\$41,209,718		\$29,194,329		\$7,628	\$5,900	\$0		\$22,473,791	\$18,554,207	\$21,630,461



## **Turramurra Centre Works**

											SEC	TION 94 CON	TRIBUTIONS		
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
									3,990	6,707	0		3,184	2,852	
									persons 1232.9 peak trips 75.7%	square metres 395.7 peak trips 24.3%	square metres 0.0 peak trips 0.0%		persons	persons	
Ac	cess and Transport Facilities														
	TRAFFIC SIGNALS AND INTERSECTIONS														
T1	New Traffic Signals	Intersection of Turramurra Avenue and Pacific	\$0	\$386,000	\$386,000	100.0%	\$386,000	М	\$73	\$1,398	\$0		\$326,980	\$283,899	\$102,101
T2	Road widening and improvements to intersection	Highway Intersection of Ray Street and the Pacific Highway	\$0	\$230,000	\$230,000	100.0%	\$230,000	М	\$44	\$833	\$0		\$194,833	\$169,162	\$60,838
тз	Removal of traffic signals and modifications to the	Intersection of Rohini Street and the Pacific	\$0	\$100,000	\$100,000	100.0%	\$100,000	М	\$19	\$362	\$0		\$84,710	\$73,549	\$26,451
Τ4	intersection. Modifications to intersection	Highway. Intersection of Kissing Point Road and Pacific	\$0	\$255,000	\$255,000	100.0%	\$255,000	М	\$48	\$924	\$0		\$216,010	\$187,550	\$67,450
Τ7	Widening of Pacific Highway (south bound) to 3 lane (land acquired by Council and dedicated to RTA pos development)		\$2,450,000	\$220,500	\$2,670,500	100.0%	\$2,670,500	L	\$507	\$9,675	\$0		\$2,262,175	\$1,964,123	\$706,377
	NEW STREETS														
T5	Construction of new street (ROW 13 metres wide,	Between Gilroy Road and Turramurra Avenue	\$841,500	\$392,500	\$1,234,000	100.0%	\$1,234,000	S	\$234	\$4,471	\$0		\$1,045,319	\$907,593	\$326,407
Т6	two-way traffic). (Council to acquire land) Construction of new street - "Stonex Street" (ROW 1 metres wide, two way traffic). (Council to acquire land)	5 Between Duff Street and Kissing Point Road	\$697,500	\$716,000	\$1,413,500	100.0%	\$1,413,500	М	\$268	\$5,121	\$0		\$1,197,373	\$1,039,613	\$373,887
	ROAD MODIFICATIONS														
Т8	Modifications to roadway for one way traffic	Turramurra Avenue (northern section)	\$0	\$74,750	\$74,750	100.0%	\$74,750	М	\$14	\$271	\$0		\$63,321	\$54,978	\$19,772
	TRANSPORT														
Т9	Widening of existing lane way to improve pedestrian conditions and provide of parking bays, kiss and ride bay and taxi rank ( <i>Council to acquire land</i> )		\$6,000,000	\$251,920	\$6,251,920	100.0%	\$6,251,920	L	\$1,567				\$4,989,165	\$4,468,764	\$1,783,156
T12	Works related to new bus route	Rohini Street via new Street to Turramurra	\$0	\$32,000	\$32,000	100.0%	\$32,000	М	\$8				\$25,537	\$22,873	\$9,127
T13	Improvements to existing bus interchange area	Avenue and Pacific Highway Rohini Street	\$0	\$186,500	\$186,500	100.0%	\$186,500	S	\$47				\$148,831	\$133,307	\$53,193
T14	Bicycle route (on-road)	Kissing Point Road, Boyd Street, Rohini Street, Eastern Road. Turramurra Avenue	\$0	\$24,000	\$24,000	100.0%	\$24,000	S	\$6				\$19,153	\$17,155	\$6,845
T15	Bicycle route (off-road) - 3 metre wide path	From Boyd Street to Karuah Park via Hillview	\$0	\$288,000	\$288,000	100.0%	\$288,000	М	\$72				\$229,830	\$205,857	\$82,143
T16	Bicycle parking	Estate and Gilroy Road At rail station and shopping nodes	\$0	\$15,000	\$15,000	100.0%	\$15,000	S	\$4				\$11,970	\$10,722	\$4,278
	CAR PARKING														
T17	Construction of 100-space public underground car park (as part of site redevelopment)	Turramurra Avenue car park	\$0	\$4,200,000	\$4,200,000			L				\$21,104			\$4,200,000
T18	Construction of new 40 space open grade car park	Off Turramurra Avenue	\$0	\$213,000	\$213,000			L				\$21,104			\$213,000
T20	(on Council land) Construction of 23-space public underground car park (as part of site redevelopment)	Turramurra Plaza/Precinct C	\$0	\$966,000	\$966,000			М				\$21,104			\$966,000
T21	Construction of 48 new surface car parks (on Counc land)	il Ray Street (northern end)	\$0	\$234,600	\$234,600			М				\$21,104			\$234,600
Sub	Total		\$9,989,000	\$8,785,770	\$18,774,770		\$13,161,170		\$2,911	\$23,054	\$0		\$10,815,205	\$9,539,145	\$9,235,625

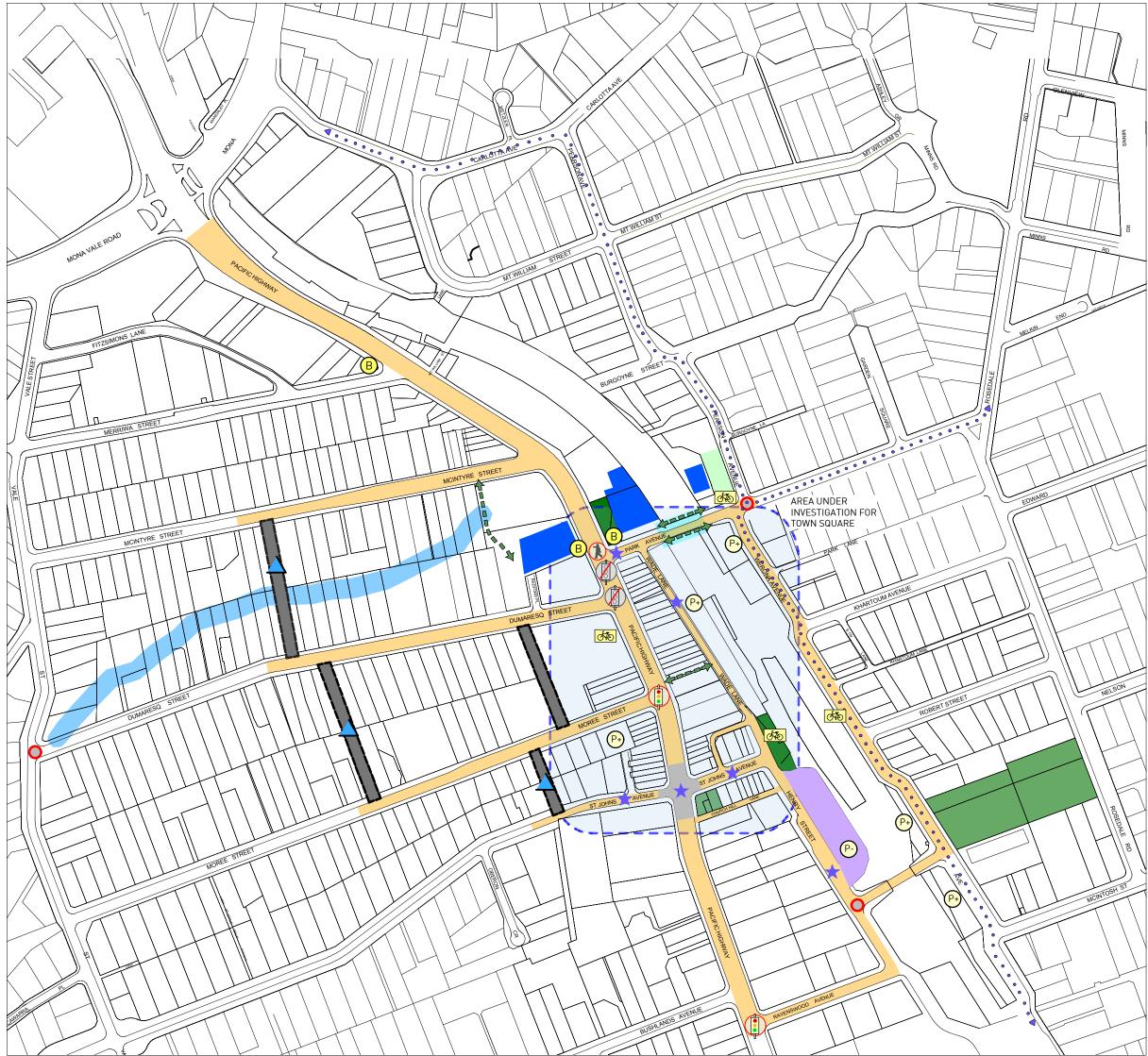


										SEC	TION 94 CON	TRIBUTIONS		
Item Description of Work No.	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	Funds shortfal
								3,990	6,707	0		3,184	2,852	
								persons	square metres	square metres		persons	persons	
Community Facilities														
COMMUNITY FACILITIES														
T22 Construction of new library shell (1500 m2) and fit ou (on Council land as part of mixed use development)	t Ray Street	\$0	\$4,980,000	\$4,980,000	11.2%	\$556,369	М	\$139				\$443,994	\$397,683	\$4,582,317
T23 Construction of new multi-purpose community building including HACC and Senior's Centre, Lifestart and new Youth Centre (2000 m2) (on Council land as part of mixed use development)	Ray Street	\$0	\$5,840,000	\$5,840,000	10.0%	\$582,543	М	\$146				\$464,882	\$416,392	\$5,423,608
T19 Construction of 121-space public underground car park (as part of site redevelopment)	Between Ray and William Streets	\$0	\$5,082,000	\$5,082,000	11.2%	\$567,764	Μ	\$142				\$453,088	\$405,828	\$4,676,172
T24 Relocation of existing community facilities	from Gilroy Lane area to Ray Street	\$0	\$180,000	\$180,000	100.0%	\$180,000	М	\$45				\$143,644	\$128,661	\$51,339
Sub Total		\$0	\$16,082,000	\$16,082,000		\$1,886,677		\$473				\$1,505,608	\$1,348,564	\$14,733,436
Main/retail Commercial streets Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Rohini Street	\$0	\$981,900	\$981,900	100.0%	\$981,900	L	\$246				\$783,577	\$701,845	\$280,055
STREETSCAPE IMPROVEMENTS														
DCP Part 3.3.1 T26 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Pacific Highway	\$0	\$1,465,600	\$1,465,600	100.0%	\$1,465,600	M-L	\$367				\$1,169,580	\$1,047,586	\$418,014
DCP Part 3.3.3 T27 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	William Street/Forbes Lane	\$0	\$419,600	\$419,600	100.0%	\$419,600	М	\$105				\$334,850	\$299,923	\$119,677
DCP Part 3 T28 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre	Kissing Point Road (part)	\$0	\$212,600	\$212,600	100.0%	\$212,600	М	\$53				\$169,659	\$151,963	\$60,637
DCP Part 3 T29 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3	Turramurra Avenue (part)	\$0	\$269,600	\$269,600	100.0%	\$269,600		\$68				\$215,147	\$192,705	\$76,895
<ul> <li>Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3</li> </ul>	Stonex Street	\$0	\$487,600	\$487,600	100.0%	\$487,600		\$122				\$389,115	\$348,528	\$139,072
T31 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3 Residential Streets	Gilroy Road (part) and Gilroy Lane (part)	\$0	\$313,000	\$313,000	100.0%	\$313,000		\$78				\$249,781	\$223,727	\$89,273
T32 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Duff Street (part)	\$0	\$555,400	\$555,400	100.0%	\$555,400	М	\$139				\$443,221	\$396,990	\$158,410
T33 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Turramurra Avenue Part)	\$0	\$527,700	\$527,700	100.0%	\$527,700	М	\$132				\$421,116	\$377,191	\$150,509
T34 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Kissing Point Road (part) and Boyd Street (part)	\$0	\$416,500	\$416,500	100.0%	\$416,500	S-M	\$104				\$332,376	\$297,707	\$118,793
T35 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4	Eastern Road (part)	\$0	\$459,900	\$459,900	100.0%	\$459,900	L	\$115				\$367,010	\$328,729	\$131,171
T36 Streetscape works including paving, street trees, powerlines, furniture and lighting as per Town Centre DCP Part 3.3.4 Other Streets	Ray Street	\$0	\$249,900	\$249,900	100.0%	\$249,900	Μ	\$63				\$199,426	\$178,624	\$71,276
T37 Special treatment refer DCP 3.2.3	Gilroy Road	\$0	\$484,900	\$484,900	100.0%	\$484,900		\$122				\$386,961	\$346,598	\$138,302



										SECTION 94 CONTRIBUTIONS					
ltem No.	Description of Work	Location of Work	Estimated Land Acquisition Cost (\$)	Estimated Capital Cost (\$)	Estimated Total Cost (\$)	Apportionment Factor	Apportioned Estimated Total Cost (\$)	Timing	Rate per person	Rate per additional 100m2 Retail GFA	Rate per additional 100m2 Business GFA	Rate per car parking space	Projected s94 receipts assuming 100% development take-up	Projected s94 receipts assuming likely development take-up	
									3,990	6,707	0		3,184	2,852	
	URBAN/CIVIC SPACES								persons	square metres	square metres		persons	persons	
Г38	Construction and Embellishment of Church Square (as per Town Centre DCP Part 3.2.6). On Council land	Adjoining Turramurra Uniting Church	\$0	\$433,355	\$433,355	100.0%	\$433,355	M-L	\$109				\$345,826	\$309,755	\$123,600
Т39	Construction and embellishment of William Square including partial closure of William Street and improvements to Railway Park (as per Town Centre DCP Part 3.2.2). On Council land	William Street area	\$0	\$2,070,499	\$2,070,499	100.0%	\$2,070,499	М	\$519				\$1,652,302	\$1,479,957	\$590,542
T40	Construction and Embellishment of Turramurra Village Green (as per Town Centre DCP Part 3). On Council land	Gilroy Road/Gilroy Lane	\$0	\$473,018	\$473,018	100.0%	\$473,018	M-L	\$119				\$377,478	\$338,105	\$134,913
	THROUGH-BLOCK CONNECTIONS														
Г41	Construction and embellishment of pedestrian way (refer DCP 3.2.6). On Council land	between Turramurra Avenue to Turramurra Green	\$0	\$131,350	\$131,350	100.0%	\$131,350	M-L	\$33				\$104,820	\$93,887	\$37,463
42		n From Boyd Street to Pacific Highway through Hill View Estate	\$900,000	\$161,200	\$1,061,200	100.0%	\$1,061,200	S	\$266				\$846,860	\$758,527	\$302,673
T44			\$0	\$517,445	\$517,445	100.0%	\$517,445	S	\$130				\$412,932	\$369,861	\$147,584
Г45		Street From Gilroy Road to Cameron Park	\$320,000	\$130,000	\$450,000	100.0%	\$450,000	М	\$113				\$359,110	\$321,652	\$128,348
T46	land) Construction of pedestrian way (Council to acquire land)	From Gilroy Road to Turramurra Avenue	\$255,000	\$117,300	\$372,300	100.0%	\$372,300	М	\$93				\$297,103	\$266,114	\$106,186
	OPEN SPACE IMPROVEMENTS														
T47	Upgrade existing park	Turramurra Village Park	\$0	\$188,427	\$188,427	100.0%	\$188,427	S-M	\$47				\$150,369	\$134,684	\$53,743
T48		Queens Park	\$0	\$322,559	\$322,559	100.0%	\$322,559	S-M	\$81				\$257,409	\$230,559	\$91,999
T49 T50		Cameron Park Extension of Granny Springs off Stonex Street	\$0 \$0	\$457,650 \$285,438	\$457,650 \$285,438	100.0% 100.0%	\$457,650 \$285,438	S-M S-M	\$115 \$72				\$365,214 \$227,786	\$327,120 \$204,026	\$130,530 \$81,412
	WATER CYCLE MANAGEMENT														
T52	Stormwater Harvesting	Gilroy Road streetscape works	\$0	\$90,000	\$90,000	100.0%	\$90,000	M-L	\$23				\$71,822	\$64,330	\$25,670
Sub	Total		\$1,475,000	\$12,222,441	\$13,697,441		\$13,697,441		\$3,433				\$10,930,849	\$9,790,694	\$3,906,747
Otl	her														
	STUDIES/CONSULTANTS FEES														
	Traffic Study		\$0 \$0	\$20,000 \$20,000	\$20,000	100.0%	\$20,000		\$5 \$5				\$15,960 \$15,960	\$14,296	\$5,704 \$5,704
	Public Domain Study Public Domain Manual		\$0 \$0	\$20,000 \$0	\$20,000 \$0	100.0% 100.0%	\$20,000 \$0		\$5 \$0				\$15,960 \$0	\$14,296 \$0	\$5,704 \$0
	Contributions Plan		\$0	\$10,565	\$10,565	100.0%	\$10,565		\$3				\$8,431	\$7,552	\$3,013
0	Quantity Surveyor		\$0	\$3,100	\$3,100	100.0%	\$3,100		\$1				\$2,474	\$2,216	\$884
SUD	Total		\$0	\$53,665	\$53,665		\$53,665		\$13				\$42,826	\$38,359	\$15,306
To	tals		\$11,464,000	\$37,143,876	\$48,607,876		\$28,798,952		\$6,830	\$23,054	\$0		\$23,294,488	\$20,716,762	\$27,891,11





## **TOWN CENTRES** FACILITIES PLAN -GORDON

draft issue - 20.08.07

## OPEN SPACE



ACQUISITION OF LAND FOR LOCAL OPEN SPACE IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE NEW PARK



RIPARIAN REHABILITATION

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, STREET FURNITURE, LIGHTING NEW CIVIC SPACES NEW TOWN SQUARE - AREA UNDER INVESTIGATION PEDESTRIAN CONNECTIONS-IMPROVEMENTS



TO EXISTING, OR NEW RAIL BRIDGE - IMPROVEMENTS STORMWATER TREATMENT - HARVESTING / DETENTION

## COMMUNITY



COMMUNITY WORKS

## TRAFFIC

NEW SIGNALS

REMOVAL OF SIGNALS

NEW PEDESTRIAN ACTIVATED SIGNALS



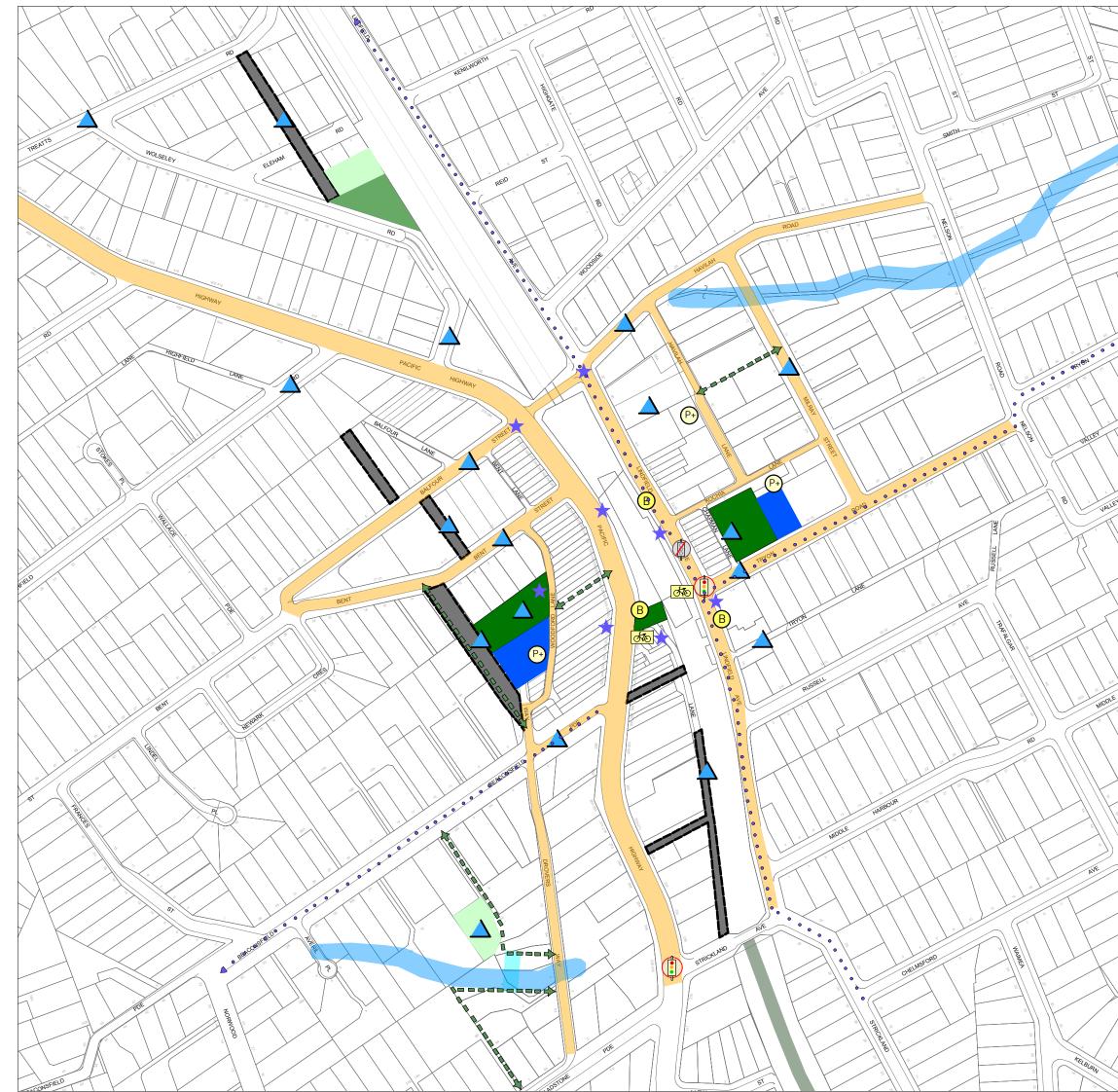
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NEW ROUNDABOUT MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW NEW ACCESS ROADS

## TRANSPORT

P+	PARKING ADDED
<b>P-</b>	PARKING RELOCATED
	NEW BUS INTERCHANGE
B	NEW BUS STOPS

••• 💑 🕨 BICYCLE PARKING AND CYCLEWAY





# TOWN CENTRES FACILITIES PLAN -LINDFIELD

draft issue - 20.08.07

## OPEN SPACE



ACQUISITION OF LAND FOR LOCAL OPEN SPACE IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE NEW PARK

RIPARIAN REHABILITATION

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDREGROUND POWERLINES, FURNITURE, LIGHTING



IMPROVEMENTS TO CIVIC SPACES PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO



EXISTING, OR NEW NEW BRIDGE

STORMWATER TREATMENT - HARVESTING / DETENTION

## COMMUNITY

NEW AND/OR IMPROVED COMMUNITY FACILITIES

## TRAFFIC



REMOVAL OF SIGNALS

NEW SIGNALS



MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW NEW ACCESS ROADS

## TRANSPORT

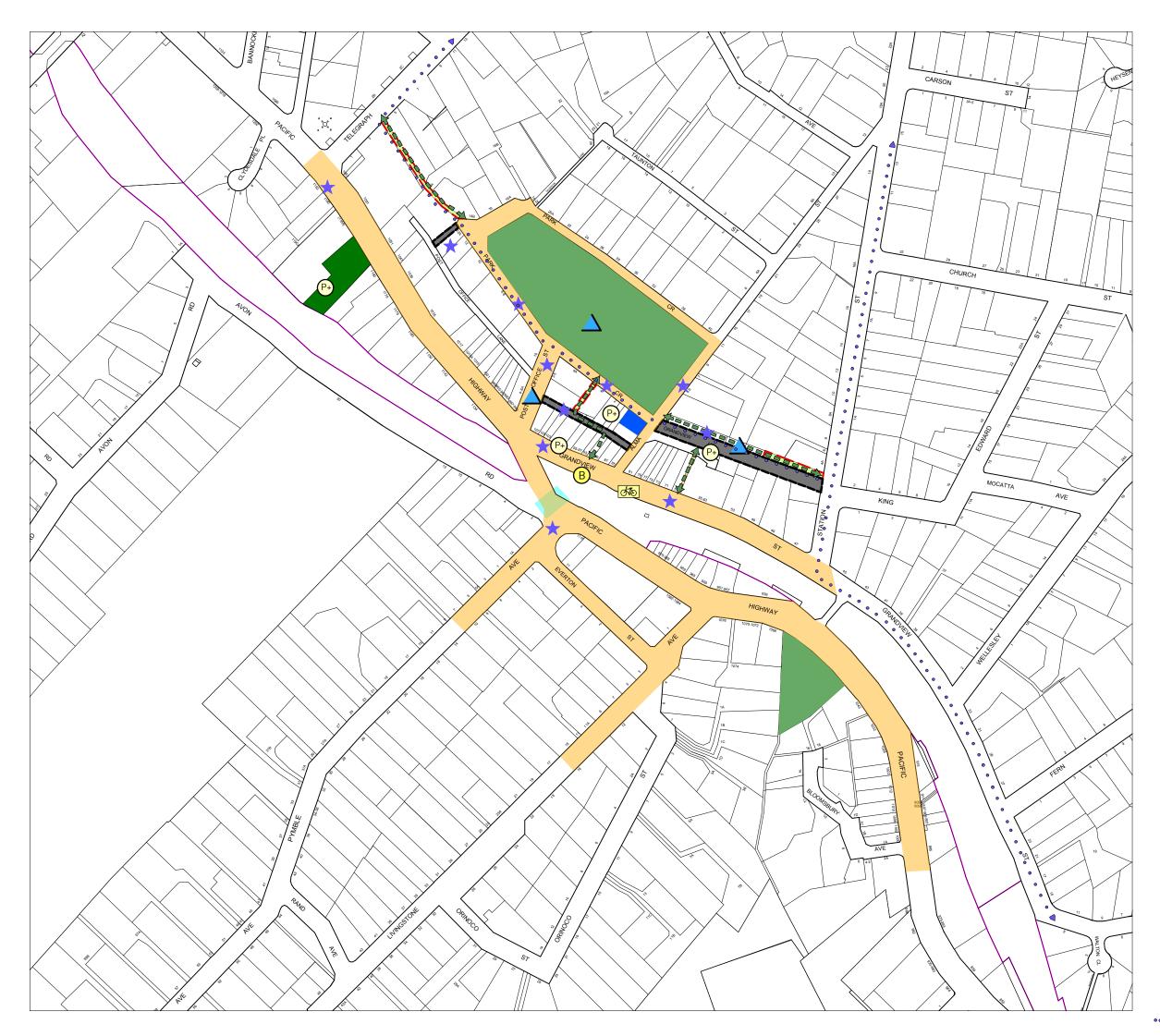


PARKING ADDED

PARKING RELOCATED NEW TAXI RANK

NEW BUS STOPS

• 🛷 • ● BICYCLE PARKING AND CYCLEWAY



## **TOWN CENTRES** FACILITIES PLAN -PYMBLE

draft issue - 20.08.07

## OPEN SPACE



ACQUISITION OF LAND FOR LOCAL OPEN SPACE IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDERGROUND POWERLINES, FURNITURE, LIGHTING NEW CIVIC SPACES ← ← PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO EXISTING, OR NEW



RAIL BRIDGE - IMPROVEMENTS TO EXISTING PEDESTRIAN UNDERPASS STORMWATER TREATMENT - HARVESTING / DETENTION

## COMMUNITY



NEW AND/OR IMPROVED COMMUNITY FACILITIES

## TRAFFIC



MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW



NEW ACCESS ROADS / LANES

## TRANSPORT



PARKING ADDED PARKING RELOCATED





## TOWN CENTRES FACILITIES PLAN -ROSEVILLE

draft issue - 20.08.07

## OPEN SPACE



ACQUISITION OF LAND FOR LOCAL OPEN SPACE IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS - PAVING, STREET TREES, UNDREGROUND POWERLINES, FURNITURE, LIGHTING



IMPROVEMENTS TO CIVIC SPACES PEDESTRIAN CONNECTIONS-IMPROVEMENTS TO



EXISTING, OR NEW STORMWATER TREATMENT - HARVESTING / DETENTION

## TRAFFIC

NEW SIGNALS



NEW PEDESTRIAN ACTIVATED SIGNALS NEW ROUNDABOUT MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW

NEW ACCESS ROADS

REMOVAL OF SIGNALS

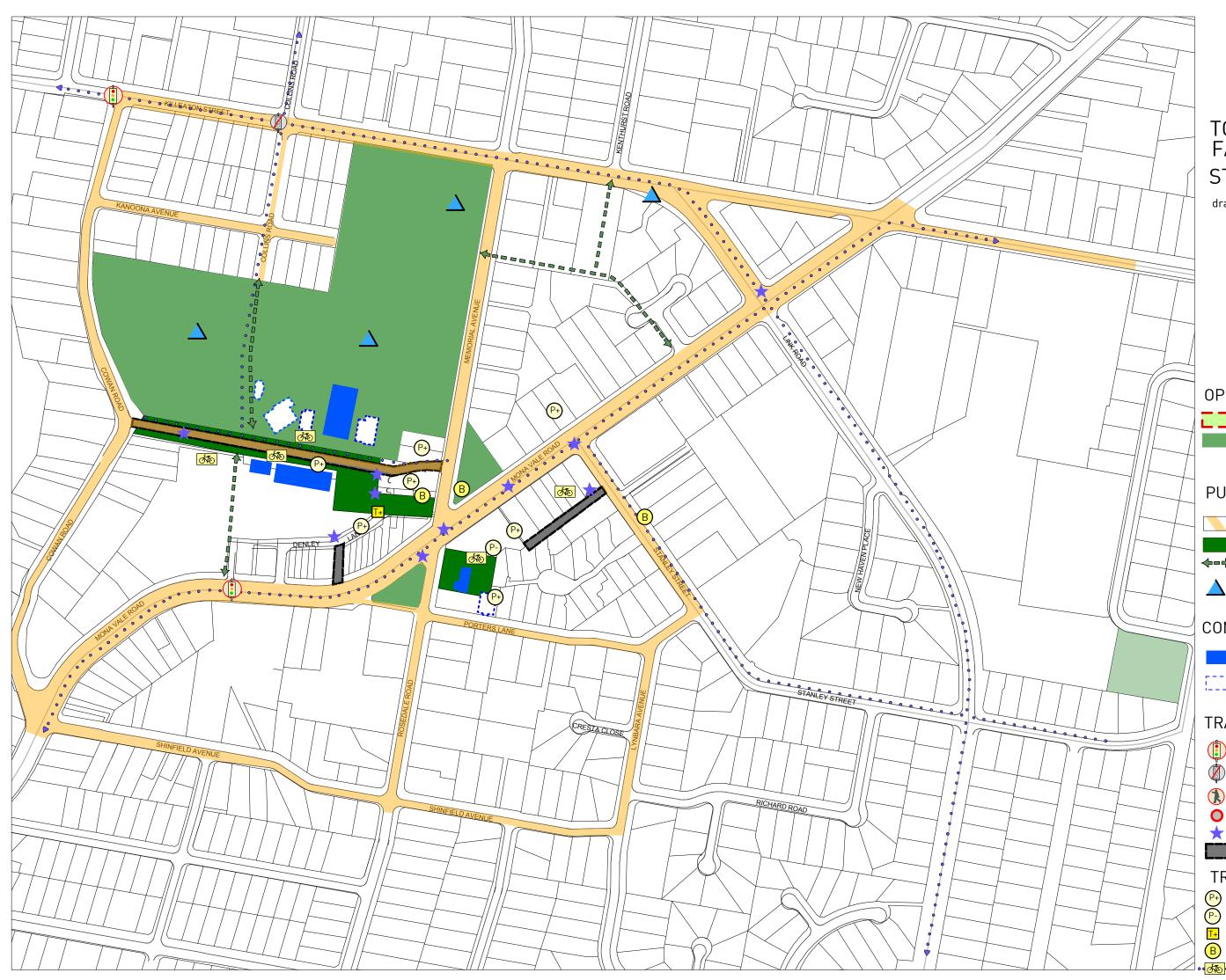
## TRANSPORT

(P+) (P-) PARKING ADDED PARKING RELOCATED T+ B

NEW TAXI RANK

NEW BUS STOPS

•• 🛷 •• ► BICYCLE PARKING AND CYCLEWAY



## TOWN CENTRES FACILITIES PLAN -ST IVES

draft issue - 20.08.07

## **OPEN SPACE**



ACQUISITION OF LAND FOR LOCAL OP SPACE IMPROVEMENTS TO EXISTING PARKS A OPEN SPACE

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS - PAVING, ST UNDERGROUND POWERLINES, FURNITURE, LIGHTING

NEW CIVIC SPACES

PEDESTRIAN CONNECTIONS-IMPROVEME TO EXISTING, OR NEW



## COMMUNITY

NEW AND/OR IMPROVED COMMUNITY FACILITIES

RELOCATION OF EXISTING COMMUNITY

## TRAFFIC

0

 $\star$ 

NEW SIGNALS

REMOVAL OF SIGNALS

NEW PEDESTRIAN ACTIVATED SIGNALS

NEW ROUNDABOUT MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW NEW ACCESS ROADS

## TRANSPORT

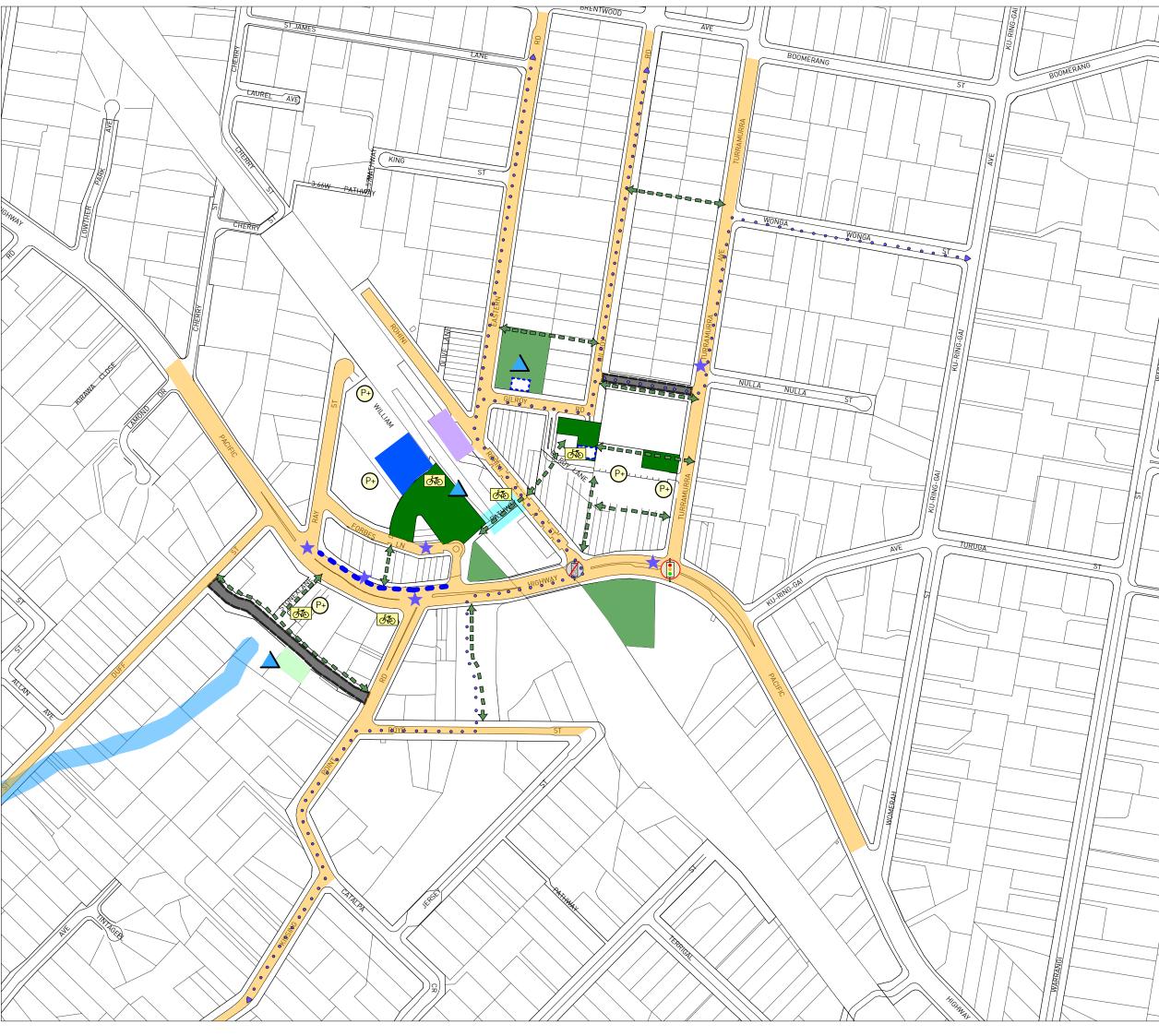
PARKING ADDED

PARKING RELOCATED

NEW TAXI RANK

NEW BUS STOPS

✓ • <sup>6</sup> BICYCLE PARKING AND CYCLEWAY



## TOWN CENTRES FACILITIES PLAN -TURRAMURRA

draft issue - 20.08.07

## **OPEN SPACE**



ACQUISITION OF LAND FOR LOCAL OPEN SPACE IMPROVEMENTS TO EXISTING PARKS AND OPEN SPACE NEW PARK

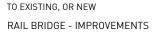
RIPARIAN REHABILITATION

## PUBLIC DOMAIN



STREETSCAPE IMPROVEMENTS -PAVING, STREET TREES, POWERLINES, FURNITURE, LIGHTING NEW CIVIC SPACES

PEDESTRIAN CONNECTIONS-IMPROVEMENTS  $\diamond - \diamond$ 





STORMWATER TREATMENT - HARVESTING / DETENTION

## COMMUNITY

NEW AND/OR IMPROVED COMMUNITY FACILITIES
RELOCATION OF EXISTING COMMUNITY FACILITIES

## TRAFFIC

REMOVAL OF SIGNALS

- NEW PEDESTRIAN ACTIVATED
- Ο
  - SIGNALS NEW ROUNDABOUT
  - MODIFICATIONS TO EXISTING ROADS AND TRAFFIC FLOW

 $\star$ 

- HIGHWAY WIDENING NEW ACCESS ROADS

## TRANSPORT



- PARKING ADDED PARKING RELOCATED
- NEW BUS INTERCHANGE
- B NEW BUS STOPS
- ●●● BICYCLE PARKING AND CYCLEWAY

## Appendix A

Background information to this Plan

Arup (2006), Lindfield Town Centre Traffic and Parking Study, Urban Design Traffic Analysis, August

Arup (2006), Pymble Town Centre Traffic and Parking Study, Urban Design Traffic Analysis, July

Arup (2006), Roseville Town Centre Traffic and Parking Study, Urban Design Traffic Analysis, August

Department of Infrastructure, Planning and Natural Resources (2005), *Development Contributions Practice Notes – July 2005*, New South Wales planning reforms

Environmental Partnership and Recreation Planning (2006), *Open Space Acquisition Strategy*, November

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

GTA Consultants (2006), Turramurra Town Centre Traffic and Car Parking Study, July

Hill PDA (2005), Ku-ring-gai Retail Centres Study, prepared for Ku-ring-gai Council

Jones, Dr D J (2004), Ku-ring-gai Council Library Facilities Study

Ku-ring-gai Council (1993), Section 94 Development Contributions Plan No. 1

Ku-ring-gai Council (2004), Riparian Policy

Ku-ring-gai Council (2005), St Ives Centre Planning Preliminary Exhibition Materials: Preliminary Draft Development Control Plan, Preliminary Draft Local Environmental Plan

Ku-ring-gai Council (2005), St Ives Town Centre Review of Council's Property Holdings

Ku-ring-gai Council (2007), Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment No. 1)

Ku-ring-gai Council (2006), Ku-ring-gai Town Centres Development Control Plan: All Town Centres

Ludvik and Associates Pty Ltd (2006), Report on Public Hearing - Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.2 - Reclassification of Community Land as Operational Land - Pymble Centre, November

Ludvik and Associates Pty Ltd (2006), Report on Public Hearing - Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.2 - Reclassification of Community Land as Operational Land - Turramurra Centre, November

Newplan (2007), *Ku-ring-gai Town Centres Development Contributions Strategy*, prepared for Ku-ring-gai Council, Final Draft, August

Transport and Urban Planning (2005), *Draft St Ives Town Centre Traffic and Parking Study*, November 2005 Revision

Walsh, P (2006), Report to Ku-ring-gai Council: Proposed Land Reclassification Gordon Town Centre, November

Walsh, P (2006), Report to Ku-ring-gai Council: Proposed Land Reclassification St Ives Town Centre, October

## Appendix B

Apportionment worksheet for traffic signals and intersections works

Description of Work	Existing AVD <sup>#</sup> (am peak)	Existing AVD <sup>#</sup> (pm peak)	Existing LOS <sup>+</sup> Critical Movement	LEP^ AVD#	LEP^ AVD#	+ LEP^	TC <sup>®</sup> AVD <sup>#</sup>	# TC <sup>®</sup> AVD#	TC <sup>®</sup> LOS <sup>+</sup>	Future LOS* (includes traffic signal/ intersection modification)	Existing intersection turning movement volumes (am peak)	Future intersection turning movement volumes (am peak)	% change intersection critical movements (am peak)	movement	Future intersection turning movement volumes (pm peak)	% change intersection critical movements (pm peak)	Worst case % change intersection critical movements	Apportionment Factor	Basis of Apportionme (see below
GORDON																			
	N/A	N/A	F	N/A	N/A	F	N/A	N/A	F	D	300	638	53%	300	700	57%	57%	57%	2
west of Pacific Highway), to suit one way flow	N/A	N/A	F	N/A	N/A	F	N/A	N/A	F	D	300	638	53%	300	700	57%	57%	57%	2
	N/A	N/A	А	N/A	N/A	А	N/A	N/A	С	D	984	1440	32%	1164	1136	-2%	32%	100%	1
New traffic signals at intersection of Pacific Highway and Ravenswood	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	D	206	508	59%	52	416	88%	88%	100%	1
New pedestrian activated signals at intersection of Pacific Highway and Park Avenue	N/A	N/A	А	N/A	N/A	N/A	N/A	N/A	N/A	N/A	984	1440	32%	1164	1136	-2%	32%	100%	1
New roundabout at intersection of Vale Street and Dumaresq Street New roundabout at intersection of Park Avenue and Pearson	12.8 15.5	14.2 12.5	A B	14 17	18 14	B B	38 48	866 38	F D	B B	169 1285	451 775	63% -66%	245 641	507 741	52% 13%	63% 13%	100% 100%	1 1
	12	9.2	А	N/A	N/A	N/A	27	13	В	А	723	1060	32%	470	837	44%	44%	100%	1
LINDFIELD																			
	11	94	F	151	345	F	213	448	F	В	499	888	44%	890	1291	31%	44%	44%	2
Modifications to the intersection of Lindfield Avenue and Havilah Road to suit one way flow east bound	15	13	В	20	17	С	23	23	D	N/A	802	973	18%	699	876	20%	20%	100%	1
Extend right turn bay on Pacific Highway into Havilah Road	58 32	26 3	F F	99 165	27 13	F F	117 182	56 18	F F	N/A N/A	764 340	1046 498	27% 32%	684 399	916 763	25% 48%	27% 48%	27% 48%	2 2
PYMBLE																			
Left turn slip lane on Pacific Highway at Telegraph Road (Land dedicated by Sydney Water)	31	33	с	37	40	С	44	48	D	D	815	913	11%	764	879	13%	13%	100%	1
ROSEVILLE																			
Zoning change to permit realignment of road and for signal phasing change at intersection of Pacific Highway with Clanville Road and Shirley Road	62	66	E	64	68	Е	66	78	F	В	659	742	11%	537	663	19%	N/A	N/A	see comme
	16	9	В	17	10	В	41	12	С	В	119	449	73%	207	537	61%	73%	100%	1
ST IVES																			
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A							N/A	N/A	see comme
Additional right turn lane from Mona Vale Road (southwest bound) into	68	26	E	77	46	F	N/A	N/A	N/A	E	980	1071	8%	814	941	13%	13%	13%	2
Alterations to traffic signals and layout of intersection of Mona Vale Road and Memorial Avenue/Rosedale Road, to accommodate partial closure of	27	23	В	36	646	F	N/A	N/A	N/A	С	530	660	20%	661	561	-18%	20%	100%	1
Rosedale Road Relocation of traffic signals in Killeaton Street, from near Collins Street to	10	246	F	N/A	N/A	N/A	N/A	N/A	N/A	D	381	420	9%	338	425	20%	20%	20%	2
Cowan Road Extension of right turn bay in Mona Vale Road (right turn into Stanley Street)	2	3	А	9	68	F	N/A	N/A	N/A	D	337	560	40%	386	628	39%	40%	100%	1
TURRAMURRA																			
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	В	886	1563	43%	822	1496	45%	45%	100%	1
Road widening and improvements to intersection of Pacific Highway and	100	100	В	N/A	N/A	А	N/A	N/A	N/A	С	186	621	70%	399	834	52%	70%	100%	1
Removal of traffic signals and modifications to the intersection of Pacific Highway and Rohini Street	100	100	В	N/A	N/A	D	N/A	N/A	N/A	В	886	1563	43%	822	1496	45%	45%	100%	1
Modifications to intersection of Pacific Highway and Kissing Point Road	53	62	В	N/A	N/A	В	N/A	N/A	N/A	С	743	820	9%	853	859	1%	9%	100%	1
	<section-header><section-header></section-header></section-header>	Description of Work       AVD <sup>2</sup> (ampeak)         CORDON       N/A         Modification to traffic signals at intersection of Pacific Highway and St Johns Avenue, and other modifications to St Johns Avenue (east and west of Pacific Highway), to suit one way flow west of Pacific Highway), to suit one way flow west of Pacific Highway), to suit one way flow west of Pacific Highway, and Moree Street       N/A         Removal of traffic signals at intersection of Pacific Highway and Dumaresg Street       N/A         New roundabout at intersection of Pacific Highway and Ravenswood Avenue       N/A         New roundabout at intersection of Pacific Highway and Packawane       N/A         New roundabout at intersection of Pacific Highway and Packawane       12.8         New roundabout at intersection of Park Avenue and Pearson Avenue/Verona Avenue       15.5         New roundabout at intersection of Henry Street and railway underpass       12         IDIFFELD       11       11         Remove existing pedestrian signals and install new traffic signals at intersection of Lindfield Avenue and Tryon Road       13         Modifications of the intersection of Pacific Highway and Strickland       13         Vertaffic Signals at intersection of Pacific Highway into Havilah Road to suit one way flow east bound       16         Street diff ture bay on Pacific Highway with Clanulie Road and Shirely of Sydrey Water)       16         Ding change to permit realignment of road and for signal phasing chaccomotdade 3	Description of Work         AVD <sup>6</sup> (am. pack)         AVD <sup>6</sup> (pm. pack)           GORDON	Description of Work         AUD' (am peak)         AUD' (am AUD' (am peak)         COST AUD' (am PEA)         COST AUD' (am PEA)         COST	Description of Work     AUD' (pr) Peak)     LOS' = AUD' (pr) Peak)     LOS' = AUD' (pr) Peak)     LOS' = AUD' (pr) Peak)     LOS' = AUD' (pr) Critical Interpretation Movement     LOS' = IEPA AUD' (pr) (pr) AUD' (pr) Peak)     LOS' = AUD' (pr) Peak)     LOS' = AUD' (pr) AUD' (pr) AUD' (pr) Peak)     LOS' = AUD' (pr) AUD' (p	Description of Work     Examp     Loss of L	Description of Work     Lessing April     Lessing bits     Lessing April     Lessing April     Lessing Critical Movement     Lessing Critical	Description of Work       ADD       Losenty peak       Losenty peak       Losenty peak       Losenty peak       Losenty (em peak)       L	Description of Work         AND Construction         LOSP - Construction	Description of Work         Linding Market Mark	Description of Work         Easting mark         Eastin	Description of Work         Description of Work         Description of Work         Easing begin weights of the part of the	Description of Work         Early of part of p	Description of Work       Easing bit wire bit of the bit wire	Description Mark         Energy Mark	Description Work         Longs bin         Normal bin         No	Description flows.         Prime Prima Prime Prima Prime Prime Prima Prime Prime Prima Prime Prima P	Description of Nork         Early field         Early field </td <td>Participant with the participant of the participant o</td>	Participant with the participant of the participant o

#### \* Basis Of Apportionment

1. Where the traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.1 is likely (without further work) to result in a reduction in the performance of the intersection and the Level of Service of that intersection is currently satisfactory (that is, Level of Service D or better), then the cost of any work designed to restore or maintain the Level of Service of that intersection shall be fully apportioned to expected development.

2. Where there is an existing performance deficiency in the operation of an existing intersection (i.e. Level of Service E or F), and intersection or other road works are required to cater for the net additional traffic attributable to the expected Ku-ring-gai town centre development identified in Table 3.1, then the cost of such works shall be apportioned to the expected development in each town centre on the basis of the expected development's share of the projected AM or PM peak hour traffic flow (whichever is the greater) on the critical movement(s) through the relevant intersection (in vehicles per peak hour).

- Notes \* AVD = Average Vehicle Delay \* LOS = Level of Service ^ LEP = Development associated with LEP 194 and LEP 200 \* TC = Town Centre development (mixed use retail/commercial and residential) associated with the Town Centres LEP N/A Not applicable or result not available

s of nment* elow)	Comments
	Part of overall traffic flow improvements for new area.
	Linked to Item G1, "Modification to traffic signals at intersection of Pacific Highway and St Johns Avenue to suit one way flow" Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Linked to Item G3, "Removal of traffic signals at intersection of Pacific Highway and Dumaresq Street" Part of overall traffic flow improvements for new area. Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area. Part of overall traffic flow improvements for new area.
	Provides minor improvements to intersection performance
nment	No work proposed - adjustment ot planning provisions only
	Proposed dedication of land via section 80A condition of consent - apportionment based on construction costs only
nment	Proposed Section 80E condition of consent
	Proposed dedication of land via section 80A condition of consent - apportionment based on construction costs only Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Part of overall traffic flow improvements for new area.
	Linked to Item <b>T1</b> , "New Traffic Signals at intersection of Pacific Highway and Turramurra Avenue" Part of overall traffic flow improvements for new area.
	Required as part of overall improvements to intersection performance and traffic flow in the area.

S04601 9 October 2007

## DRAFT OPEN SPACE ACQUISITION STRATEGY

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	For Council to adopt of the Open Space Acquisition Strategy.
BACKGROUND:	The draft Open Space Acquisition Strategy has been prepared to establish a series of principles for acquisition of open space within Ku-ring-gai, from which open space provision opportunities and priorities for acquisition can be identified. Following a Council Resolution on 8 May 2007 the draft Strategy was placed on public exhibition for six weeks and comments received.
COMMENTS:	The draft Open Space Acquisition Strategy supports the findings of Council's Open Space Strategy 2005 and will provide a sound framework in which future acquisitions for recreation facilities and open space are procured in key areas of deficiency and population growth in line with Council's Section 94 Contributions Plan 2004-2009.
RECOMMENDATION:	That Council adopt a combination of opportunistic and proactive approaches as the preferred means of effecting property acquisitions for future open space, and that Council adopt the recommendations made in this report in relation to the analysis of Priority one and two catchments and further reporting to Council.

## PURPOSE OF REPORT

For Council to adopt of the Open Space Acquisition Strategy.

## BACKGROUND

At the Council meeting on 8 May 2007 it was resolved:

- to place the draft Open Space Acquisition Strategy on public exhibition for a period of at least six weeks, during which time a public information meeting be held;
- that Council continue to progress the steps for acquisitions as outlined in the Section 94 Contributions Plan, Residential Development (2004-2009);
- that an assessment of all Priority one and two catchments as outlined in the draft Strategy be analysed and that the analysis be reported to Council prior to September 2007;
- that a final report to Council following exhibition outlines recommendations regarding the preferred means of effecting acquisitions; and
- that Council assess the possibility of securing options as a means of purchase.

The draft Open Space Acquisition Strategy has been prepared to establish a series of principles for acquisition of open space within Ku-ring-gai, from which open space provision opportunities and priorities for acquisition can be identified.

The need for an acquisition strategy as part of Council's acquisition program was originally identified in Council's 2004-2009 Section 94 Contributions Plan.

The 2005/06 Management Plan required the preparation of the Open Space Acquisition Strategy. This was in response to a number of Council studies, including the Open Space Distribution and Needs Study (2000), the 2004-2009 Section 94 Plan, and the Open Space Strategy (2005), which all provided evidence supporting the need for acquisition and embellishment of open space due to the fact that Ku-ring-gai has a high demand and uneven distribution of both local and district level open space.

The increase in population of 26,000 people over the next 26 years as a result of the implementation of the residential development strategy will further the need for public open space.

## COMMENTS

The Council resolution on 8 May 2007 contained five parts. Each of these parts are addressed below.

#### Resolution Part 1 – Public exhibition

Consistent with the resolution of Council, the draft Open Space Acquisition Strategy **(Attachment 1)** was placed on public exhibition for six weeks (25 May – 6 July 2007), during which time a public information meeting was held and six submissions were received.

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A summary of each of the comments received during the public exhibition period and the recommended response to each comment is contained in **Attachment 4**.

A short summary of the comments received is as follows:

- 1. If any existing road reserves are to be converted to open space, then consultation with the Operations department should be part of the initial assessment.
- 2. Objection to properties being labelled on Council diagrams as potential open space on the grounds that it devalues the properties, is very unsettling for residents, seems to have been selected without regard for its suitability as recreation space, and there is already a park close by. Also claims that for potential buyers of these properties looking at this diagram, the perception would be that the Council may acquire these properties for parkland at any time; and that the option of compulsory acquisition will have the effect of decreasing the number of people who would be interested in buying the property and the price they would be prepared to pay.
- 3. Supports equitable acquisition of open space for Ku-ring-gai residents and in general supports the principles in the document. Strongly supports acquisitions to improve connectivity across the landscape to promote health and social cohesiveness.
- 4. Please have site known as 238-240 Mona Vale Road, St Ives, and the two Department of Planning lots in Carcoola Avenue and Killeaton Street West (cnr with Yarrabung Road) St Ives listed for consideration as possible open space acquisition under the draft Strategy.
- 5. Proposes that Cromehurst School site on corner of Tryon Rd and Nelson Rd, Lindfield be earmarked for acquisition.
- 6. Asserts that the expansion of Ibbotson Park, Lindfield would meet Council's own policy guidelines for open space in Ku-ring-gai, as it would provide a beautiful passive recreation area for the proposed increase in resident numbers.

The most contentious issue raised by residents during the public information meeting (held during the exhibition period) was the method of effecting acquisitions. Residents were generally concerned that if their property was identified as being in a high priority area for acquisition and Council's preferred method of acquisition was compulsory acquisition, this would have a negative impact on the value of their properties and make it difficult to achieve a sale and that they may be forced to sell their property and move when they did not want to. This matter is addressed in more detail later in the report.

#### <u>Resolution Part 2 – Council to progress the steps for open space acquisition as outlined in</u> <u>Section 94 Contributions Plan, Residential Developments (2004-2009)</u>

Council 's Section 94 Contributions Plan 2004-2009 specifies the acquisition and embellishment of recreation facilities and open space to meet the growth and demand of the new population.

The Section 94 Contributions Plan 2004-2009 included findings of Council's Open Space Strategy. The Plan proposes a basis of apportionment for parklands and sportgrounds, along with the embellishment of these areas throughout the LGA, with local open space acquisition requirements identified over the eight precincts.

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The Plan also proposes a variety of works to enhance the carrying capacity and usability of existing open space and acknowledges that while Council will attempt to distribute the purchase of open space according to the suburb per capita acquisition rates contained within the Plan, practicalities may dictate a more generalised spatial approach to acquisition is adopted.

To date, Council has acquired 3,465 sqm of land in Dumaresq St, Gordon for a future urban park, and is currently in discussions with the owners of 1,046 sqm of land in Wahroonga for a future passive park which adjoins a new residential development and a bushland reserve. Adoption of the Acquisition Strategy will allow Council to progress acquisition.

#### Resolution Part 3 – analysis of priority one and two catchments

Consistent with Council's resolution, an assessment of all priority one and two catchments has been undertaken. **Attachment 2** provides a map which gives the locations of the catchment areas. This attachment does not specify specific sites. **Attachment 3** to this report provides an analysis of each of these sub-catchments outlining existing provision, future population growth and likely acquisition requirements. The Gordon component was presented to the public at the public information meeting on 14 June 2007 at Gordon Library as an example of the analysis. All of these analyses have been presented to Councillors at either briefings or as a component of Planning Committee meetings. Below is a summary of the findings of the analysis of each area.

#### 3.1 Gordon

Four catchment areas (with a 400 metre radius) were identified covering the Priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out in **Attachment 3**.

#### Summary for Gordon

- Catchment G1 around Gordon Recreation Reserve provides adequate park land for the future and the area is therefore not a priority for acquisition; accordingly it is recommended that the priority ranking be downgraded;
- Catchment G4 Gordon GlenPark was found to be only 900 sqm which is less than the minimum 3000sqm requirement. The priority ranking for this catchment is recommended to be increased to priority 1;
- The total open space shortfall in Gordon across catchments 1-3 is 21,800sqm (assuming 60-80% take up rate for new dwellings) or the equivalent of 7 parks @ 3,000sqm each;
- Council has potential to collect for acquisition of around 24,000sqm of open space in Gordon under the current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan;
- There is also provision to collect separately for urban spaces to make up shortfalls near the centre under the Town Centres Contributions Plan; and
- The current Section 94 rates of acquisition will provide for the future open space needs for Gordon.

#### **Recommendations for Gordon**

It is recommended that:

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- Council plan for up to 18,500sqm of open space within catchments 1-3 around Gordon Town Centre (this is in addition to the 3,500sqm of land in Dumaresq St recently purchased by Council);
- The priority ranking for catchment G4 Gordon Glen Park be increased to Priority 1; and
- The priority ranking for catchment G1 Gordon Recreation Grounds be downgraded to Priority 3. Efforts here should focus on embellishment of this park.

#### 3.2 Lindfield and Roseville

Six catchments areas (with a radius of 400 metres) were identified and assessed for Lindfield and Roseville covering the priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out in **Attachment 3**. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Summary for Lindfield and Roseville

- The total open space shortfall in catchments L1-L6 is up to 30,000sqm;
- Two of the catchments, L6 and L4, currently have adequate supply of parkland;
- Council has potential to collect for acquisition of around 35,000sqm of open space in Lindfield and Roseville over the next 25 years under the current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan;
- There is also provision to collect separately for urban spaces to make up shortfalls near the centre under the Town Centres Contributions Plan; and
- Council will be able to provide for the full open space requirement through S94 funding.

#### Recommendations for Lindfield and Roseville

It is recommended that:

- Council plan for the acquisition of up to 30,000sqm of local parkland within the priority catchment areas around Lindfield and Roseville Centres; and
- the priority rankings for catchment L4 Wolseley Road, Lindfield (west) and catchment L6 – Two Turners Reserve, Lindfield (west) be downgraded in the Open Space Acquisition Strategy to Level 3 as they currently have an adequate supply of parkland.

#### 3.3 Turramurra and Warrawee

Four priority catchments areas (with a radius of 400 metres) within 800 metres of Turramurra and Warrawee rail stations were identified and assessed. The catchments cover Priority 2 areas (there are no Priority one areas in Turramurra or Warrawee) as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out in **Attachment 3**. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Summary for Turramurra and Warrawee

- The total open space shortfall in the Priority 2 areas of Turramurra and Warrawee is about 10,000sqm;
- There is potential to collect for acquisition of around 11,000sqm of open space in current Section 94 Contributions Plan (2004-2009) under the Town Centres Contribution Plan; and

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• There is also provision to collect separately for urban spaces to make up shortfalls near the centre under the Town Centres Contributions Plan.

#### Recommendations for Turramurra and Warrawee

It is recommended that:

• Council plan for the acquisition of up to 10,000sqm of local parkland within the Priority 2 catchment areas around Turramurra and Warrawee

#### 3.4 St lves

Six park catchments (with a radius of 400 metres) were identified and assessed for St lves covering the Priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out in **Attachment 3**. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Summary for St Ives

- The total open space shortfall in the Priority 1 and 2 areas of St Ives is approximately 14,000sqm (assuming full take-up for new dwellings). This requirement is concentrated in catchments S2, S3 and S5;
- Three catchments have adequate or surplus open space provision: Catchment S1 Village Green; Catchment S4 Bedes Forest; and Catchment S6 Garrick Road;
- There is potential for Council to collect for acquisition of around 18,000sqm of open space in St Ives over next 25 years under the current Section 94 Contributions Plan (2004-2009) and the proposed Town Centres Contribution Plan; and
- Council will be able to provide for full open space requirement from S94 contributions.

#### Recommendations for St lves

It is recommended that:

- Council plan for up to 14,000sqm of local parkland within the Priority 1 and 2 catchment areas around St Ives Centre;
- The priority ranking of Catchment 2 and 3 Putarri Avenue and Seven Wives Wood be increased to Priority 1;
- The priority ranking of Catchment 4 Bedes Forest be down-graded to Priority 3; and
- The priority ranking of Catchment 6 Garrick Road be down-graded to Priority 3.

#### Summary of Recommendations

In relation to planning for open space around the town centres it is recommended that Council plan for:

• 18,500sqm of open space within catchments 1-3 around Gordon Town Centre (this is in addition to the 3,500sqm of land in Dumaresq St recently purchased by Council);

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- 30,000sqm of local parkland within the priority catchment areas around Lindfield and Roseville Centres;
- 10,000sqm of local parkland within the priority catchments areas around Turramurra and Warrawee Centres; and
- 14,000sqm of local parkland within the priority catchment areas around St Ives Centre.

In relation to acquisition priority rankings it is recommended that the following amendments be made to the Open Space Acquisition Strategy Figure 5 - Acquisition Priority rankings:

- The priority ranking for catchment G4 Gordon Glen Park, Gordon be increased from Priority 2 to Priority 1;
- The priority ranking for the catchment G1 Gordon Recreation Grounds, Gordon be down graded to Priority 3;
- The priority rankings for catchment L4 Wolseley Road, Lindfield (west) and catchment L6 Two Turners Reserve, Lindfield (west) be down-graded to Priority 3;
- The priority ranking of catchment S2 and S3 Putarri Avenue and Seven Wives Wood, St Ives be increased to Priority 1;
- The priority ranking of catchment S4 Bedes Forest, St Ives be down-graded to Priority 3; and
- The priority ranking of catchment S6 Garrick Road, St Ives be down-graded to Priority 3.

#### Resolution Part 4 – preferred means of effecting acquisitions

Council has committed through its Section 94 Contributions Plan and various planning exercises to an extensive programme of local open space acquisition to satisfy the needs of future populations.

The Open Space Acquisition Strategy presents Council with a means by which appropriate land can be identified and prioritised for purchase as open space. An integral component of Council's strategy is the means by which acquisition will be targeted.

Broadly, the options for acquisition as outlined in the 8 May 2007 Report to Council fall under the following categories:-

- 1. Within priority areas identified within the Strategy and subsequent analysis, respond to properties that are advertised for sale. Whilst this approach will involve little impact on owners of property that may be targeted as future open space, it will provide little certainty for the future use of Section 94 funds. This includes both location and timing for such expenditure, matters which are important to the justification of Section 94 plans. Adoption of the strategy will provide a means by which properties for sale can be assessed. It is considered that this approach will have some merit in particular circumstances such as should a property next to an existing park become available. In overall terms however the approach is ad hoc and will likely expose Council to challenge in respect of obligations under Section 94 of the Environmental Planning & Assessment Act. It is not recommended as the sole approach to effecting acquisition.
- 2. Adopt a proactive approach of identifying land and approaching land owners of these sites that are targeted within Priority one and two areas of their interest in selling in either the short or long term. By utilising this approach, no forced acquisition of land need occur. This would have the advantage of Council being able to seek to strategically implement the

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acquisition strategy as well as respond to opportunities that are advertised. It does however give no ultimate guarantee that the targeted lands can be acquired and during the Town Centre process there was some disquiet from the community and the land owners where their properties are identified as future potential open space. Utilising this approach in conjunction with acquisition of existing vacant land (eg Government owned sites or institutions) within targeted areas and land adjacent to existing parks may help to minimise impacts of this approach.

3. Seek to zone proposed acquisitions through the Comprehensive Local Environment Plan (LEP). Under this option Council would identify, through the strategy, suitable areas for acquisition for which Council would then seek to zone through the Comprehensive LEP. Under the Standard Template LEP, the provisions regarding compulsory acquisition have been amended slightly to alter the requirements around Council being forced to acquire land that it has zoned as open space. The Department of Planning have indicated their preferred approach would be for Council to appropriately zone land as "local open space" and have the land identified on a Land Reservation Map and listed within an appropriate Local Environmental Plan. Land so identified is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner initiated provisions). Such an approach would not be used to initiate acquisition at the time of Council's choosing, but when the owner determines to sell the land. Whilst this approach would provide more certainty regarding open space acquisition, it is expected that it would generate significant community interest and may expose Council to financial liability over the current level of current reserves, notwithstanding Council's capacity to pool funds across the plan.

As outlined earlier in the report, most submissions have raised issues either requesting the inclusion of specific sites within the Strategy or requesting the removal of specific sites from Council's considerations.

Submissions expressing concern, and also noting feedback from Tow Centre Planning and the recent exhibition of the Sir David Martin Reserve Landscape Masterplan have focussed morst particularly on the potential for forced acquisition by Council and/or concern about the potential reduction in property values. This was reinforced at the public meeting undertaken during the exhibition.

These concerns are acknowledged by staff as genuine. It is considered that Council's actions over a period will either build support for this approach or render it completed unworkable.

Accordingly, it is proposed that a combination of all methods outlined in this report be utilised with a preference on the proactive identification of properties for future purchase at a time of the seller's preference. This approach must be accompanied by a programme of awareness and education of Council's proposals. This should include a statement within the Strategy about how Council will approach such purchases, utilising independent valuations, a commitment to undertake best endeavours to complete a purchase when land is so identified and an undertaking of ethical standards of behaviour consistent with Council's adopted policy regarding business ethics.

The identification of appropriate parcels of land should, within the framework outlined in the Strategy, attempt to identify sites that will minimise community impact for example, this may

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include parcels of land owned by community organisations, utilities or government departments and interface areas.

Where this approach of proactively identifying sites for future non-compulsory (on the part of buyer and seller) purchase is not tenable for Council, it is then suggested that either the possibility of zoning through Council's Principal or other LEP is utilised for strategically important sites and/or possibilities for opportunistic purchase of open space within that precinct be pursued as an alternative.

#### Resolution Part 5 – the use of options as a means of purchase

The final part of Council's resolution on 8 May 2007 was "That Council assess the possibility of securing options as a means of purchase". The following comments are made in response to this resolution.

The purchase of property subject to an Option is a right given for a consideration (monetary amount) to purchase property on or before a fixed date, on terms previously agreed upon. An Option entitles, but does not oblige, the person or organisation having the Option to make the purchase.

The acquisition of property subject to an Option is often utilised when a Purchaser is seeking to secure certain consents or approvals prior to committing fully to the acquisition. Options are negotiated prior to entering into a Contract for Sale of Land, and the exchange of contracts (should the Option be exercised) is usually triggered by an event or a timeframe. Option negotiations should be undertaken in line with ICAC Guidelines for managing risks in direct negotiations.

Purchasing property subject to an Option does have advantages and disadvantages and these would need to be weighed up by Council as there is always a cost associated with an Option if it is not taken up. One particular positive of such an approach may be in relation to Council attempting to amalgamate several properties to acquire an amount of land necessary for the creation of a park (around 3,000m<sup>2</sup>). The use of Options with final purchase conditional on amalgamation of several desirable properties may be quite useful as well as where Council may wish to extend an existing park. Accordingly where prudent, Council to use an Option to negotiate the purchase of a property. Council should retain access to that possibility. Further legal advice will be sought on this approach.

## CONSULTATION

The draft Open Space Acquisition Strategy was placed on public exhibition for six weeks, from Friday 25 May to Friday 6 July 2007, with five submissions received.

The Strategy was exhibited at Council Chambers, Council's four libraries and on Council's website.

Advertisements were placed in the North Shore Times during the exhibition period in Council's corporate column, as well as two individual advertisements.

Consistent with the Council resolution, a public information meeting was also conducted during the public exhibition period. This was held at Gordon Library on Thursday 14 June at 6pm, with seven local residents and six councillors attending.

An editorial giving notice about the public exhibition of the Strategy and the public information meeting appeared in the North Shore Times on Friday 1 June 2007.

The draft Strategy was discussed by Council's Parks Sport and Recreation Reference Group meeting on 12 July 2007. No comments about the Strategy resulted from this meeting.

The draft Strategy was also discussed at the Bushland Catchments and Natural Areas Reference Group, however it was considered by the Group that because the Strategy was focussed on acquisition of property for use as open space, it should not provide comment and the comments submitted by Nancy Pallin would be representative of the Group's position.

A number of presentations and discussions have been held with Councillors regarding both the development and application of this Strategy.

## FINANCIAL CONSIDERATIONS

Council's previous, current and future Section 94 Plans will provide funding to effect the purchase and embellishment of local open space.

Council has currently accumulated balances of approximately \$24 million for the acquisition of local open space within Section 94 Reserves (taking into account funds required for the settlement of the purchase of local open space in Dumaresq Street, Gordon)

Utilising current values and projected open space requirements approximately \$47 million in total to 2009 will be required for open space acquisition as targeted within Council's various strategies.

This Strategy seeks to prioritise areas across the Local Government Area and provide a process of assessment that will allow planned acquisition to be focused towards areas of highest priority and also provide a means to assess opportunities that may arise. Acquisition will be a long term process and will not in itself impact on Council's Long term Financial Model as expenditure can be fully recouped from Section 94 income. Expenditure will thus need to remain within reserve balances and current income. The chosen means of effecting acquisition may impact on this, particularly should zoning of all land sought to become open space need to be acquired within a short timeframe. Ad hoc purchasing will also reduce Council's ability to satisfy longer term demands for open space acquisition.

It should however be noted that funding for the ongoing management and maintenance of this land has not been addressed and will require addressing within the development of asset management strategy for inclusion within Council's long term model.

Given that acquisition via purchase is unlikely to ever fully satisfy future open space requirements and given that existing deficiencies cannot rely on Section 94 funds, other provision strategies will also need to be pursued. These include land dedications, linear linkage of open space areas and where no form of acquisition can be achieved proposed strategies include embellishment and partnership/shared use.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Staff across all Council departments were invited to comment during the public exhibition period. Staff across Strategy in particular have provided input.

## SUMMARY

The draft Open Space Acquisition Strategy supports the findings of Council's Open Space Strategy 2005 and will provide a sound framework in which future acquisitions for recreation facilities and open space are procured in key areas of deficiency and population growth, in line with Council's Section 94 Contributions Plan 2004-2009.

After considering community input received during the public exhibition period of the draft Open Space Acquisition Strategy, and the volume of negative feedback received during the Sir David Martin Reserve Landscape Masterplan in relation to the possible acquisition of fourteen properties neighbouring the Reserve, it is recommended that Council adopt a combination of opportunistic and proactive approaches as the preferred means of effecting future property acquisitions for open space.

It is also recommended that Council adopt the Strategy with the inclusion of the recommendations listed in Resolution Part 3 – analysis of Priority one and two catchments of the report.

## RECOMMENDATION

That Council:

- A. Adopt the Open Space Acquisition Strategy with the recommendations made in this report in relation to Resolution Part 3 analysis of Priority one and two catchments.
- B. Undertake an assessment to identify specific possible locations for new and extended parkland in line with recommendations outlined in the adopted Strategy that will justify open space acquisitions within Priority One and Two precincts.
- C. Prepare a report with recommendations for potential acquisitions within priority catchments areas of Gordon, Lindfield and Roseville, Turramurra and Warrawee, and St Ives for consideration by Council in April 2008.
- D. That this report is to also consider an amendment to the Strategy which will outline, specifically how Council will approach non-compulsory acquisition.
- E. Adopt a combination of opportunistic and proactive approaches including options as the preferred means of effecting acquisition of local open space.
- F. Initiate a programme of awareness and education around Council's preferred means of effecting acquisition of open space.

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- G. Undertake a review of community attitudes towards Council's acquisition strategy and outcomes and report to Council during December 2008.
- H. Acknowledge and thank those who have made submissions and inform them of Council's decision.

Bill Royal	
Senior Urban Planner	

Roger Faulkner Sport & Recreation Planner Steven Head Director Strategy

Attachments:1 Draft Open Space Acquisition Strategy – 7668242. Analysis of provision of open space with priority 1 and 2 catchments within<br/>context of draft Strategy - 827580, 780330 (Lindfield & Roseville), 790650<br/>(Gordon), 837383 (St Ives, Warrawee, Turramurra)<br/>3. Analysis of Priority 1 and 2 Catchments - 837769<br/>4. Responses to public exhibition comments - 838132

# **Open Space** Acquisition Strategy

Ku-ring-gai Council

Prepared for: Ku-ring-gai Council 818 Pacific Highway Gordon NSW 2072

Prepared by:



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## I.0 INTRODUCTION

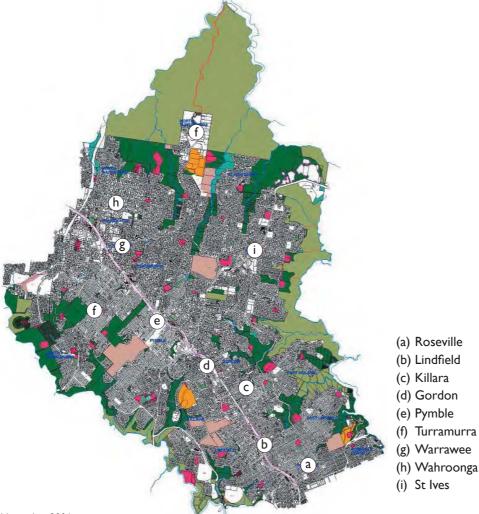
#### I.I Purpose of the Strategy

This Strategy has been prepared to establish a series of principles for acquisition of open space within Ku-ring-gai, from which open space provision opportunities and priorities for acquisition can be identified.

The 2005 Ku-ring-gai Open Space Strategy identified that the LGA has a relatively low provision of both local and district level open space. Further the distribution of these open spaces is moderately uneven with low per capita provision in some areas. The study identified that approximately 35% of households are beyond reasonable walking distance to any high quality neighbourhood open space. It also notes that it is predicted that the Ku-ring-gai population is set to increase by approximately 26,000 people over the next 20 years, which will place further demand on the open space system.

Given these shortfalls and the increased demands in provision of open space for the new population, Council has adopted the Section 94 Contributions Plan - Residential Development (2004-2009) with approximately \$29 million to be collected towards open space acquisitions and a further \$4.2 million for existing park embellishment. The earlier Section 94 Plan for Residential Development (2000-2003) had also identified \$9.2 million for acquisition of open space. The 2004-2009 Section 94 Plan identified that this Acquisition Strategy should be prepared as part of the acquisition program to identify priority sites for acquisition. This is to also ensure that the new open space is appropriately configured to meet the open space needs to new residents. The Ku-ring-gai Town Centres Planning Program (RDS Stage 2) will also result in significant population growth - a developer contributions strategy including S94 is also being prepared to cater for the increased demand for open space from the new development.





## **I.0 INTRODUCTION**

#### I.2 Strategy objectives

- To develop strategies that Council can utilise now and into the future to guide decision making in relation to acquisition of open space
- To acquire open space as efficiently as possible in terms of investment versus open space area, location and quality of space acquired
- To assess the existing open space system and identify implications of increased population
- To assess priorities based on new population and development trends identified in Council planning
- To develop a decision making rationale that will ensure that acquisition of open space will meet the needs of the new population without further exacerbating existing deficiencies in the open space system
- To identify priorities including 'hot spots' for acquisition of open space
- To ensure provision of quality open space not solely focused on quantity
- To examine potential of other open space improvements such as enhancement of existing open space, as a mechanism to improve open space provision and quality
- To make recommendations regarding embellishment of open space in terms of facilities and recreation opportunities
- To be able to respond appropriately to opportunities to acquire specific sites for open space

#### 2.1 Function and hierarchy

Open space systems provide for a range of functions – leisure and recreation, conservation and preservation, visual amenity, environmental education and appreciation, drainage, and screening/buffering.

Individual sites within the system may be of local or higher (from district to national) hierarchical significance.

Ku-ring-gai's open space system comprises parks, gardens, bushland, sports grounds and courts, road reserves, civic spaces and undeveloped land with a diverse range of functions and from local to regional hierarchical significance.

The regional facilities (including the National Parks, Ku-ring-gai Wildflower Gardens, St lves Showground, and Ku-ring-gai Bicentennial Park) have large user catchments and attract visitors from throughout Ku-ring-gai and from other local government areas. The facilities are of superior quality, are unique within Ku-ring-gai, and serve a diversity of uses.

The district facilities (sportsgrounds and larger parks such as Wahroonga Park and Echo Point Park) may be smaller than regional facilities but contain a greater diversity of recreational and/or sporting opportunities than do local parks. Users may walk, cycle or drive up to 7 minutes to access these facilities.

The local or neighbourhood facilities are smaller in size with a primary function to provide for passive recreation. They are normally accessed by foot and are typically distributed within 500 metres walking distance of most residents. They may have multiple functions including providing a break to the rigid form of the urban landscape, habitat for wildlife and accessible recreation areas for local residents.

### 2.2 Quantity

The Ku-ring-gai local government area has nearly 4,300ha of open space, comprising the following:

Туре	Quantity/facilities
Natural areas	<ul> <li>Nearly 4,000 hectares of bushland - with 2,800 hectares within the three local national parks and 1,200 hectares in 120 Council-managed reserves</li> <li>75 kilometres of service trails and 100's of kilometres of walking tracks</li> </ul>
Parks	<ul> <li>53 ha of parkland</li> <li>334 park and open space areas</li> <li>97 playgrounds</li> <li>One skateboard facility, and 5 basketball half-courts</li> <li>Several off-road junior cycle tracks</li> </ul>
Sports	<ul> <li>125 ha of sportsground</li> <li>42 sportsground complexes (with 52 sport fields and 29 netball courts)</li> <li>71 tennis courts (at 20 centres)</li> <li>69 ha Gordon and Turramurra golf courses</li> </ul>

Figure I Existing Open Space Composition on the following page identifies the type and distribution of open spaces within the Ku-ring-gai LGA.

#### 2.2 Quantity (continued)

Council-managed open space comprises 334 parks totalling around 1,480 hectares. The majority (80%) of this open space is 'bushland'. The next major category is 'sports fields' (6.6%) followed by 'public golf course' (4.9%), 'parkland' (4.8%) and 'St lves Showground' (1.7%). The remaining areas are comprised of tennis and netball courts, semi-private sports facilities, the West Pymble Swimming Pool and the Ku-ring-gai Wildflower Garden.

The quantity of different types of open space in Ku-ring-gai was addressed in the 2005 Open Space Strategy which found that:

- The LGA has a generous supply of environmentally significant open space,
- The provision of sportsgrounds (at 1.16 ha/thousand people) is comparative to the traditional standard (of 1.21 ha/thousand),
- Despite this, sports club demands and current levels of use (with most grounds used at full capacity for at least some of the year) indicate that there are insufficient facilities to meet present and anticipated future needs, and
- The provision of (non-sport) parks (at 0.49 ha/thousand people) is low according to the traditional standard (of 1.62 ha/thousand).

#### 2.3 Quality, diversity and usability

To effectively provide for quality recreation experiences, there must not only be a sufficient quantity of different types of open space, but the spaces must also be of sufficient quality, size and configuration to meet the needs of current and potential users.

The critical quality criteria vary for different types of open space but generally include size and shape, terrain, linkage potential and access, appropriate facilities, relationship to surrounding land uses and the presence/absence of attractive natural features and/or design details.

Parks, for example, should provide somewhere to sit in comfort, areas for socialising, quiet spaces, places for children to play safely (and big enough to 'burn off energy') and some contact with the natural world.

Parks that combine a variety of features and uses – contact with nature, pleasant social settings, children's play, cultural interest, varied topography – are usually those that are most valued and most used.

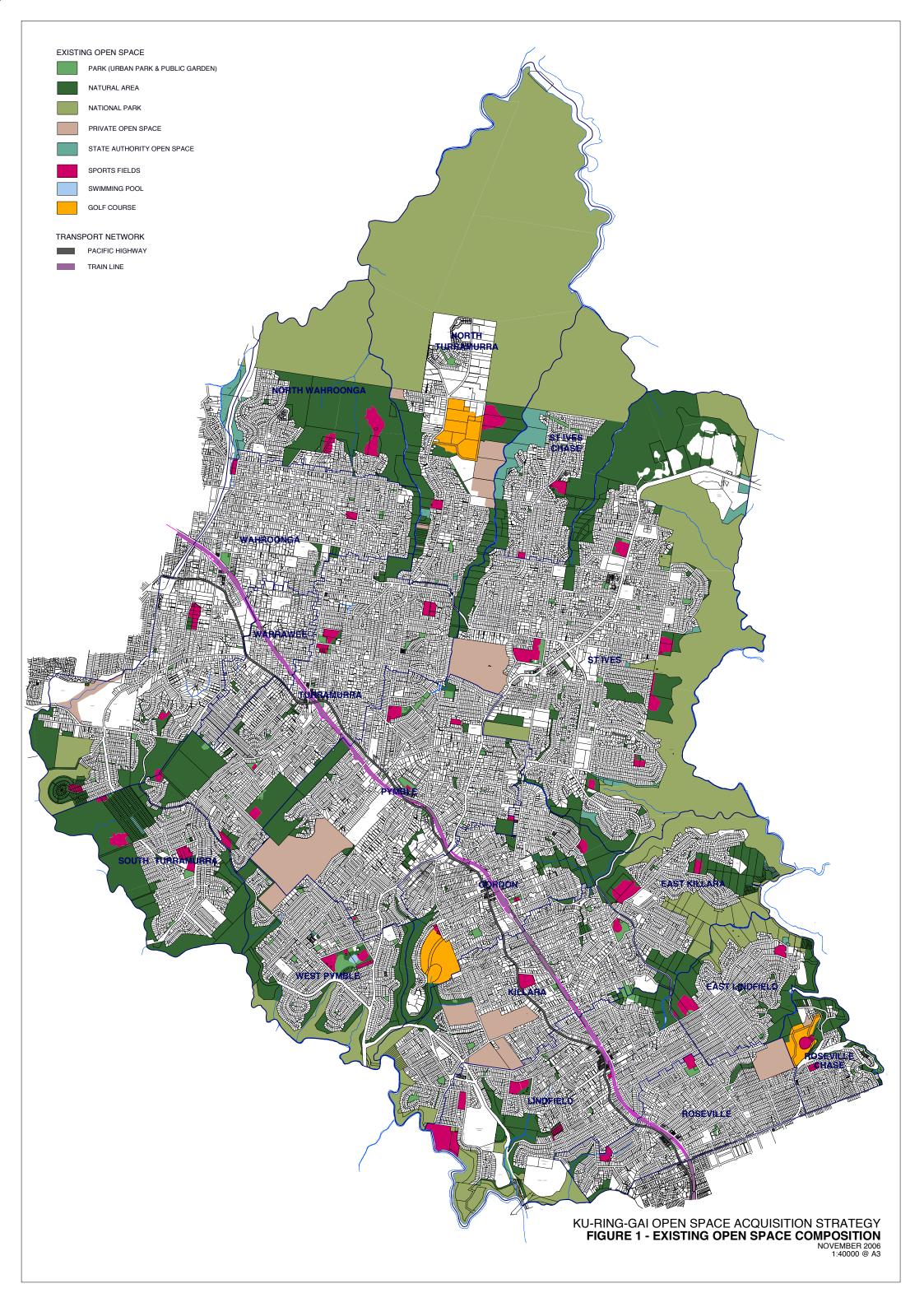
Sportsgrounds should meet the specific sports needs (for training and playing) of user clubs and associations – including quality playing surfaces, goal posts, nets and other equipment, lighting, amenities, carparking, signage, shade and spectator seating.

Sportsgrounds, desirably, will also be available to (and attractive to) residents in surrounding precincts (for unstructured recreation activities) when not being used for formal sports activities.

For bushland areas, quality is a function of ecological, visual and other natural values and the condition and suitability of any recreation access facilities (tracks, signage, interpretive materials and picnic/rest facilities) provided.

Open space quality and diversity were also addressed in the 2005 Open Space Strategy which found:

 A relatively high proportion (30%) of local parks are less than 0.2 hectares – a size which does not facilitate the provision of a diversity of 'walk to' recreation opportunities,



- A need for a wider diversity of playgrounds (to include bike tracks, free play areas and access to natural areas where available and age appropriate play equipment), large group/family picnic opportunities (shelters, tables, seating) in major parks,
- A need to ensure designated play areas are large enough to incorporate both structured play equipment and 'free play' space,
- A need to provide more 'supportive environments' visually appealing, accessible and safe spaces that encourage and facilitate physical activity (including 'incidental' activity) - through identifying opportunities to extend linkages (via the use of linear parks, drainage reserves and local links and the development of 'parkstreets',
- Further potential for integrating recreation areas (play areas, picnic facilities, dog off-leash areas) and informal sports facilities with formal sports facilities,
- · A need for more district and local cycle and walking routes, and
- A need for more youth opportunities (skate facilities, cycle tracks, more adventurous playgrounds, indoor/outdoor sport/swimming opportunities and 'youth friendly' public places.
- Facilities are important in attracting park use people might be within 500m to a park but if there is a park within 1500m that has far better facilities users will travel the extra distance.

The Strategy also referenced an April 2002 capital works report to Council, that identified that sports fields were 'poorly constructed' and 'facing significant pressures' and the majority of fields 'do not perform at a level consistent with their need and increasing use is accelerating their decline'. As well, support facilities (lighting, fences, amenity blocks and irrigation) 'are significantly run down or do not address safety issues or needs'. However, significant works have been implemented including the Capital Works Program, and District Parks Masterplanning Process.

#### 2.4 Distribution and Equity

The location of open space is also important. Desirably, open space will be distributed to provide equity of access to open space opportunities for all residents.

With respect to this, however, the Open Space Strategy identified a range of access inequities, including the following:

• A moderately uneven distribution of parks in the LGA – with relatively low per capita provision in Lindfield, Gordon and Roseville (as illustrated in the table below),

District / suburb	На	Ha/1000 people	Square metre per capita
Roseville	4.70	0.48	4.79
Lindfield	4.47	0.38	3.77
Killara	8.59	0.70	7.01
Gordon	2.90	0.44	4.37
St lves	10.62	0.56	5.58
Pymble	10.93	0.75	7.52
Turramurra/Warrawee	12.93	0.63	6.26
Wahroonga	62.65	0.59	5.86
TOTAL	62.65	0.58	5.82

Sub-Area Distribution of Local and District Parks

Source: Recreation / Open Space Component - Ku-ring-gai S94 Plan 2004-2009 Recreation Planning Associates, July 2004

#### 2.4 Distribution and Equity (continued)

• Longer than reasonable walking distances (ie more than 500 metres) to local parks for more than 30% of residences within the LGA (as noted in the table below),

Urban Park 'Catchment' Zones, Ku-ring-gai, 2000

Suburb	Residential Properties within Sub-area	Residential Properties within 400 Metres	% properties within park service zones		
Roseville	3,012	1,537	51.03		
Lindfield	3,931	2,732	69.50		
Killara	4,042	2,857	70.68		
Gordon	2,106	774	36.75		
St Ives	5,960	3,846	64.53		
Pymble	4,917	3,670	74.64		
Turramurra/Warrawee	6,571	4,717	71.79		
Wahroonga	4,378	2,821	64.44		
TOTAL	34,917	22,954	65.74		

• Longer than reasonable walking distances to playgrounds in Gordon, Lindfield and Roseville and also in some areas of St Ives, Pymble and Wahroonga.

The Strategy found that, due to these distributional inequities and the limited size of many parks (as noted in section 2.3, above), a significant proportion of the population (35%) was not adequately serviced by high quality neighbourhood open space,

In a relatively large LGA such as Ku-ring-gai – where travel distances are quite significant – the unequal distribution of park open space is an important issue. This is particularly so, given the large number of physical access barriers including major roads (Pacific Highway, Mona Vale Road, Eastern Arterial Road and others) and the north shore railway line.

The relatively high proportion of households located outside park service zones (together with the large proportion within close proximity to only small parks or parks requiring further development) is a significant equity issue.

Additionally, because this distribution pattern encourages more people to drive to access 'local' open space, there is a greater likelihood of parking and traffic problems in some areas.

Opportunities to embellish the open space network more equitably should therefore be pursued. In particular, there is a need to address the existing relatively low quantities of parkland in Lindfield, Roseville and Gordon and, as the Residential Development Strategy is implemented, the likely reducing per capita quantities of parkland in the railway corridor and community shopping centre precincts.

#### 2.5 Accessibility

Open space distribution (discussed in section 2.4, above) is a key measure of open space accessibility – in terms of the walking and/or driving distances between residential areas and parks and open space areas.

Other aspects of accessibility include park visibility (the extent to which parks are visible from streets and pedestrian routes), availability (eg not fenced), parking, pathways and cycle routes and 'access for all' design.

With respect to this, the Open Space Strategy argued the importance of developing 'supportive environments' or 'urban and natural places that encourage and facilitate physical activity – particularly incidental physical activity through active transport - because they are accessible, safe and visually appealing'.

As detailed in the Strategy, supportive environments encompass the following specific elements:

- Attractive and safe open spaces and public domains with good lighting, seating, shade and areas for play,
- Well designed and landscaped streets including safe pedestrian facilities,
- Well lit, level and shaded footpaths that provide linkages to parks and other places of interest,
- Walking and cycle paths with links to schools, shops, places of interest and public transport,
- · Availability of interesting facilities within walking and cycling distance, and
- 'Access for all' infrastructure (appropriately graded pathways, kerb ramps, hand rails etc).

The accessibility of the open space system refers to the ability or ease of which, open space can be accessed.

For a local park, the walking distance between it and potential visitors is a widely accepted measure of its physical accessibility – with around 500 metres being the commonly accepted maximum reasonable walking distance to such parks.

Figure 2 (Existing Open Space Catchments), on the following page, depicts the physical accessibility of Ku-ring-gai's parks through the use of 'accessibility circles'. The circles comprise a 400-metre buffer drawn around all of Ku-ring-gai's higher quality local and district scale parks (with 'higher quality' defined as parks of a minimum area of 3,000-metres square and with at least some visitor facilities ie. seating, shade, playground, picnic facilities etc). The maximum straight-line distance to a park within the circle is 400 metres, but many potential users within these circles will have to travel up to 500 metres or more because of street layouts, cul-de-sacs etc.

This accessibility analysis – when undertaken in 2003 in conjunction with preparation of the Ku-ring-gai Open Space Strategy - established that approximately 35% of the population did not have reasonable access to open space. That is, 35% of the population lived in an area not enclosed by an 'accessibility circle' and, by definition, were not within a 500-metre walk of at least one higher quality park.

Areas with the greatest lack of provision included Wahroonga, some areas of Gordon and Roseville.

There are also barriers to park access (such as roads) that may, in some instances, cut across 'accessibility circles' (and, in fact, remove part of a circle from what initially was deemed to be a 'reasonable access zone').

The most significant barriers in Kuring-gai are the Pacific Highway, the rail corridor and the topography (valleys, bushland, creeks etc). The public domain character and intensity of traffic on the Pacific Highway, for example, currently deters pedestrians (especially those with young children) from using this as a route to open space.

The railway connections to Ku-ring-gai are an important component of the transport system and are heavily used by commuters. Stations are well situated across the corridor however the physical nature of the corridor means that access points across do not necessarily relate to desirable pedestrian routes to open space.

#### 2.6 Connectivity

Connectivity of open space is concerned with the connections between open spaces, including the relationships between open space areas.

There are several areas where park areas adjoin sports fields. This is an important component of the open space system as adjoining park areas offer the potential for use as passive and active recreation, which limits the intensity of use on the actual playing fields.

Other existing connections include those between natural areas and parks. This provides potential for a diversity of recreation experiences, with natural areas offering bushwalks or more nature based recreation and parks offering more opportunity for active recreation and formalised play facilities.

The issues of connectivity and linkages were addressed in the 2005 Open Space Strategy which found that:

• Linkages provide corridors of open space that link parks, natural areas and other sites of interest into a greater whole. This improves access to a range of sites, enhances opportunities for bushland based recreation (including walking, nature appreciation and mountain bike riding), and provides movement corridors for wildlife.

#### 2.7 Environment / landscape

Figure I indicates that Ku-ring-gai has a generous supply of open space, however these are predominantly national park or natural areas, with a total area of almost 4,000 hectares of bushland.

The provision of formal parks however was identified in the 2005 Open Space Strategy as being low (0.49 hectares per thousand people) as compared to the traditional standard (1.62 hectares per thousand people) with a total provision of approximately 53 hectares.

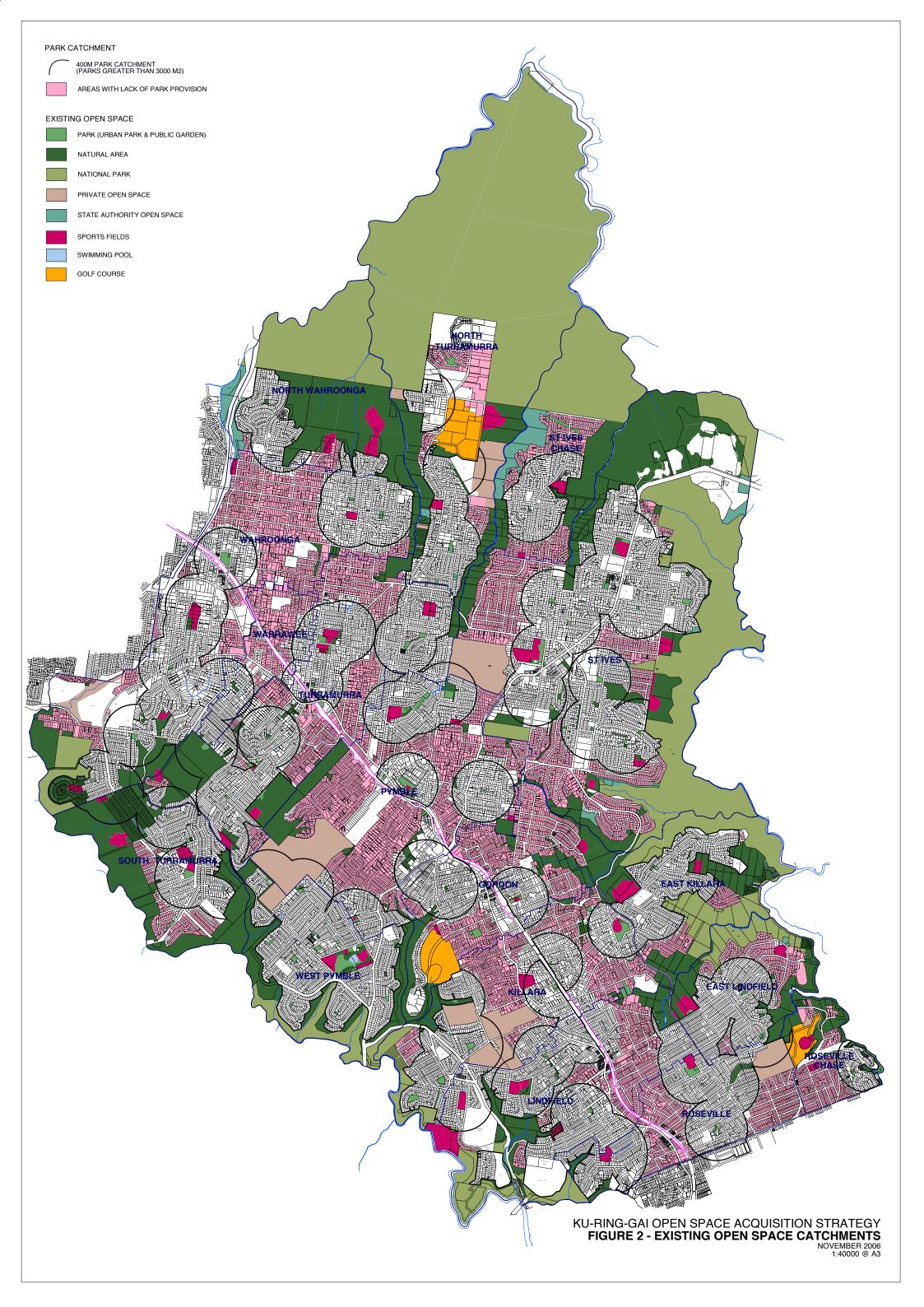
The provision of natural areas and national park is an important resource for the community and enables different recreational experiences than provided for in more traditional park and sports field environments. These bushland areas are also an important component of the character of Ku-ring-gai establishing the LGA as an extensively 'green' area.

Environmental and bushland values were addressed in the 2005 Open Space Strategy which found:

- Strong community support for protecting and enhancing the 'green' environment,
- Council concern with bushland fragmentation (and its impact in reducing wildlife movement opportunities and bio-diversity) and a current focus on canopy protection/ enhancement and the strategic acquisition of open space 'bio-linkages' to protect critical natural values – and to improve linkages between natural areas (and between natural areas and other types of open space).

#### 2.8 Cultural heritage

The heritage items within Ku-ring-gai are mainly focused on the architectural heritage of the area. The historic formal parks and gardens are however an integral part of the LGA's open space heritage and provide unique park landscapes that reflect past trends in open space layout and planting. Some of the older parks may be limited in the diversity of recreation opportunities provided, generally providing open grassed areas with formal tree planting.



## 2.9 Summary - Conclusions and implications for the Acquisitions Strategy

As identified, the key values and attributes of open space within Ku-ring-gai include function, quantity, quality, diversity, distribution and equity, access and connectivity, biodiversity and heritage.

However, as also identified, previous studies (including Council's 2005 Open Space Strategy) have found that, with respect to these values and attributes, Ku-ring-gai's open space resources are of variable quality and comprehensiveness.

For example, Ku-ring-gai has a range of excellent facilities and programs (including the National Parks, Ku-ring-gai Bicentennial Park, St Ives Village Green, Echo Point Park and Ku-ring-gai Wildflower Gardens).

However, there are a range of needs and deficiencies - including:

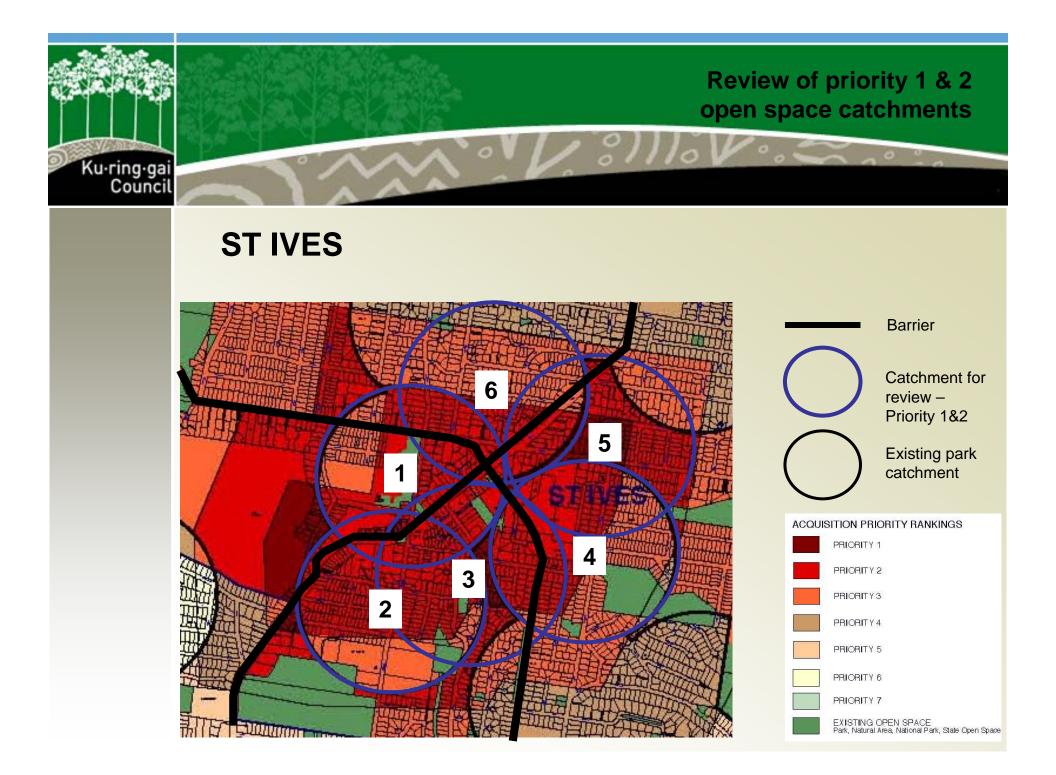
- Insufficient neighbourhood parks in some precincts (particularly in Lindfield, Gordon and Roseville),
- The small size of many parks,
- The under-development of many parks,
- · An inadequate diversity of recreation activity opportunity,
- Insufficient district sports facilities,
- · Linkages, connections and environments supportive of incidental physical activity,
- More cycle and walking routes, and
- More widely distributed 'access for all' infrastructure.

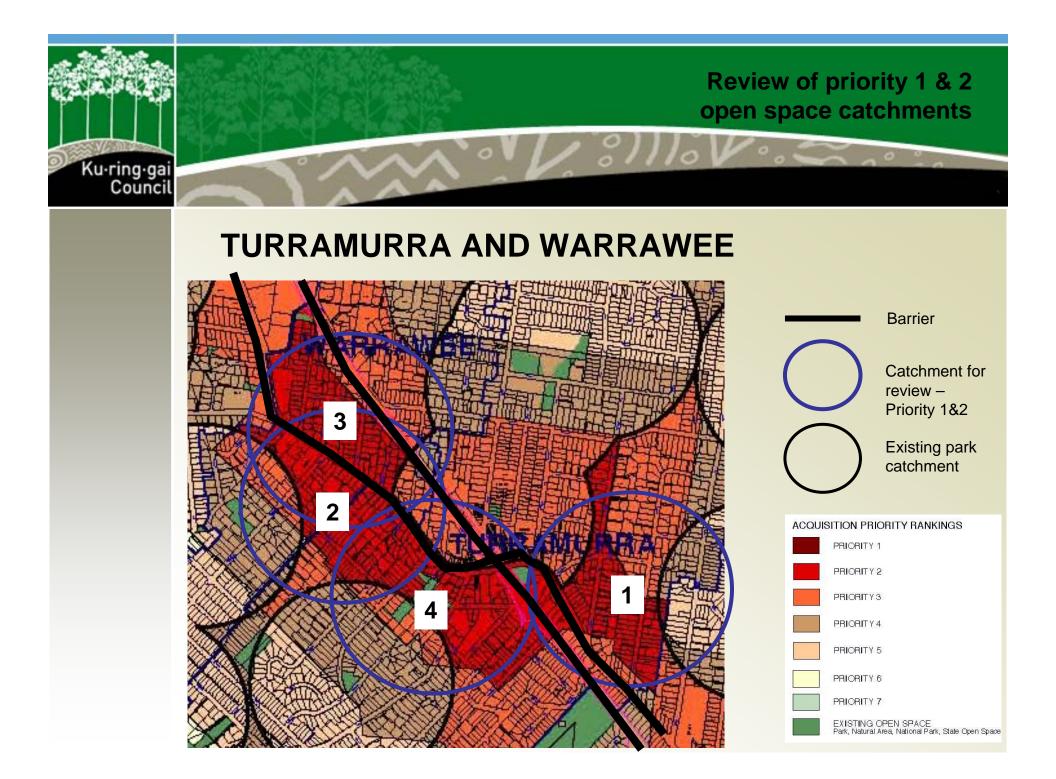
Previously identified opportunities for improving open space and recreation resources included the strategic enlargement of some parks, the further embellishment of both neighbourhood and district parks, additional and higher quality sports facilities (indoor and outdoor), modern swimming opportunities, and a greater diversification of 'unstructured' recreation opportunities within parks.

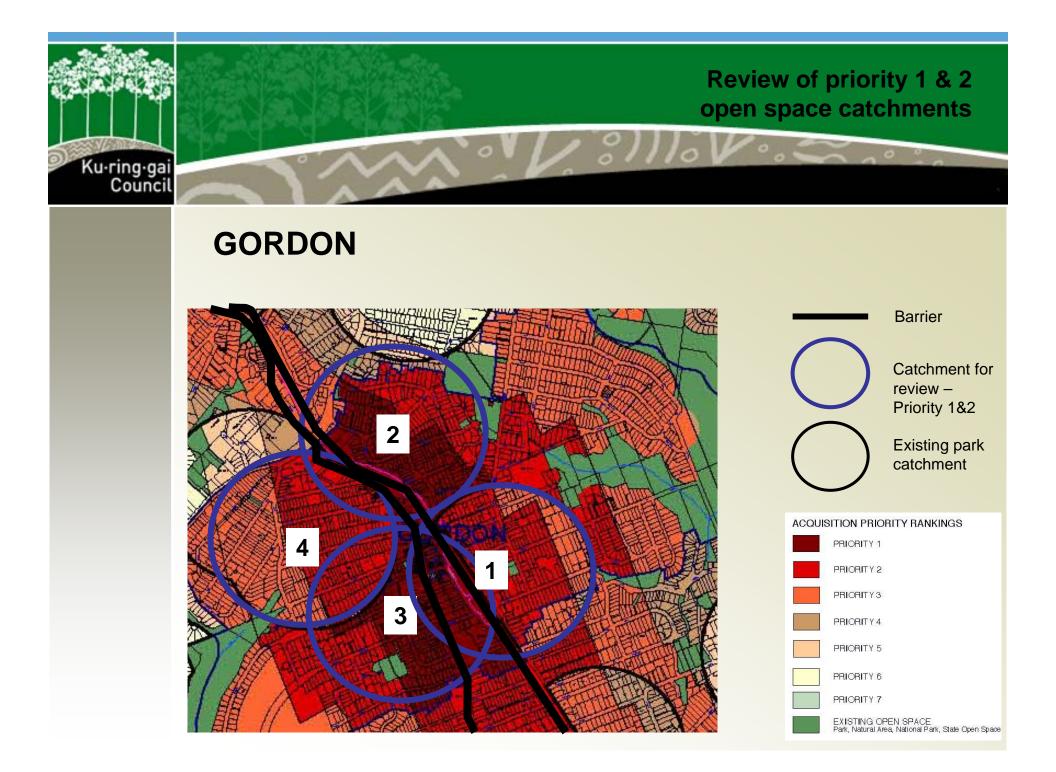
The major implication for the Acquisitions Strategy is the clear finding – of these previous studies - that Council's local and district parks are not (in terms of both quantity and suitability) fully meeting the recreation needs of existing populations and do not have the capacity to absorb the recreation needs and demands of new populations.

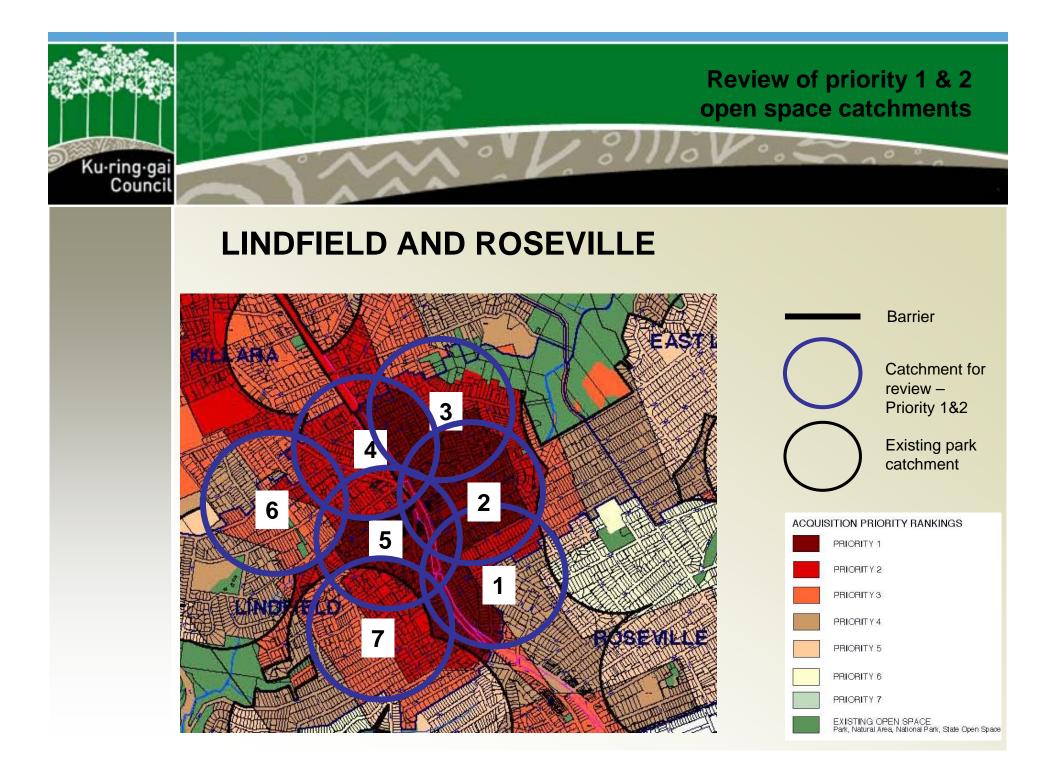
As such, the open space and recreation needs of the new populations will have to be fully met from the acquisitions and/or embellishments funded from the S94 contributions generated by future residential developments.

Further more, where consistent with S94 nexus requirements, the Acquisitions Strategy should seek to address existing deficiencies (including the small size of parks, connectivity and inequitable distribution) through strategic open space acquisitions and/or embellishments.











# LINDFIELD AND ROSEVILLE OPEN SPACE REVIEW

**June 2007** 



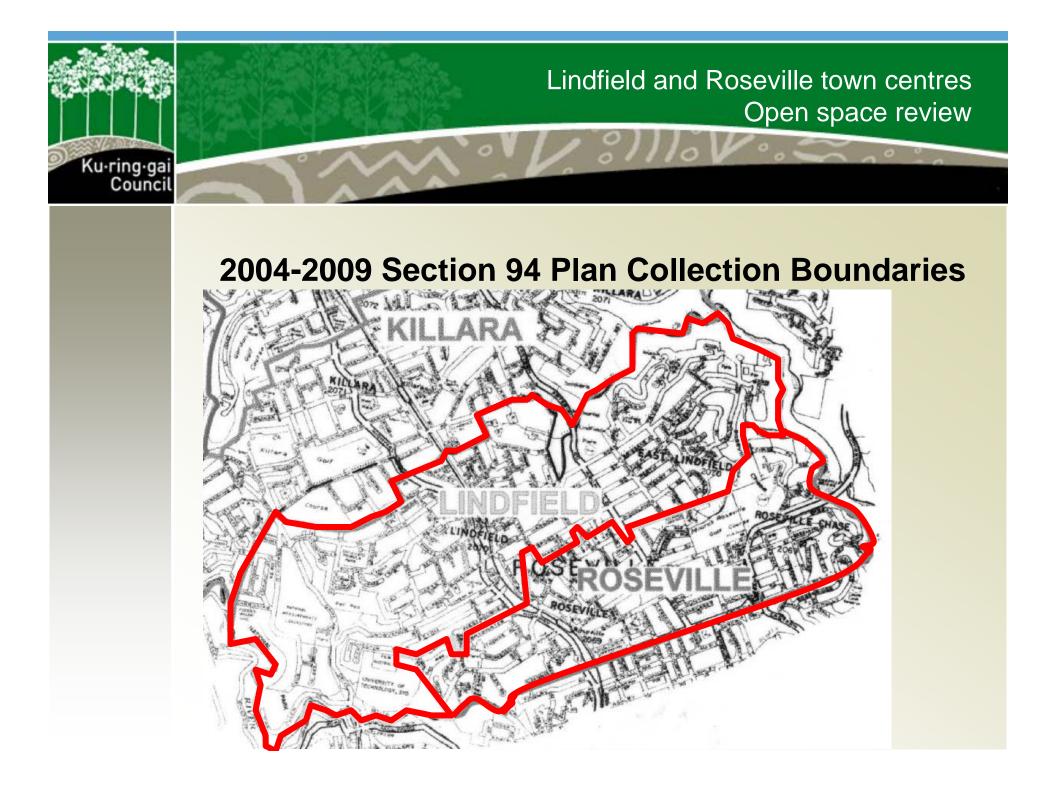
# LINDFIELD AND ROSEVILLE OPEN SPACE REVIEW

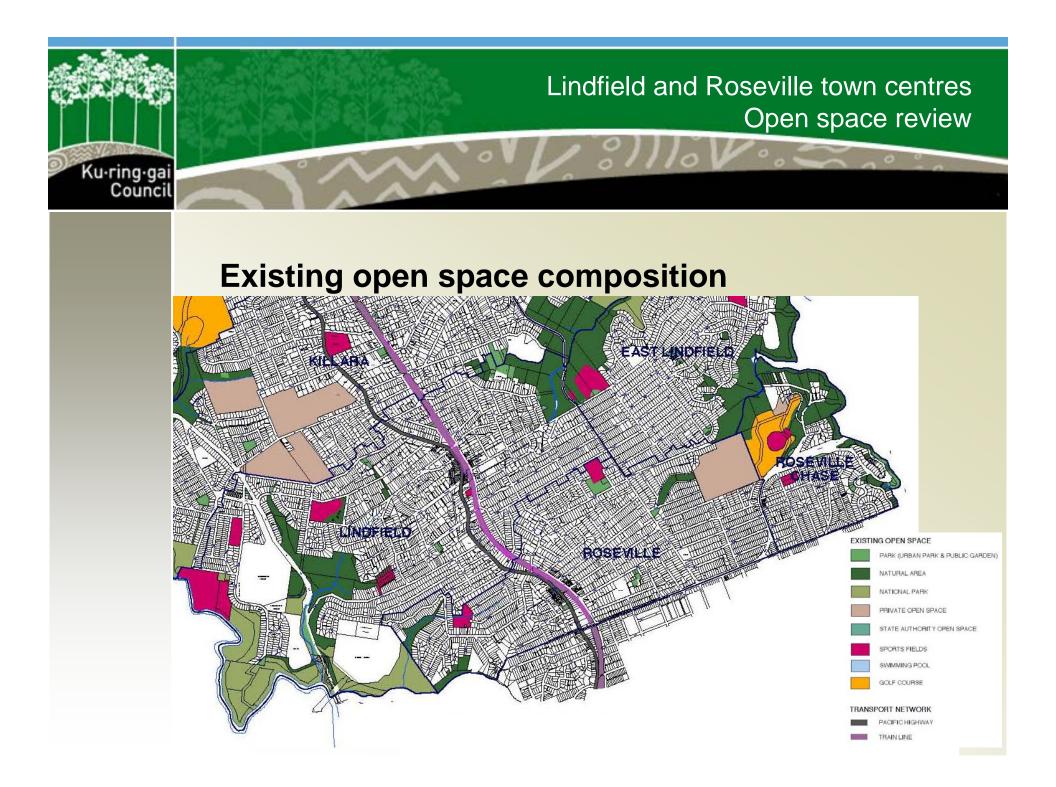
#### **Objectives**

•To address Council outstanding resolutions from 2006 and 2007

•To apply and test the Ku-ring-gai Open Space Acquisition Strategy

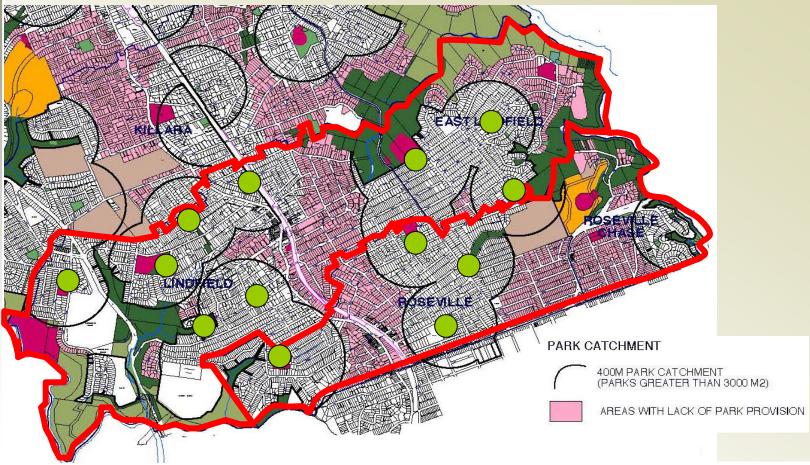
•To develop detailed recommendations regarding open space acquisition

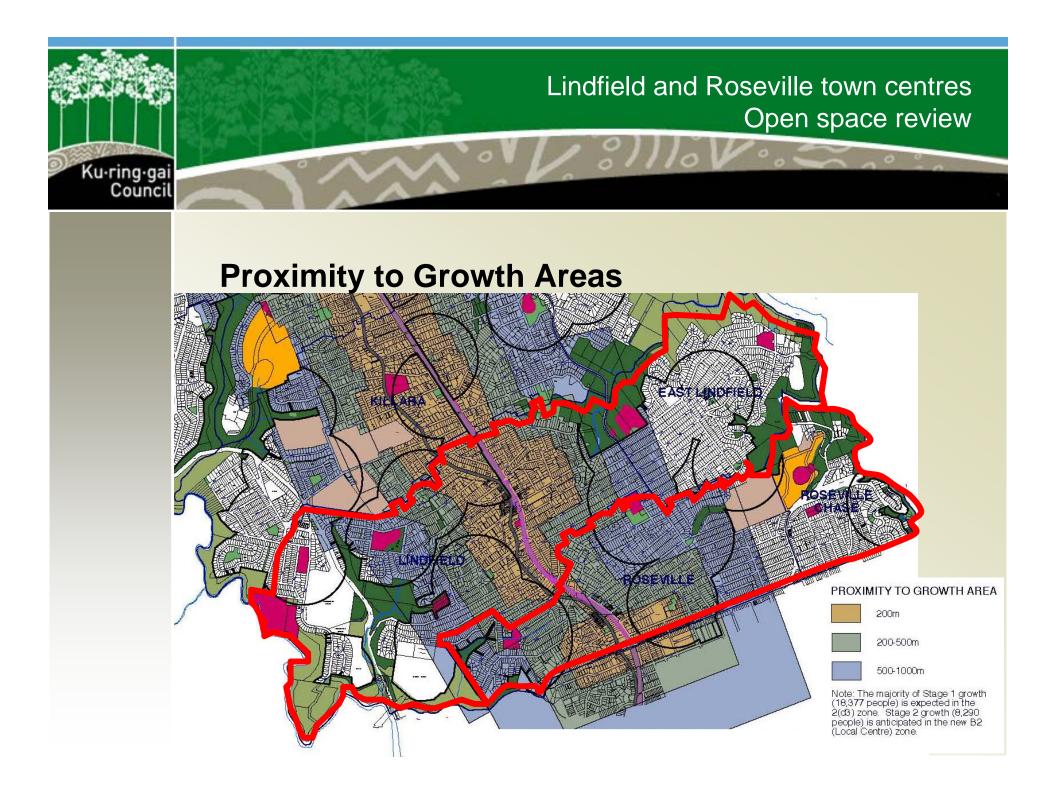






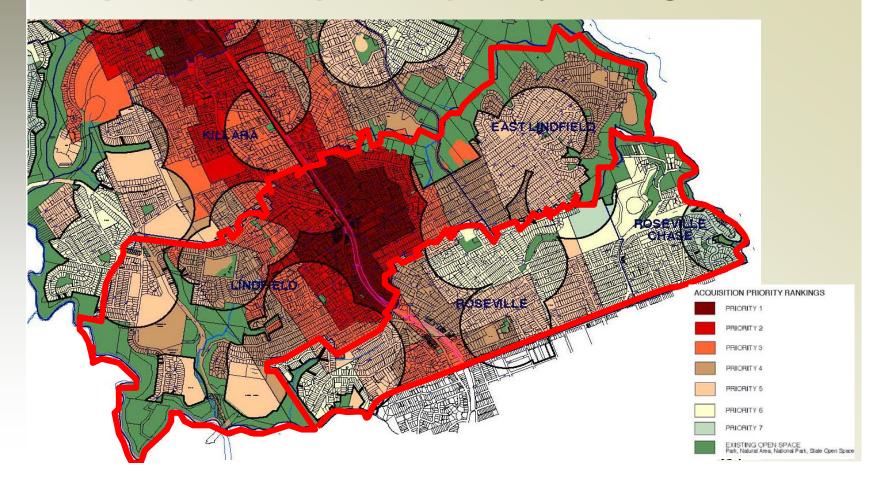
#### **Existing open space catchments**







#### **Open space acquisition priority rankings**



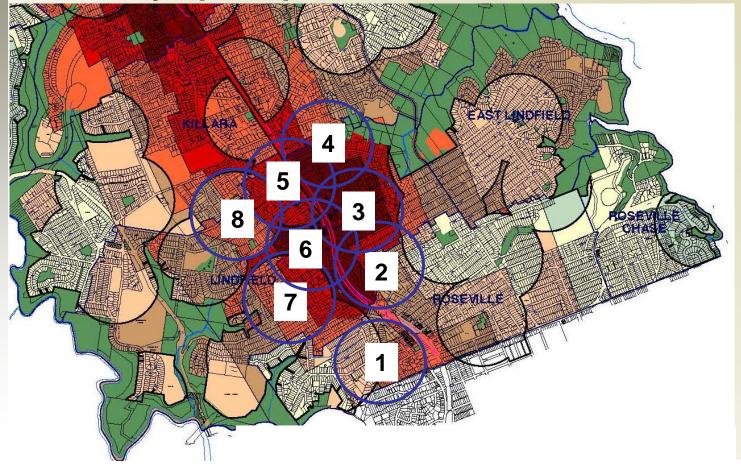


#### **Catchment analysis**

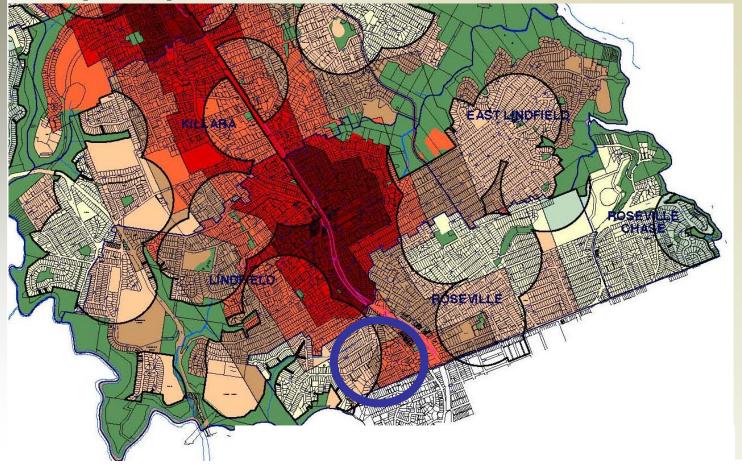
- 8 catchment areas have been identified each with a 400 metre radius (5 minute walk). The catchments have been analysed in terms of:
- Existing dwelling (houses and units)
- Future dwellings (units) from Stage 1 and 2 RDS
- Assumed take up rate for new units over 20 years
- Occupancy rates of 2.56 for houses and 1.78 for units
- Open space provision rates of 5.82sqm per person for Lindfield and 4.36 for Roseville (current rates in 2004-2009 Plan)
- Total future open space (local park) demand
- Total current supply and assessment whether meet criteria
- Net future demand

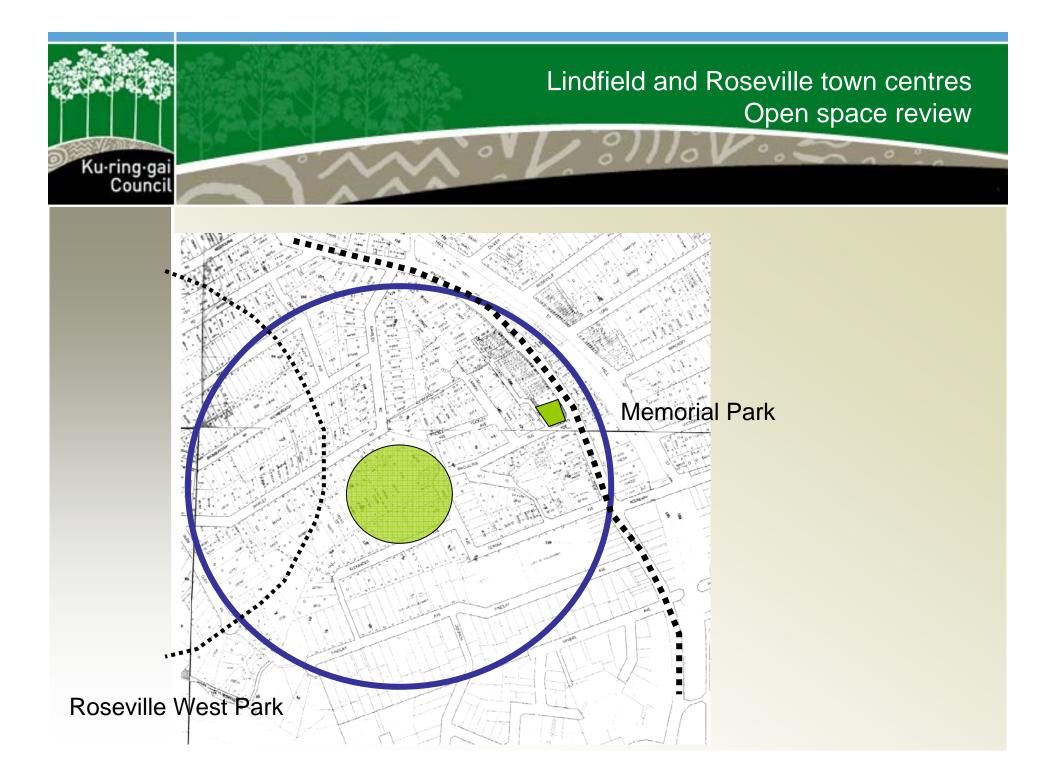


#### Priority open space catchments for review









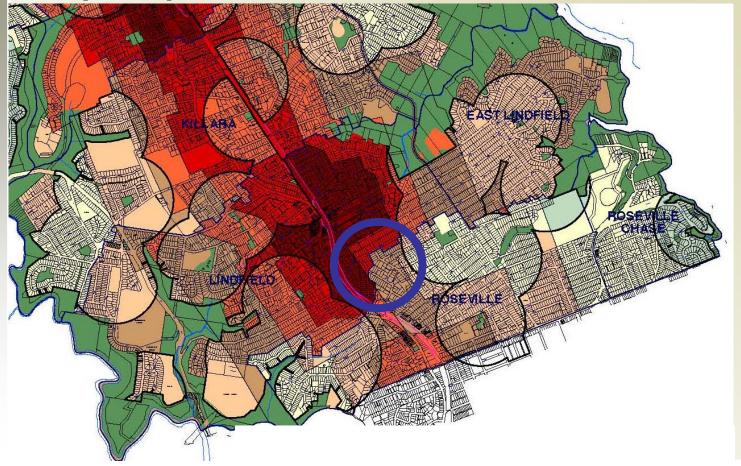


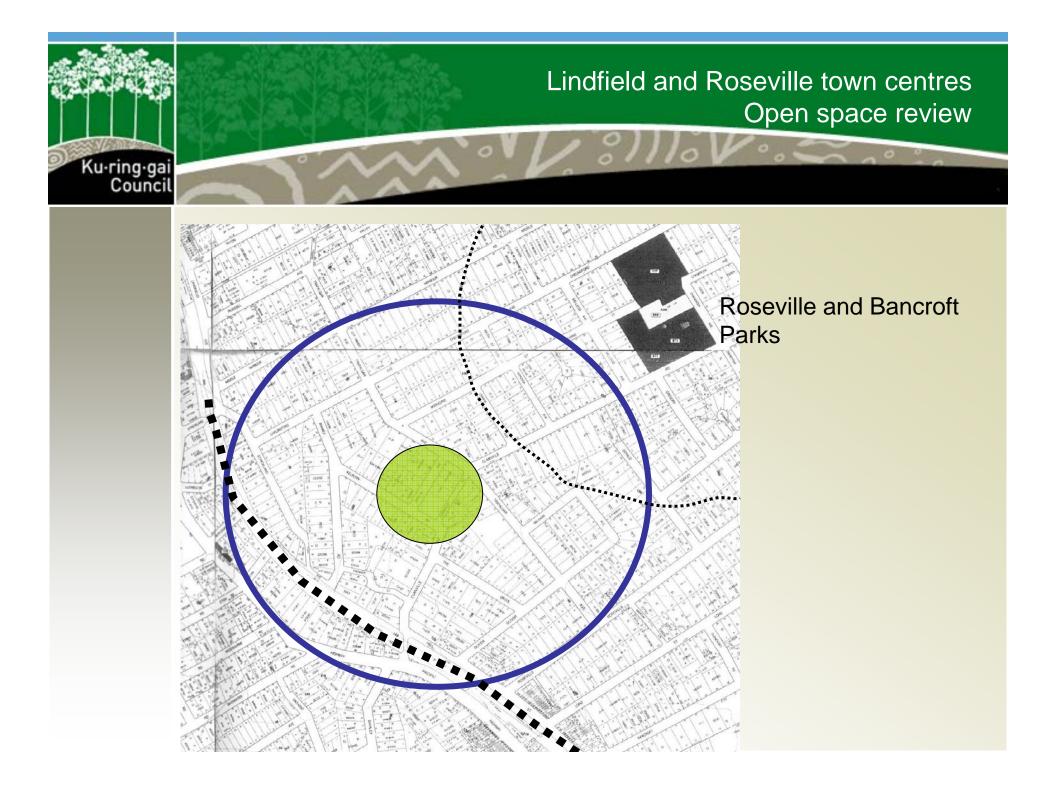
## Catchment 1 – Roseville (west) - Priority 3-5

new units (60% take-up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
105(175)	291	161	1.78	705	5.82	4103	6501	0
			2.56	412	5.82	2398		

- One local park Roseville Memorial Park located on the highway and has not been included
- Excludes dwellings within Roseville west park catchment and excludes dwellings from Willoughby Council
- Currently under-supplied with local parkland by approx 5,400sqm
- Population growth will require a total 6,500sqm of local parkland
- future population growth will fund 1,100sqm of parkland







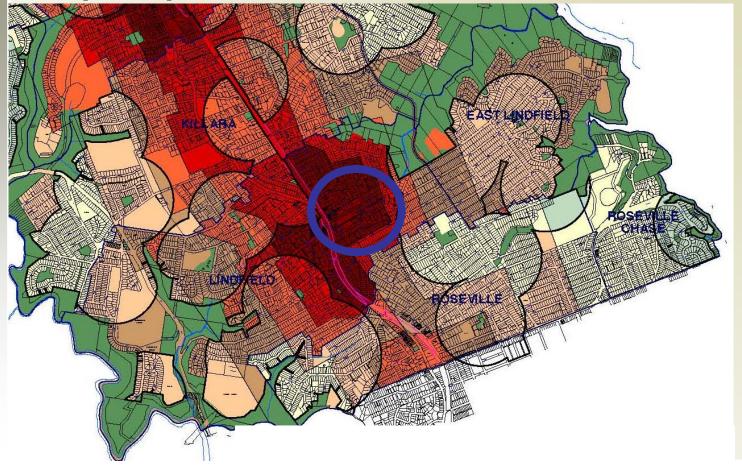


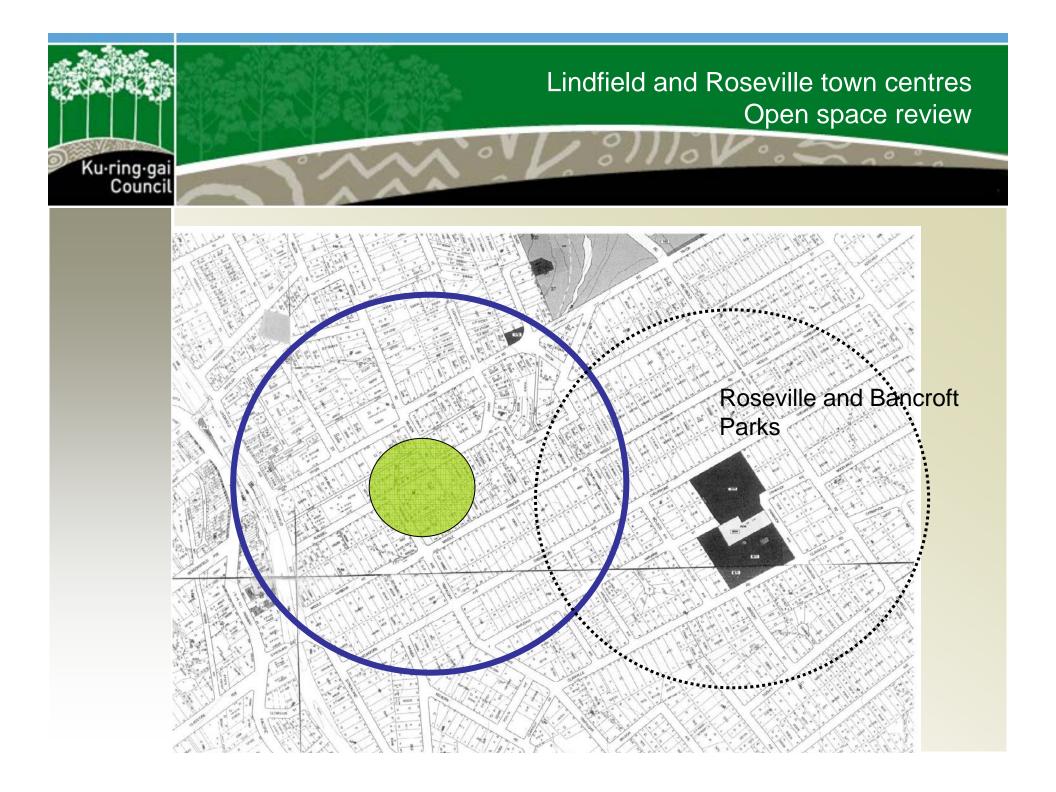
#### Catchment 2 – Roseville/Lindfield - Priority 1, 2 & 3

new units 50% take-up	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
50(101)	167	251	1.78	386	5.82	2247	5989	0
			2.56	643	5.82	3742		

- Currently no local parks
- current under-supply of local parkland approx 5,800sqm
- excludes dwellings within catchment of Roseville Park and Bancroft Park
- Future population will require an total of 6,000sqm of local parkland
- small population change in this area (caught between two centres) future population growth will only fund 520sqm of parkland







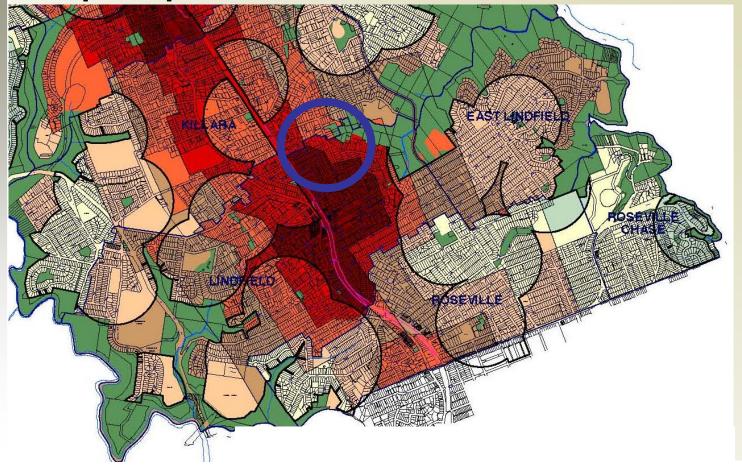


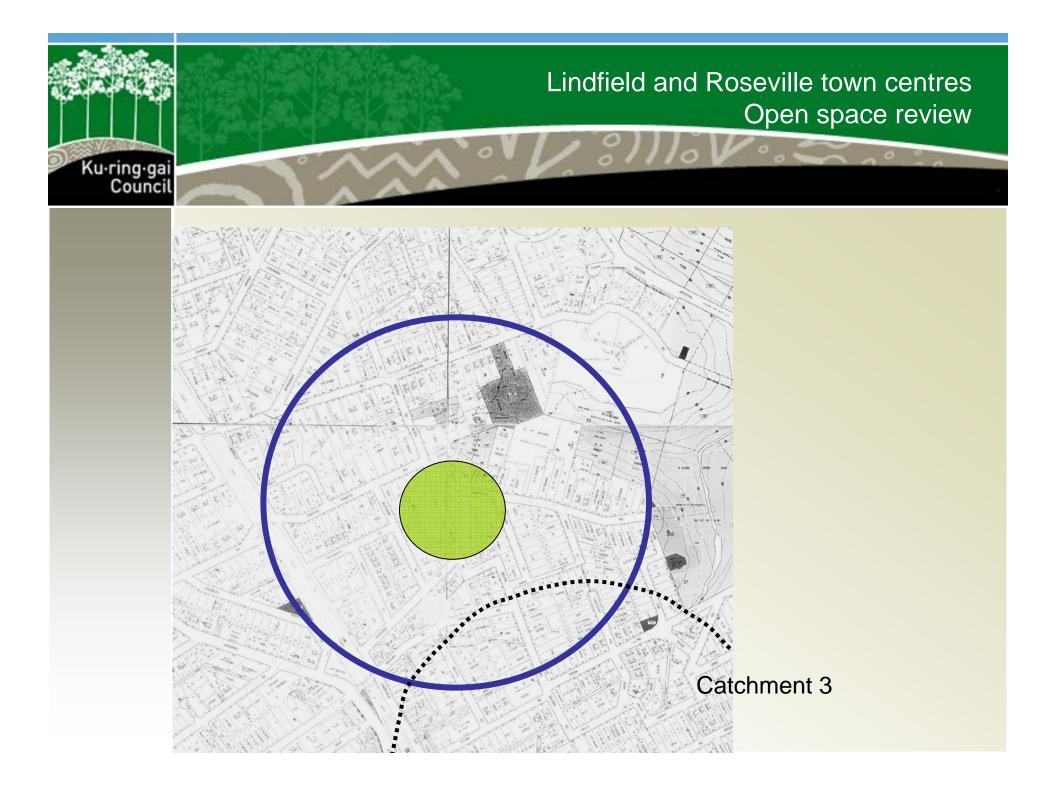
## Catchment 3 – Lindfield (east) - Priority 1 and 2

new units 80% take-up	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future Demand for local parks	Total current (c) Future (f) supply of local parks
966(1207)	78	271	1.78	1858	5.82	10,814	14,853	2,500 (f)
			2.56	694	5.82	4039		

- Currently no local parks
- Currently an under-supply of local parkland of approx 5600sqm
- new town park proposed on Tryon Road of 2-3000sqm
- Does not include dwellings within Roseville Park catchment
- Future population growth will require a total of 14,800sqm of local parkland (or the equivalent 5 parks @ 3,000sqm)







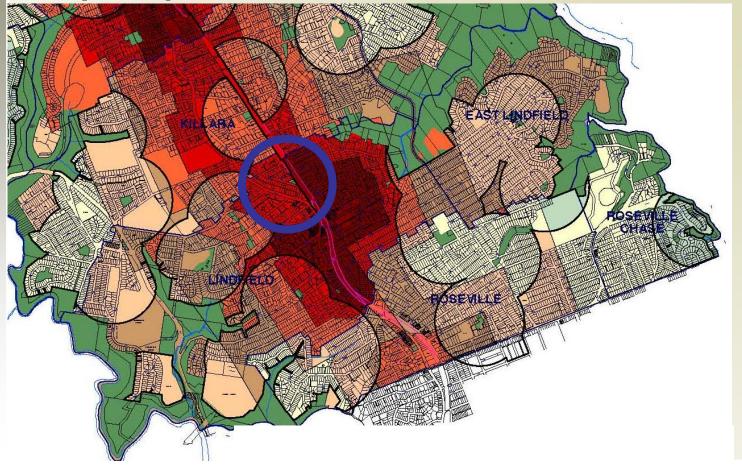


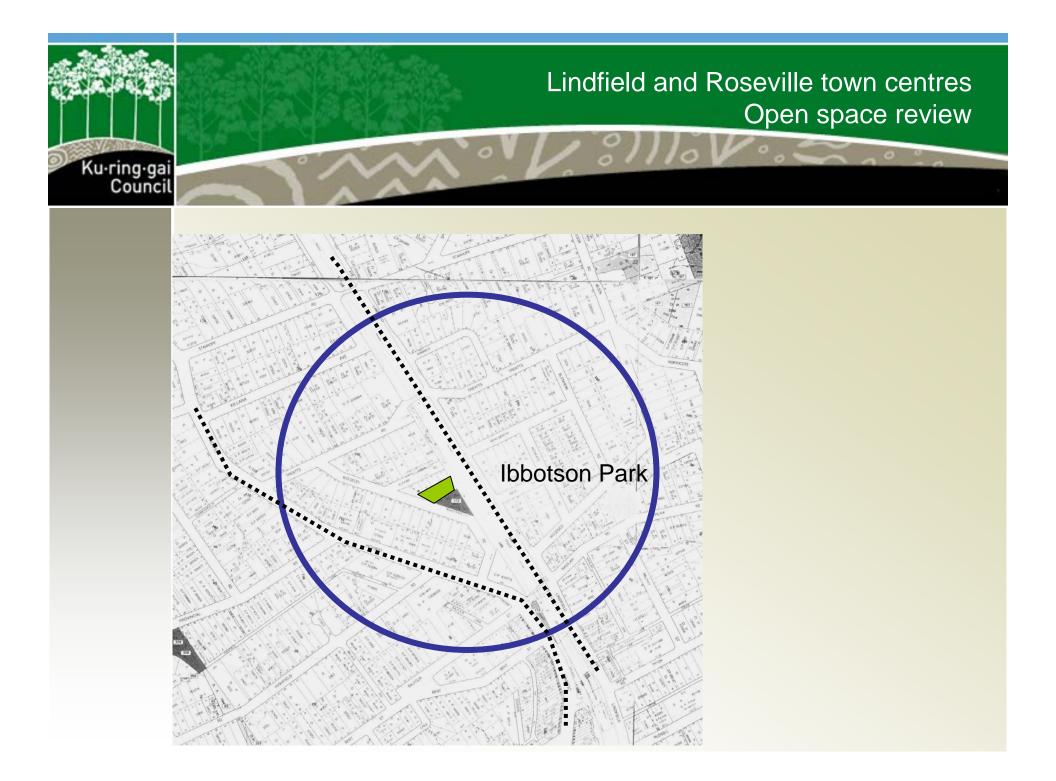
## Catchment 4 – Lindfield (east) - Priority 1,2, 3 & 4

new units (80% take-up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
59(74)	0	255	1.78	105	5.82	611	4411	0
			2.56	653	5.82	3800		

- Current under supply of local parkland approx 4,000sqm
- Excludes dwellings serviced by Swain Gardens which provides some local park functions
- Minor population growth
- overlap with catchment 3 which has significant population growth









#### Catchment 5 – Lindfield (west) - Priority 2 and 3

new units (80% take-up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current (c) Future (f) Supply
189(236)	29	0	1.78	388	5.82	2258	2258	1800 (c)
			2.56	0	5.82	0		3000 (f)

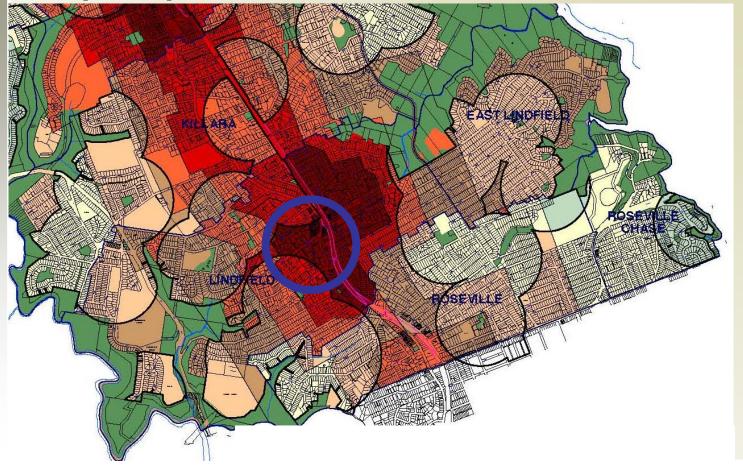
•The area currently has one local park - Ibbotson Park (1800sqm)

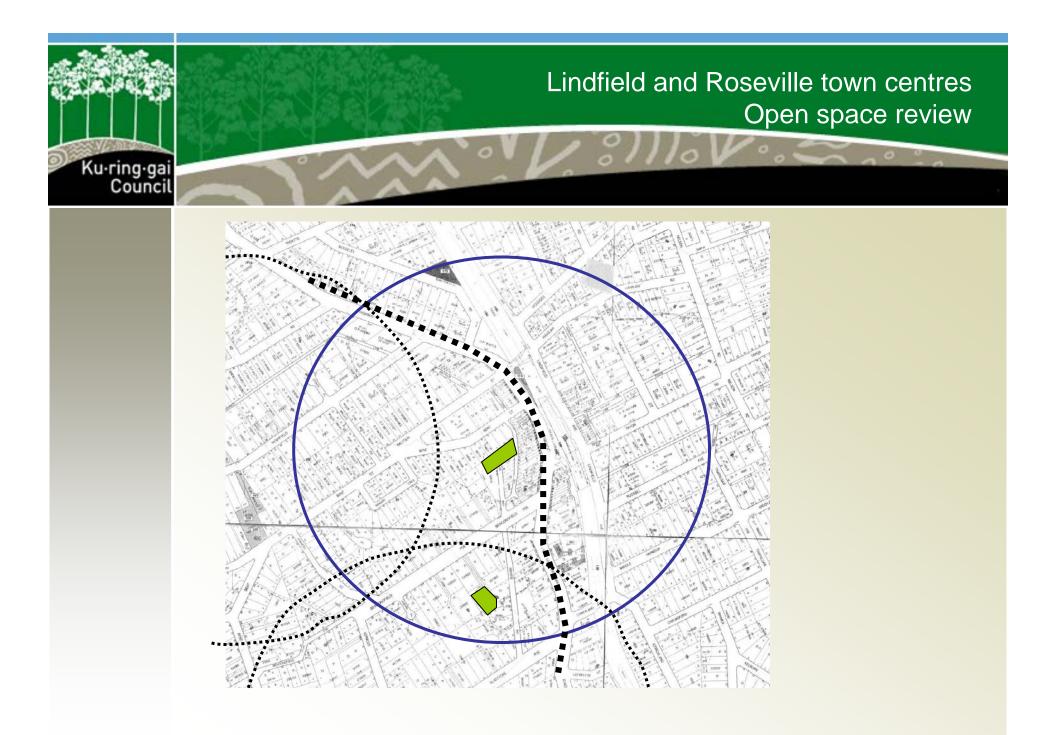
• The area currently has a minor under-supply of local parkland (Ibbotson Park is generally accessible to only a small proportion of dwellings within 400 metre walk due to barriers of highway and railway

Future population will require a total of 2,300sqm of local parkland
Town Centre DCP proposes expansion of Ibbotson Park by

1200sqm which will over-supply the catchment







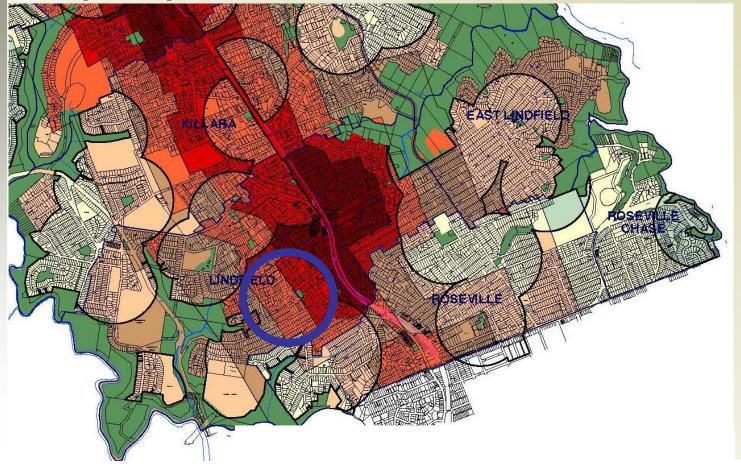


# Catchment 6 – Lindfield (west) - Priority 1

New units (60% take-up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open Space demand	Total Future demand	Total Current (c) future (f) Supply
454(756)	93	5	1.78	974	5.82	5669	5745	4,000 (f)
			2.56	13	5.82	76		

- The area currently has no local parks (does not include the catchments of Two Turners Reserve, Paddy Palin Reserve and Paddy Palin Reserve (south)
- the area is currently under-supplied with local parkland by approx.
   1,600sqm (low resident population due to shops)
- Future population growth will require a total of 5,700sqm of new local parkland
- Town centre DCP proposes new parks at Drovers Way (2,500sqm) and 1,500 at Beaconsfield Parade (1500sqm)







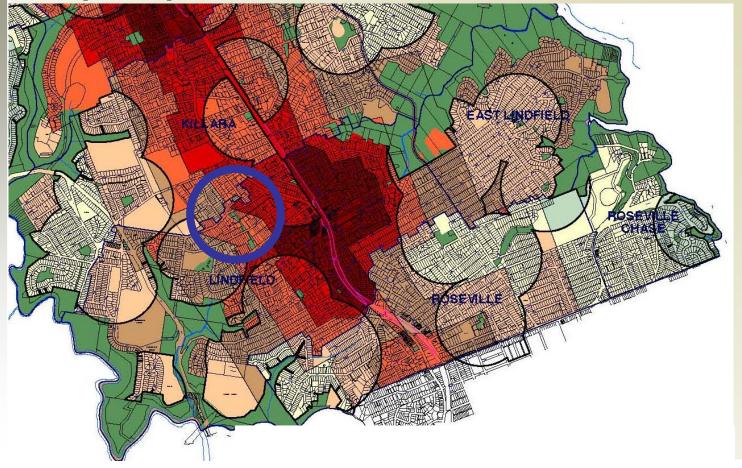


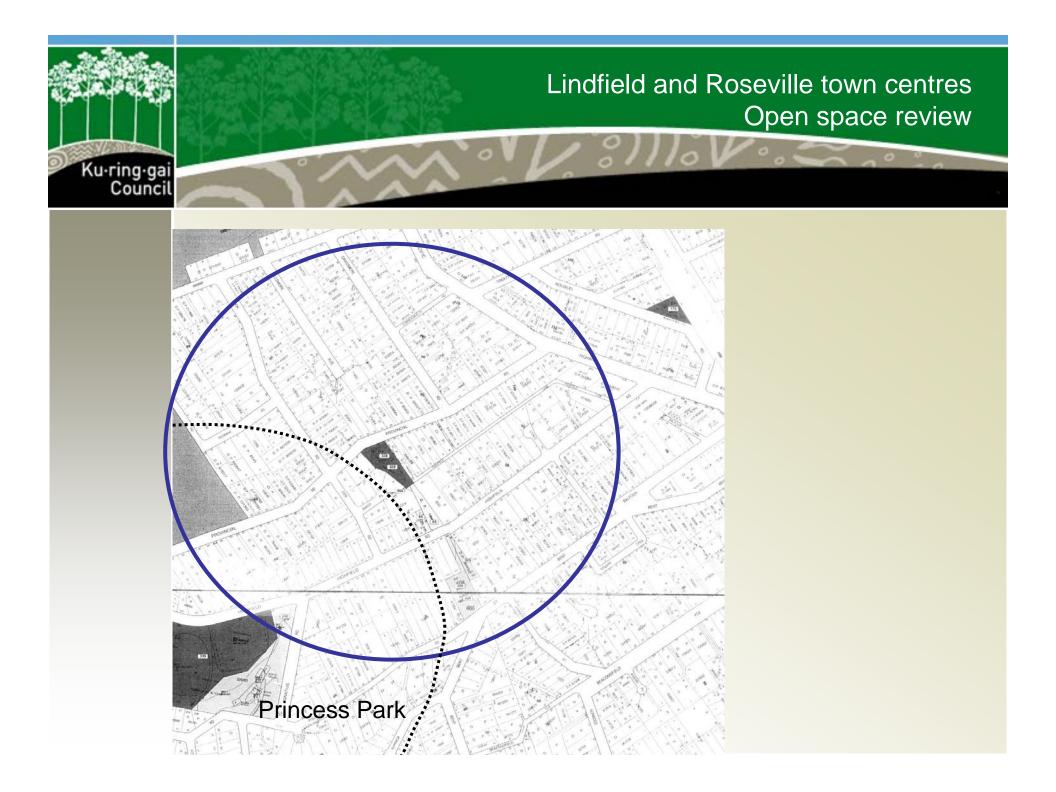
#### Catchment 7 – Lindfield (west) – Priority 2, 3 & 4

Existing units	Existing houses	Occupancy rate	Existing population	Open space provision	Open space demand	Total demand	Total current provision
187	275	1.78	333	5.82	1938	6035	4,000
		2.56	704	5.82	4097		

- The area currently has one local park Two Turners Reserve which is about 4,000sqm
- the area is currently under-supplied with local parkland by approx 2,000sqm however the existing park is a generous size
- no significant future population growth
- Site visit indicates revise shortfall further down as local park facilities available in Edenborough Park









## Catchment 8 – Lindfield (west) – Priority 2, 3 & 4

Existing units	Existing houses	Occupancy rate	Existing population	Open space provision	Open Space demand	Total demand	Total current provision
193	327	1.78	344	5.82	2002	6873	3000sqm (estimate)
(estimate)		2.56	837	5.82	4871		

- The area currently has two local parks Paddy Palin Reserve and Paddy Palin Reserve (south)
- Site visit indicates that most of the park area is bushland and drainage reserve.
- Local park area available is about 3000sqm
- The area is currently under-supplied with local parkland
- excludes catchments of 7, 8 and Princess Park catchment which is within 400 metres
- no significant population growth anticipated



#### Summary

- The total open space shortfall in Lindfield and Roseville as calculated by catchment is 32,321sqm assuming 50-80% take up rate for new dwellings
- Currently collecting for acquisition of around 21050sqm of open space in Lindfield and Roseville over next 25 years under the current Section 94 Contributions Plan (2004-2009)
- Potential to collect for acquisition of up to 12,000sqm of open space in Roseville and Lindfield over 20 years under the Town Centres Contribution Plan

Total Stage 1 and 2

33,025sqm

 Able to provide for full requirement from S94 for additional population



#### **Next Steps**

- Plan for up to 35,000sqm of local parkland
- Identify possible locations for new parks, consolidation of existing parks, pedestrian and cycle links to improve access to existing and proposed parks
- Test locations against principles, criteria and objectives in the Open Space Acquisition Strategy (OSAS)
- Recommendations to Council re acquisition process and provision when OSAS has been adopted



## GORDON OPEN SPACE REVIEW

## Presentation to Councillors 17<sup>th</sup> April 2007



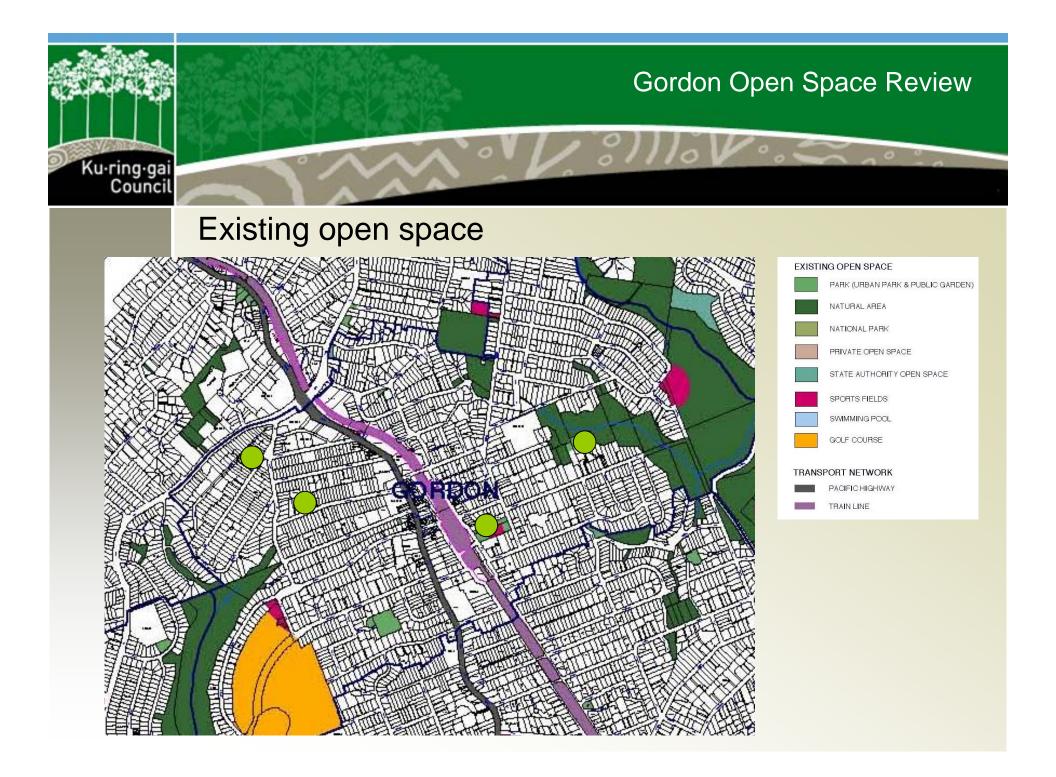
#### **GORDON OPEN SPACE REVIEW**

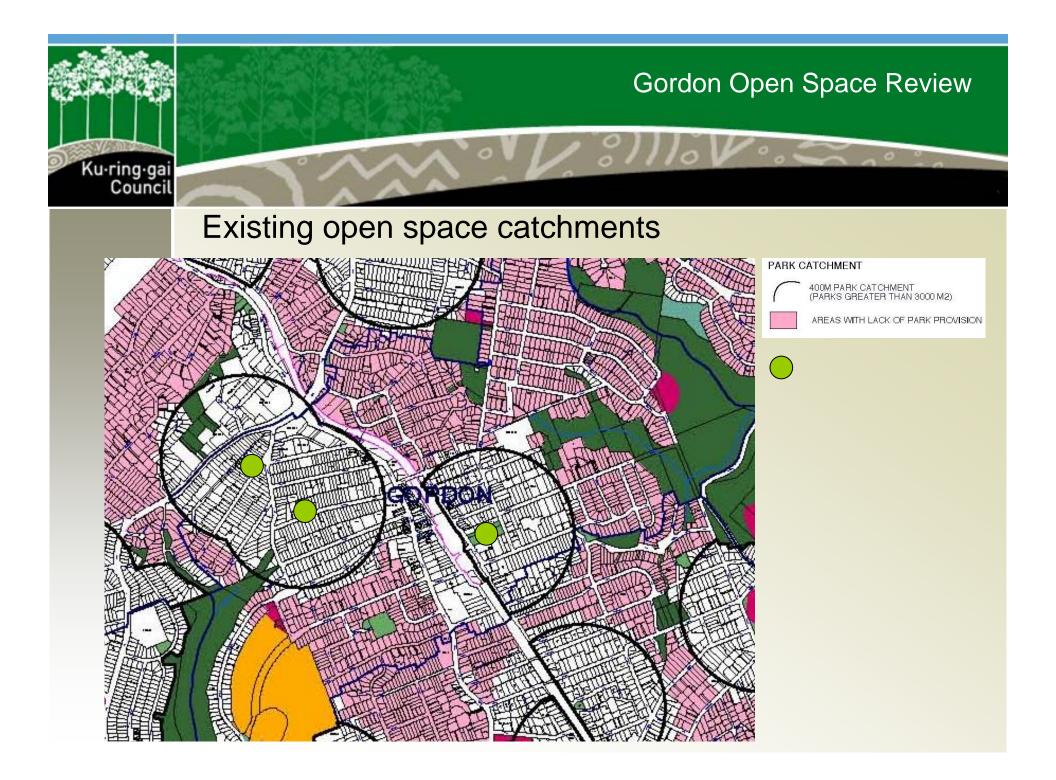
#### **Objectives**

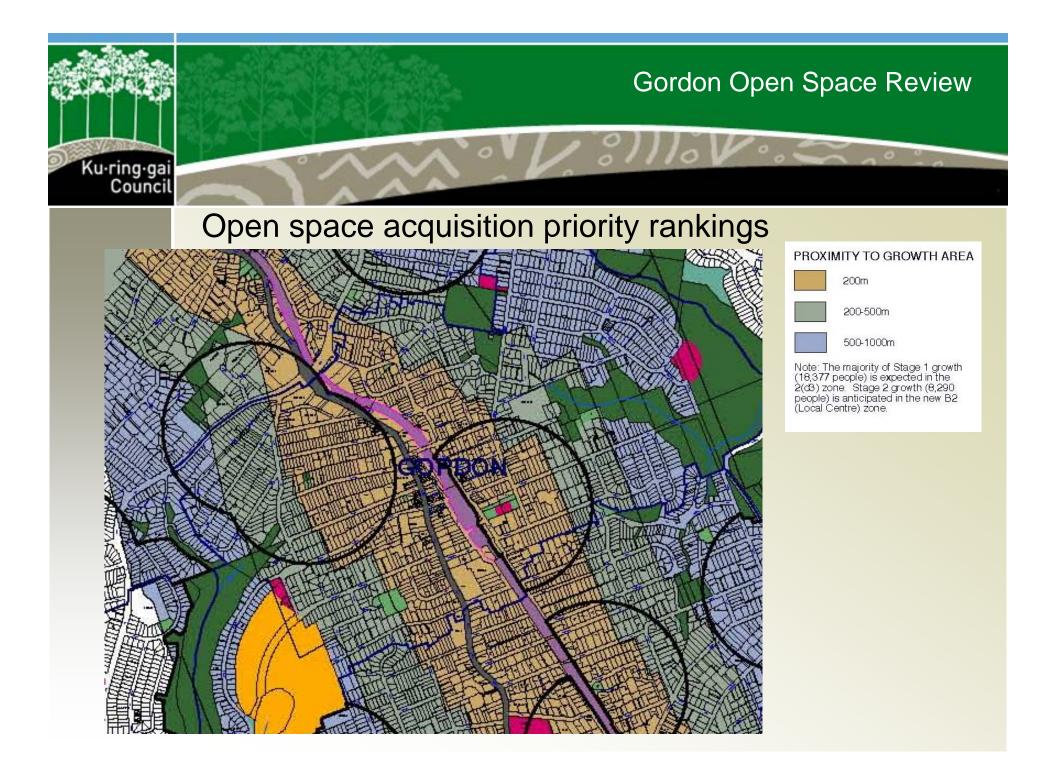
•To address Council outstanding resolutions from 2006 and 2007

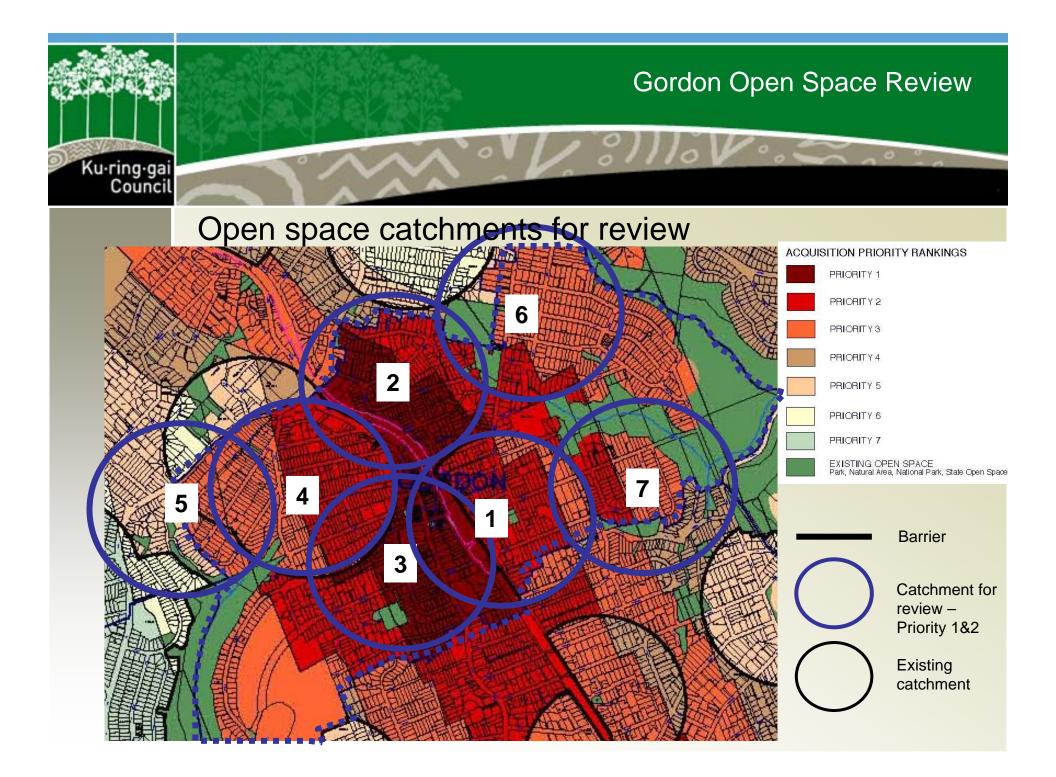
•To apply and test the Ku-ring-gai Open Space Acquisition Strategy

•To develop detailed recommendations regarding open space acquisition











#### **Catchment analysis**

7 catchment areas have been identified each with a 400 metre radius (5 minute walk). The catchments have been analysed in terms of:

- •Existing dwelling (houses and units)
- •Future dwellings (units) from Stage 1 and 2 RDS
- Assume 60-80% take up rate for new units over 20 years
- •Occupancy rates of 2.56 for houses and 1.78 for units
- •Open space provision rates of 5.82sqm per person
- •Total future open space (local park) demand
- Total current supply
- Net future demand



# Catchment 1 – east side of Gordon centred around Gordon Recreation Grounds Park

new units 60% take-up	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
192(320)	193	223	1.78	685	5.82	3987	7310	7800
			2.56	571	5.82	3323		

- Ranked priority 2 and 3
- Existing provision is adequate to cater for future population growth



#### Catchment 2 - east side of Gordon centred around Carlotta Avenue

new units (80% take-up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
320(400)	0	296	1.78	570	5.82	3317	7729	1600
			2.56	758	5.82	4412		

- Ranked priority 1 and 2
- existing parks of around 5,500sqm however none meet criteria for a local park – on main road, too small etc.
- 1600sqm park proposed for Council Depot site
- Existing population and future population growth will require an additional 6,000sqm of local parkland



#### Catchment 3 – west side of Gordon

new units 60% take-up	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
450(747)	34	142	1.78	862	5.82	5017	7135	0
			2.56	364	5.82	2118		

- Ranked priority 1 and 2
- Existing residents and future population growth will require an additional 7,100sqm of local parkland
- Currently no existing parks



# Catchment 4 – west side of Gordon centred around Gordon Glen park

new units (60% take- up)	Existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total Future demand	Total current supply
577(96	15	232	1.78	1054	5.82	6134	9591	900
2)			2.56	594	5.82	3457		

- Ranked priority 2 and 3 (to be reviewed)
- Existing population and future population growth will require an additional 8,700sqm of local parkland
- Currently one small park of around 900sqm useable open space



#### Catchment 5 – west side of Gordon centred around Ridge Street

Existing units	Existing houses	Occupancy rate	Existing population	Open space provision	Open space demand	Total demand	Total current provision
-	200 (estimate)	1.78	-	5.82	-	2980	900
	(coliniate)	2.56	512	5.82	2980		

- Ranked priority 3
- The area currently one small local park
- The area is currently under-supplied with local parkland by approx 2,000sqm
- no significant future population growth



#### Catchment 6 – east side of Gordon centred around Darnley Avenue

Existing units	Existing houses	Occupancy rate	Existing population	Open space provision	Open space demand	Total demand	Total current provision
	320(estim ate)	1.78	0	5.82	0	4,766	0
	ale)	2.56	819	5.82	4766		

- Ranked priority 3
- The area currently no local parks
- The area is currently under-supplied with local parkland by approx 4,700sqm
- No significant future population growth



#### Catchment 7 - east side of Gordon near the end of Nelson Street

Existing units	Existing houses	Occupancy rate	Existing population	Open Space provision	Open Space demand	Total demand	Total current provision
-	150	1.78	-	5.82	-	2235	0
	(esti mate)	2.56	384	5.82	2235		

- Ranked priority 2 and 3
- The area currently no local parks
- The area is currently under-supplied with local parkland by approx 2,200sqm
- no significant future population growth



- The total open space shortfall in Gordon as calculated by catchment is 32,150sqm assuming 60-80% take up rate for new dwellings
- Currently collecting for acquisition of around 14,400sqm of open space in Gordon over 20 years under the current Section 94 Contributions Plan (2004-2009)
- Potential to collect for acquisition of up to 9,600sqm (assuming 80% take-up) of open space in Gordon over 20-30 years under the Town Centres Contribution Plan
- There is a pre-existing shortfall of approximately 9,000sqm in the catchments outside the town centre area



### **Next Steps**

- Identify possible locations for new parks, consolidation of existing parks, pedestrian and cycle links
- Test against principles, criteria and objectives in the Open Space Acquisition Strategy
- Recommendations to Council re acquisition process and provision



## **KU-RING-GAI OPEN SPACE ACQUISITION STRATEGY**

## Planning Committee 18 Sept 2007



#### **Public submissions:**

- 5 submissions resulting from the exhibition
- General support for acquisition and development of open space
- Some concerns raised about identifying specific sites for open space
- Suggestions received as to sites that could be suitable for open space



#### **Report to Council on 16th October**

The most significant matter to be considered in the report is the means by which Council will pursue implementation:

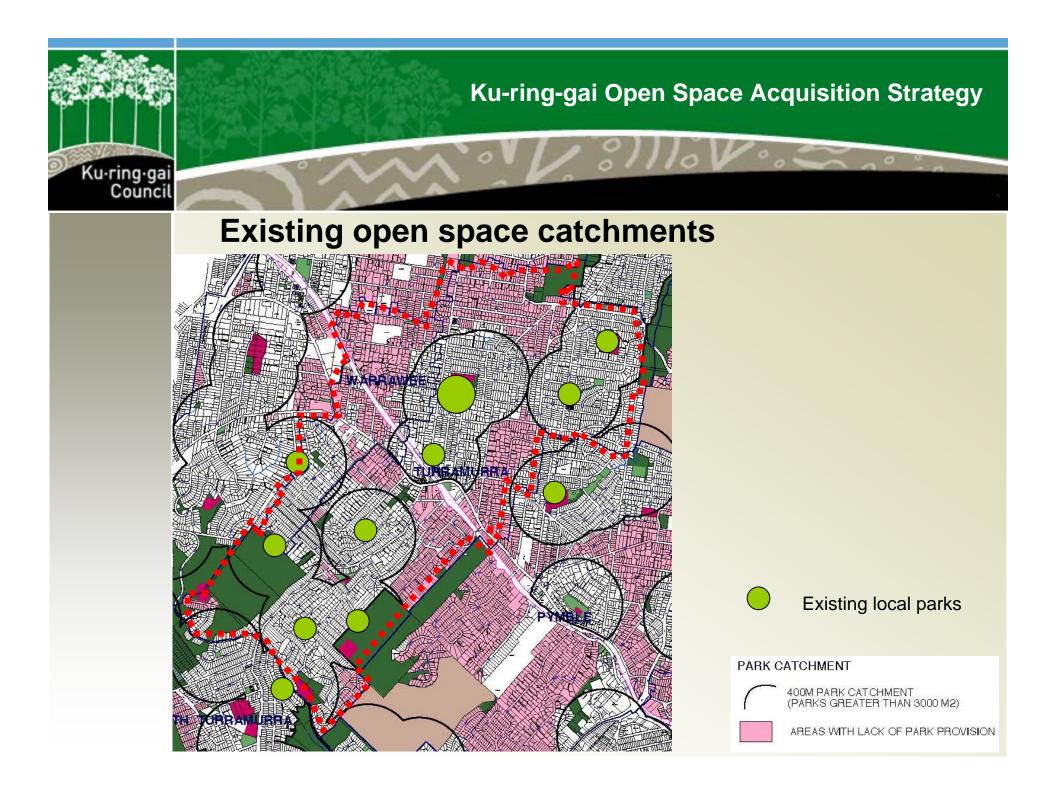
- 1. Opportunistic
- 2. Identify lands and proactively seek to acquire (only when owner wishes to discuss)
- 3. Zoning land through planning instrument
- 4. A combination of the above

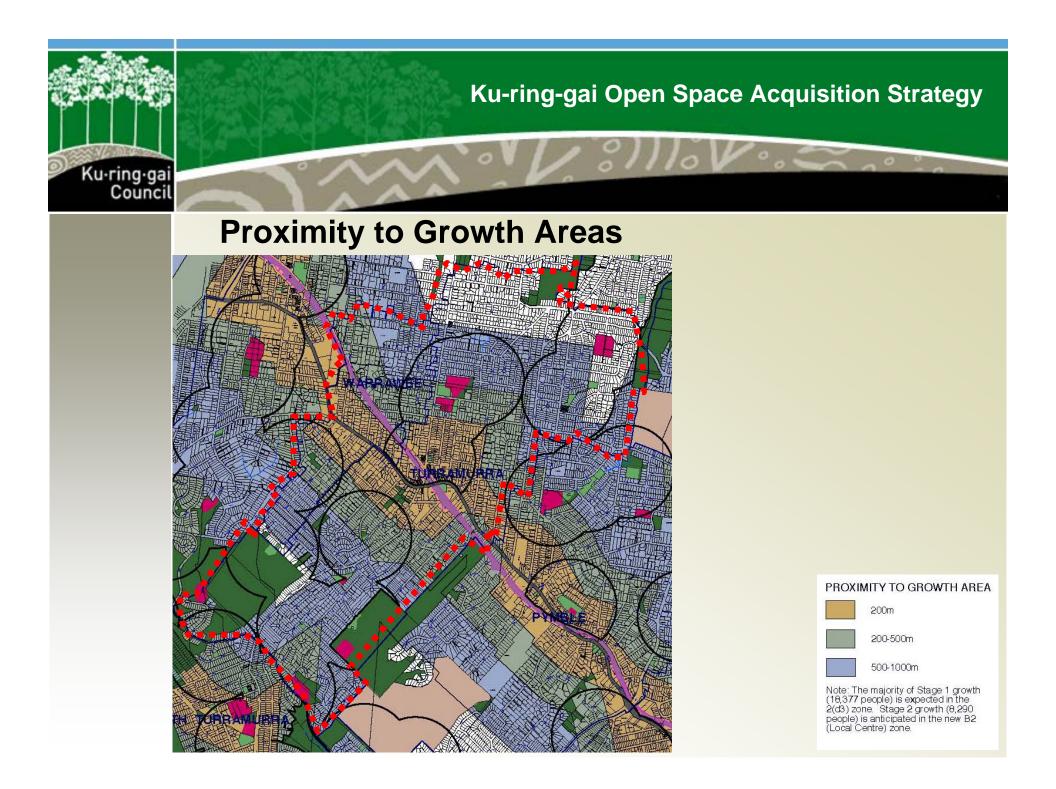


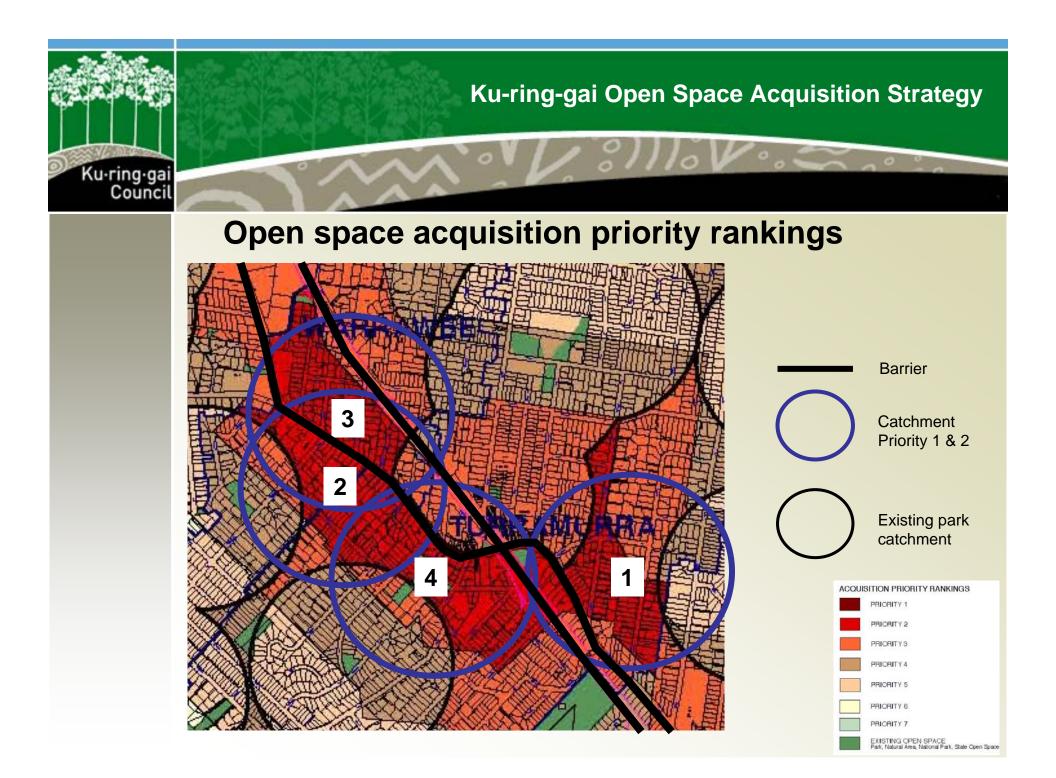
### Turramurra and Warrawee open space review – priority 1 and 2 areas

On the 8th May 2007 Council resolved the following:

"That an assessment of all priority one and two catchments as outlined in the draft Strategy be analysed and that the analysis be reported back to Council prior to September 2007"



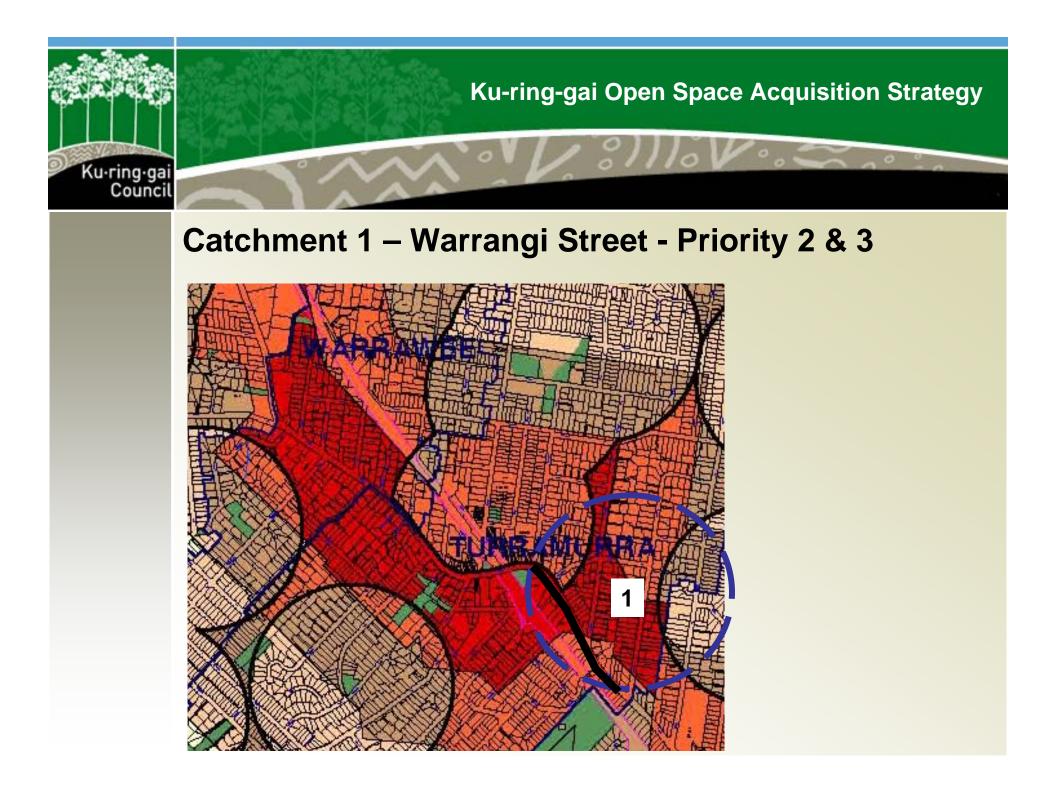






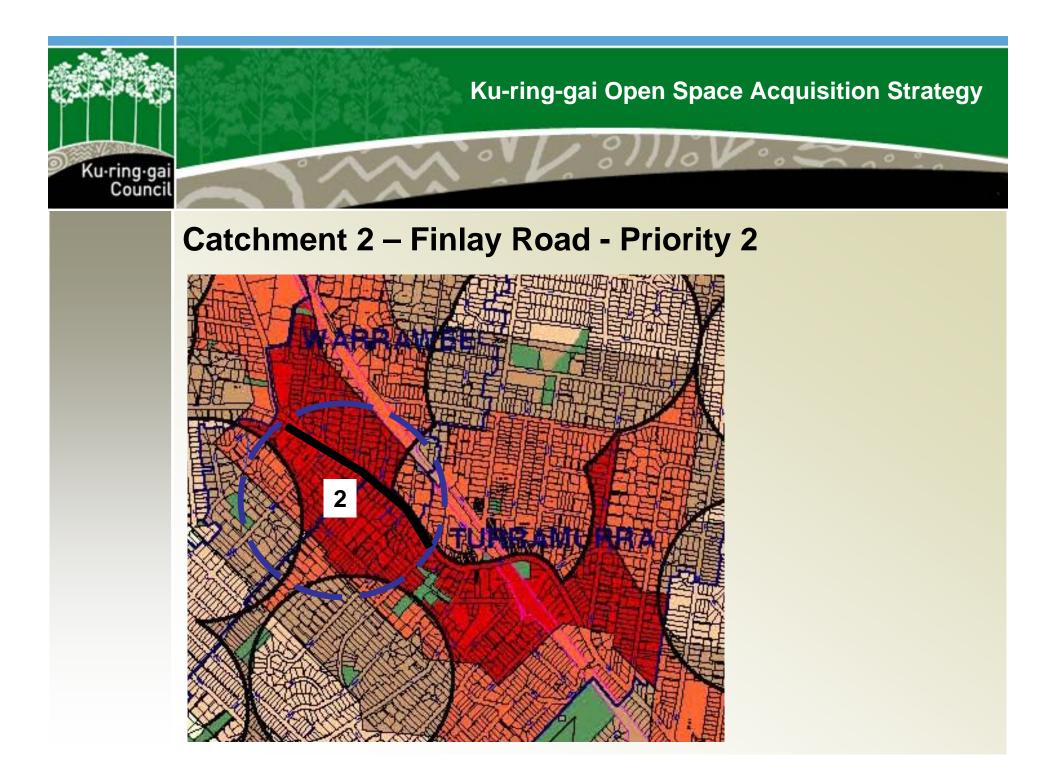
#### **Catchment analysis**

- Four priority catchment areas have been identified each with a 400 metre radius (5 minute walk). The catchments have been analysed in terms of:
- Existing dwelling (houses and units)
- Future dwellings (units) from Stage 1 and 2 RDS
- Assumed take up rate for new units over 20 years
- Occupancy rates of 2.56 for houses and 1.78 for units
- Open space provision rates of 2.91sqm per person
- Total future open space (local park) demand
- Total current supply and assessment whether meet criteria
- Net future demand



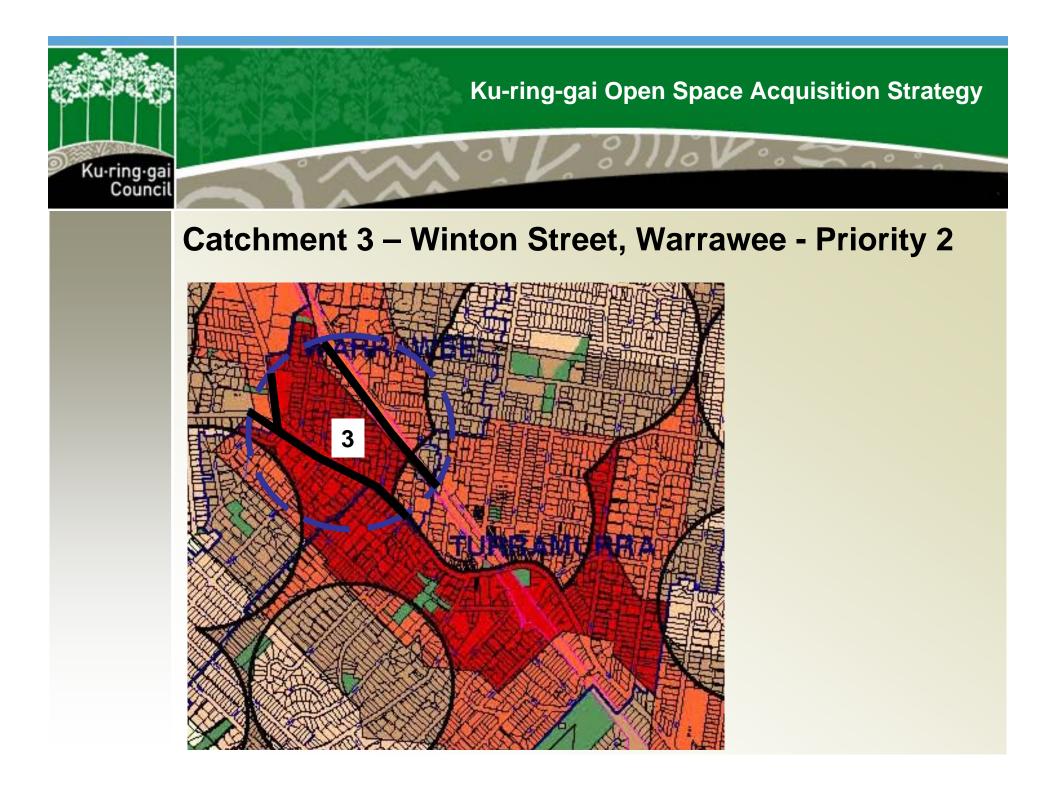
			ł	Հս-ring-ց	gai Opeı	n Space	Acquisitio	n Strategy
Ku-ring-ga Counc		**	~~~	·V	(?))	1.V	·. 🕿	20 20
Counc		ment 1	– Warra	angi S	treet -	Prior	ity 2 & 3	
New and	Existing		Future	Open	Euture	Total	Total current	Potential
New and existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total future demand	Total current and proposed provision	Potential future undersupply / over supply
existing	5			space	Open space	future	and proposed	future undersupply/
existing	5			space provision	Open space demand	future demand	and proposed provision	future undersupply / over supply

- Currently no local parks in this area
- A large proportion of this catchment is within 400 metres of Bannockburn Park
- Future population requires additional 3,000sqm of parkland



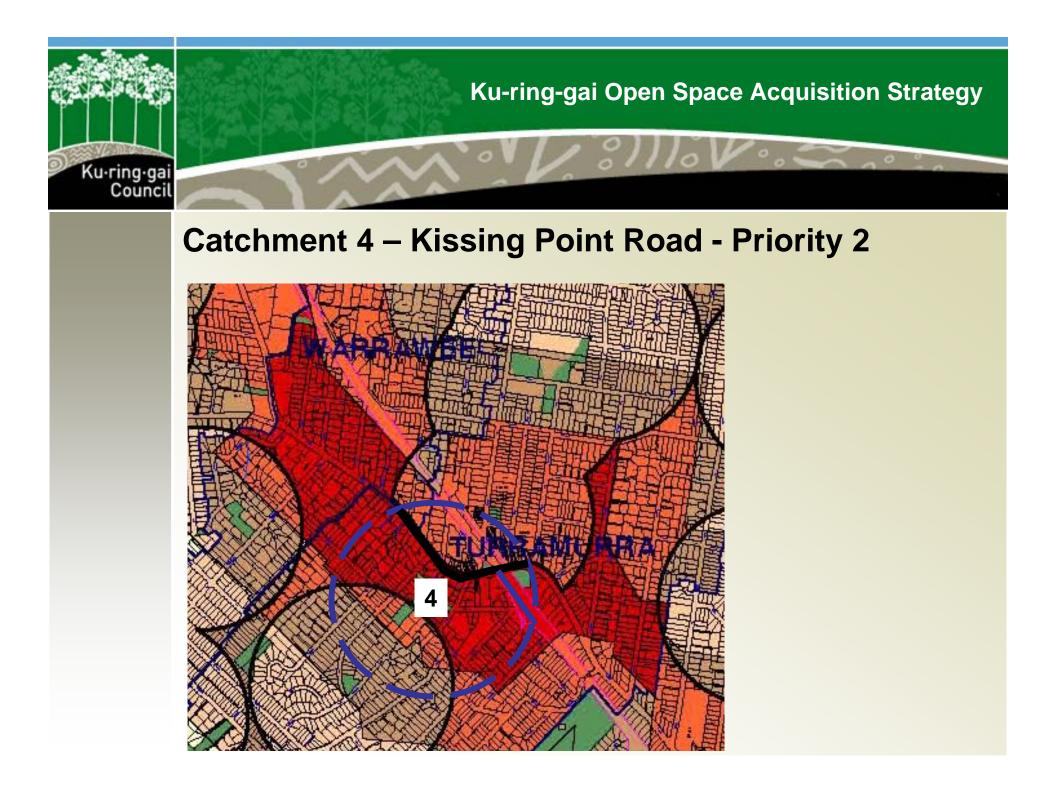
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	Cato	chment	2 – Fir	nlay Ro	oad - F	Priority	/ 2	
New and existing units	Existing houses	Occupancy rate	Future population	Open space provision (sqm)	Future Open space demand (sqm)	Total future demand (sqm)	Total current and proposed provision	Potential future undersupply / over supply (sqm)
486	115	1.78 2.56	865 294	2.91 2.91	2517 857	3374	0	-3,374

- Currently no local parks in this area
- Significant future population growth along the highway
- Future population requires additional 3,000sqm of parkland
- Steep topography is a constraint to access



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	Cat	chment	: 3 – Wi	nton S	Street,	, Warr	awee - Pric	ority 2
New and	Existing	Occupancy	Future	Open	Future	Total	Total current and	Potential
existing	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total future demand	Total current and proposed provision	future
New and existing units	<b>•</b>			space	Open space	future	proposed	future undersupply
existing	<b>•</b>			space provision	Open space demand	future demand	proposed	future undersupply over supply

- Currently no local parks in this area. Warrawee Park is fragmented and lacks facilities
- Residential area isolated by highway and railway
- Future population will requires 1,700sqm of parkland



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New and existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total future demand	Total current provision	Potential future undersupply / over supply
existing					Open space	future		future undersupply /
existing				provision	Open space demand	future demand		future undersupply / over supply

- Currently no local parks in this area. Granny Springs Reserve is a steep inaccessible area of bushland
- Catchment includes existing medium density development around Boyd/Jersey Streets and the Hill View estate
- Town Centre DCP proposes two new parks: one on new Stonex Street; and one on Hill View estate which will provide for most of future requirement



#### Summary

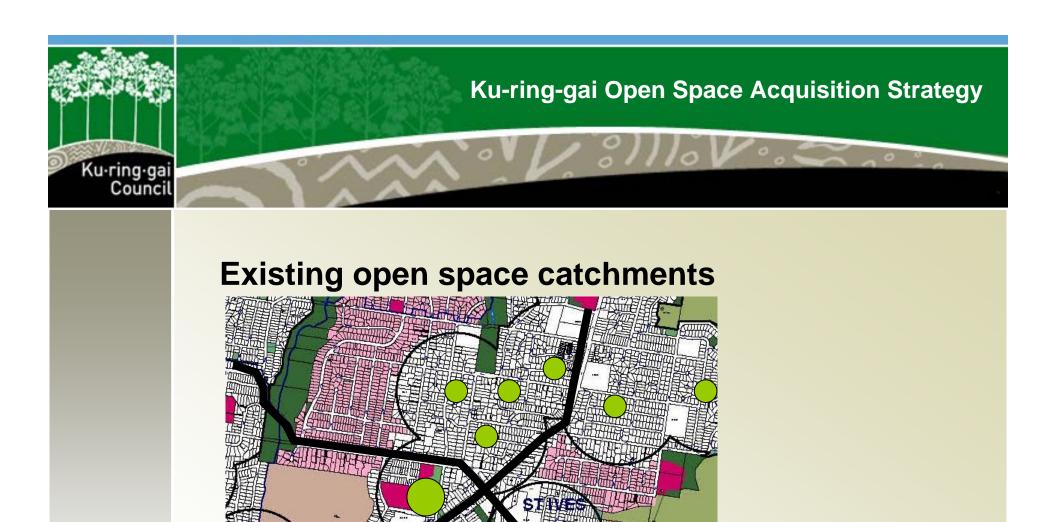
- The total open space shortfall in the priority 2 areas of Turramurra and Warrawee 9 (as calculated by catchment) is 10,200sqm assuming full take-up for new dwellings
- Potential to collect for acquisition of around 11,000sqm of open space in current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan
- Also potential to collect separately for urban spaces to make up shortfalls near the centre



## St lves open space review Priority 1 and 2 areas

On the 8th May 2007 Council resolved the following:

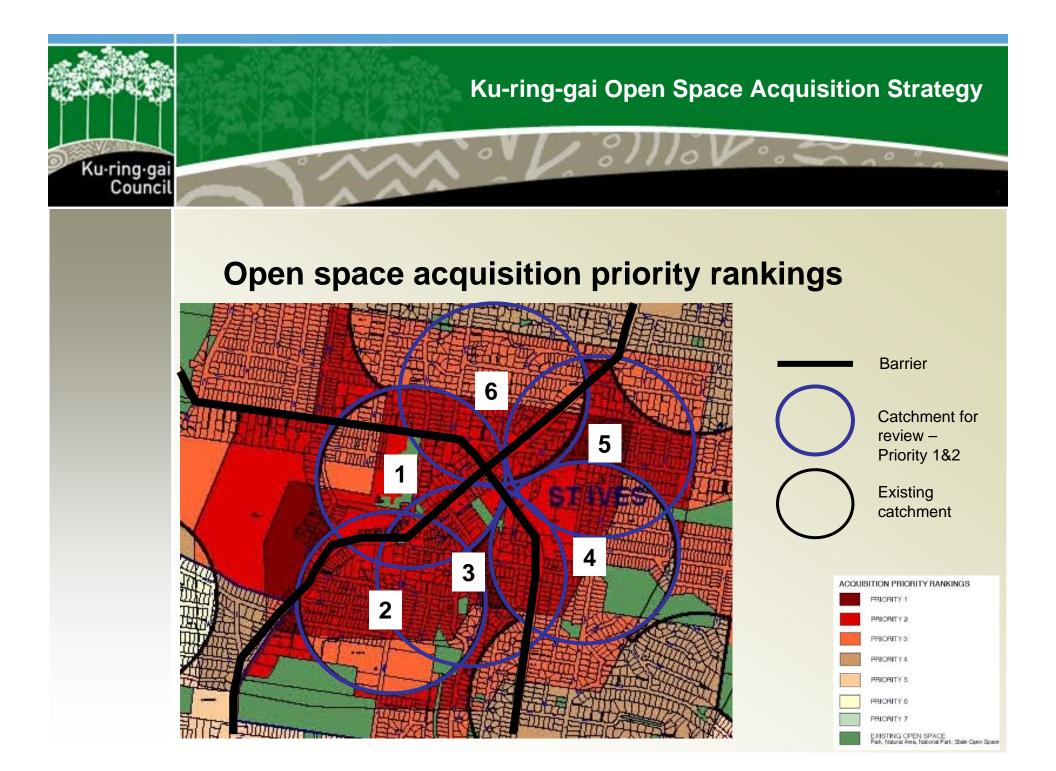
"That an assessment of all priority one and two catchments as outlined in the draft Strategy be analysed and that the analysis be reported back to Council prior to September 2007"

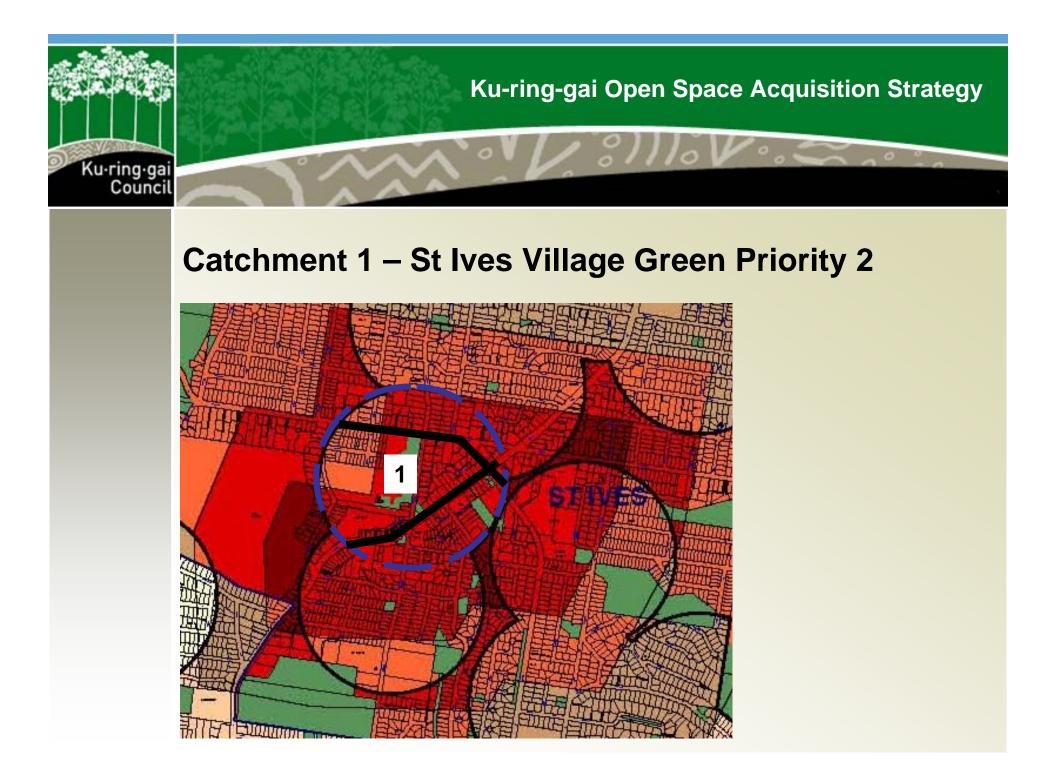






AREAS WITH LACK OF PARK PROVISION



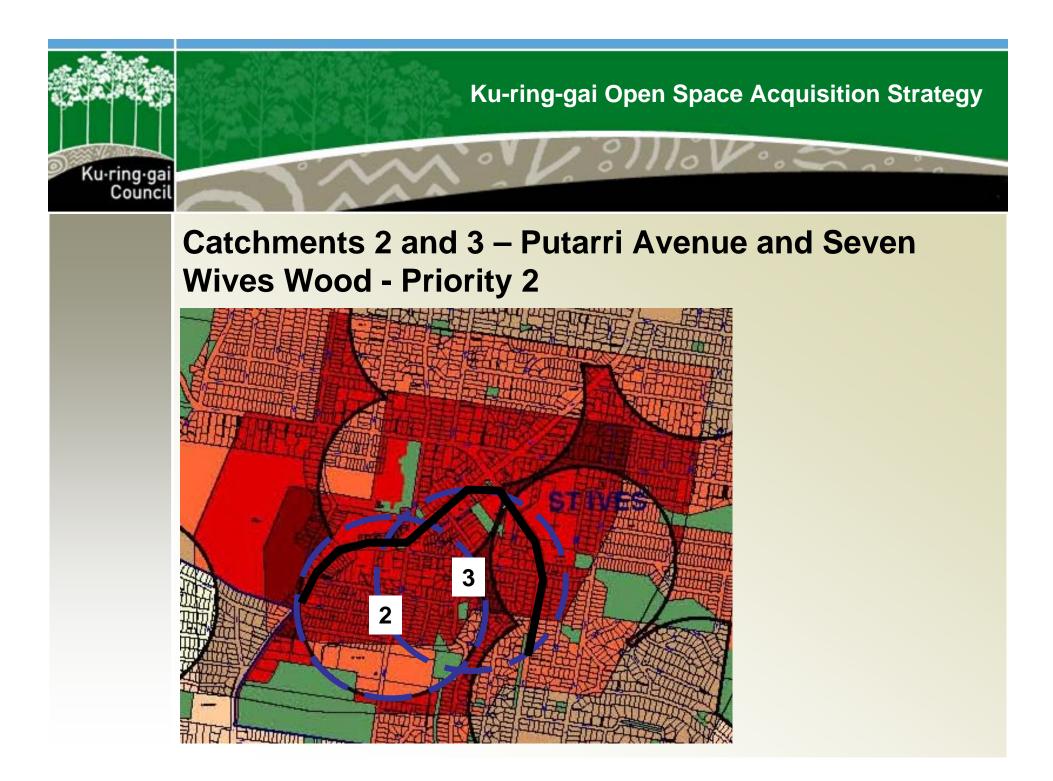




## Catchment 1 – St Ives Village Green Priority 2

new units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand (sqm)	Total future demand (sqm)	Total current supply (sqm)	Potential future undersupply / oversupply (sqm)
978	45	1.78	1741	4.37	7607	8111	16000	+7889
		2.56	115	4.37	503	]		

- Catchment centred around St Ives Village Green
- Major barriers of Mona Vale Road and Killeaton Street limit catchment as a local park
- Future population growth will require a total 8,100sqm of local parkland
- Current supply more than caters for future growth however the area is heavily used on weekends for sport which creates conflicts





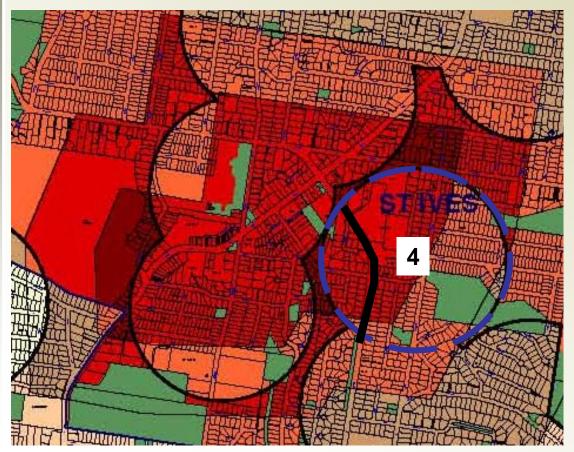
# Catchments 2 and 3 – Putarri Avenue and Seven Wives Wood - Priority 2

new and existing units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand (sqm)	Total future demand (sqm)	Total current supply (sqm)	Potential future undersupply / over supply (sqm)
1387	249	1.78	2469	4.37	10789	13575	3,000	-10,575
		2.56	637	4.37	2786			

- Two existing parks Seven Wives Wood has limited useable area however has potential as local park Putarri Avenue is a good size park with play equipment
- Current supply of parkland is insufficient to cater for future population. Up to 10,500sqm of additional parkland required



## Catchment 4 – Bedes Forest - Priority 2 and 3

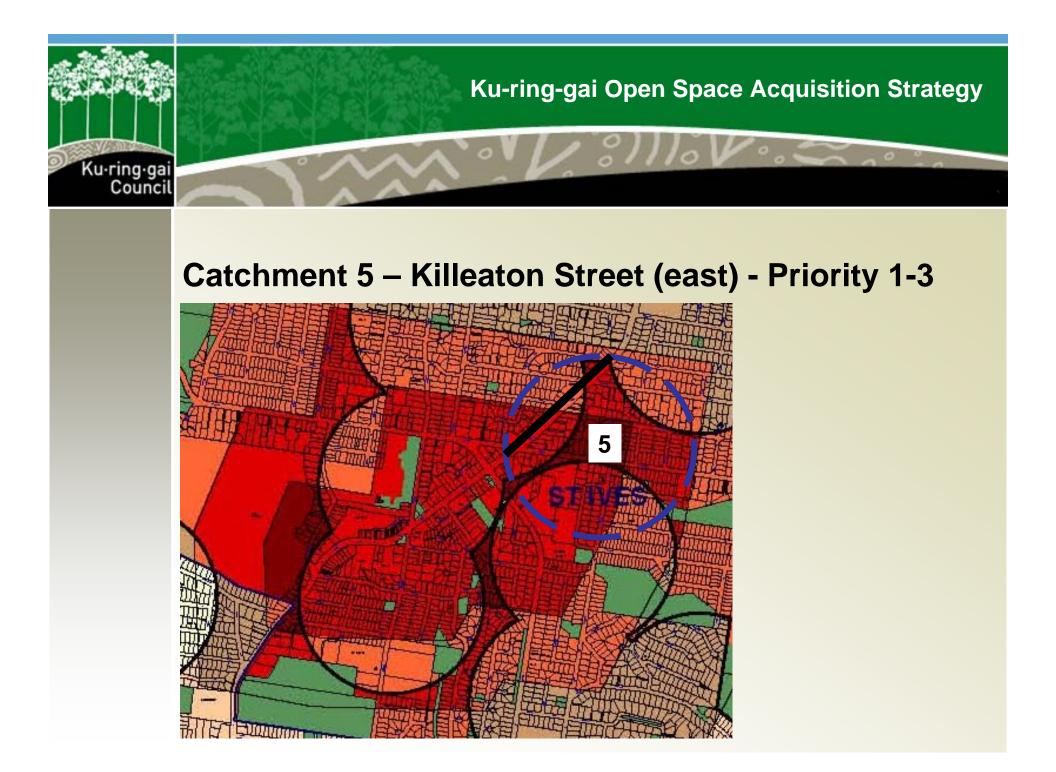




## Catchment 4 – Bedes Forest - Priority 2 and 3

New townhouses	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand (sqm)	Total future demand (sqm)	Total current supply (sqm)	Potential future undersupply / over supply (sqm)
89	195	1.78	347	4.37	1517	2512	4800	+2,288
		2.56	228	4.37	996	]		

- Bedes Forest is a large area of parkland with heavy tree cover currently does not have playground or other local park facilities
- This catchment will not require more parkland in the future
- Consider revising priority ranking in relation to other catchments within St Ives

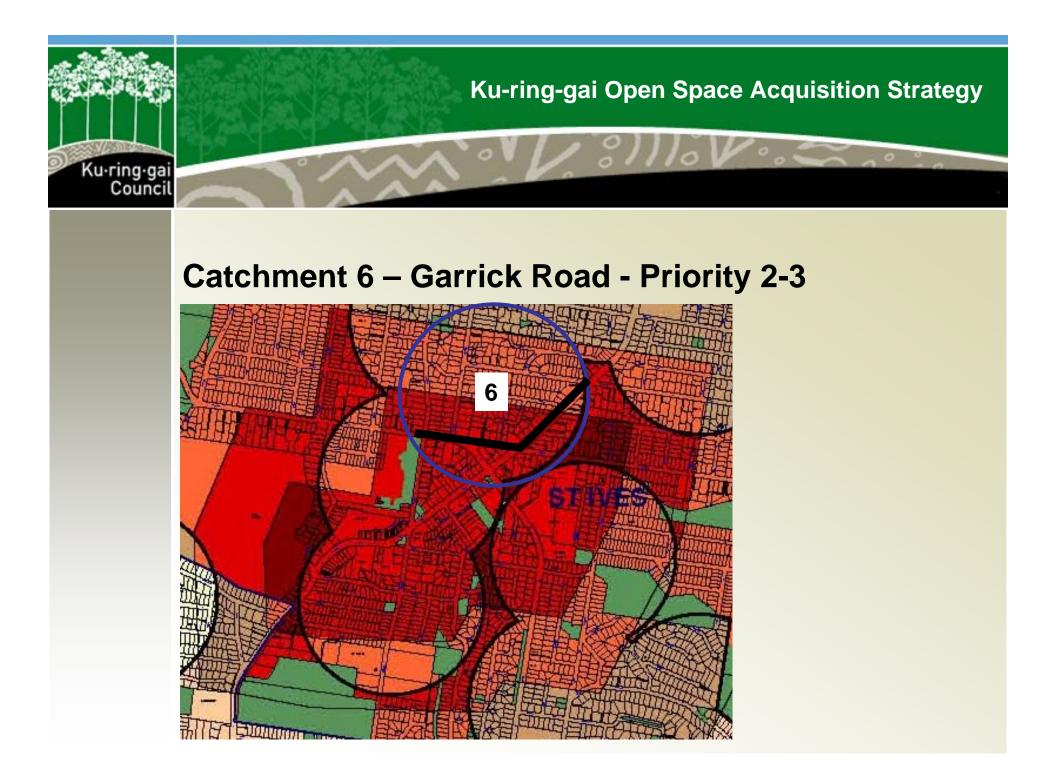




## Catchment 5 – Killeaton Street (east) - Priority 1-3

new units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand (sqm)	Total future demand (sqm)	Total current supply (sqm)	Potential future undersupply / over supply (sqm)
341	223	1.78	607	4.37	2653	5147	1000	-4,147
		2.56	571	4.37	2495			

- This catchment includes new dwellings from the former Passionist site on Killeaton Street
- Currently only one small park of about 1,000sqm
- Future population will require additional 4,100sqm of local parkland



	Ku-ring-gai Open Space Acquisition Strategy								
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	Catcl	nment	6 <b>– G</b> ai	rrick R	oad - P	riority	2-3		
new units	Existing houses	Occupancy rate	Future population	Open space provision	Future Open space demand	Total future demand	Total current supply	Potential future undersupply / over supply	
					(sqm)	(sqm)	(sqm)	(sqm)	
				( )7	350	2453	1700		
45	188	1.78	80	4.37	000	2400	1700	-753	

- Currently one local park adjoining the Child care centre in Garrick Road. The park is medium size but lacks facilities
- The catchment also over laps with Memorial Road Reserve catchment
- Minimal population growth in this area and current supply of parkland is adequate
- Consider revising priority ranking in relation to other catchments within St Ives



## Summary

- The total open space shortfall in St Ives priority 1 and 2 areas is 15,400sqm assuming full take-up for new dwellings
- Two catchments have a surplus of open space catchments 1 and 4
- Potential to collect for acquisition of around 15,000sqm of open space in St Ives under the current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan
- Able to provide for full requirement from S94 for additional population



## **Next Steps**

- Plan for up to 11,000sqm of local parkland in Turramurra and Warrawee
- Plan for up to 15,000sqm of local parkland in St lves
- Identify possible locations for new parks, consolidation of existing parks, pedestrian and cycle links to improve access to existing and proposed parks
- Test locations against principles, criteria and objectives in the Open Space Acquisition Strategy (OSAS)
- Recommendations to Council re acquisition process and provision when OSAS has been adopted

### **ATTACHMENT 3**

#### DRAFT OPEN SPACE ACQUISITION STRATEGY

#### Resolution Part 3 – analysis of priority one and two catchments

Consistent with Council's resolution, an assessment of all priority one and two catchments has been analysed. This attachment provides an analysis of each of these sub-catchments outlining existing provision, future population growth and likely acquisition requirements. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### 1. Gordon

Four catchment areas (with a 400 metre radius) were identified covering the Priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out below. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Catchment G1 - Gordon Recreation Grounds, Gordon (east side)

- Ranked Priority 2 and 3
- Gordon recreation Grounds is a large park which will provide adequate open space to cater for future population growth
- Recommend down grading the Priority ranking to 3 or lower

#### Catchment G2 - Carlotta Avenue, Gordon (east side)

- Ranked Priority 1 and 2
- In this area there are a number of small parks totalling around 5,500sqm, however none of the parks meet the criteria for a local park as they are on a main road, too small etc.
- A 1600sqm park is proposed as part of the redevelopment of the Council Depot site
- Existing population and future population growth will require an additional 6,000sqm of local parkland in this area

#### Catchment G3 and G4 – between Ryde Road and Cecil Street, Gordon (west side)

- Ranked Priority 1-3
- Existing residents and future population growth will require an additional 15,800sqm of local parkland in this area
- Gordon Glen Park (catchment 4) is the only park in this area with a useable area of open space. The park is around 1,000sqm in size and does not meet the minimum size criteria
- Council has recently purchased an area of about 3,000sqm within this catchment on Dumaresq Street
- Recommend increasing the ranking for catchment 4 Gordon Glen Park from Priority 2 to Priority 1

#### Summary for Gordon

- Catchment G1 around Gordon Recreation Reserve provides adequate park land for the future and the area is therefore not a priority for acquisition; accordingly it is recommended downgrading priority ranking
- Catchment G4 Gordon GlenPark was found to be only 900 sqm which is less than the minimum 3000sqm requirement.
- The total open space shortfall in Gordon across catchments 1-3 is 21,800sqm (assuming 60-80% take up rate for new dwellings) or the equivalent of 7 parks @ 3,000sqm each
- Council has potential to collect for acquisition of around 24,000sqm of open space in Gordon under the current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan
- Also potential to collect separately for urban spaces to make up shortfalls near the centre
- The current rates will provide for the future open space needs for Gordon

#### **Recommendations for Gordon**

It is recommended that:

- Council plan for up to 18,500sqm of open space within catchments 1-3 around Gordon Town Centre (this is in addition to the 3500sqm of land in Dumaresq St recently purchased by Council)
- The priority ranking for catchment G4 Gordon Glen Park be increased from Priority 2 to Priority 1
- The priority ranking for catchment G1 Gordon Recreation Grounds be downgraded to priority 3

#### 2. Lindfield and Roseville

Six catchments areas (with a radius of 400 metres) were identified and assessed for Lindfield and Roseville covering the priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out below. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Catchment L1 – Clanville Road, Roseville/Lindfield (east)

- Priority 1, 2 & 3
- Currently this area has no local parks and has an under-supply of parkland based on the existing population
- Part of the catchment is within 400 metres of Roseville Park and Bancroft Park
- Future population will require a total of 6,000sqm of local parkland
- small population change in this area (between two centres)
- overlap with catchment 3 which has significant population growth

#### Catchment L2 – Middle Harbour Road, Lindfield (east)

- ranked predominantly Priority 1
- Currently there is no local parks in this area and there is an under-supply of parkland of approx 5600sqm based on the existing population
- part of catchment is within 400 metres of Roseville Park

- Future population growth will require a total of 14,800sqm of local parkland (or the equivalent 5 parks @ 3,000sqm each)
- The Town Centre DCP proposes a new urban park on Tryon Road of 2-3000sqm which will in part address the current and future shortfall

#### Catchment L3 – Nelson Road, Lindfield (east)

- Ranked predominantly priority 1 and 2
- Within this area there is a current under-supply of local parkland of approx 4,000sqm based on existing population
- Swain Gardens is in close proximity however due to access constraints it has not been included
- Only minor future population growth will occur in the area
- overlap with catchment 3 which has significant population growth

#### Catchment L4 - Wolseley Road, Lindfield (west)

- Ranked Priority 2
- Catchment limited by major barriers, namely the Highway and the railway
- The area currently has one local park Ibbotson Park which is about 1800sqm)
- Ibbotson Park is generally accessible to only a small proportion of dwellings within 400 metre walk due to the barriers
- The area currently has a minor under-supply of local parkland
- Future population will require a total of 2,300sqm of local parkland
- Town Centre DCP proposes expansion of Ibbotson Park by 1200sqm which will over-supply the catchment
- Recommend downgrading priority ranking of this area to Priority 3 or lower

#### Catchment L5 – Bent Street, Lindfield (west)

- Ranked Priority 1
- The area currently has no local parks although the catchments of Two Turners Reserve, Paddy Pallin Reserve and Paddy Pallin Reserve (south) are in close proximity
- Future population growth will require a total of 5,700sqm of new local parkland
- The Town Centre DCP proposes new parks at Drovers Way (2,500sqm) and at Beaconsfield Parade (1500sqm) which will, in part, address shortfall

#### Catchment L6 – Two Turners Reserve, Lindfield (west)

- Priority 2 and 3
- The area currently has one local park Two Turners Reserve which is about 4,000sqm
- There is no significant future population growth
- Local park facilities are also available in Edenborough Park which is within close proximity
- Recommend downgrading Priority ranking to 3 or 4

#### Summary for Lindfield and Roseville

- The total open space shortfall in catchments L1-L6 is up to 30,000sqm
- Two of the catchments, L6 and L4, currently have adequate supply

- Council has potential to collect for acquisition of around 35,000sqm of open space in Lindfield and Roseville over the next 25 years under the current Section 94 Contributions Plan (2004-2009) and under the Town Centres Contribution Plan
- Also potential to collect separately for urban spaces to make up shortfalls near the centre
- Council will be able to provide for the full open space requirement through S94 funding

#### Recommendations for Lindfield and Roseville

It is recommended that:

- Council plan for the acquisition of up to 30,000sqm of local parkland within the priority catchment areas around Lindfield and Roseville Centres
- the priority rankings for catchment L4 Wolseley Road, Lindfield (west) and catchment L6 Two Turners Reserve, Lindfield (west) be downgraded in the Open Space Acquisition Strategy to Priority 3

#### 3. Turramurra and Warrawee

Four catchments areas (with a radius of 400 metres) within 800 metres of Turramurra and Warrawee rail stations were identified and assessed. The catchments cover priority 2 areas (there are no priority one areas in Turramurra or Warrawee) as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out below. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Catchment T1 – Warrangi Street, Turramurra (east)

- Ranked Priority 2 & 3
- Currently the area has no local parks
- A large proportion of this catchment is within 400 metres of Bannockburn Park
- Significant future population growth along the highway (400 new dwellings)
- Future population requires up to 3,000sqm of parkland

#### Catchment T2 – Finlay Road, Turramurra (west)

- Ranked Priority 2
- Currently no local parks in this area
- Significant future population growth along the highway (480 new dwellings)
- Future population requires additional 3,000sqm of parkland
- Steep topography is a constraint to access making it difficult to provide a park in a location which will serve all residents within the catchment

#### Catchment T3 – Winton Street, Warrawee (between highway and railway)

- Ranked Priority 2
- Residential area isolated by highway and railway. Up to 200 new dwellings are planned for along the highway
- Currently no local parks in this area. Warrawee Park is fragmented and lacks facilities. It is also located at the northern edge of the catchment area and does not service all residents

• Future population will require 1,700sqm of parkland

#### Catchment T4 – Kissing Point Road, Turramurra (west)

- Ranked Priority 2
- Currently no local parks in this area. Granny Springs Reserve is centrally located however it is a steep inaccessible area of bushland with no local park facilities
- The catchment includes existing medium density development around Boyd/Jersey Streets and the Hill View estate as well as new mixed use developments on the highway.
- The future population will require 2,500sqm of parkland
- The Town Centre DCP proposes two new parks: one on the new Stonex Street (900sqm); and one on Hill View estate (900sqm) which will in part provide for the future requirement

#### Summary for Turramurra and Warrawee

- The total open space shortfall in the priority 2 areas of Turramurra and Warrawee is about 10,000sqm.
- There is potential to collect for acquisition of around 11,000sqm of open space in current Section 94 Contributions Plan (2004-2009) under the Town Centres Contribution Plan
- Also potential to collect separately for urban spaces to make up shortfalls near the centre

#### Recommendations for Turramurra and Warrawee

It is recommended that:

• Council plan for the acquisition of up to 10,000sqm of local parkland within the priority 2 catchment areas around Turramurra and Warrawee

#### 4. St lves

Six park catchments (with a radius of 400 metres) were identified and assessed for St lves covering the Priority 1 and 2 areas as defined in the Open Space Acquisition Strategy. A detailed summary of the assessment is set out below. **Attachment 2** provides a map which gives the locations of the catchment areas.

#### Catchment S1– St Ives Village Green, St Ives

- Ranked Priority 2
- Catchment centred around St Ives Village Green and William Cowan Oval
- Primarily district open space however does provide local open space facilities
- Major road barriers limit catchment to area bounded by Mona Vale Road, Killeaton Street and Link Road
- Future population growth will require a total 8,100sqm of local parkland
- Current supply (3.4Ha) more than caters for future population
- Recommend downgrading priority ranking to 4 or lower

#### Catchment S2 and S3 – Putarri Avenue and Seven Wives Wood, St Ives

• Ranked Priority 2

- There are two existing parks in the area: Seven Wives Wood has limited useable area; Putarri Avenue is a good size park with play equipment
- The current supply of parkland is insufficient to cater for future population. Up to 10,500sqm of additional parkland will be required in the future
- Recommend increasing priority ranking of catchments S2 and S3 to Priority 1

#### Catchment S4 – Bedes Forest, St Ives

- Ranked Priority 2-3
- Bedes Forest is a large area of parkland with heavy tree cover currently it does not have playground or other local park facilities however has good potential to provide local park facilities
- This catchment will not require more parkland in the future
- Recommend down-grading priority ranking to 3 or lower

#### Catchment S5 - Killeaton Street, St Ives (east)

- Ranked Priority 1, 2 and 3
- This catchment includes new dwellings from the former Passionist site at 132-138 Killeaton Street
- Currently only one small park of about 1,000sqm in the area
- Future population will require additional 4,100sqm of local parkland

#### Catchment S6 – Garrick Road, St Ives (north)

- Ranked Priority 2 and 3
- Currently one local park adjoining Council's child care centre in Garrick Road. The park is medium size but lacks facilities
- The catchment also over laps with Memorial Road Reserve catchment and is close to the Village Green
- Minimal population growth in this area and current supply of parkland is considered adequate
- Recommend downgrading priority ranking to 3 or lower

#### Summary for St lves

- The total open space shortfall in the Priority 1 and 2 areas of St Ives is approximately 14,000sqm (assuming full take-up for new dwellings). This requirement is concentrated in catchments S2, S3 and S5
- Three catchments have adequate or surplus open space provision: Catchment S1 – Village Green; Catchment S4 – Bedes Forest; and Catchment S6 – Garrick Road
- There is potential for Council to collect for acquisition of around 18,000sqm of open space in St Ives over next 25 years under the current Section 94 Contributions Plan (2004-2009) and the proposed Town Centres Contribution Plan
- Council will be able to provide for full open space requirement from S94 contributions

#### Recommendations for St lves

It is recommended that:

• Council plan for up to 14,000sqm of local parkland within the Priority 1 and 2 catchment areas around St Ives Centre

- The priority ranking of Catchment 1– St Ives Village Green be downgraded to Priority 4
- The priority ranking of Catchment 2 and 3 Putarri Avenue and Seven Wives Wood be increased to Priority 1
- The priority ranking of Catchment 4 Bedes Forest be down-graded to Priority 3
- The priority ranking of Catchment 6 Garrick Road be down-graded to Priority 3

#### Summary of Recommendations

In relation to planning for open space around the town centres it is recommended that Council plan for:

- 18,500sqm of open space within catchments 1-3 around Gordon Town Centre (this is in addition to the 3500sqm of land in Dumaresq St recently purchased by Council)
- 30,000sqm of local parkland within the priority catchment areas around Lindfield and Roseville Centres
- 10,000sqm of local parkland within the priority catchments areas around Turramurra and Warrawee Centres
- 14,000sqm of local parkland within the priority catchment areas around St Ives Centre

It is recommended that the following amendments be made to the Open Space Acquisition Strategy Figure 5 - Acquisition Priority rankings:

- The priority ranking for catchment G4 Gordon Glen Park, Gordon be increased to Priority 1
- The priority ranking for the catchment G1 Gordon Recreation Grounds, Gordon be down graded to Priority 3
- The priority rankings for catchment L4 Wolseley Road, Lindfield (west) and catchment L6 Two Turners Reserve, Lindfield (west) be down-graded to Priority 3
- The priority ranking of Catchment S1– St Ives Village Green, St Ives be downgraded to Priority 4
- The priority ranking of Catchment S2 and S3 Putarri Avenue and Seven Wives Wood, St Ives be increased Priority 1
- The priority ranking of Catchment S4 Bedes Forest, St Ives be down-graded to a Priority 3

• The priority ranking of Catchment S6 – Garrick Road, St Ives be down-graded to a Priority 3

### **ATTACHMENT 4**

#### DRAFT OPEN SPACE ACQUISITION STRATEGY

#### <u>Resolution Part 1 – Summary of comments received during public exhibition and</u> <u>recommended responses</u>

#### 1. Comments from Council's Design/Projects Engineer.

If any existing road reserves are to be converted to open space, then consultation with the Operations department should be part of the initial assessment.

While existing unformed roads may appear to go nowhere or only provide rear access to existing properties, careful consideration needs to be given to removal of these for open space as that will reduce future options for the affected sites or area.

Future return of this land from open space usage to road usage will be difficult, so the initial change should be considered carefully on practical grounds.

**Response** – comments noted. Operations department to be included in assessment of potential acquisition sites as appropriate.

#### 2. Comments from resident at Shirley Rd, Roseville

Objection to inclusion of circular area labelled "area under investigation for new park" in the diagram of the "Town Centres Facilities Plan – Roseville – draft issue 3/05/07" where it is assumed that the Open Space Acquisition Strategy will be implemented (from KMC website in Council Minutes 19/06/07).

Objects to properties in our area being labelled on Council diagrams as potential open space on the grounds that it devalues the properties, is very unsettling for residents, seems to have been selected without regard for its suitability as recreation space, and there is already a park close by.

Also claims that for potential buyers of these properties looking at this diagram, the perception would be that the Council may acquire these properties for parkland at any time; and that the option of compulsory acquisition will have the effect of decreasing the number of people who would be interested in buying the property and the price they would be prepared to pay.

The final part of the submission states that the land in the circled area is not suitable for playing fields, cycling, easy walking or children's play, and that Loyal Henry Park is should be improved and the use of this location encouraged.

**Response** – circular areas referred to in this submission have been deleted and locations for acquisition will be determined using the criteria for acquisition set out in the Strategy.

If the selected method of acquisition is not compulsory there should be no need for concern about properties being labelled as potential open space, particularly once the resident has a better understanding of the Strategy and the ramifications of the method of acquisition. The Strategy contains rigorous criteria for identifying suitable sites for open space. Their area has only been identified as mid to high priority because of projected growth of population in the area.

It should also be stressed that the zoning of their area will not be affected if compulsory acquisition is not selected by Council as the preferred means of effecting acquisitions.

It appears that this resident thinks that the circled areas in the Strategy are identifying potential properties for acquisition when in fact the circled areas are those areas that are within 400m of a 3000m2 park.

#### 3. Comments received from Nancy Pallin on behalf of Council's Bushland Catchments & Natural Areas Reference Group

It is important that Council acknowledge comments made in this submission with respect to natural areas but keep in mind that the Open Space Acquisition Strategy is primarily about parkland not bushland.

The submission supports equitable acquisition of open space for Ku-ring-gai residents and in general supports the principles in the document, however, also states that there are several important aspects omitted, as follows:

• 2.1 Function and hierarchy – under regional facilities would include the St lves Blue Gum High Forest (Dalrymple Hay Nature Reserve, Browns Forest and 102 Rosedale Road) because people are visiting it from all over Sydney and even other States. Similarly, residents take their visitors to watch the grey-headed flying-foxes leave their camp at dusk from the bridge on Rosedale Road. This site also has regional, national and international significance.

**Response** – recommended that St Ives Blue Gum High Forest in section 2.1 be included as a regional facility.

• 2.2 Quantity – submission states that there is no differentiation of Natural Areas between the large areas on sandstone and the threatened ecological communities on shale soils. The community highly values the Blue Gum High Forest and Turpentine Ironbark Forest remnants for aesthetic, cultural and passive recreation. Submission recommends that this subset of Natural Areas which are of particular interest to the community because they are now listed as critically endangered be separately identified in this table. Also says that simply stating that the majority of Ku-ring-gai's open space, 80%, is bushland fails to note the significance of threatened ecological communities.

**Response** – recommended that no change be made to document, as the level of detail suggested is not considered necessary for this Strategy.

• Pleased to see that 'quality is a function of ecological ....values' is recognised.

Response – noted.

• Figures 1-5 all require amendment – 100 Rosedale Road was incorporated into Dalrymple Hay Nature Reserve in 2006.

**Response** – recommended that the Figures 1-5 be corrected to incorporate 100 Rosedale Road into Dalrymple Hay Nature Reserve.

• 3.1 Recent Trends (aging population) – states that the report in general does not recognise activities such as bushcare, streetcare, parkcare, which is involving mostly retired people and some younger people in purposeful exercise which promotes well being, enjoyment and social experiences, and also contributes to the care and appreciation of our natural assets.

**Response** - recommended that activities such as bushcare, streetcare and parkcare be included in this section.

• 3.0 Development in Ku-ring-gai – states that it is highly significant that walking has the highest participation rates for people over 45 years. Walking needs to be encouraged for younger people to reduce greenhouse emissions from cars, reduce obesity and diabetes, and improve safety on the streets. The more people walking the safer it will be for all ages to walk in the streets of Ku-ring-gai. Strongly supports acquisitions to improve connectivity across the landscape to promote health and social cohesiveness.

#### Response – noted.

• 4.0 Acquisition Principles - submission asks for an explanation of what 'park streets' are - if it means a narrow road with very low speed limits and making the rest of the street space available for children playing, soft landscaping, people walking, trees to shade and powerlines underground, then submission states that they would strongly support such a concept.

**Response** – recommended that the meaning of 'park streets' be further explained in 4.2.6.

• Acquisition of 102 Rosedale Road St Ives – submission states that 102 Rosedale Road should be a very high priority for acquisition for open space (addition to Browns Forest) and lists a number of reasons why. Submission also recommends that Council seek additional funds from the Commonwealth on a dollar for dollar basis to complete this acquisition.

**Response** - recommended that this submission be noted and taken into consideration when high priority sites are being identified for acquisition in future Council plans. Council's Section 94 Plan however does not envisage the purchase of essentially natural areas for reasons of conservation.

#### 4. Comments from Councillor Hall

Please have site known as 238-240 Mona Vale Road, St Ives, listed for consideration as a further possible open space acquisition under the draft Strategy. The subject site consisting of over 5 acres lends itself as ideal for open space, being flat, easily accessible from the res 2d3 zoned lands nearby, opposite the St Ives Cathedral and in a discrete location.

Please also consider acquisition of the two Department of Planning lots in Carcoola Avenue and Killeaton Street West (cnr with Yarrabung Road) St Ives for open space acquisition. Both lots are surplus to State government requirements when I last enquired in the early 1990's, are still vacant and represent about six (6) regular building lots in total.

Please include the Gordon Golf Course, including the clubhouse and carpark (approximately 25 acres) in the Strategy.

**Response** - recommended that Councillor Hall's comments be noted and taken into consideration when high priority sites are being identified for acquisition in future Council plans.

#### 5. Comments from resident at Nelson Rd, Lindfield

Proposes that Cromehurst School site on corner of Tryon Rd and Nelson Rd, Lindfield be earmarked for acquisition.

**Response** - recommended that these comments be noted and taken into consideration when high priority sites are being identified for acquisition in future Council plans.

#### 6. Comments from Wolseley & Treatts Road Residents Action Group (WTRRAG)

Submission states that the draft Open Space Acquisition Strategy allocates Priority 1 status to Lindfield and asserts that the expansion of Ibbotson Park would meet Council's own policy guidelines for open space in Ku-ring-gai, as it would provide a beautiful passive recreation area for the proposed increase in resident numbers.

**Response** – the request to expand Ibbotson Park has been addressed in the analysis of priority one and two catchments below. This area is currently ranked Priority 2. The catchment is limited by major barriers, namely the Highway and the railway. The area currently has one local park, Ibbotson Park (which is about 1800sqm), which is generally accessible to only a small proportion of dwellings within 400 metre walk due to the barriers. The area currently has a minor under-supply of local parkland. Future population will require a total of 2,300sqm of local parkland. The Town Centre DCP proposes expansion of Ibbotson Park by 1200sqm which will over-supply the catchment. Therefore a downgrading of the priority ranking of this precinct to Priority 3 is recommended for future considerations given the inclusion of the additional land into Ibbotson Park that is proposed within the Town Centres Development Control Plan.

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## DRAFT KU-RING-GAI LOCAL ENVIRONMENT PLAN 2006 (TOWN CENTRES) -SCHEDULE 4 LAND RECLASSIFICATION COMPONENT

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To update Council of the progress and status of the work program for the reclassification of Council owned land within the town centres.
BACKGROUND:	On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land. Consistent with the recommendations of the Chairpersons of the public hearings, for five of the six town centres (Roseville excluded) into reclassification Council resolved that further information be provided and a number of studies be undertaken to inform Council's final decision regarding the reclassification of council owned land from community to operational land.
	The majority of studies have now been completed or are in finalisation stages. Council originally resolved that the process be completed by December 2007. The timing has now been brought forward to 31 October 2007.
COMMENTS:	This report provides and update of the status of the documentation required to meet the requirements for the public hearing chairperson's report and the other projects associated with the strategic planning for the town centres eg. Section 94 plan.
<b>RECOMMENDATION:</b>	That the report on reclassification of Council owned land within town centres be received and noted. That the matter be deferred until 13 November 2007 to allow consideration of legal advice.

### PURPOSE OF REPORT

To update Council of the progress and status of the work program for the reclassification of Council owned land within the town centres.

### BACKGROUND

With Council's adoption of the six (6) Town Centre Local Environmental Plans (LEPs) and Development Control Plans (DCPs) in 2006 there remained a number of outstanding resolutions.

Some of these specifically related to the matter of land reclassification. Council had specifically resolved to defer from the draft LEPs the items contained in Schedule 4 of the draft plans. These sought to reclassify public land to operational land and were deferred from the plan under Section 68 of the Environmental Planning and Assessment Act.

On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land.

Consistent with the recommendations of the Chairpersons of the public hearings, for the five town centres (Roseville excluded) into reclassification Council resolved that further information be provided and a number of studies be undertaken to inform Council's final decisions regarding the reclassification of council owned land from Community to Operational land.

The majority of studies have now been completed or are in the final stages. Council originally resolved that the process be completed by December 2007.

At the Council meeting on 14 August 2007 the timing for the reclassification report was brought forward to 31 October 2007.

Council's resolutions related to the 5 town centres of St Ives, Turramurra, Pymble, Gordon and Lindfield. These resolutions are set out in **Attachment 1**.

The Public Hearing Reports for each of the 5 town centres set out recommendations for a number of studies to be undertaken to inform Council's final decision regarding reclassification. The recommendations from the Public Hearing Reports are each set out in **Attachment 2**, together with the means of undertaking the required study as considered and adopted by Council on 27 March 2007. In addition **Attachment 2** sets out the current status of each project as to whether the work is complete or under preparation.

The sites which are the subject of proposed inclusion in Schedule 4 are each identified on the map of Council's Lands identified in **Attachments 3(a) to 3(e)** for each centre.

As set out in the report to Council on 27 March 2007 nine key projects were identified to meet the requirements of the public hearing report as well as to finalise the suite of strategic planning documents for the town centres ;

- 1. DCP and LEP amendments.
- 2. Town Centre virtual model (Simmersion).

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- 3. Town Centre Facilities Plan.
- 4. Developer Contributions Strategy and Town Centres Section 94 Plan.
- 5. Parking Management Plan and Action Plan.
- Review of traffic plans and Traffic Action Plan. 6.
- Open Space Acquisition Strategy and Town Centre Open Space review. 7.
- 8. Financial modelling.
- Reclassification Report (see Attachment 4 report to OMC 27 March 2007 Item GB9). 9.

Given the importance of the adequate completion of these projects to reclassification and Council's decision to obtain further legal advice in relation to the process this report provides an update on progress against the key projects but does not provide final recommendations regarding reclassification of the subject lands.

### COMMENTS

#### 1. Summary of hearing process and recommendations

In response to the Direction from the Minister for Planning, Council has prepared Draft Ku-ringgai Local Environmental Plan 2006 (Town Centres) and Amendment No 1, Amendment No 2 and Amendment No 3. These four draft Plans relate respectively to the Town Centres of St Ives, Turramurra, Pymble and Gordon, and Lindfield and Roseville. The draft Plans each propose reclassification of certain Council lands from "community land" to "operational land".

Where there is a proposal to reclassify community land to operational land, section (s) 29 of the Local Government Act provides that Council must arrange a public hearing in accordance with the provisions of Section 68 of the Environmental Planning and Assessment Act 1979 (EPA Act). Section 68((2) of the EPA Act provides that at the conclusion of a public hearing:

... (a) report of the public hearing shall be furnished to the council and the council shall make public the report.

Section 47G(2) of the Local Government Act provides as follows:

The person presiding at a public hearing must not be:

- (a) a councillor or employee of that council holding the public hearing, or
- a person who has been a councillor or employee of that council at any time during the 5 (b) years before the date of his or her appointment.

In accordance with the above provisions Council appointed an independent chairperson to preside over a public hearing and prepare a report concerning each of the 5 Town Centres for which land reclassification was proposed. These Centres were St Ives, Turramurra, Pymble, Gordon and Lindfield. A public hearing was held for each Town Centre on the respective dates of 11 September 2006, 25 September 2006, 26 October 2006, 25 October 2006 and 20 November 2006.

The public hearings and the associated draft LEP/land reclassification information exhibitions, were each the subject of public notification in the local press.

In addition Council notified by letter all owners of land within the local post code, all owners of land within the respective Centre and all businesses identified to operate in the Centre. Persons who /3

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had registered (on Council's website) their prior interesting the Centre were also notified by email. Written submissions were received for the period of the 4 week statutory exhibition (and for as long as practicable beyond this period). These were forwarded to the chairperson for consideration and reference in the preparation of the chairperson's report. Those persons who requested were also able to address the public hearing whether or not they had made a written submission.

The chairperson for each public hearing prepared a report having regard for oral presentations at the public hearing, the written submissions received and the chairperson's own observations concerning the draft LEP and proposed reclassification process. The chairperson also inspected each of the Town Centres sites for the respective public hearing to inform themselves concerning the Centre. Five chairperson's reports were prepared and submitted to Council for information and consideration, one in respect of each of the 5 Town Centres. The reports were made public within 4 days of Council's receipt of the reports. The reports for each Town Centre were supportive of the proposed land reclassifications for all but 3 sites. This support was subject to the undertaking of a number of studies or works to inform the process. The recommendations of the Public Hearing Report for each of the 5 Town Centres are included in **Attachment 2**.

The public hearing reports were each considered by Council at its meetings of 8 November 2006, 13 November 2006, 28 November 2008, 30 November 2006 and 19 December 2006, when dealing with St Ives, Turramurra, Pymble, Gordon and Lindfield Centres respectively.

Council resolved to defer the subject lands from proposed reclassification in accordance with the provisions of Section 68(5) of the Environmental Planning and Assessment Act for further report investigating the matters raised in the recommendations of the public hearings. The 3 sites previously indicated not to be supported for reclassification by the public hearing (in Pymble), were resolved by Council to be deleted from reclassification. These lands retain their community classification.

# 2. Planning Status – Reclassification and Department of Planning and legal advice

As previously advised, the Department of Planning have confirmed that the reclassification of Council land is an essential part of the town centres process. Given Council's ownership of strategic parcels of land within the centres, Council has an important role to play in the future revitalisation of the centres. Council conducted the public hearings into the five centres (excluding Roseville, where no land is under consideration for reclassification) as outlined above.

In late 2006 Council adopted the draft LEPs for St Ives, Turramurra, Pymble, Gordon, Lindfield and Roseville. Council has forwarded the Plans to the Department in accordance with Section 68(4) provisions.

When adopting the draft Plans, Council also resolved to defer from them the items contained in Schedule 4, in accordance with Section 68(5) of the Environmental Planning and Assessment Act 1979. Schedule 4 is the schedule setting out the lands proposed to be reclassified to operational land. Council deferred these items pending a further report to Council investigating further matters. These were matters raised in the recommendations of the respective public hearings held concerning land reclassifications in each Plan.

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On 27 March 2007 the work plan and timeline was adopted by Council for the projects to be completed and to be considered by Council in December 2007.

On 14 August 2007 Council resolved to bring the date forward to 31 October 2007. Accordingly this report is not a final report, but provides and update of the significant progress made to date on providing the comprehensive and extensive material required to meet the chairpersons report.

Council has sought confirmation from the Department that given the matter was deferred in accordance with Section 68(5) the following:

There is no legislative or other impediment to allowing the Council's inclusion of Schedule 4 back into the draft LEP instruments.

There is no legislative or other provision to require that there be a public re-exhibition of the amendment to the draft LEP instruments.

Department of Planning's response:

*I refer to your letter dated 17 September 2007 concerning Council's request in relation to proceeding with the reclassification of lands.* 

The Department does not generally provide advice of this nature to Councils. Nevertheless, it remains Council's responsibility to comply with all relevant legislation as part of the plan making (and reclassification) process.

I understand that Council has sought its own legal advice on these matters. I note that Council has been very cooperative with the Department in informing us of this advice and the process to be followed to finalise reclassification. Council's cooperation in this regard is appreciated.

*Given the issues associated with the process to date, once Council has made a formal decision regarding Schedule 4 it would be appreciated if Council forwards to the Department an overview of the process adopted by Council and any supporting information demonstrating how the process complies with relevant legislation.* 

Accordingly Council will be seeking further advice that the process for bringing the deferred matters (under section 68) is consistent with the requirements of the legislation.

#### 3. Legal advice

In 2006 persons concerned about the reclassification process wrote to the Department of Local Government. The Department of Local Government wrote to Council on 15 January 2007 raising these concerns. Upon receipt of the Department's letter, Council instructed Matthews Folbigg to advise on the issues raised. That firm's advice was received on 8 February 2007, and formed the basis of Council's reply to the Department of Local Government on 12 February 2007.

On 20 April 2007, the Department of Local Government wrote to Council rejecting Council's legal advice and stating that under Section 68 of the Environmental Planning and Assessment Act, the

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public hearing for a draft LEP should be held only after the submission period closed and not during that period.

Following receipt of that communication from the Department, Council sought the advice of Mr S B Austin QC, who by advice dated 30 May 2007 indicated essential agreement with Council's previous advice. A copy of that advice was provided by Council to the Department on 20 June 2007.

On 30 August 2007, the Department wrote to Council indicating that, notwithstanding the advice of Mr Austin QC, it maintained its previously-expressed view on the matter. A copy of a Circular issued on 28 January 1994 was enclosed in support.

At the Council meeting held on 25 September 2007 Council resolved the following:

"Given the doubts expressed over the legality of Council's reclassification process, that Council seek a second legal opinion from a Senior Counsel and that the lawyer be given copies of the correspondence from the Department."

In accordance with the above resolution further independent advice has been sought. It is anticipated that this advice will be received on Thursday 25 or Friday 26 October 2007. An issue therefore arises of the time needed for staff to review and report back to councillors on any implications following from the advice and formulate appropriate recommendations. A further consideration in relation to the public interest is in the community having adequate notice of and time to review the officer report prior to Council's consideration.

#### Summary status and key actions required

Councillors were advised of the expected timeframe receiving the second Senior Counsels advice on Tuesday 23 October 2007 and that the reporting of the legal advice would be reported to the ordinary meeting of Council on 13 November 2007.

The recommendations contained in this report are therefore limited in nature to Council to be received and noted on the progress made on the reclassification of council owned land.

The report that will be presented to Council on 13 November 2007 will include an assessment of the legal advice, recommendations and will allow for adequate notification to the public of this matter coming before Council.

In accordance with Council's resolutions (**Attachment 1**) a number of studies have been initiated or matters further investigated. The following comments and discussion provide a summary of the progress and status of the projects

### 4. Parking Management Plan

During the preparation of the Draft Town Centre LEP and DCP, Council resolved that a Parking Management Plan be prepared for each town centre and reported to Council prior to gazettal of the Draft Local Environmental Plan.

The objective of the Parking Management Plan is to develop a comprehensive plan for the long term management and provision of car parking within the main commercial centres of Ku-ring-gai LGA which:

- addresses existing Council resolutions in relation to parking within the town centres, particularly in relation to maintaining current levels of public off-street car parking (both time restricted and unrestricted);
- addresses recommendations made by the independent Chairpersons in the Town Centre Public Hearing Reports;
- identifies links with Town Centre Contributions Strategy and Section 94 Contributions Plan;
- integrates with Council's overall financial strategies;
- is consistent with the community's values and vision;
- is in accordance with State Government policies and guidelines;
- is consistent with Council's policies for parking, sustainability and ESD;
- involves and effectively engages the Council, community and relevant stakeholders;
- is economically viable and commercially appropriate; and
- meets access and disability requirements.

Broadly the Parking Management Plan will examine the existing parking conditions within the centres in terms of supply and demand (with respect to extent and time), examine the future growth of the centres and make estimates of the future parking demand. The Parking Management Plan will also examine strategies for addressing parking issues in commercial centres, including the specific recommendations made by the independent Chairpersons in the Town Centre Public Hearing Reports (including the manner in which public parking is managed during the restructure of the Centres); and make recommendations in relation to each centre as to how to address issues and provide for the future demand.

The need for such a plan was made further evident during the consultation and planning process for the town centres. The issue of car parking was one of the main concerns raised by residents and business owners. Typical concerns raised include:

- Commuter parking in local streets.
- Lack of commuter parking stations.
- Lack of parking for people wishing to "park-and-ride".
- Lack of public parking generally.
- School parking.
- Future undergrounding of public parking areas.

The project currently covers the 6 town centres: Gordon, Lindfield, St Ives, Turramurra, Pymble and Roseville. It is anticipated that the Wahroonga, Warrawee and Killara centres will be considered in a future study. Council specifically resolved components of this study for Wahroonga centre at its 16 October ordinary meeting.

The project is divided into 4 stages:

Stage 1 – parking surveys, literature review, data collection, calculation of parking demands shortfalls and/or over supplies.

Stage 2 – discussion of appropriate strategies to address shortfalls.

Stage 3 – specific recommendations in relation to each centre focusing on parking rates, short term parking commuter parking etc.

Stage 4 - finalise recommendations and prepare Council report.

Arup Transport Planners have been engaged by Council to undertake Stage 1, 2 and part of Stage 3. Arup has effectively completed the relevant stages (**Attachment 5**), and now Council staff are preparing to consider and develop strategies to satisfy the objectives.

From Stage 1, the parking survey results indicated that the centres exhibited some existing spare car parking capacity on the relevant days of the survey, which were:

- Pymble: Wednesday 29 August and Saturday 1 September 2007.
- Roseville and Turramurra: Thursday 30 August and Saturday 1 September 2007.
- Lindfield, Gordon and St Ives: Thursday 13 September and Saturday 15 September 2007.

However, the three busiest centres (Gordon, St Ives and Turramurra) are now approaching the 85% parking occupancy level on weekdays, where it does become difficult to find a parking spot in a preferred location at the busiest times of day. In all of the centres, the peak parking occupancy level on Saturdays was always significantly lower than on weekdays, with only St Ives having a reasonably high overall parking occupancy level of 67% (excluding significant sporting activities at St Ives Village Green) and all of the other centres having parking occupancy rates in the range 20-50%.

Commuter activity was also considered, and at the five Ku-ring-gai Rail Stations surveyed, the overall proportion of boarding adult rail passengers who were car drivers was 35%, ranging from 52% at Gordon and 17% at Roseville. The overall proportion is significantly higher than the average for the City Rail network, and indicates a high degree of dependence on car travel for access to the rail station. In contrast the proportions for bus travel were an overall average of 9%, ranging from 19% at Turramurra, to 2% at Pymble and Roseville.

Also, the surveys showed that overall, 86% of the survey respondents who drove a car to the rail station were Ku-ring-gai residents. This indicates that the primary users and beneficiaries of the railway commuter car parks and the long stay parking on residential streets in the vicinity of railway stations are Ku-ring-gai residents from both the local suburbs surrounding the railway stations and other more distant suburbs such as St Ives and West Pymble.

The land use study considered the existing land uses within the centres, and total floor areas of each land use, and on-street/off-street parking public parking. From this, the theoretical existing parking demand was established, based on adopted car parking rates, and compared with the existing supply. Following this, the future land uses proposed for the centres, and total floor areas of each use were considered, as were public domain plans for on-street or off-street parking changes. From this, the theoretical future parking demand was determined, as was the proportion of parking demand likely to generate long term/short term parking.

Generally, the land use study concluded that additional future levels of retail/commercial and mixed use developments should be able to accommodate their future parking needs on-site in accordance with requirements of Council's Town Centre LEP(2006), with appropriate street access arrangements in some cases requiring new laneway extensions and new local access streets. Provided this occurs, the ARUP study indicates that future parking provision in the centres should

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be generally adequate. Adjustments to the parking rates for mixed use developments, however, may require additional on-street parking provision.

A consultation strategy for the Parking Management Plan has been developed to manage consultation with residents, businesses and government bodies. A central part of the consultation process is the Working Party (for external consultation) to provide input at key stages and assist in communication and engagement with the community.

The Working Party will comprise the following representatives:

- Mayor (Chair).
- Interested Councillors.
- Representatives from the Chambers of Commerce from each centre.
- Resident representatives.

It was proposed that the Working Party will meet 3 times during the life of the project, at the following key stages:

- 1. Data collection and survey.
- 2. Strategy development.
- 3. Final report.

During the data collection process, preliminary consultation with business owners and residents was undertaken using email surveys. However, given the shortened time frame for the project, the Working Party will be restricted to the final 2 meetings. Council's established community feedback register will be utilised for validation.

#### Summary status and key actions required

The next stage of the project is for staff to undertake detailed analysis on a centre by centre basis using the ARUP report as background to prepare parking strategies for each centre. To date this has been commenced for St Ives and a draft will be presented to Councillors at the 23 October 2007 Planning Committee.

For example, in the St Ives centre, analysis of parking is being undertaken on a precinct basis. The analysis identifies existing parking availability and occupancy in the precinct (short stay and long stay), as well as future parking provision (taking into account development and public domain changes). Allowances are made for the demand attributable to baseball games on the Village Green and Sir William Cowan Oval. Based on precinct usage patterns, an occupancy level is applied to the future parking provision to determine the amount of residual parking spaces (short stay and long stay). The quantum of residual parking spaces and their characteristics (short stay/long stay) will shape eventual management strategies. Investigations are also being undertaken into potential strategies to address the manner in which surface public parking can be temporarily replaced during construction of underground car parks on sites proposed for reclassification.

### 5. Facilities Plan

At the Council meeting of 8 May 2007 Council considered and adopted the Town Centres Facilities Plan for new public infrastructure items for each centre as Stage 1 of developing a new contribution strategy and associated Section 94 Plan for the Ku-ring-gai Town Centres.

Council resolved as follows:

- A. That Council adopt the draft Town Centres Facilities Plan.
- *B.* That the draft Town Centres Facilities Plans be further refined for incorporation into the Developer Contributions Strategy for the Town Centres and that such matter be referred back to Council.
- C. That further updates and reviews be made to the Planning Committee.
- D. A copy of the Facilities Plans and Maps be placed on Council's website with the opportunity to make comment.
- *E.* That the recommendations A to D above do not represent a financial commitment on the part of Council.

The Town Centres Facilities Plan identifies a full list of public infrastructure items for each centre and when they are to be delivered. These projects have been identified and considered by Council throughout the preparation of the Town Centres LEP & DCP documents and works identified in the planning for transport, open space and community services for each centre. It is noted that the Facility Plan does not include additional information that may be required as a result of future parking management plan or other facilities studies.

The draft Facilities Plan contains the following key elements:

**Project Description:** for a range of new public infrastructure projects across the centres such as:-

- Traffic signals and intersection modifications.
- New streets and access roads.
- Roadway modifications.
- Transport public transport improvements.
- Car parking.
- Community facilities (eg. libraries, neighbourhood centres).
- Streetscape improvements.
- Urban and civic spaces- acquisition and embellishment.
- Pedestrian access.
- Open space improvements.
- Drainage and stormwater upgrades.

**Location:** of the new infrastructure - as identified in the DCPs for each centre (eg. public domain) and in Council's capital works programs.

**Timing:** this is an indicative timing based on the following categories Short (less than 5 years), Medium (5-10 years) and Long term (more than 10 years).

**Initial consultation:** this section identifies the key consultation groups as part of identifying and reviewing the details for each project.

/10

Further refinement of the Facilities Plan has been undertaken in consultation with Councillors to delete certain items form the Plan. A workshop was held on 16 October 2007 where a number of items were deleted in discussion with Councillors.

#### Summary status and key actions

The Town Centres Facilities Plan is complete and adopted by Council. Amendments have been made to the plan in consultation with Councillors. The Facilities Plan fully addresses the issue raised in the Public Hearing recommendations in relation to the identification of infrastructure and facilities to be provided by Council.

#### 6. Contributions Strategy and Town Centres Section 94 Plan

Development approved under the draft LEP and DCP for the Town Centres will generate significant requirements for new public infrastructure. A proportion of the cost of the delivery of new works and facilities can be met through a development contributions (or Section 94) Plan for the town centres.

There have been three stages required in the preparation of a formal Section 94 Plan. This included the development of a Facility Plan, Developer Contribution Strategy and finally the draft Section 94 Plan. The process and timing of the development of these plans were adopted by Council on 27 March 2007

The stages involved in the process have been as follows:-

- Stage 1 involved the preparation of a Town Centres Facilities Plan which identifies a full list of public infrastructure items for each centre, where they are to be located, further consultation requirements and when they are to be delivered. The Town Centres Facilities Plan was approved by Council for further development and consultation at its meeting of 8 May 2007.
- Stage 2 was the preparation of a Developer Contributions Strategy which identifies how much each item will cost, how each item will be funded whether through Section 94 contributions, planning agreements or by Council or others. The Contributions Strategy was adopted by Council on 28 August 2007.
- Stage 3 has involved the preparation of a draft formal Section 94 Plan, which identifies development contributions to be collected towards the provision of the specific infrastructure and facilities identified in the contributions strategy as suitable for inclusion in the contributions plan. A Draft Section 94 Contribution Plan for the town centres is being presented to Council on 30 October 2007. If adopted, the Draft Plan will be publicly exhibited for 4 weeks and the review of public submissions reported to Council.

Since it is likely that planning agreements will form part of the total funding strategy, Council has also committed to preparing a policy and procedures document for the use of planning agreements. More detail concerning the draft Planning Agreement Policy appears in the section below and at **Attachment 7**.

#### Summary Status and Key Actions Required to Complete the Project

A draft of the Ku-ring-gai Town Centres Section 94 Contributions Plan is being finalised for exhibition. Consequential amendments to the 2004-2009 Contributions Plan are being prepared for concurrent exhibition. Following exhibition, a further report must be considered by Council. Once in force, Council can begin levying contribution in accordance with the Plan.

#### Consultation

The Draft Ku-ring-gai Town Centres Development Contributions Plan must be publicly exhibited for 28 days. This is proposed to take place over November / December.

### 7. Voluntary Planning Agreement Policy

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions.

Planning agreements may specify how non-monetary development contributions are to be implemented by a developer. Planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions Plan, for example contributions towards affordable housing or the regeneration of bushland (however there must be some relationship to the development involved). They must be publicly advertised – usually concurrent with a development application – and submissions from the public may be made and must be considered.

Planning agreements are one of several mechanisms Ku-ring-gai Council intends to employ to implement the public domain works associated with the *Ku-ring-gai Town Centres Development Control Plan*, to implement the *Ku-ring-gai Town Centres Draft Development Contributions Plan* and to assist in the orderly redevelopment of the Council owned land that is the subject of this report.

A proposed draft Ku-ring-gai Planning Agreement Policy has been prepared (Attachment 6). The draft Policy sets out the matters for consideration in the negotiation of a planning agreement and the process to be followed in negotiating, exhibiting and entering into a planning agreement. It sets out the fundamental principles of the use of planning agreements. It cross-references a number of policies of the Council including Ku-ring-gai's Statement of Business Ethics. The Voluntary Planning Agreements Policy will be central to ensuring sound and transparent management of commercial and physical planning negotiation and risks when dealing with potential future development of Council owned land. This is consistent with condition 4 of the public hearing report for the St Ives Centre.

The Draft Policy will be subject to further consultation prior to finalising, including internal consultation. A template for a Draft Planning Agreement will be finalised with Council's lawyers for inclusion within the document.

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#### Summary Status and Key Actions Required to Complete the Project

The preliminary draft at **Attachment 6** is to initiate discussion with Councillors. Further internal consultation with staff and legal advice and further steps required. Thence the draft policy should be exhibited for comment before being formally adopted by Council.

#### Consultation

Both internal and thence external consultation are the next steps in the process.

#### Recommendation

That Council receive and note the progress of the Draft Voluntary Planning Agreement Policy.

#### 8. Financial modelling

A specific requirement identified by Council prior to decision making regarding land reclassification is the development of a comprehensive and integrated funding strategy that ensures the delivery of community infrastructure proposed within the town centre masterplans. This infrastructure delivery (and its ongoing management) must be considered within a context that considers all of Council's various obligations and commitments.

Council's current long term financial modelling is currently developed to a 10 year time horizon and is predicated on a number of assumptions with respect to debt reduction and growth of internal reserves to fund asset management, refurbishment and new infrastructure over that timeframe.

Whilst much has been achieved Council's financial planning horizon needs to be increased to twenty years and also needs to address the consequences of Council's decision making over that period.

Consequently staff have commenced the development of a reviewed model which will seek to provide a detailed analysis of each project or facility proposed over a twenty year period identifying specific funding sources and ongoing management costs (and revenues) related to both those assets and service delivery related to those assets.

It is also intended that the development of a new financial plan will be preceded and informed by the development of a number of potential scenarios.

Those scenarios as discussed with Councillors at the October Finance Committee meeting, will include a base scenario, a scenario which provides for management of existing assets and services and a strategic direction scenario. This last option includes the delivery of key facilities and services outlined in various resolutions and adopted strategies.

#### Summary status and key actions required to complete project

Development of a new tool to undertake modelling has commenced with both Strategy and Corporate staff involved. The tool when completed will allow scrutiny of Council's potential future

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financial scenarios. Further workshops with Councillors are anticipated prior to formal reporting of a twenty year plan in December.

#### 9. Consultation with community facilities

A series of meetings were set up as the first step in the consultation requirements identified in the Chairperson's report on the proposed land reclassification of Council land in the St Ives Centre and Council's resolution of 8 November 2006 to "*Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation"*.

A consultation session with the St Ives Neighbourhood Centre director was held with Council staff and Councillors on 16 September 2007. From this meeting a series of principles were developed as the starting point to any guide and future decisions on planning for the relocation of the current Ku-ring-gai Neighbourhood Centre, under the new plans. It was acknowledged at the meeting that it there would be a considerable amount of time and further opportunities for Council to consult with the Ku-ring-gai Neighbourhood Centre as the plans were still under review by the DoP and have not been gazetted.

The principles in relation to the St Ives and Ku-ring-gai Neighbourhood Centre are:

#### Principle 1

There is a current limitation on space and the KNC opportunity to expand or take on additional services is limited. The KNC requires more space into the future.

#### Principle 2

Need a location in any redevelopment or relocation that is commercially viable – need passing trade for activities and sales similar to a shop.

#### Principle 3

Need a location with multi-purpose functions that does not distinguish the purpose of a visit (eg. A client may be coming to receive family counselling, attend English language classes or to purchase a book, need to be anonymous). The current location is an asset being near the main entrance.

#### Principle 4

The KNC sees itself as a model neighbourhood centre in the industry with over 29 years of service – want to retain the quality of service and staff.

#### Principle 5

The KNC needs to be accessible (and signage) for all especially with its aligned operations of community transport.

Street access is desirable but need to fit in with community needs.

#### Principle 6

Need to reinforce with the St Ives Shopping Centre about the importance of community facilities and activities within a shopping centre and the value of the linkage between retail uses and activities and social / community activities.

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Other general points / matters discussed:

Current issues identified that relate to the provision of adequate staff and service accommodation.

- Town square / library location as outlined in their submission on the public hearing is not desirable.
- Issue of relying on HACC funding and changing policy directions at a State and Commonwealth Government level.
- Importance of Council and KNC to discuss and identify needs throughout the process.
- The KNC Director has visited other neighbourhood centres especially in England where some are located within the cores of commercial shopping centres.
- Council will review again the submission by KNC and prepare a series of principles to be used in the report to Council on land reclassification reminded this is the first stage of consultation.

A meeting with the St Ives Occasional Care Centre board members was also held, in accordance with the independent Chairperson's report on the proposed land reclassification of Council land for the St Ives Centre and the subsequent Council resolution of 8 November 2006 to "*Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation*".

A series of principles were developed to assist in setting the possible parameters for the reclassification of the site and the relocation of the facility to a new location. These principles are outlined below:

- P1 New facility should be stand alone and purpose built rather than an adapted building (eg. old home) built at ground level with easy access and dedicated parking.
- P2 Need an environment that is welcoming and homely throughout with open space and interconnecting architectural connections eg sliding doors, windows. Within this open environment a number of spaces scattered throughout that creates 'neighbourhoods or 'pods'.
- P3 Site that is near shopping centre but not part of centre.
- P4 Need an external open ended play environment with design/landscaping that keeps children connected to the natural world eg not all synthetic grass, rubber and plastic. Incorporated within this outdoor space would be a transitional all-weather section.
- P5 Increase in spaces from 25 to 30 spaces with no age groupings.
- P6 Managed by community based committee made up of Parents and interested community members not for profit organisation.
- P7 Need to be in close vicinity of other community services including Library, baby health clinic and other providers eg. health care, but distinct from shopping centre.
- P8 St lves would be the preferred location but would consider other sites if necessary, in close proximity to transport routes and service providers noted above.
- P9 Need to be consulted throughout the process both parties.

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P10 The new facility will need to provide the following areas - administration office, laundry, storage – internal and external, staff room, formal and informal meeting areas and access to kitchen.

#### Summary status and key actions required

It is proposed that Council further consult with the Ku-ring-gai Neighbourhood Centre and the St Ives Occasional Care Centre regarding future planning for the St Ives Centre. Additional consultation also be held with other key parties not directly covered by the reclassification report by occupying Council land including HACC / Senior Citizens Turramurra.

#### 10. Other Matters

#### DP 822373, St Ives

One of the Recommendations from the Public Hearing Report for St Ives required that Council undertake an

## "...Investigation on whether parcel described as DP 822373 has been satisfactorily considered in draft plans".

DP 822373 is a part of the land known as the Cowan Road car park at 11-17 Cowan Road St Ives. The Draft LEP shows the whole of the site in question zoned B2 Local Centre. The Draft DCP S4.7.2 shows part of DP 8223373 being occupied by building footprint through the expansion of the St Ives Shopping Village and the remainder (the larger portion) with no development potential as a result of an earlier Council resolution.

The intention is that DP 822373 remain as subject of reclassification to Operational land. In the future Council may subdivide the lot and return the larger part to Community land if it so wishes.

#### 10a. Summary status and key actions required

This issue has been fully addressed in the draft LEP and DCP.

#### Precinct E (Council chambers Site), Gordon

One of the Recommendations from the Public Hearing Report for Gordon required that Council:

"...review the DDCP 2006 Provisions in relation to Precinct E, to ensure that setbacks equitably address the building separation requirements of the NSW Residential Flat Design Code"

A review of Precinct E was reported to Council on 30 November 2006 when Council adopted the LEP / DCP controls for the precinct. Council resolved to remove the residential building envelope from Chambers site and limit the building envelope of the community building to be within the footprint of Council's administrative building. In addition Council resolved that the land be retained as community land.

#### 10b. Summary status and key actions required

It is considered that this issue has been addressed in full in the draft LEP and DCP.

#### Cowan Road car park (11-17 Cowan Road) St Ives in relation to Precinct E, Gordon

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One of the Recommendations from the Public Hearing Report for St Ives required that Council undertake:

"....prior to the reclassification of the Cowan Street car park area, an expert analysis be undertaken which examines the capacity of remaining community land to meet reasonable expectations on future demand for community facilities. If there is substantive question on this capacity then the Cowan Street car park area be retained as community land."

This issue is currently being addressed as part of the St Ives Parking Management Strategy. One of the key issues for this site is to investigate whether in the medium term it is possible to release this land from its current function as a car park. Detailed planning has also been undertaken to assess the site's suitability as a location for a multi-purpose child care centre. It is intended to report a response to this issue to Council in November 2007.

#### 10c. Summary status and key actions required

Investigations into Cowan Road car park are under preparation and will be reported to Council in November 2007.

#### 11. Net loss and/or gain of public land, open space or facilities

Councillors have requested detailed information regarding the amount of land proposed for reclassification when compared with the amount of new land proposed to be acquired through the Town Centre Draft DCP/LEP and Town Centre Draft Section 94 Plan and Draft Open Space Acquisition Strategy. **Attachment 7** consists of five schedules giving a detailed breakdown of the potential net losses and gains of public land and or facilities. A summary of the tables is provided below:

- St Ives under a full development scenario will achieve a net gain in public land of 14, 633sqm in addition it is proposed to retain 6,680sqm of land currently classified community. The net gain includes up to 15,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there would be no net loss or gain in public land/facilities.
- 2. Turramurra under a full development scenario will achieve a net gain in public land of 13,789sqm in addition it is proposed to retain 3,104sqm of land currently classified Community. The net gain includes up to 10,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there remains a net gain in public land/facilities of about 3,700sqm.
- 3. Gordon under a full development scenario will achieve a net gain in public land of 27,147sqm in addition it is proposed to retain 21,583sqm of land currently classified community. The net gain includes up to 22,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there remains a net gain in public land/facilities of about 5,000sqm.
- Pymble under a full development scenario will achieve a net gain in public land of 4963sqm in addition it is proposed to retain 7,739sqm of land currently classified Community. The net gain includes up to 3,000sqm of new land acquired as open space on

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the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there is small net gain in public land/facilities.

5. Lindfield under a full development scenario will achieve a net gain in public land of 40,209sqm in addition it is proposed to retain 5,889sqm of land currently classified community. The net gain includes up to 30,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there is a net gain in public land/facilities of about 10,000sqm.

#### 11a. Summary status and key actions required

The information presented regarding the net loss or gain of public lands or facilities is provided for information to Councillors.

#### CONSULTATION

All persons who made a submission on the town centres independent public hearings have been advised in writing of this status report going to Council. In addition the town centre e-mail register data base has been used to advise the community of this report going to Council.

### FINANCIAL CONSIDERATIONS

The undertaking of Town Centre planning for Ku-ring-gai has been a process requiring considerable resources. Resources required to undertake the work outlined in this report are drawn from existing recurrent budgets and following specific reporting, funds dedicated for planning projects.

The financial indications that may arise from works to undertake the revitalisation of public domain and community infrastructure are considerable. A key outcome of the Town Centres Working Program is a financial strategy fully integrated into Council's overall Long Term Financial Model. The development of this funding strategy is highlighted as an ongoing priority over the entire year.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted in preparing and reviewing the town centre plans and the reclassification process - all Departments where applicable have been consulted in the preparation of the plans and the response raised in this report

#### SUMMARY

1. Legal Advice

#### Summary status and key actions required

Councillors were advised of the expected timeframe receiving the second Senior Counsels advice on Tuesday 23 October 2007 and that the reporting of the legal advice would be reported to the ordinary meeting of Council on 13 November 2007.

The recommendations contained in this report are therefore limited in nature to Council to be received and noted on the progress made on the reclassification of council owned land.

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The report that will be presented to Council on 13 November 2007 will include an assessment of the legal advice, recommendations and will allow for adequate notification to the public of this matter coming before Council.

#### 2. Parking Management Plan

#### Summary status and key actions required

The next stage of the project is for staff to undertake detailed analysis on a centre by centre basis using the ARUP report as background to prepare parking strategies for each centre. To date this has been commenced for St Ives and a draft will be presented to Councillors at the 23 October 2007 Planning Committee.

#### 3. Facilities Plan

#### Summary status and key actions

The Town Centres Facilities Plan is complete and adopted by Council. Amendments have been made to the plan in consultation with Councillors. The Facilities Plan fully addresses the issue raised in the Public Hearing recommendations in relation to the identification of infrastructure and facilities to be provided by Council.

#### 4. Contributions Strategy and Section 94 Plan

#### Summary Status and Key Actions Required to Complete the Project

A draft of the Ku-ring-gai Town Centres Section 94 Contributions Plan is being finalised for exhibition. Consequential amendments to the 2004-2009 Contributions Plan are being prepared for concurrent exhibition. Following exhibition, a further report must be considered by Council. Once in force, Council can begin levying contribution in accordance with the Plan.

#### 5. Voluntary Planning Agreement Policy

#### Summary Status and Key Actions Required to Complete the Project

The preliminary draft at **Attachment 6** is to initiate discussion with Councillors. Further internal consultation with staff and legal advice and further steps required. Thence the draft policy should be exhibited for comment before being formally adopted by Council.

#### 6. Financial Modelling

#### Summary status and key actions required to complete project

Development of a new tool to undertake modelling has commenced with both Strategy and Corporate staff involved. The tool when completed will allow scrutiny of Council's potential future financial scenarios. Further workshops with Councillors are anticipated prior to formal reporting of a twenty year plan in December.

#### 7. Consultation

#### Summary status and key actions required

It is proposed that Council further consult with the Ku-ring-gai Neighbourhood Centre and the St Ives Occasional Care Centre regarding future planning for the St Ives Centre.

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Additional consultation also be held with other key parties not directly covered by the reclassification report by occupying Council land including HACC / Senior Citizens Turramurra.

#### 8. Other matters

#### Summary status and key actions required

Investigations into Cowan Road car park are under preparation and will be reported to Council in November 2007.

#### RECOMMENDATION

- A. That the report on reclassification of Council owned land within town centres be received and noted.
- B. That the matter be deferred until 13 November 2007 to allow consideration of legal advice.

Craige Wyse Senior Urban Planner Bill Royal Senior Urban Designer

Antony Fa	abbro	
Manager	Urban	Planning

Steven Head Director Strategy

Attachments: Attachment 1: Council Resolutions addressing Reclassification Matters (Schedule 4 of draft LEPs - 825776 Attachment 2: Recommendations from Public Hearings into Land reclassification / Town Centres - 845154 Attachment 3(a) to 3(e): Revised Town Centre Plans mapping showing lands currently subject to proposed reclassification - 845125, 845124, 845123, 845122, 845121
Attachment 4: Town Centre Work Program adopted March 2007 - 845202 Attachment 5: Ku-ring-gai Draft Town Centre Parking Management Plan - Background report - 840959, 840937, 840951 (maps only), 840955, 840940, 840942, 840944.
Attachment 6: Voluntary Planning Agreement Policy - 845151 Attachment 7: Net gain or loss in publicly owned land following reclassification - 845185

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#### COUNCIL RESOLUTIONS TO DEFER FROM DRAFT TOWN CENTRE LEPs RECLASSIFICATION ITEMS CONTAINED IN SCHEDULE 4

#### St lves

#### (Resolution of 8 November 2006)

That Council approve in principle the re-classification of items contained in Schedule 4 of the Draft LEP that seeks to re-classify public land in St Ives to operational land and deferred in accordance with Section 68(5) of the Environmental Planning and Assessment Act, for a further report investigating the matters raised in the recommendations of the public hearing. That the report be submitted to Council no later than the second meeting in March 2007.

#### (Resolution of 8 November 2006)

*Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation.* 

#### Turramurra

#### (Resolution of 13 November 2006)

That Council approve in principle, the re-classification of items contained In Schedule 4 of the Draft LEP Amendment No 1 that seeks to re-classify public land in Turramurra to operational land and defer such action in accordance with Section 68(5) of the Environmental Planning and Assessment Act, for a further report investigating the matters raised in the recommendations of the public hearing. That the report be submitted to Council by March 2007.

#### Pymble

#### (Resolution of 28 November 2006)

That in relation to the reclassification of land proposed in the Draft LEP for Pymble, sites 1, 6 & 7 be retained as community land and that in accord with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer consideration of sites 2, 4 & 5 in Schedule 4 of the Draft LEP for reclassification to operational land, pending a further report to Council investigating the matters raised in the recommendations of the public hearing.

#### Gordon

(Resolution of 30 November 2006)

That in accordance with Section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the Draft LEP that seeks to reclassify public land in Gordon to operational land pending a further report to Council investigating the matters raised in the recommendations of the public hearing, except for the Council Chambers/car park which is retained as community land.

#### Lindfield

(Resolution of 19 December 2006)

That in accordance with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the draft LEP that seeks to reclassify public land in Lindfield to operational land pending a further report to Council investigating the matters raised in the recommendations of the public hearing.

#### RECOMMENDATIONS FROM PUBLIC HEARINGS INTO LAND RECLASSIFICATION / TOWN CENTRES – update of progress

### Pymble

Recommendations	Means of Achieving	
T1 The manner in which any public car parking which is to be eliminated due to restructuring the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.		Under preparation Parking Management Base Study complete Strategies under preparation
<b>T2</b> The nature, range and location of community facilities to be provided in the Centre.	Town Centre Facility Blueprint	Complete Town Centres Facility Plan adopted by Council Town Centre Contributions Strategy adopted by Council Draft Section 94 Plan complete and to be reported to OMC 30 <sup>th</sup> October
<ul> <li>T3 The reclassification of Sites 1, 6 and 7 is not supported on the grounds that:</li> <li>* Site 1 should be classified in the same manner as the adjoining public car park to the east of it on Site 3; and</li> <li>* the design of future development on Sites 6 and 7 needs to be refined to a degree that ensures the heritage values of the buildings and land comprising Site 6 and the benefits of the open space area on Site 7 are satisfactorily retained.</li> </ul>	Remove Sites 1, 6 and 7 from proposed reclassification.	<b>Complete</b> Sites removed from Draft LEP for reclassification purposes by Council's resolution of 28 November 2006.

#### St lves

Recommendations	Means of Achieving	
<b>S1</b> Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to parking provision which indicates proposed minimum totals of public parking and which clearly addresses foreshadowed parking demand indicated in specialist traffic and parking study.	Parking Management Strategy	Under preparation Parking Management Base Study complete Strategies and recommendations under preparation. To be reported to Council 27Nov07
<ul> <li>S2 Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with respect to the proposed provision of community facilities and services, which includes:</li> <li>(a) overall principles of provision, including the stated goal of providing improvements to a range of existing facilities and services;</li> <li>(b) planning specifications suitable to ensure that reasonable delivery of each of the planned community facilities (nominated variously in Council documents) has primacy in regard to future commercial negotiations. This would be prepared by relevant specialists, and would include planning meetings with St Ives Neighbourhood Centre. Specification of the proposed co-location of library and neighbourhood centre adjacent to the Town Square would be detailed along with other minimum commitments to the upgrading of facilities.</li> </ul>	Town Centre Facilities Blueprint Policy on Planning Agreements and disposal of land / assets	Under preparation Town Centres Facility Plan adopted by Council Town Centre Contributions Strategy adopted by Council Draft Town Centre Section 94 Plan complete and to be reported to OMC 30 <sup>th</sup> October Consultation with St Ives Neighbourhood centre and St Ives Occasional Care Centre complete.
<b>S3</b> Preparation of a consolidated statement of Council policy on financial management strategy including relevant cost planning, including relationship to Council's broader strategic and management plan and proposed S94 strategy.	Overall financial model supported by Developer Contributions Strategy	Under preparation Draft Town Centre Section 94 Plan complete and to be reported to OMC 30 <sup>th</sup> October

Reco	ommendations	Means of Achieving			
	/ith respect to Sites 1, 2 and 3,	Policy on Planning	Under Preparation		
	ement of Council policy with	Agreements to include			
	ect to ensuring sound	process plan in adopted policy	Draft Planning		
	agement of commercial and		Agreement Policy to be		
	ical planning negotiations and		reported to Council at		
	s, and required contents of the		OMC 30 <sup>th</sup> October		
	ness plan, including:-				
(a)	statement with respect to any				
	relevant regulatory				
	requirement in regard to				
	public-private partnerships;				
(b)	highlighting of potential high				
	risk areas, and means of				
	addressing risk which may				
	include contingencies to pass				
	some of the subject lands back				
	to community classification by				
1	resolution;				
(c)	details on involvement of				
	independent commercial				
	expertise to ensure				
	optimisation of commercial				
	value in ongoing negotiations;				
(d)	details of involvement of				
(0)	independent community				
	services expertise to ensure				
	ongoing community services				
	interests are advocated				
	through detailed physical				
(-)	planning negotiations;				
(e)	listing of arrangements for				
	review and scrutiny at key				
	stages of the project, including				
	need for independent analysis				
	of public interest and probity				
	arrangements.				
	rior to the reclassification of the	Future independent study.	Under preparation		
	an Street car park area, an		<b>_</b>		
	ert analysis be undertaken which		To be reported to		
	nines the capacity of remaining		Council at OMC 27 <sup>th</sup>		
	munity land to meet reasonable		November 2007		
	ectations on future demand for				
com	munity facilities. If there is a				
subs	stantive question on this				
сара	icity, then the Cowan Street car				
	area be retained as community				
İand	-				
<u> </u>	vention on whather areas	Depart to Courseil	Complete		
	vestigation on whether parcel	Report to Council.	Complete		
	ribed as DP 822373 has been				
	factorily considered in draft		Refer Business Paper		
plan	5.		30 <sup>th</sup> October 2007		

Recommendations	Means of Achieving	
<b>S7</b> Mindful of the appropriateness of transparency and impartiality, an independent party/parties with appropriate expertise prepare a report on the adequacy of the responses to the above conditions and that this report be considered by Council in its decision on reclassification of the subject lands.	Review by appropriate person of all documentation, including the report to be recommended to Council.	Review to commence with completion of all documentation

#### Turramurra

Recommendations	Means of Achieving	
<b>S8</b> The manner in which any public car parking which is to be eliminated	Parking Management Strategy	Under preparation
due to the restructuring of the Centre, is to be replaced and managed to compensate for any	57	Parking Management Base Study complete
parking which may be lost by the reclassification of those sites.		Strategies and recommendations under preparation to be reported to Council at OMC 27 <sup>th</sup> November 2007
<b>S9</b> The nature, range and location of community facilities to be provided in the Centre.	Town Centre Facility Blueprint	<b>Complete</b> Town Centres Facility
		Plan adopted by Council
		Town Centre Contributions Strategy adopted by Council
		Draft Section 94 Plan complete and to be reported to OMC 30 <sup>th</sup> October

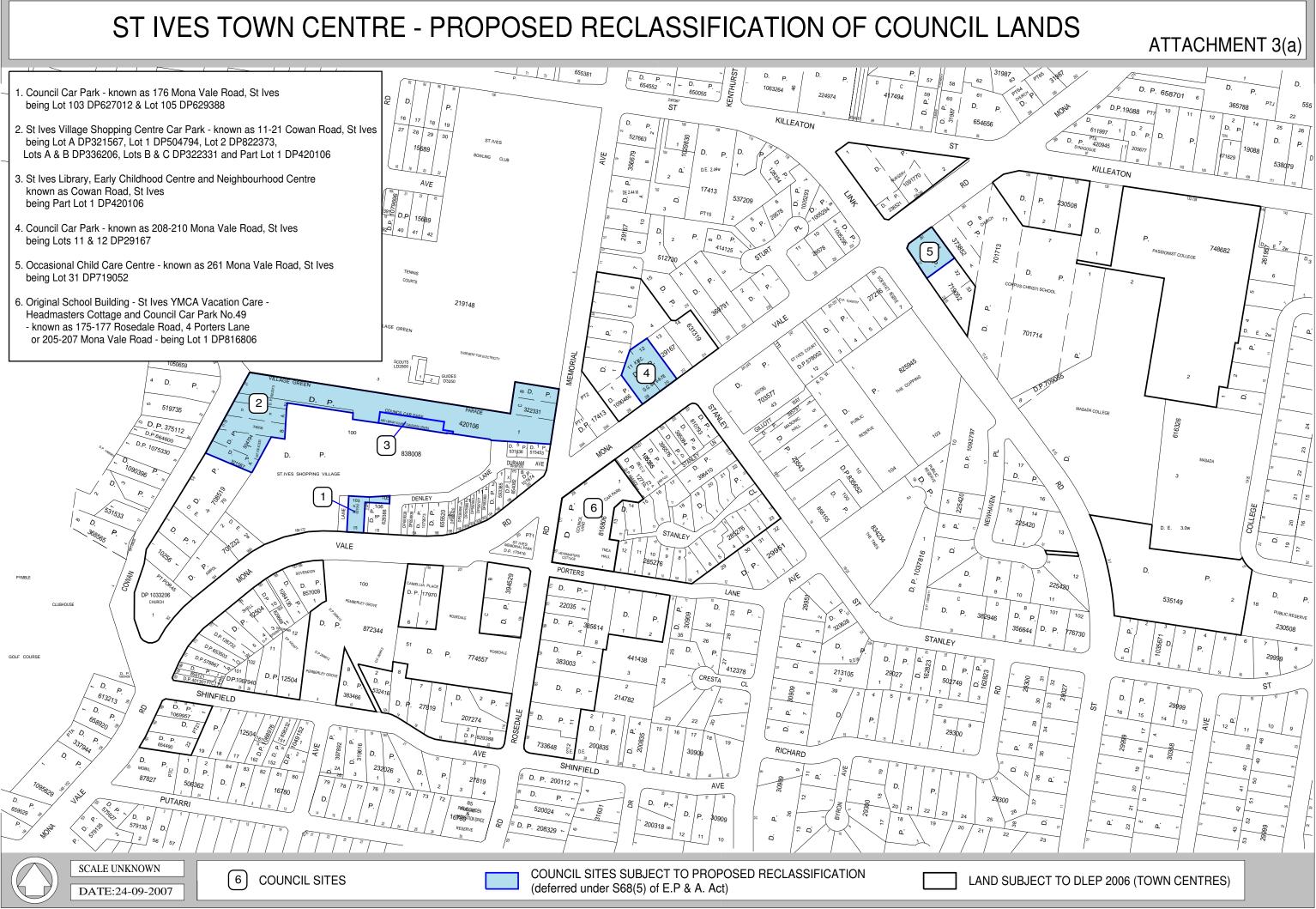
### Gordon

Reco	mmendations	Means of Achieving	
	reparation of a consolidated	Parking Management	Complete
	ment of Council policy (distinct	Strategy	
from	DDCP 2006) with regard to:-		Parking Management
(a)	traffic management and	Town Centre Facility	Base Study complete
	parking arrangements	Blueprint	
	(including proposed minimum		Strategies and
	totals of public parking and		recommendations
	general principles of free		under preparation to be
	parking access).		reported to Council at
(b)	public domain and open space		OMC 27 <sup>th</sup> November
	(including commitment to the		2007
	proposed major park within		
	Centre perimeter or equivalent		Town Centres Facility
(_)	alternative).		Plan adopted by Council
(c)	community facilities provision and Civic Centre.		Town Centre
	and civic centre.		Contributions Strategy
			adopted by Council
			adopted by council
			Draft Town Centre
			Section 94 Plan
			complete and to be
			reported to OMC 30 <sup>th</sup>
			October
			Council purchase of
			land for local park in
			Dumaresq Street,
			Gordon
	reparation of a consolidated	Financial Modelling	Under Preparation
	ment of Council policy on the		
	icial management strategy	Developer contribution	Draft Planning
	ding:-	Policy	Agreement Policy to be
(a)	relevant cost planning including relationship to	Dianning Agreements Delicy	reported to Council at OMC 30 <sup>th</sup> October
	Council's broader strategic	Planning Agreements Policy	
	and management plan.		Draft Town Centre
(b)	risk management (including		Section 94 Plan
	involvement of independent		complete and to be
	commercial expertise in		reported to OMC 30 <sup>th</sup>
	commercial negotiations)		October 2007
(c)	proposed S94 strategy		
(d)	arrangements for review and		Financial model under
	scrutiny at key stages of the		preparation refer
	project, including need for		discussion Business
	independent analysis of public		Paper for 30 <sup>th</sup> October
	interest and probity		2007
	arrangements.		

Recommendations	Means of Achieving	
<b>G3</b> Review of DDCP 2006 provisions in relation to Precinct E, to ensure that setbacks equitably address the building separation requirements of the NSW Residential Flat Design Code.	Already complete in the report to Council adopting the LEP / DCP	<b>Complete</b> Refer Council Business Paper for OMC 30 <sup>th</sup> November 2006

#### Lindfield

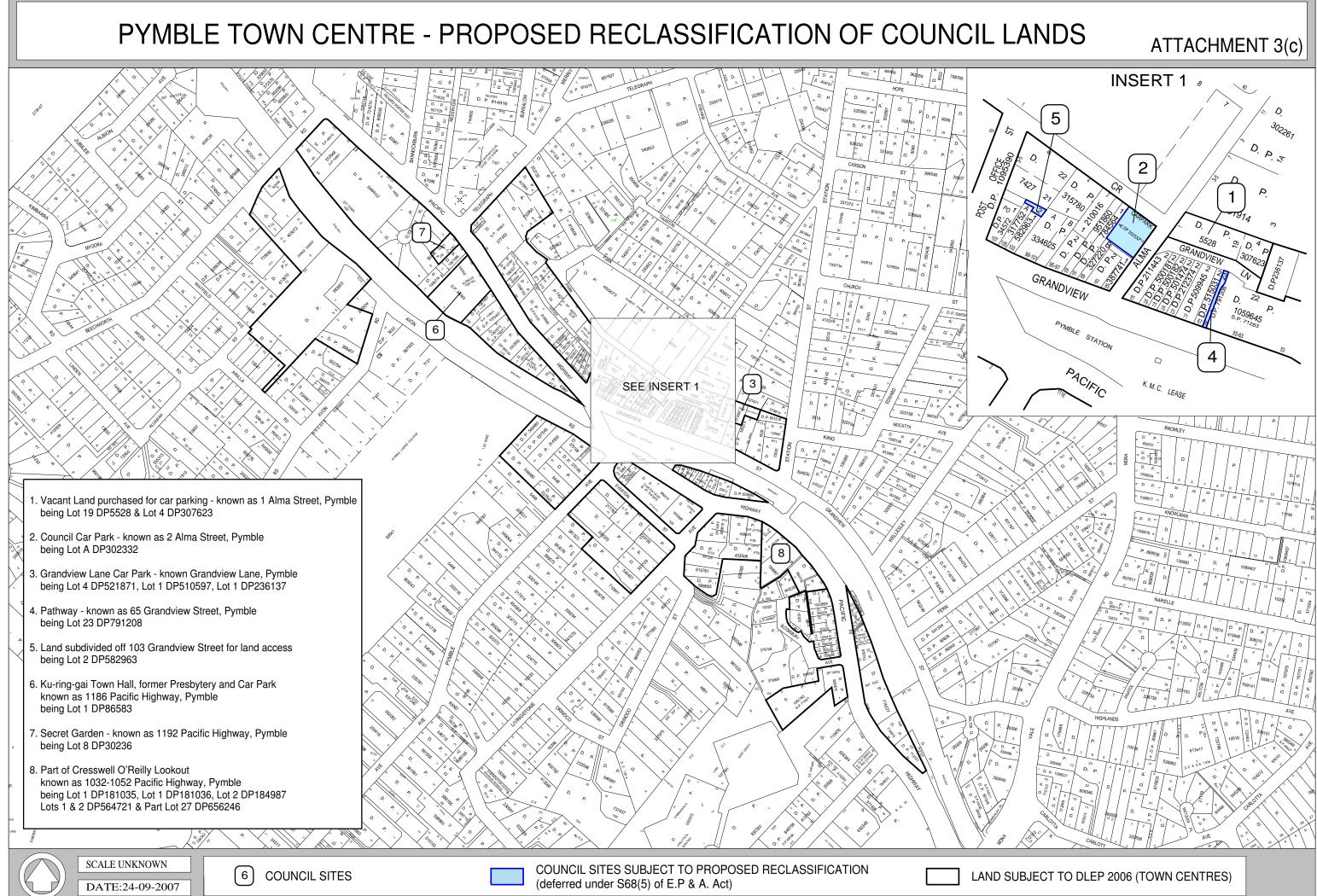
Recommendations	Means of Achieving	
L1 The manner in which any public car parking which is to be eliminated due to the restructuring the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Parking Management Strategy	Under preparation Parking Management Base Study complete Strategies and recommendations under preparation to be reported to Council at OMC 27 <sup>th</sup> November 2007
L2 The nature, range and location of community facilities to be provided in the Centre.	Town Centre Facility Blueprint	Complete Town Centres Facility Plan adopted by Council Town Centre Contributions Strategy adopted by Council. Draft Town Centre Section 94 Plan complete and to be reported to OMC 30 <sup>th</sup> October



## TURRAMURRA TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

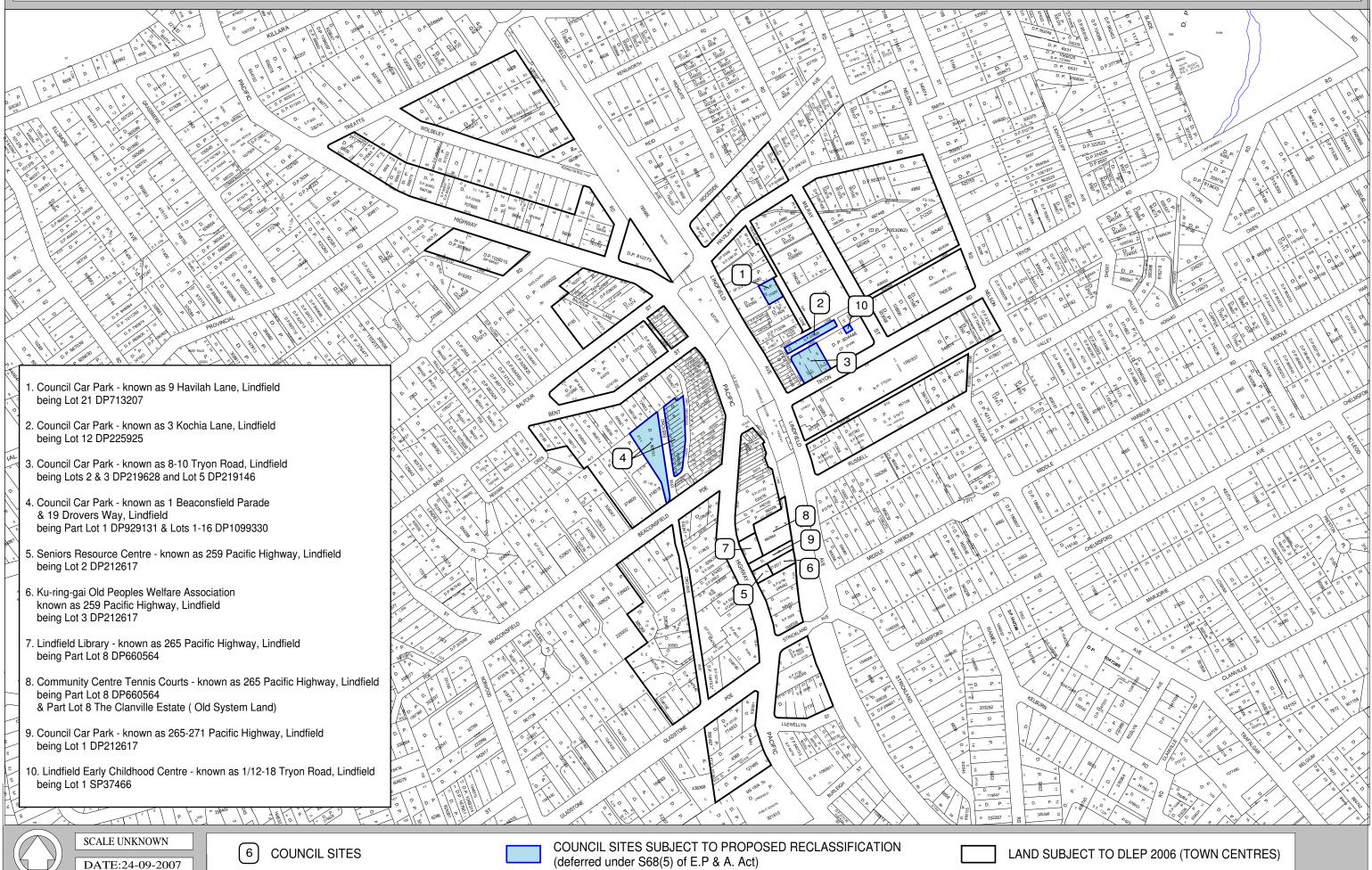


ATTACHMENT 3(b)





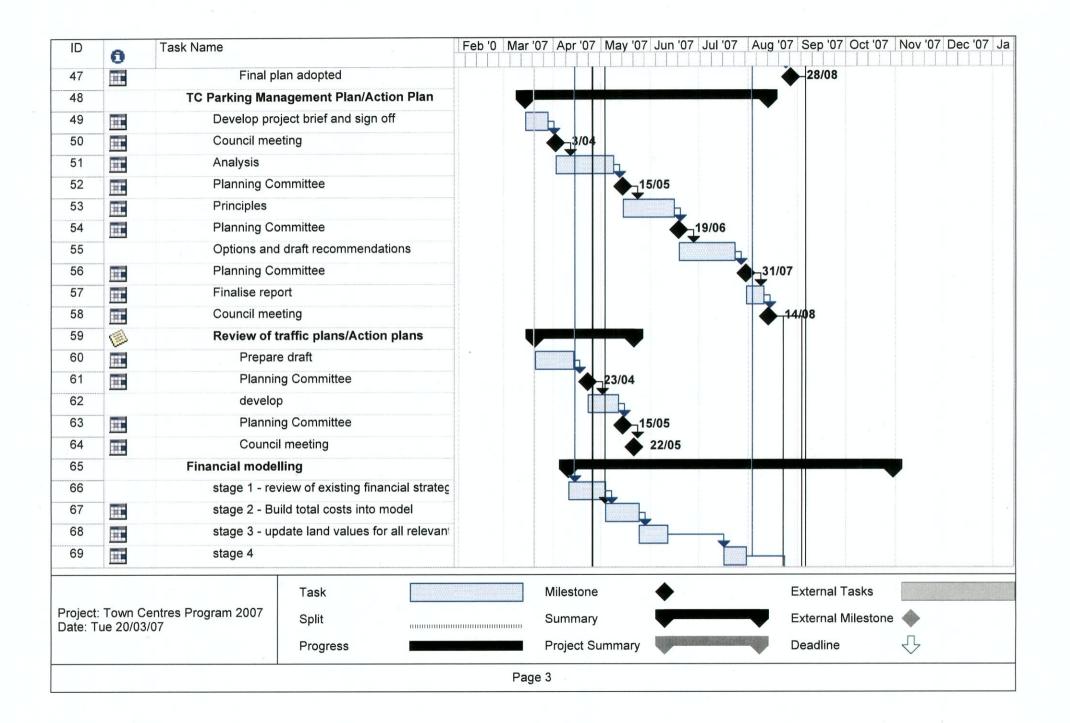
## LINDFIELD TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



### ATTACHMENT 3(e)

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2	(III)	DCP and LEP re	eview/amendments	, i i i i i i i i i i i i i i i i i i i					•
3	~	Prepare dra	ft		Ъ		•		
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6		Planning Co	ommittee			23/0	4		
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11		Develop Simme	ersion Model		-				
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16		Town Centres F	acilities Plan						
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24		Schedule and cost estimates					and and the second s	adarentere dere daardare	adaana kaanaharaadaana daree dare	
25		Prepare TC Facilities Plan								
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27		Draft to Facilities Committee			28/03					
28	111	Prepare Council report			<b>L</b>					
29		Adopt facilities plan		T with refer to the	17	/04				
30		Review Plan on basis of adopted strat	-	a tradit a part of						
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32		Review Plan on basis of adopted strat						Ĭ		
33		Town Centre Section 94 Plan							<b>P</b>	
34		Part A Developer Contributions Strategy		-						
35		Prepare strategy principles and object								
36		Policy on Planning Agreements								
37		Planning Committee				23/04				
38		Prepare final report								
39		Contributions Strategy adopted by Co				22/	05			
40		Part B Section 94 Plan		u ye Datt ley Date						
41		Consultant engaged								
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78		public parki	ng		
79		financial ma	anagement/business p		
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81		Planning Co	ommittee	18/09	
82		Prepare Dra	aft Report		
83		Planning Co	ommittee		3/10
84		Revise			Ъ
85		Planning Co	ommittee		20/11
86		final report			
87		Council ado	ption		11/12
88		Open Space Ac	quisition Strategy		
89		Councillor b	priefing	22/02	
90	_	Prepare rep	ort		
91		Planning Co	ommittee	15/05	
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Ku-ring-gai Municipal Council

#### Ku-ring-gai Town Centre Parking Management Plan

**Draft Final Report** 

October 2007

Arup Arup Pty Ltd ABN 18 000 966 165



Level 10 201 Kent Street, Sydney NSW 2000 Tel +61 2 9320 9320 Fax +61 2 9320 9321 www.arup.com

ACEA

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party

Job number

# ARUP

#### **Document Verification**

Page 1 of 1

Job title

#### Ku-ring-gai Town Centre Parking Management Plan

Job number 86697-00

Document title

Draft Final Report

File reference

Document ref

Revision	Date	Filename	0003Report.doc					
Draft 1	26/09/07	Description	First draft					
			Prepared by	Checked by	Approved by			
		Name	Tim Brooker	Tim Brooker	Andrew Hulse			
		Signature		$\cdot$				
Amended	03/10/07	Filename	0004DraftReport_AJU.doc					
Draft		Description	Amended Draft					
			Prepared by	Checked by	Approved by			
		Name	Tim Brooker	Tim Brooker	Andrew Hulse			
		Signature		02				
Draft Final	09/10/07	Filename	0006DraftFinalRepo	ort	I			
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			Prepared by	Checked by	Approved by			
		Name	Tim Brooker	John Hanlon	Andrew Hulse			
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Issue Document Verification with Document

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Car Parking Demand Calculations

Appendix B

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Appendix C

Public on street and off street car parking survey results

Appendix D

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Appendix E

Future Town Centre Development Area Maps

Appendix F

Future Town Centre Car Parking Strategy Maps

### **1** Introduction

#### 1.1 Brief

This report has been prepared in accordance with the Parking Management Plan study brief issued by Ku-ring-gai Council on 10 August 2007.

The report is based on extensive surveys of the existing parking supply and utilisation in each of the six identified town centres and recommends a future car parking strategy for each centre that is consistent with the overall future urban design and land use redevelopment strategy for each centre that is outlined in Council's recently adopted Town Centres DCP.

The future parking strategy for each centre is intended to ensure adequate capacity is maintained in each centre for each of the following types of car parking, plus an appropriate level of spare capacity to accommodate the needs of special events and other land uses which adjoin each of the centres.

Long Stay Town Centre "Employee" Parking

Short Stay Town Centre "Visitor" Parking

Long Stay Rail Commuter Parking

The report will review and discuss any existing parking deficiencies in the centres in relation to these demand estimates. All future town centre residential parking will not be included in the strategy and will effectively all have to be met on site in the relevant new development buildings

The future long stay town centre "employee" parking targets should preferably be met on site in future developments but can in principle also be met on-street or in public car parks where spare unrestricted parking is available.

The future short stay town centre "visitor" parking targets will have to be met by a combination of three types of parking.

- (i) on-street time restricted parking,
- (ii) on-site visitor parking in future developments
- (iii) Council off-street time restricted car parks and
- (iv) The major shopping centre car parks which in the future should all be assumed to operate with either a 2 or 3 hr time limit for free parking.

The existing numbers for rail commuter parking should ideally be maintained in the future by designated rail commuter car parks, subject to the availability of Railway Land for this purpose. It is worth bearing in mind that overall commuter travel surveys have shown that approximately 80-90 % of this demand at the five rail stations is for parking by residents of other areas of Ku-ring-gai LGA and only 10-20% is for residents of other LGA's.

#### 1.2 Report Structure

The study investigations and analysis are documented in the following chapters of this report

In Chapter 2, the review of previous studies and other relevant background study material which has been provided by Council, is documented. The review gives most emphasis to the most recent reports and reviews which include the Ku-ring-gai Traffic and Transport Policy (2006) and the recently adopted Town Centres DCP and urban design masterplan

recommendations which have been prepared by Council for each of the centres. The previous Transport Strategy and Parking Reports in 2000 and 2001 which were prepared for Council by consultants GHD included many pertinent observation of the existing parking situation in each of the various town centres and identified a range of far reaching potential strategies by which parking issues could be addressed in the future.

In Chapter 3, the existing car parking inventory and existing land uses in the centres, now in the year 2006, which contribute to the overall need for car parking are summarised.

In Chapter 4, the parking occupancy surveys which have been undertaken for this study are described and summarised together with the interview survey of rail station commuter car parking demand and commuter residential origins. The areas of heavily utilised car parking and the current extent of vacant spare capacity in each of the town centres are identified by these surveys.

In Chapter 5, the future predicted growth in retail and commercial development in each centre is outlined together with the corresponding growth in the future car parking demand that will occur in each centre with full development in accordance with the current town centre DCP urban design and public domain masterplans.

In Chapter 6, the range of general options by which the future predicted increase in car parking in each of the centres may be accommodated is identified and discussed together with potential future car parking enforcement and pay car parking strategies.

In Chapter 7, the predicted overall future change in the balance of car parking supply and demand in each of the six town centres is reviewed and future strategy recommendations developed for each centre to provide the necessary additional car parking in the future.

In Chapter 8, the overall future parking strategy recommendations for all of the six town centres are summarised on a consistent basis for all the centres, including related issues such as rail commuter car parking management and future improvements to bus services

#### 2 Background

## 2.1 Public Hearing Into Land Reclassification/ Town Centres (Kuring-gai Council)

Subsequent to the public exhibition and adoption of the new Town Centre Masterplans and Local Environmental Plan / Development Control Plan Recommendations in late 2006 and early/mid 2007, a series of public hearings identified the following range of future car parking supply and parking demand issues which are required to be addressed by the Parking Management Strategy in each of the Town Centres.

Centre	Recommendations	Means of Achieving
Lindfield	The manner in which any public car parking which is to be	Parking

#### Table 1: Public Hearing Into Land Reclassification/ Town Centres

	eliminated due to the restructuring the Centres, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Management Strategy.
Gordon	Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to traffic management and parking arrangements (including proposed minimum totals of public parking and general principles of free parking access).	Parking Management Strategy.
Pymble	The manner in which any public car parking which is to be eliminated due to the restructuring of the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Parking Management Strategy.
Turramurra	The manner in which any public car parking which is to be eliminated due to restructuring the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Parking Management Strategy.
St lves	Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to parking provision which indicates proposed minimum totals of public parking and which clearly addresses foreshadowed parking demand indicated in specialist traffic and parking study.	Parking Management Strategy.

#### 2.2 Traffic and Transport Policy 2006 (Ku-ring-gai Council)

In November 2006, Ku-ring-gai Council established a 'Traffic and Transport Policy' with the aim to improve the traffic and transport issues for the overall benefit of the community. The following major traffic and transport issues have been investigated.

#### 2.2.1 On-Street Parking

#### Key Findings

Most Ku-ring-gai town centre residents and their visitors, shoppers and commuters can generally find an on-street parking space in close proximity to their destination. In many shopping centres Council provides free but time restricted off-street parking facilities for significant number of vehicles.

Similarly rail and bus commuters are also currently satisfied with the parking availability. However, some are now having to walk further distances to their transport connections. Short term parking now applies close to shops and public transport and longer duration parking further away. Therefore, residents and commuters compete for the allocated parking spaces resulting in some loss of on street parking spaces for the residents.

At present there is no meter parking in Ku-ring-gai where parking demand is generally highest in the main streets of the shopping centres. On-street pay parking could be considered in future although it is discouraged by the shop owners. The pay parking would assist in meeting any future costs of providing and maintaining additional car parking.

#### Adopted Policy

Council continues to provide on-street parking for residents, shoppers and the commuters.

## 2.2.2 Council-Controlled Car Parks Key Findings

Council controls over 50 off-street car parks where most of them are in close proximity to shopping centres and railway stations. All car parks are free except one (Culworth Avenue, Killara) and time restrictions apply to many of them. Most of the commuter car parks are in Railway properties and encourage commuter use.

Car parks should be adequately lit to improve security of the commuters. Secure bicycle parking should be provided according to Australian Standard where appropriate.

#### Adopted Policy

The car parks which are provided to shoppers and their customers should impose a 2 hour time restriction. The Council car parks should provide Disabled Parking as per Australian Standard.

#### 2.2.3 Resident Parking Schemes

#### Key Findings

Council has been requested from time to time by local residents to introduce Resident Parking Schemes on local roads near railway stations. The Resident Parking Schemes are now regulated under the *Road Transport (Safety and Traffic Management) Act 1999.* The guidelines allow for a maximum of two resident parking permits per dwelling, reducing by the number of available off-street parking spaces. Most of the single residential properties in the Ku-ring-gai Council area have sufficient space on-site to provide for parking for more than one vehicle, and therefore, few areas would qualify for the scheme.

The advantages and disadvantages of Resident Parking Schemes have been investigated and discussed in the policy document.

#### Adopted Policy

The introduction of Resident Parking Schemes is not supported in Ku-ring-gai area.

#### 2.3 Previous Transport and Parking Reports

#### 2.3.1 Traffic & Transport Base Study (GHD)

In January 2000 GHD was appointed by Ku-ring-gai Council to undertake traffic and transport study in Ku-ring-gai local government area. The purpose of the study was to provide information to the Council which would lead to the development of a Residential Development Strategy for Ku-ring-gai Council area. A number of traffic and transport issues were investigated in the report. Some of the major issues are described below:

#### 2.3.2 Road Network Deficiencies/ Local Issues

- Lack of defined sub-arterial roads and road connectivity
- Termination of the F3 Freeway at Pacific Highway / Pennant Hills Road
- Lock of direct connections between the eastern and western sides of Pacific Highway
- Peak hour local traffic congestion is mainly caused by 'rat-running' due to access restrictions onto the arterial road system
- Pedestrian related accidents at busy commercial centres
- School related traffic congestions

The current RTA road network upgrade proposals within the Ku-ring-gai area are few and will have minimal direct impact on Ku-ring-gai's road network performance.

#### 2.3.3 Parking Issues

Council controls 52 car parks in Ku-ring-gai providing 2944 car parking spaces. The survey indicates that the majority of the car spaces at or near the rail stations are occupied by Ku-ring-gai Council residents. The following strategies were recommended to minimise employee parking at the major centres:

- Limiting free on-street parking spaces around the commercial/ employment centres
- Limiting the amount of employee parking provision for any development at locations whether public transport facilities are available

#### 2.3.4 Road network and traffic impact issues

The current land use and population growth of Sydney region will have serious traffic impact on the road network in Ku-ring-gai resulting in significant reduction in intersection performance along the main arterial road by 2016, particularly the Pacific Highway. The following major intersections would be the major concern:

Pacific Highway at:

- Fox Valley Road
- Rohini Street (Eastern Road)
- Livingstone Avenue
- Park Avenue
- Balfour Street/ Havilah Road
- Clanville Road

#### 2.3.5 Ku-ring-gai Parking Study (GHD)

In August 2000 GHD was appointed by Ku-ring-gai Council to undertake a parking study in the Ku-ring-gai area. The main objective of the was to identify the existing parking facilities and provide a solution to improve the existing parking or provide additional parking along the North Shore railway line, major commercial centres at these stations and the St Ives commercial area.

The study developed a number of major parking management strategies which included **reducing commuter parking** and **the introduction of pay parking** in the Ku-ring-gai area.

#### Commuter Parking at Railway Stations

#### Key Findings

Provision for commuter parking at or close to the railway stations is neither considered to be sustainable nor environmentally beneficial. The State Rail Authority (SRA) previously built a number of car parks at the major railway stations for commuters to boost the patronage but later abandoned the practice for various reasons, mainly environmental.

The long time effect of commuter car park to the community was identified as follows:

- Increased traffic flows and congestion on street, particularly those in close proximity to car parks at peak periods with associated safety and amenity problems
- Depriving the opportunity of providing viable feeder transit services
- Depriving the opportunity of providing short stay parking in commercial centres

• Occupying prime real estate residential, retail and commercial development that could be used by the nearby transport facilities

#### **Recommendation**

- Introduce charges to commuter car parks at a rate equal to or greater than the average feeder bus services. The revenue could be used on improving pedestrian and cyclist access, kiss 'n' ride facilities, most importantly feeder bus services. This would require negotiation with SRA.
- Gradually reduce the number of unrestricted parking spaces and make them short term use
- In the longer term, for those who are not conveniently located on the feeder bus lines, a permit system could be introduced to enable the holders to a parking space in close proximity to the rail stations

#### Introduction of Pay Parking

#### Key Findings

The report describes that many municipalities in Sydney have already introduced pay parking in local commercial centres. The revenue that is generated by pay parking could be used by Council to fund other transport facilities. The report indicated that although pay parking is generally opposed by small businesses which do not provide on-street parking, this effect may be less significant when compared with the effect of the loss of on-street parking spaces to those who illegally overstay the parking limit. This has been found to occur frequently in Ku-ring-gai due to the inadequate enforcement resources.

#### **Recommendation**

It was recommended to introduce pay parking in those locations which are generally intensively used. To gradually introduce pay parking in the Ku-ring-gai area, it was suggested that a trial location be first implemented.

In addition to above, the issues of the major centres have been identified in the report. A suburb by suburb analysis and their recommendations are outlined below:

#### Roseville

#### Major Issues

- There is a serious lack of parking particularly for patrons to the cinema
- Most of the off-street car parks are intensively used during weekdays with low turnover. There are lack of short stay parking
- Lack of enforcement are the main reason for the poor turnover of parking spaces
- There are no Disabled Parking spaces provided

#### Recommendation

- Introduce pay parking along Pacific Highway between Clanville Road and Maclaurin Parade to increase turnover
- Introduce pay parking in the Hill Street car park Subject to negotiation with SRA
- Provide Disabled Parking spaces in Lord Street car park and Larkin Lane car park
- Extend time restrictions on the following streets:
  - Oliver Road, to The Grove

- Roseville Avenue, to Glencroft Street
- Lord Street and Bancroft Avenue, to Glencroft Road and
- Victoria Street to Spearman Street.

#### Lindfield

#### Major Issues

- Lack of overall parking provision to the centre due to lack of turnover of spaces
- Most of the parking spaces in close proximity to shops and railway station are occupied by employees of the shops and rail commuters
- Abuse of short stay parking due to lack of enforcement
- High parking demand by the Bridge Club at Kochia Lane car park
- Lack of disabled parking spaces in the Council car parks. In some cases spaces
   are below standard

#### Recommendation

- Introduce pay parking in the following locations:
  - Woodford Lane car park (for long stay users)
  - Pacific Highway between Gladstone Parade and Highfield Road
  - Lindfield Avenue between Havilah Road and Russell Avenue
- Increase pick-up and drop-off facilities in front of Holy Family School premises. Install 'No Parking' zone on Highfield Road adjacent to the Catholic Church. Increase kiss 'n' ride bay along Lindfield Avenue on either side of existing pedestrian crossing at railway station
- Change parking and circulation layout at the Kochia Lane car park
- Extend parking duration at Havilah Lane car park to 4 hour parking to encourage members of the Bridge Club to use this car park rather than the Kochia Lane car park. This recommendation is now no longer relevant as the Bridge Club has closed.
- Extend the existing restrictions or introduce new time restrictions in the following roads:
  - Tryon Road (between Lindfield Avenue and Nelson Road) 2 hour
  - Havilah Rod (between Lindfield Avenue and Milray Street) 2 hour
  - Nelson Road (between Havilah Road and Tryon Road) 2 hour
  - Woodside Avenue (between Lindfield Avenue and Blenheim Road) 4 hour
  - Balfour Street, Bent Street and Beaconsfield Parade 250m from Pacific Highway (4 hour), with no parking for the first 100m (subject to no loss of existing parking spaces)
  - Upgrade Disabled Parking spaces to meet the Australian Standard

#### Gordon

#### Major Issues

- Strong parking demand in Wade Lane car park (85% capacity) and Gordon Centre car park (90% capacity)
- Traffic congestion on the Pacific Highway during peak periods due to the parked cars
- Lack of loading area and kiss 'n' ride area in St Johns Avenue
- Lack of pedestrian crossings on the Pacific Highway

#### Recommendation

- Improve traffic flow condition in Wade Lane car park as follows:
  - Reverse the flow of Wade Lane car park (with no right turn from Park Avenue)
  - Install two phase traffic signal control at the junction of Wade Lane and Clipsham Lane
  - Kerb extension at the junction of Wade Lane and Park Avenue
- Introduce pay parking on weekdays between 8am-6pm at the following locations:
  - Pacific Highway (between St Johns Avenue and Park Avenue)
  - St Johns Avenue (east of Pacific Highway)
  - Wade Lane car park (for parking greater than 2 hours)
  - Henry Street car park (for parking greater than 2 hours)
- Introduce or extend 1 hour parking restrictions on the following streets:
  - Dumaresq Street (between Pacific Highway and Vale Street) subject to resolving Council's employee parking issues
  - Moore Street (between Pacific Highway and Vale Street)
  - Park Avenue / Werona Avenue (between Park Avenue and McIntosh Avenue)
  - Henry Street and Cecil Street (east of Pacific Highway)

#### St Ives

#### Major Issues

• Shortage of long stay parking spaces for the employees of the centre

#### **Recommendation**

• Introduce pay parking for the long stay users for the centre car park. Remove the existing 4 hour parking restrictions

#### Pymble

#### Major Issues

- Street signage, street lighting and access geometry should be improved in the car parks in Alma Street and Grandview Lane
- Lack of short stay parking near the shopping centre of Grandview Street
- Most of the shops fronting Pacific Highway do not have convenient customer parking

## **Recommendation**

- Provide additional directional signs on Grandview Street for Grandview Lane car park and Alma Street car park
- Improve lighting on the pedestrian walkway from Grandview Street to Grandview Lane car park
- Review current needs for taxi and bus stand areas and rearrange parking layout to increase parking capacity. Convert Grandview Street to one-way south. The existing traffic could use Post Office Street which has a better sight distance than the Grandview Street intersection. Conversion to angle parking will increase the parking space up to 6 spaces
- In the long term, extend the Council car park at Grandview Lane using the adjacent vacant Council land.

#### Turramurra

#### Major Issues

- A significant amount of parking spaces near the railway station were believed to be taken by people living outside Ku-ring-gai Council LGA. However, a survey found only 12% of the people parking at Turramurra rail station were from outside Kuring-gai LGA area
- The marked pedestrian crossing in Rohini Street is not functioning properly due to excessive vehicular speed and vehicles failing to stop at the crossing

#### **Recommendation**

- Reduce the number of 4 hour parking and convert some of those to allow staff parking at the Council car park (Ray Street and William Street)
- Introduce parking charges to all-day commuter parking
- Extend the existing on-street parking time restriction in the following streets:
  - Rohini Street
  - Gilroy Road (north to retirement village)
  - Eastern Road (to James Lane)
  - Turramurra Avenue (to Nulla Nulla Street)
- Improve the circulation of the Kissing Point Road car park by erecting a 'Stop' sign on the exit of the undercover parking area.

#### 2.4 Town Centre Traffic Studies

# 2.4.1 St Ives Town Centre Traffic and Parking Study (Transport & Urban Planning)

In February 2005 Transport and Urban Planning was commissioned by Ku-ring-gai Council to undertake a traffic and parking study for the St Ives Town Centre. The aim of the study was to identify the existing and future development traffic generation including LEP 194 and the potential traffic demand caused by the proposed commercial and residential growth of the study area. The study guided Council on the provision of the infrastructure in the town centre.

The existing shopping centre off-street car parking supply was observed to be approximately 1050 spaces, which represented 1 parking space per 15.7 square metres for the gross floor area of the shopping centre (16,500  $\text{m}^2$ ).

# Key findings

There was high demand of parking around St Ives Shopping Centre due to insufficient car parking spaces. Motorists were observed regularly circling the car parks to obtain a parking space. The study estimated that there were shortages of 150-200 off street parking spaces in the centre. Consequently, overflow of car parking occurred in Cowan Road and Memorial Avenue competing with residential demand and weekend peak demand associated with the playing fields/ sporting facilities bounded by Village Green Parade, Cowan Road, Kanoona Avenue, Killeaton Street and Memorial Ave.

### 2.4.2 Gordon Town Centre Traffic and Parking Study (GTA)

In December 2005 GTA Consultants was appointed by Ku-ring-gai Council to undertake Traffic and Car Parking Study for Gordon area. The key findings of the study were as outlined below:

- The parking inventory identified a total of 2349 parking spaces (747 on-street and 1602 off-street parking).
- Of the on-street parking spaces, 77% (576) spaces were unrestricted during the business hours and approximately 20% were short term parking spaces (less than 2 hours), the majority located in Pacific Highway.
- Of the off-street parking spaces, 38% (612) spaces were unrestricted and are suitable for rail commuters. The commuter carparks were located on Werona Avenue, Park Avenue and Henry Street. Approximately 46% (733) off-street parking were medium term (2-4 hours) with a large majority of which is provided in Gordon Centre and Council carpark adjacent to Wade Lane. These spaces mainly serve retail function. Approximately 16% of the total parking spaces are either staff parking or parking for people with disability.
- Peak parking demand (81%) was observed between 12pm and 2pm on a Thursday. The parking surveys were undertaken on a Thursday and a Saturday. A summary of the parking survey on each day is outlined below:

#### Thursday (12-2 pm)

- Occupancy rate 81%
- On-street parking occupancy 77%
- Off-street parking occupancy 86%

#### Saturday (12-2 pm)

- Occupancy rate 36%
- On-street parking occupancy 34%
- Off-street parking occupancy 38%
- The on-street parking demand on the eastern side of Pacific Highway is approximately 20% greater than the western side on Thursday and same on Saturday.
- The long term off-street parking demand in commuter carpark exceeds the existing provision with vehicles parked illegally in non designated parking spaces.

#### 2.4.3 Turramurra Town Centre Traffic and Parking Study (GTA)

In July 2005 GTA Consultant was appointed by Ku-ring-gai Council to undertake a traffic and transport analysis in Tarramurra area. The key findings of the study associated with supply and demand of parking is described below:

- The parking inventory identified a total of 1797 parking spaces (1238 on-street and 559 off-street parking).
- Of the on-street parking spaces, 90% (1114) spaces were unrestricted during business hours. In addition, another 80 off-street parking spaces (including 35 spaces for rail commuters) were unrestricted during business hours. Therefore, the study found that there were not enough parking spaces for the 'park-and-ride' rail commuters.
- Parking surveys were undertaken on a Thursday and a Saturday. A summary of the parking survey on each day is outlined below:

# Thursday (11am)

- Occupancy rate 63%
- On-street parking occupancy 55%
- Off-street parking occupancy 80%
- 4-hour and unrestricted parking demand exceeded supply
- Parking demand was similar on both side of Pacific Highway

## Saturday (10am)

- Occupancy rate 39%
- On-street parking occupancy 28%
- Off-street parking occupancy 65%
- On street parking demand on the northern side of Pacific Highway (32%) is higher than the southern side of Pacific Highway (11%)
- On the Thursday survey, the following streets had on-street parking demand approaching capacity, eg 80% or higher:
  - Catalpa Crescent
  - Duff Street
  - Boyd Street
  - Ku-ring-gai Avenue (south side between Pacific Highway and Womerah Street)
  - Turramurra Avenue (between Pacific Highway and Wonga Wonga Street)
  - Brentwood Avenue (between Eastern Road and Gilroy Road)
  - King Street
  - Gilroy Road
  - Eastern Road (between Brentwood Avenue and Gilroy Lane)
  - Rohini Street (northwest of Eastern Road)

# **3 Existing Conditions**

# 3.1 Land Uses

# 3.1.1 Retail and Commercial Land Uses

The Town Centres of Ku-ring-gai LGA that have been examined by this study contain a range of small and medium sized commercial centres, with surrounding residential

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- Off-street parking occupancy 80%
- 4-hour and unrestricted parking demand exceeded supply
- Parking demand was similar on both side of Pacific Highway

## Saturday (10am)

- Occupancy rate 39%
- On-street parking occupancy 28%
- Off-street parking occupancy 65%
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# **3 Existing Conditions**

# 3.1 Land Uses

# 3.1.1 Retail and Commercial Land Uses

The Town Centres of Ku-ring-gai LGA that have been examined by this study contain a range of small and medium sized commercial centres, with surrounding residential

development, numerous schools and churches and in most cases Railway Stations on the North Shore Line.

These Railway Stations, as well as providing good access to public transport for the residents of the immediately surrounding local areas, also attract substantial levels of rail commuter car parking demand on weekdays which utilises either designated rail commuter car parking areas e.g. at Gordon ,Roseville and Turramurra Railway Stations, or park on street in nearby streets, in particular the major local collector streets which run parallel to the Railway Line on the Eastern Side.

The Retail Hierarchy of the Ku-ring-gai Town Centres is illustrated by the current levels of retail and commercial floorspace in each centre which were compiled by a Ku-ring-gai Council inventory survey in 2006 as illustrated in **Table 2**.

Town Centre	Type of Centre in the Retail Hierarchy	Total Business GFA m2	Total Retail GFA m2
Gordon	Medium-Large	54,859	22,200
St Ives	Medium-Large	13,650	28,900
Lindfield	Small-Medium	19,317	16,902
Turramurra	Small-Medium	13,890	20,838
Pymble	Small	18,301	6,853
Roseville	Small	9,405	10,840

Table 2: Retail Hierarchy of Ku-ring-gai Town Centres

Some of the centres, in particular, Pymble and Gordon have developed an extensive linear strip of commercial development, including Automotive Trade uses, along the Pacific Highway to the north and south of the core commercial centre which is located at the Railway Station. These uses are indicative of the extent to which passing traffic on the Pacific Highway is effectively a significant factor in supporting the commercial viability of these centres, notwithstanding the adverse street amenity affects of the high traffic volumes e.g. 50,000 vehicles per day on the Pacific Highway through the centre of Gordon.

None of the town centres in Ku-ring-gai have sufficient combined retail and commercial area to be classified as a Major Centre, according to the NSW Government's Metropolitan Strategy where the major retail centres in the surrounding LGA's ie Chatswood, Hornsby and Brookvale/Dee Why are all classified as Major Centres, all having at least 8,000 and in some cases over 20,000 jobs located in the centre.

Additionally the Macquarie Park Centre at North Ryde which has an extensive industrial/technology/university research employment base in addition to retail and commercial development is classified as a Specialised Centre in the Metropolitan Strategy.

The location of these major centres, all within reasonable commuting distance, but in adjoining LGA's to Ku-ring-gai, will effectively limit the future retail and commercial development of the Ku-ring-gai Town Centres to a primarily local role serving the local retail and business needs of the local population, which nevertheless with significant forecast local population growth, will lead to a demand for significant expansion above existing levels of retail and commercial floorspace in the centres.

## 3.1.2 Other Land Uses

In most of the town centres there are also adjoining land uses which will at times generate significant additional car parking demand in the town centre, and whose effects will need to be accounted for in the study, generally by ensuring a significant vacancy level in the local area car parking to account for these land uses car parking demands in addition to the town centre retail and business car parking

These land uses are as follows:

#### Roseville

The Roseville Cinema

Roseville College

Churches

#### Lindfield

The Lindfield Dance School

#### Gordon

Ravenswood Girls School

Church

Library

#### Pymble

Pymble Ladies College

Mt St Bernard College

#### Turramurra

Church

Library

**Community Health Centre** 

#### St Ives

Village Green and William Cowan Oval

Christ Church

Corpus Christi College

Masada College

Bowling Club

Community Centre

YMCA

# 3.2 Key Locations of On-Street and Off-Street Parking

Inspections of the key on street and off street car parking areas of all the town centres were undertaken on Wednesday 5 September 2007. The general levels of the existing parking utilisation in these areas are shown in the photographs in this section.

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Photograph 1: Coles Carpark at Balfour Street, Lindfield

Photograph 2: Chapman Lane Carpark, Lindfield





Photograph 3: Woodford Lane Carpark, Lindfield

Photograph 4: Lindfield Avenue, Lindfield





Photograph 5: Pacific Highway, Lindfield

Photograph 6: Wade Lane Multi-Level Carpark, Gordon

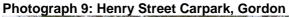




Photograph 7: Gordon Centre Carpark, Gordon

Photograph 8: Werona Avenue Carpark, Gordon







Photograph 10: Henry Street Multi-Level Carpark, Gordon





Photograph 11: Angle Parking in Henry Street, Gordon

Photograph 12: On-Street Parking in Grandview Street, Pymble





Photograph 13: On-Street Parking in Grandview Street Outside the Station, Pymble

Photograph 14: Rail Commuter Parking in Hill Street, Roseville





Photograph 15: Larkin Lane Carpark, Roseville

Photograph 16: Council Carpark in Lord Street, Roseville





Photograph 17: Hill Street Rail Commuter Carpark, Roseville

Photograph 18: On-Street Parking in Lord Street, Roseville





Photograph 19: Gilroy Lane Carpark, Turramurra

Photograph 20: Kissing Point Road Carpark, Turramurra





Photograph 21: Ray Street/ William Street Carpark, Turramurra

Photograph 22: On-Street Parking in Rohini Street, Turramurra





Photograph 23: Village Green Carpark (outside), St Ives

Photograph 24: Village Green Carpark (outside), St Ives





Photograph 25: Village Green Carpark (underground), St Ives

Photograph 26: Stanley Street Carpark, St Ives





Photograph 27: Public Carpark in Mona Vale Road (opposite to Stanley Street), St Ives

Photograph 28: On-Street Parking in Cowan Road, St Ives





#### Photograph 29: On-Street Parking in Memorial Avenue, St Ives

#### 3.3 Parking Inventory

The town centre parking inventory has been surveyed for each of the town centres, including the surrounding residential streets and all areas affected by rail commuter car parking, for a distance of up to 400-600 metres typically in each direction from each of the town centres.

The car parking inventory is based on publicly accessible car parking and includes all on street car parking and those off street car parks which are generally accessible to the public, including all the privately owned shopping centre car parks, Council car parks and the SRA Rail Commuter car parks.

The car parking inventory maps are summarised in Appendix B of this report for each of the town centres in accordance with the following four categories of parking:

- Unrestricted i.e. "long stay" car parking on street
- Unrestricted i.e. "long stay" car parking off street
- Restricted i.e. "short stay" car parking on street
- Restricted i.e. "short stay" car parking off street

The only type of car parking which is not included in the inventory maps is car parking on private property that is not generally accessible to the public.

This type of car parking is typically used for "long stay" staff or business owner car parking for the various shops and businesses in each centre and also contributes to meeting the demand for long stay car parking in the Town Centres.

This type of parking has been independently surveyed by Ku-ring-gai Council for this study, with the following amounts of additional off street "private" car parking available for use by the managers and employees and of commercial offices and retail businesses in each centre, including the Ku-ring-gai Council Chambers and Council administration building at Gordon.

- Roseville: 221 "private" off street car parking spaces
- Lindfield 353 "private" off street car parking spaces
- Gordon 212 "private" off street car parking spaces



#### Photograph 29: On-Street Parking in Memorial Avenue, St Ives

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- Pymble 267 "private" off street car parking spaces
- Turramurra 293 "private" off street car parking spaces
- St lves 243 "private" off street car parking spaces

## 3.4 Resident Parking Schemes

The current Ku-ring-gai Council Traffic and Transport Policy does not generally support the introduction of residents car parking schemes.

However schemes to prevent long stay car parking at certain times of the day, e.g. in the local residential streets in the vicinity of the UTS Ku-ring-gai Campus, do operate to prevent long stay on street parking by non residents, without any actual need for residential permits as most residents have sufficient off street parking for their and their visitors needs.

Resident's car parking schemes could potentially be justified in areas where there is heavy on street rail commuter car parking demand.

However as surveys in this report (refer Chapter 4) and previous reports have shown, this rail commuter car parking demand is approximately 80-90% generated by residents from other suburbs of Ku-ring-gai LGA and Council would have to effectively discriminate against residents of other areas of the Municipality if it were to introduce residents parking schemes to these type of streets.

A previous report (GHD 2000) did suggest a parking permit type scheme could be introduced where Ku-ring-gai Residents (specifically those who do not live in close proximity to a bus stop on a high frequency bus route) could be eligible for on street parking permits at a nominal annual charge to enable them to park on street, in streets in close proximity to a rail station.

This type of permit system would be similar in principal to the type of "beach access" car parking permit schemes which are operated by Waverley and Warringah Councils for the benefit of their residents. However to be equitable such permits should be eligible to be purchased by all LGA residents.

# 3.5 Enforcement

Anecdotal evidence from previous studies indicates that the current level of parking enforcement of on street and off street parking restrictions is relatively low leading to frequent overstaying of vehicles parked in time restricted car parking zones.

It is understood that since the previous major parking study in 2000, Council has revised the parking restrictions in the various major off street car parks e.g. in the major centres such as Gordon and St lves to ensure that adequate long stay staff car parking is now provided in the major off street car parks in these centres such that overstaying of car parking time limits is no longer a sufficiently major concern as to warrant increased levels of parking enforcement.

Council's Annual Report for the year ended 30 June 2006 indicated that total revenue for parking fines was \$560,000 which was a 30% increase on the previous year's total of \$431,000.

The current levels of parking enforcement in the Ku-ring-gai Town Centres are practically constrained by a number of factors, namely.

- There is no contractual arrangement for Council to enforce car parking time limits in the major shopping centre car parks
- Council's parking enforcement officers currently have to share vehicles which limits their mobility

• The displayed parking time limits signage in a number of the Council owned car parks is either missing or does not meet the requirements to be legally enforceable

# 3.6 Parking Charges

In the longer term as commercial centres grow, the introduction of pay parking often occurs for both on street parking e.g. ticket parking and parking metres and in off street public and shopping centre car parks where either ticket parking or paid car parking (usually with an initial 2 hour free parking period).

For Council controlled car parking, the introduction of paid car parking is normally only warranted to maintain appropriate turnover of parking spaces where there is significant evidence of abuse (e.g. overstay) of the signposted parking time limits.

For the major shopping centre car parks that are privately owned, the introduction of pay car parking is essentially a commercial decision to be made by the shopping centre owner/operator on the basis that any additional net revenue ( income minus operating costs ) which is raised from pay car parking would not be offset by any corresponding loss of trade from shoppers or restaurant patrons who may be encouraged to spend less time in the centre as a result of pay parking or even to shop or dine elsewhere where free parking may be available.

An additional constraint to the introduction of paid car parking in any major shopping centre car park is that development approval from the local Council is normally required together with ongoing annual licensing of the car park to operate as a paid car park.

For the rail commuter car parks which are located on SRA land, it is not currently RailCorp policy to charge rail commuters (or any others who may be using their car parks) for long stay car parking.

# 4 Parking Surveys and Observations

# 4.1 Town Centre Parking Surveys

The town centre parking surveys which have been undertaken for this report were undertaken on a busy weekday, either a Wednesday in the smaller centres or a Thursday in the larger centres and on a typical Saturday, during late August and early September 2007.

The full survey results including parking occupancy profiles throughout the day are included in Appendix C. The significance of the survey results in each of the individual centres is discussed further in the development of the future study recommendations for each centre in Chapter 7 of this report

A summary of the survey results including the capacity and peak utilisation rates of the different types of parking at different times of the day is summarised in **Table 3**.

Centre	Time Limit of Parking	Location	Total Parking Spaces	Peak Usage Weekday	%	Time of day	Peak Usage Saturday	%	Time of day
Roseville	Unrestricted	On Street	611	468	77%		189	31%	
	Unrestricted	Off Street	31	31	100%		15	48%	
	Unrestricted	Both	642	499	78%	11.00	204	32%	12.00
	Restricted	On Street	211	129	61%		126	60%	

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Centre	Time Limit of Parking	Location	Total Parking Spaces	Peak Usage Weekday	%	Time of day	Peak Usage Saturday	%	Time of day
	Restricted	Off Street	102	96	94%		94	92%	
	Restricted	Both	313	225	72%	10.00	220	70%	12.00
	All Parking	Total	955	724	76%		424	44%	
Lindfield	Unrestricted	On Street	681	500	73%		182	27%	
	Unrestricted	Off Street	72	59	82%		22	31%	
	Unrestricted	Both	753	559	74%	11.00	204	27%	11.00
	Restricted	On Street	256	135	53%		150	59%	
	Restricted	Off Street	348	250	72%		201	58%	
	Restricted	Both	604	385	64%	12.00	351	58%	10.00
	All Parking	Total	1357	944	70%		555	41%	
					<u> </u>				
Gordon	Unrestricted	On Street	632	471	75%	(	200	32%	
	Unrestricted	Off Street	801	765	95%		207	26%	
	Unrestricted	All	1433	1236	86%	12.00	407	29%	12.00
	Restricted	On Street	243	173	71%		103	42%	
	Restricted	Off Street	827	725	88%		471	57%	
	Restricted	All	1070	898	84%	12.00	574	54%	12.00
	All Parking	Total	2503	2134	85%		981	39%	
			~						
Pymble	Unrestricted	On Street	330	285	86%		69	21%	
	Unrestricted	Off Street	0	0	N/A		0	N/A	
	Unrestricted	All	330	285	86%	11.00	69	21%	16.00
	Restricted	On Street	272	152	56%		76	28%	
	Restricted	Off Street	89	59	66%		19	21%	
	Restricted	All	361	211	58%	12.00	95	26%	10.00
	All Parking	Total	691	496	72%		164	24%	
Turramurra	Unrestricted	On Street	433	381	88%		137	32%	
	Unrestricted	Off Street	78	78	100%		45	78%	
	Unrestricted	All	511	459	90%	12.00	182	36%	12.00
	Restricted	On Street	138	87	63%		80	58%	.2.00
	Restricted	Off Street	464	352	76%		264	57%	

Centre	Time Limit of Parking	Location	Total Parking Spaces	Peak Usage Weekday	%	Time of day	Peak Usage Saturday	%	Time of day
	Restricted	All	602	439	73%	11.00	344	57%	11.00
	All Parking	Total	1113	898	81%		526	47%	
St Ives	Unrestricted	On Street	310	174	56%		121	39%	
	Unrestricted	Off Street	20	19	95%		19	95%	
	Unrestricted	All	330	193	59%	12.00	140	42%	11.00
	Restricted	On Street	79	56	71%		58	73%	
	Restricted	Off Street	1263	1138	90%		923	73%	
	Restricted	All	1342	1194	89%	14.00	981	73%	12.00
	All Parking	Total	1672	1379	83%	•	1121	67%	

# 4.2 Summary of Results

The survey results indicated that all the centres surveyed exhibited some spare car parking capacity on the relevant days of the survey which were.

- Pymble, Wednesday 29 August and Saturday 1 September 2007
- Roseville and Turramurra, Thursday 30 August and Saturday 1 September 2007
- Lindfield, Gordon and St Ives, Thursday 13 September and Saturday 15 September 2007

The ranking of the centres in terms of the demand for available parking and the remaining spare car parking capacity in each of the centres is summarised in the **Table 4**.

The peak levels of car parking utilisation in all of the centres were all generally greater on a weekday (Thursday typically) than on a Saturday with overall peak parking utilisation in the range 70-85% occurring in all the centres on a Thursday in comparison to peak parking utilisation in the range 24-67% occurring in same centres on a Saturday.

This same situation is also evident for the short stay time limited parking in all of the centres which was also more heavily utilised on a weekday than on a Saturday as follows.

- St Ives Short Stay Parking = peak utilisation 89% Thursday vs 73% Saturday
- Gordon Short Stay Parking = peak utilisation 84% Thursday vs 54% Saturday
- Turramurra Short Stay Parking = peak utilisation 73% Thursday vs 57% Saturday
- Roseville Short Stay Parking = peak utilisation 72% Thursday vs 70% Saturday
- Lindfield Short Stay Parking = peak utilisation 64% Thursday vs 58% Saturday
- Pymble Short Stay Parking = peak utilisation 58% Weekday vs 26% Saturday

Centre	Total Parking Spaces	Peak Percent Parking Spaces Occupied	Peak % Parking Spaces Occupied Long Stay	Peak % Parking Spaces Occupied Short Stay	Minimum Number of Vacant Parking Spaces	Vacant Spaces Long Stay, Short Stay
Ranking of C	entres by Pea	ak Weekday Pa	irking Occupan	юу		
Gordon	2503	85%	86%	84%	369	197, 172
St Ives	1672	83%	59%	89%	293	137, 148
Turramurra	1113	81%	90%	73%	215	52, 163
Roseville	955	76%	78%	72%	231	143, 88
Pymble	691	72%	86%	58%	195	45, 150
Lindfield	1357	70%	74%	64%	413	194, 219
Ranking of C	entres by Pea	ak Saturday Pa	rking Occupan	су		
St Ives	1672	67%	42%	73%	551	190, 361
Turramurra	1113	47%	36%	57%	587	329, 258
Roseville	955	44%	32%	70%	531	438, 93
Lindfield	1357	41%	27%	58%	802	549, 253
Gordon	2503	39%	29%	54%	1522	1026,496
Pymble	691	24%	21%	26%	537	261, 266

#### Table 4: Peak Parking Usage and Spare Capacity

# 4.3 Rail Commuter Interview Surveys

The rail commuter car parking demand at the Ku-ring-gai LGA Town Centre Rail Stations is highly significant.

Interview surveys were undertaken which recorded the responses of an average 44% sample of all adult rail passengers boarding during the 6.00-9.30 am morning peak period at the five stations as listed in **Table 5.** 

Station	3.5 Hour Am Peak Adult Rail Passenger Boardings	Number of Adult Rail Passengers Surveyed	% Survey Sample Size
Gordon	2360	933	39.5%
Lindfield	1510	728	48.2%
Pymble	1240	464	37.4%
Roseville	1210	495	40.9%
Turramurra	1990	1040	52.3%
Total	8310	3660	44.0%

# Table 5: Sample Sizes for Rail Commuter Parking Survey

The survey was very rapid and asked two simple questions of each passenger as they were walking past the interviewer.

Q1 How did you travel to the railway station this morning. The survey responses were coded 1-8 as follows. Car Driver = 1, Car Passenger = 2, Walk = 3, Bus = 4, Bicycle = 5, Taxi = 6, Motorcycle = 7, Other = 8

Q2 (If the answer to Q1 was "Car Driver") The person was then asked what was their home suburb or postcode.

At the five Ku-ring-gai LGA Rail Stations surveyed, the overall proportion of boarding adult rail passengers who were car drivers was 35% with the range at individual stations as follows:

- Gordon, 52%
- Lindfield, 31%
- Pymble, 31%
- Turramurra, 30%
- Roseville, 17%

These proportions are significantly higher than the average for the City Rail network and indicate a high degree of dependence on car travel for access to the rail station. In contrast the proportions for bus travel were an overall average of 9% with the range at individual stations as follows:

- Turramurra, 19%
- Gordon, 8%
- Lindfield, 7%
- Pymble, 2%
- Roseville, 2%

There are commuter bus services which travel to all the major rail stations in Ku-ringgai LGA but their frequency and route coverage of residential suburbs is not high enough currently to be as attractive to rail commuters as driving a car to the station.

Also the surveys showed that overall, 86% of the survey respondents who drove a car to the rail station were Ku-ring-gai LGA residents, which indicates that the primary users and beneficiaries of the railway commuter car parks and the long stay parking on residential streets in the vicinity of railway stations are Ku-ring-gai LGA residents from both the local suburbs surrounding the railway stations and other more distant suburbs such as St Ives and West Pymble.

The actual proportions of Ku-ring-gai LGA residents which were recorded by the survey of persons driving to the five stations were as follows:

- Lindfield Station, 90%
- Turramurra Station, 90%
- Pymble Station, 89%
- Gordon Station, 86%
- Roseville Station, 61%

#### 4.4 Existing School Parking Needs

All the large primary and secondary schools in the study area have been observed to determine their on-street parking demand at both mid-day and afternoon peak periods and the existing parking restrictions in the vicinity. A suburb by suburb analysis of the school parking demand in the vicinity of the town centres is described below:

## Roseville College, Roseville

The streets adjoining the college were inspected in the afternoon school peak hour. The peak hour traffic around the school was satisfactory as there were no illegal parking or double parking of cars observed during the inspection. To assist the school pick-up and drop-off activity, there is a 'No Parking; 7.30am-9am; 2.30pm-3.30pm; School Days' zone in front of the school frontage in Victoria Street. School minibuses were observed to be parked inside the school. In addition, on-site basement parking is provided for the school staff and/ or visitors.

#### Lindfield Primary School, Lindfield

The school staff carpark is accessible from the Pacific Highway for approximately 30 vehicles. Two bus stops are located on the school boundary in Pacific Highway and Grosvenor Road. In addition, there is a 'No Parking; 7am-9am; Mon-Fri' zone on the northern side of Grosvenor Road to assist the school drop-off activity in the morning peak hours. To prevent school parking on the Pacific Highway, guard rails are installed along the footpath on the school frontage.

The site was inspected at around midday and approximately 50% of the on-street parking spaces were observed to be vacant at that time on the roads surrounding to the school.

#### Ravenswood Girls School, Gordon

Unrestricted 90 degree angle parking (rear to kerb) is available on the eastern side of Henry Street, directly opposite the school site. There is a 'No Parking; 7.30am-9am;2.30pm-4pm; School Days' zone at the school entrance in Cecil Street to assist the drop-off and pick-up activity of the school children. A bus stop is located on the western side of Henry Street outside the school.

The school was inspected during the afternoon school peak hour. All the nearby onstreet parking spaces were occupied by parent's cars. Although a "no parking" applies to the western side of Henry Street, some parents were observed to park for short periods of time. Several double parked vehicles were also noted.

#### Pymble Ladies College, Pymble

Extensive kerbside parallel parking spaces are available inside the school grounds, mostly on one side of the road only. Most of these parking spaces were found to be occupied during a mid day site observation. No afternoon school peak hour observations were undertaken, but the school is considered to have sufficient available on site parking to meet its general needs.

#### Mt. St. Bernard College, Pymble

The school has approximately 30 off-street parking spaces, accessible from Bobbin Head Road. During a site inspection in the afternoon, approximately 50% of these spaces were found to be vacant. There is no on-street parking available on the eastern side of Bobbin Head Road, however, unrestricted on-street parking is available on the western side of Bobbin Head Road opposite to the school.

#### Masada College, St Ives

The college located next to Corpus Christi school. There is no parking available in front the college. However, the college has a large off-street carpark for approximately 100 vehicles for use by the staff and/ or for parents collecting children.

#### Kaday Kindergarten, St Ives

There is an existing service road in front of the kindergarten, which is separated from Link Road by a narrow median island with associated steel fence. A total of 16 marked parking spaces '5 Minute Parking; 8am-9.30am; 2pm-3.30pm; 45<sup>0</sup> Angle Parking; Front to Kerb', are available in front of the school.

Corpus Christi Cathedral and School, St Ives

The above mentioned service road continues and also has 5 minute angle parking in front of the school. There are 13 parking spaces in front of the school. The school also has off-street parking facilities for approximately 50 vehicles, accessible from Link Road.

# 5 Future Conditions

# 5.1 Land Uses

#### 5.1.1 Future Retail and Commercial Developments

The future town centre retail and commercial development land use projections for the town centres have been prepared by Ku-ring-gai Council as part of town centre Masterplanning work which has been completed in recent years prior to the preparation and adoption of the new Town Centres DCP earlier this year.

The predicted additional amounts of retail and commercial "business" floor space which are estimated for full development of each of the centres under the recently adopted Town Centres DCP are summarised in **Table 6** below. The overall predicted floorspace growth for all the centres is + 44% with variable growth rates in each centre.

Town Centre	Existing Business GFA (m²)	Existing Retail GFA (m <sup>2</sup> )	Existing Total GFA (m <sup>2</sup> )	Business GFA Growth (m <sup>2</sup> )	Retail GFA Growth (m <sup>2</sup> )	Total GFA Growth (m2)	Overall % GFA Growth
Gordon	54,859	22,200	77,059	+ 5,003	+ 37,900	+ 42,903	+ 56%
St Ives	13,650	28,900	42,550	- 1,825	+ 20,572	+ 18,747	+ 44%
Lindfield	19,317	16,902	36,219	+ 3,602	+ 11,546	+ 15,148	+ 42%
Turramurra	13,890	20,838	34,728	- 2,390	+ 6,707	+ 4,317	+ 12%
Pymble	18,301	6,853	25,154	+ 16,020	+ 3,948	+ 19,968	+ 79%
Roseville	9,405	10,840	20,245	+ 974	+ 2,888	+ 3,862	+ 19%
Total	129,422	106,533	235,955	+ 21,384	+ 83,561	+ 104,945	+ 44%

**Table 6: Predicted Commercial Floorspace Growth** 

The majority of this additional future business and retail floorspace will be constructed as part of mixed use developments on a range of medium to large consolidated development sites in each of the town centres as illustrated by the maps in **Appendix E** of this report. The future increase in the theoretical car parking demand for these retail and commercial floorspace totals, as calculated in accordance with Council's historic and future car parking codes is documented in detail in the Table in **Appendix A** of this report.

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Corpus Christi Cathedral and School, St Ives

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A summary of the respective predicted effect of the increases in future floorspace and car parking demand in each of the centres, including rail commuter car parking demand ( maintained generally at current levels ) is shown in **Table 7**..

Table 7: Additional Future Parking Supply and Demand Situation in The Centres										
Centre and	Council	Council	Calculated	Total	Actual	Actual	Actual			

Centre and Predicted Floorspace Growth	Council Code Short Stay Demand	Council Code Long Stay Demand	Calculated Rail Commuter Parking Demand	Total Centre Calculated Parking Demand	Actual Centre Total Parking Supply	Actual Supply vs Calculated Demand	Actual Centre Peak Parking Usage	Actual Usage vs Actual Supply
Existing Parking Situation in the Centres (1)								
Gordon	1053	1401	1227	3681	2715	-966	2346	-369
Lindfield	598	591	468	1657	1710	+53	1297	-413
Pymble	338	462	384	1184	958	-226	763	-195
Roseville	356	316	206	878	1176	+298	945	-231
St Ives	1314	799	0	2113	1915	-198	1622	-293
Turramurra	647	518	597	1762	1406	-356	1191	-215
Total	4306	4087	2882	11275	9880	-1395	8164	-1716
Future Predicted Parking Situation in the Centres (1)(2)								
Gordon +42,903m2	2002	1883	1227	5112	4146	-966	3777	-369
Lindfield +15,148m2	904	776	468	2148	2201	+53	1788	-413
Pymble +19,968m2	559	798	384	1741	1515	-226	1320	-195
Roseville +3,862m2	433	364	206	1003	1301	+298	1070	-231
St Ives +18,747m2	2144	1123	0	3267	3069	-198	2776	-293
Turramurra +4,317m2	789	543	597	1929	1573	-356	1358	-215
Total	6831	5487	2882	15200	13805	-1395	12089	-1716

Note 1: Centre Long Stay Off Street "Private" Car Parking occupancy ( as summarised in Section 3.2 of this report ) was not specifically surveyed in each of the centres but is assumed to be fully utilised at most times of the day on weekdays

Note 2: Rail Station Commuter car parking demand in the centres should not increase in the future as most of the additional future LGA population will be living in Town Centres within walking distance of rail stations, the exception being St Ives for which a future rail station bus access strategy, with connecting bus services to Gordon Railway Station will need to be developed.

The significance of the results in **Table 7** above is that even after including the off street "private" car parking supply totals in each centre, the actual centre parking

supply is in most cases significantly below the theoretical parking demand including the rail commuter car parking demand. Notwithstanding this apparent shortfall in parking supply the parking utilisation levels in each centre still show significant levels of spare capacity in the actual parking supply. These results indicate that, at least in terms of traffic and parking activity, these centres would appear to be "under-trading" at the current time such that a primary objective of Council should be to not further compromise the commercial viability of these centre by the introduction of measures such as pay parking.

In each of the six centres, the basis of the future car parking strategy should be for the future developers of large consolidated retail, commercial and residential development sites to accomodate all future car parking demand on site, including visitor car parking, such that Council will not have to operate future Section 94 contributions plans to construct any balance or future shortfall of car parking supply from this source.

However, where there is a predicted future reduction in the existing supply of public car parking in any of the centres as a result of the proposed urban design streetscape "Public Domain" changes in Council's newly adopted Town Centre LEP Masterplans, Council will have to accept responsibility for providing replacement car parking in a suitably convenient and accessible location in each centre, such that the existing net balance of the available parking supply and demand in each of the centres in not affected

## 5.1.2 Other Types of Development

All the Ku-ring-gai LGA Town centres have adjoining land uses which at times compete for the available car parking within and adjoining the centres, e.g. the Sporting Ovals at St Ives and the various schools, churches and other uses at Roseville, Lindfield, Pymble and Gordon.

The current level of significance of these car parking demands adjoining each of the centres will continue in the future such that a reasonable level of spare on street parking capacity, of the order of 200 parking spaces, primarily on street parking spaces away from the prime commercial areas of each centre, is also generally necessary in or adjoining the centres for these uses.

# 6 Parking Options

## 6.1 Additional Public Car Parking

The primary requirement in the Ku-ring-gai LGA Town Centres is to maintain the existing balance of supply and demand of publicly accessible car parking, including vacant car parking for ease of use at peak periods, with the future additional business and retail development in the centres.

All of the centres have some vacant long stay and short stay parking currently even at peak periods, although the three busiest centres (Gordon, St Ives and Turramurra) now have parking utilisation now approaching the 85% peak occupancy level on weekdays where it will become difficult to find a parking spot in a preferred location at the busiest time of day, which is normally the hour around 12.00 midday in each of these three centres .

In all six of the centres, the peak parking occupancy level on Saturdays was always significantly lower than on weekdays, with only St Ives having a reasonably high overall Saturday parking occupancy level of 67%. All of the other centres had overall Saturday parking occupancy rates in the range 24-47%

The specific existing and future parking availability issues for each of the centres, which relate to the need for Council to provide additional public car parking are

discussed in detail in the future parking strategy recommendations for each centre in Chapter 7 of this report

## 6.2 Rail Commuter Car Parking

The rail commuter car parking demand at the Ku-ring-gai LGA Town Centre Rail Stations is highly significant.

On average over the City Rail network the proportion of rail passengers who drive a car to the rail station is typically about 10%. However at the five Ku-ring-gai LGA Rail Stations surveyed, the overall proportion of car drivers surveyed was 35% (26% if school children are included in the total rail passengers) which is significantly higher than the average for the City Rail network.

This indicates a high degree of dependence on car travel for access to the rail station. There are a range of regional and local bus services which travel to all the major rail station in Ku-ring-gai LGA but the current usage levels of these services by rail commuters is not high, except at Turramurra where a bus passenger usage level of 19% was recorded.

Also the surveys showed that overall 86% of the survey respondents who drove a car to the rail station were Ku-ring-gai LGA residents, so the rail commuter car parking at the major rail stations in the Ku-ring-gai does primarily serve the residents of the LGA,.

The proposal to replace a small proportion of the existing rail commuter car parking at Gordon Station with an expanded bus interchange to serve a greater service frequency and route coverage of bus services in the future is supported by this study.

The loss of commuter car parking will be approximately 40 spaces from the current total of over 700 rail commuter car parking spaces which are provided at Gordon.

## 6.3 Resident Parking Schemes

These could potentially be considered in streets affected by rail commuter parking but would affect the Ku-ring-gai LGA residents from other suburbs of Ku-ring-gai LGA who are currently the main source of rail commuter parking.

If the existing two hour on street parking time limits in the any of the six commercial centres is to be extended beyond the actual street frontages of the zoned commercial areas, ie into the surrounding residential streets, in order to provide additional short stay centre car parking, then the two hour parking time limits should operate in conjunction with residents parking schemes, in order to permit bone-fide residents of these streets to continue to park on street if they need to.

# 6.4 Parking Enforcement and Pay Parking

The Ku-ring-gai Town Centres have less intensive demand for car parking than in adjacent LGAs and elsewhere on the Lower North Shore e.g. Willoughby and North Sydney. Paid parking is probably not warranted at current vacancy rates in these centres. However, additional parking enforcement may be warranted in come centres. Parking enforcement should be directed towards maintaining the credibility of parking restrictions e.g. to prevent excessive overstay of cars in time limited parking zones.

Parking enforcement should primarily be undertaken by Council on a revenue neutral basis, without daily quotas of infringement notices, with maintaining the availability of appropriate levels of time restricted parking in each centre as the key objective. The practical operation of car parking enforcement should be reviewed annually by Council to ensure a revenue neutral basis is maintained. In some of the centres, eg St Ives, where there are no issues with rail commuter car parking demand, in order for enforcement to be equitable, it may actually be necessary to reclassify some of the off

street retail car parking ( approximately 30 percent of the total parking spaces ) as long stay car parking spaces for use by the retail centre employees.

## 6.5 Time Restrictions

Adjustments to the future proportions of unrestricted and time restricted car parking should be implemented in each of the centres where there is an existing imbalance in the operation of long stay and short stay parking in the centre.

Centre	Vacant Long Stay Spaces	Vacant Short Stay Spaces	Adjustment for Equalisation of Vacant Spaces
Gordon	197	172	+12 Short stay spaces
St Ives *	137 *	148 *	-6 Short stay spaces
Turramurra	52	163	-56 Short stay spaces
Roseville	143	88	+28 Short stay spaces
Pymble	45	150	-53 Short stay spaces
Lindfield	194	219	-13 Short stay spaces

Table 8: Summary	/ of	Vacant	Car	Parking	in	Each Centre
Table 0. Summar	, 01	vacant	Gai	i ai kiiiy		

\* Note: There is potentially significant overstaying of long stay parking in the short stay areas of the St Ives Village Shopping Centre underground car park, which would affect this assessment, but this has not been able to be determined by the surveys for this study.

However, any extension of the areas of time restricted on street parking in each centre should not generally extend significantly beyond the outer limits of the commercially zoned area in each of the centres. (50 metres maximum in the smaller centres, 100 metres maximum in the larger centres), and should in principle also be accompanied by residents parking permit schemes which continue to allow local residents to park in these streets if they wish.

# 7 Recommendations

## 7.1 Roseville

Existing Public Car Parking Supply = 955 spaces

- = 313 restricted
- = 642 unrestricted

Theoretical demand based on Council Code for 20,245m<sup>2</sup> GFA retail and commercial uses and rail commuter parking demand for 206 spaces

#### = 878 spaces

Actual surveyed peak utilisation (weekdays) = 76% = 724 spaces

Existing minimum spare capacity = 231 spaces

There are currently no large (more than 100 parking spaces) off street car parks in the Roseville Town Centre, to assess the spatial distribution of areas of peak parking demand in the centre currently

street retail car parking ( approximately 30 percent of the total parking spaces ) as long stay car parking spaces for use by the retail centre employees.

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Likely effect of future urban design changes										
Lord Street Car Park undergrounding	- 20 spaces approximately									
Larkin Lane Car Park extension to two levels	+ 20 spaces approximately									
Total =	zero change									

Future urban development predicted =  $+3,862m^2$  GFA, commercial and retail uses.

Extra town centre parking demand based on Council Code = 125 spaces

#### Recommendation:

Developers are to provide future car parking on site in all new retail / commercial and mixed use development in accordance with Council's Town Centres LEP, 2006.

No additional public car parking other than the Lord Street and Larkin Lane improvements will be required to be provided at Roseville by Ku-ring-gai Council.

### 7.2 Lindfield

Existing Public Car Parking Supply = 1357 spaces

- = 604 restricted
- = 753 unrestricted

Theoretical demand based on Council Code for 36,219m<sup>2</sup> GFA, retail and commercial uses and rail commuter parking for 468 spaces

= 1657 spaces

Actual peak utilisation weekday = 70% = 944 spaces

Existing minimum spare capacity = 413 spaces

There are currently two large off street car parking areas ( car parks with more than 100 spaces ) in Lindfield at Balfour Lane ( Coles Car Park ) and at Kochia Lane-Chapman Lane. The current utilisation levels of car parking in these two car parks on both a Thursday and a Saturday are illustrated by Figure 7.1 and 7.2.

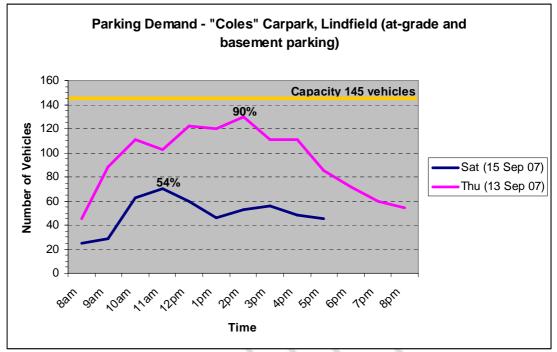
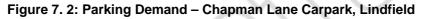
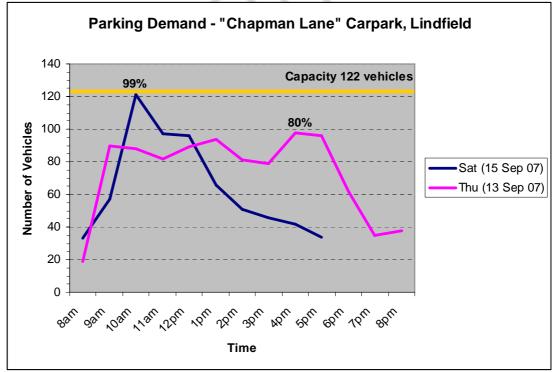


Figure 7. 1: Parking Demand - Coles Carpark, Lindfield





On a weekday (Thursday), the largest carpark on the western side of the Pacific Highway and Railway Line at Coles, Balfour Lane reaches a peak occupancy level of 90 percent between 2-3 pm while the largest carpark on the eastern side of the Pacific Highway and Railway line at Kochia Lane-Chapman Lane reaches a somewhat lower peak occupancy of 80 percent during the period 4-6 pm. However on a Saturday, this situation is reversed with the eastern side car park at Kochia Lane-Chapman Lane reaching a higher peak occupancy of 99 percent, albeit only briefly, at around 10 am and the western side carpark at Coles, Balfour Lane only reaching a peak occupancy of 48 percent.

Based on these observations, there are currently no clear trends regarding the current availability of public car parking on either the western or the eastern side of the Pacific Highway/Railway Line, but any future replacement public car parking that is required in the town centre as a result of urban design changes should logically be provided on the same side of the Pacific Highway/Railway Line that the existing parking will be lost from.

Likely effect of future urban design changes											
Woodford Lane car park underground	-40 spaces approximately ( assuming one level of parking only is provided )										
Kochia Lane car park underground	-50 spaces approximately ( assuming one level of parking only is provided )										
Havilah Lane car park site redevelopment	-25 spaces, which could be incorporated in the future site redevelopment										
Additional angle parking Milray Street	+ 30 spaces approximately										
Extend Tryon Place Laneway	+ 10 spaces approximately										
Total	-75 spaces approximately										

Future urban development potential = + 15,148 GFA, commercial and retail

Extra town centre car parking demand based on Council Code = 491 spaces

Recommendation:

Developers are to provide future car parking on site in major retail / commercial and mixed use developments in accordance with Council Town Centres LEP, 2006.

Council will have to incorporate any future net loss of public car parking spaces as a result of urban design changes, separately in two sites eg the Havilah Lane car park site redevelopment on the eastern side of the Pacific Highway/Railway Line and an equivalent future commercial/mixed use site redevelopment on the western side

### 7.3 Gordon

Existing Public Car Parking Supply = 2503 spaces

- = 1070 restricted
- = 1433 unrestricted

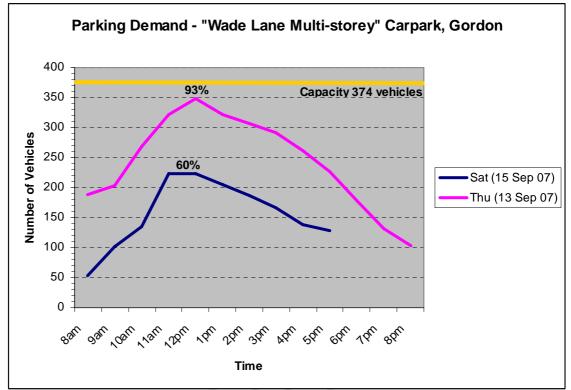
Theoretical demand based on Council Code for 77,059m<sup>2</sup> GFA, retail / commercial and rail commuter parking for 1227 spaces

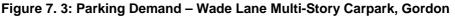
#### = 3681 spaces

Actual current peak utilisation weekdays = 85% = 2134 spaces

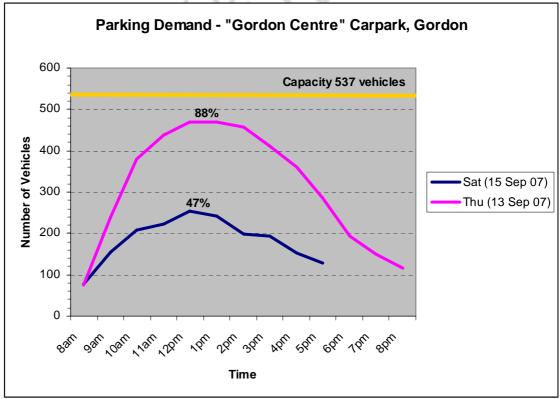
Existing minimum spare capacity = 369 spaces

There are currently four large off street car parking areas ( car parks with more than 100 spaces ) in Gordon at Wade Lane and the Gordon Centre Car Park ( short stay parking generally ) and at Werona Avenue and Henry Street ( long stay rail commuter car parking ). The current utilisation levels of car parking in these four car parks on both a Thursday and a Saturday are illustrated by Figures 7.3, 7.4, 7.5 and 7.6.









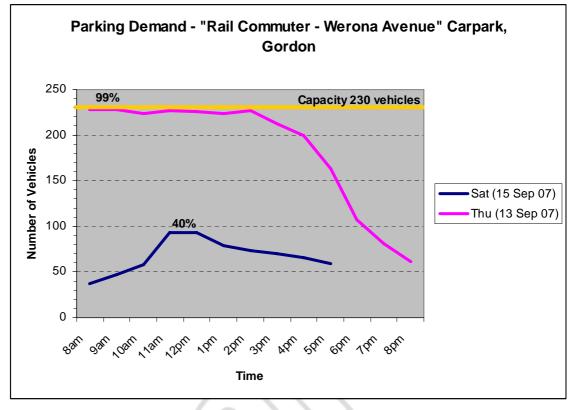
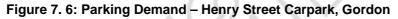
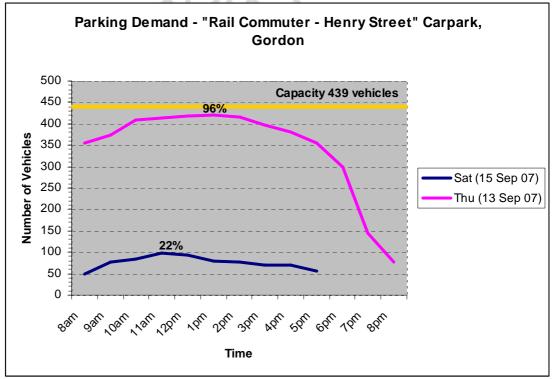


Figure 7. 5: Parking Demand – Werona Avenue Carpark, Gordon





On a weekday (Thursday) the Wade Lane short stay multi storey car park reaches a higher peak level of utilisation, 93 percent at 12-1pm, compared to the Gordon Centre short stay car parking, 88 percent from 12-2pm. On a Saturday, the short stay parking utilisation levels are generally lower in all areas and the difference in the peak utilisation levels between these two major car park sites is more pronounced, being a

peak of 60 percent utilisation in the Wade Lane car park from 11am-1pm and a peak of 47 percent utilisation in the Gordon Centre car park, from 12-1pm

For the major long stay off street car parks at Gordon, which are the rail commuter car parks at Werona Avenue and Henry Street, the Werona Avenue car parks generally fill up earlier than the Henry Street car parks and also reach higher peak levels of utilisation, namely 99 percent versus 96 percent on a weekday (Thursday) and 40 percent versus 22 percent on a Saturday.

Likely effect of future urban design changes											
Wade Avenue one way parallel parking	+14 spaces approximately										
New Street, Moree – Dumaresq on street parking	+ 22 spaces approximately										
New Street St Johns – Moree on street parking	+ 14 spaces approximately										
Bus rail interchange expansion Henry Street	-40 spaces approximately										
Net Total	+10 spaces approximately										

Future urban development potential =  $+42,903m^2$  GFA, retail and commercial.

Extra town centre parking demand based on Council Code = 1431 spaces

Recommendation:

Developers are to provide future car parking for retail / commercial and mixed use development on site in accordance with Council's Town Centres LEP, 2006.

There is no requirement for Council to provide additional public car parking in the Gordon Town Centre as a result of urban design changes as the effect of these changes will be create a small net increase of approximately 10 public car parking spaces.

### 7.4 Pymble

Existing Public Car Parking Supply = 691 spaces

- = 361 restricted
- = 330 unrestricted

Theoretical demand based on Council's Code for 25,154m<sup>2</sup> retail / commercial and rail commuter parking for 384 spaces

#### = 1184 spaces

Actual car park peak utilisation (weekdays) = 72% = 496 spaces

Existing minimum spare capacity = 195 spaces

There are currently no large (more than 100 parking spaces) off street car parks in the Pymble Town Centre, to assess the spatial distribution of areas of peak parking demand in the centre currently

Likely effect of future urban design changes											
Grandview Lane car park extended	+30 spaces approximately										
Post Office Lane extension additional angle parking	+10 spaces approximately										
Grandview Street additional angle parking	+10 spaces approximately										
Net Increase	+50 spaces approximately										

Future urban development potential =  $+19,968m^2$  GFA, commercial and retail uses.

Extra town centre parking demand based on Council's Code = 557 spaces

Recommendation:

Developers are to provide future car parking on site for major developments in accordance with Council Code requirements (Town Centres LEP 2006). These developments will include a some potential consolidated development sites within the core town centre area ( between Grandview and Post Office Streets ) and a number of other sites along the Pacific Highway to the north and south of the Railway Station.

### 7.5 Turramurra

Existing Public Car Parking Supply = 1113 spaces

- = 602 restricted
- = 511 unrestricted

Theoretical demand based on Council's Code for 34,728m<sup>2</sup> retail, commercial and rail commuter parking for 597 spaces

### = 1762 spaces

Actual current peak utilisation (weekdays) = 81% = 898 spaces

Existing minimum spare capacity = 215 spaces

There are currently three large off street car parking areas ( car parks with more than 100 spaces ) in Turramurra at Gilroy Lane, Ray Street/William Street and the Turramurra Plaza Shopping Centre. These car park areas are all short stay parking generally. The current utilisation levels of car parking in these three car parks on both a Thursday and a Saturday are illustrated by Figures 7.7, 7.8 and 7.9.

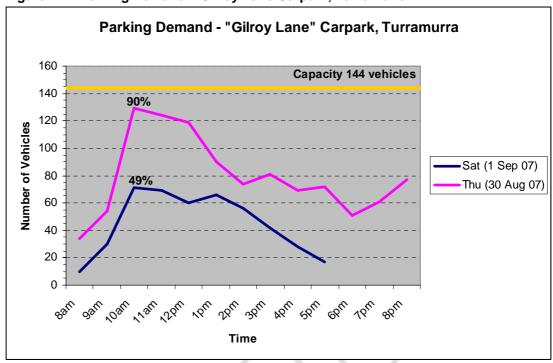
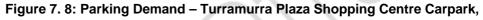
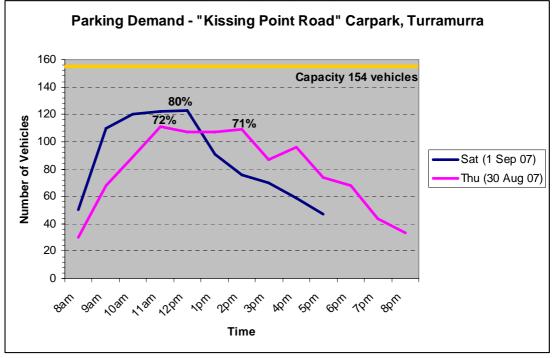
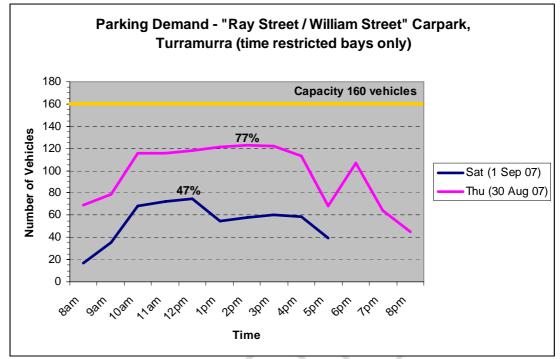


Figure 7. 7: Parking Demand – Gilroy Lane Carpark, Turramurra









On a weekday (Thursday) the Gilroy Lane car park reaches a higher peak level of utilisation, 90 percent at 10-11am, compared to the Ray Street/William Street short stay car parking, 77 percent from 1-3pm and the Turramurra Plaza shopping centre car park, 71-72 percent from 12-3pm.

On a Saturday, the peak short stay parking utilisation level exceeds the weekday utilisation level, reaching a peak of 80 percent from 11am-1pm, in the Turramurra Plaza shopping centre car park, but elsewhere are generally lower than on weekdays, being a peak of 49 percent utilisation in the Gilroy Lane car park between 10-11am and a peak of 47 percent utilisation in the Ray Street/William Street car park, from 12-1pm

Likely effect of future urban design changes										
New road Stonex Lane to Kissing Point Road on street parking	+15 spaces approximately									
Forbes Lane widening additional on street parking	+25 spaces approximately									
Gilroy Lane car park changes	-110 spaces approximately									
Ray Street / William Street car park site redevelopment	-150 spaces approximately									
Net Total	-220 spaces									

Future urban development predicted =  $+4,317m^2$  GFA, retail and commercial

Extra town centre parking demand based on Council's Code = 167 spaces

### Recommendation:

Developers should be required to provide all future car parking on site for major developments in accordance with Council Code (Town Centres LEP 2006). The predicted future loss of existing public car parking from town centre urban design

changes and car park site redevelopments is potentially significant and Council must negotiate to incorporate 220 underground public car park spaces in new development sites in the same general town centre areas from which the existing surface car parking will be lost, namely 110 public car parking spaces on a site north of the Pacific Highway and east of the Railway Line and 110 public car parking spaces on a site north of the Pacific Highway and west of the Railway Line.

## 7.6 St lves

Existing Public Car Parking Supply = 1672 spaces

- = 1342 restricted
- = 330 unrestricted

Theoretical demand based on Council's Code for 42,550m<sup>2</sup> retail and commercial use

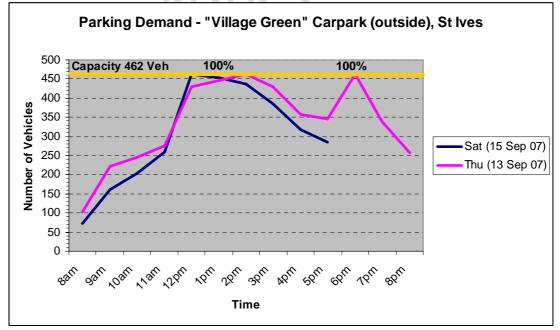
= 2113 spaces

Actual current peak utilisation (weekdays) = 83% = 1379 spaces

Existing minimum spare capacity = 293 spaces

There are currently two large off street car parking areas (car parks with more than 100 spaces) at the St Ives Village Green shopping centre which are the underground car park (606 parking spaces) and the outside areas (462 parking spaces). Both of these areas are primarily for short stay car parking associated with the shopping centre. The current utilisation levels of car parking in these two car parks on both a Thursday and a Saturday are illustrated by Figure 7.10 and 7.11.





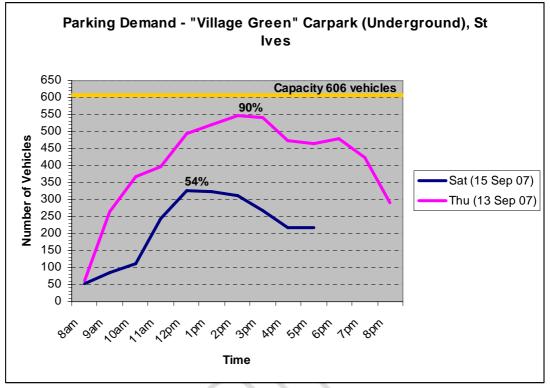


Figure 7. 11: Parking Demand – Village Green Carpark (Underground), St Ives

The survey results show that the outside car parking area at the St Ives Village Green shopping centre is generally more popular and fills up earlier than the underground car park The outside car parking area reached a peak occupancy level of 100 percent on both a Thursday (between 2-3pm and again at 6-7pm) and on a Saturday, between 12-1pm.

In comparison, the underground car parking area reached a peak occupancy level of 90 percent on a Thursday (from 2-4pm) but only reached a peak occupancy level of 54 percent on a Saturday (from 12-1pm).

Likely effect of future urban design changes											
Mona Vale Road car park (Village Green)	-60 spaces approximately										
Mona Vale Road car park (opp Stanley Street)	-25 spaces approximately										
Village Green Parade car park (outside areas)	-365 spaces approximately										
Net Change	-450 spaces approximately										

Future predicted urban development =  $+18,747m^2$  GFA, retail and commercial uses

Extra town centre parking demand based on Council's Code = 1154 spaces

#### Recommendations:

Developers will be required to provide future car parking on site in all new retail, commercial and mixed use development in accordance with Council's Town Centres LEP, 2006

Council will be required to plan for the provision of additional public car parking to replace the loss of existing off street car parking as a result of proposed urban design changes, in particular from the Village Green Parade "outside" car parking areas. Where this car parking is located on Council land it will be the responsibility of Council to fund replacement car parking. Where this car parking is located on private land ( eg the Village Green shopping centre ) it will be the responsibility of the land owner to fund the replacement car parking.

The recommended future replacement car parking strategy is to provide additional angle parking on street on Cowan Road (East Side) and Memorial Avenue (West Side), directly adjacent to the sports fields (+100 spaces, subject to detailed survey) and to provide additional car parking in a multi storey structure on Council's remaining Village Green Parade/Cowan Road car parking site (+350 spaces approximately).

The current prevailing daily traffic volume usage of both Cowan Road and Memorial Avenue is in the range 5,000 to 7,000 vehicles daily and the provision of 90 degree angle parking on one sides of both of these streets is considered to be feasible, even with future traffic increases, such that future traffic and pedestrian safety would not be adversely affected. Similar angle car parking was successfully introduced to Darley Road on the southern side of Queens Park, in Randwick Municipality, in the early 1990's and has operated satisfactorarily for approximately 15 years, with substantially higher daily traffic volumes of 14,000 to 15,000 vehicles daily.

# 7.7 General

The current balance of supply and demand for parking in all of the Town Centres of Kuring-gai LGA appears to be operating reasonably well with significant available spare parking capacity at all times in all of the centres surveyed, although in most centres, the busiest short stay off street car parks do now operate at close to capacity at peak times, ie on a Thursday

- 100% capacity at St Ives (Village Green Parade Outside Car Parks)
- 93% capacity at Gordon (Wade Lane Multi Storey Car Park)
- 90% capacity at Lindfield (Coles car park)
- 90% capacity at Turramurra (Gilroy Lane Car Park)
- and on a Saturday
- 100% capacity at St Ives (Village Green Parade Outside Car Parks)
- 99% capacity at Lindfield (Kochia Lane-Chapman Lane Car Park )
- 80% capacity at Turramurra (Turramurra Plaza Shopping Centre Car Park)
- 60% capacity at Gordon (Wade Lane Multi Storey Car Park)

In these centres and in particular in these car parks, Council should consider increased levels of enforcement as a parking management measure before pay parking is introduced.

For equity reasons, if at a future date pay parking were to be considered for any of the Town Centres of Ku-ring-gai LGA, pay parking should be introduced simultaneously to all the Town Centres and to all types of parking e.g.:

- On street time limited parking
- Off street Council car parks
- Off street shopping centre car parks (with 2-3 hour free parking)

This would require a combination of parking meter and /or ticket parking on street and ticket parking or boom gate control for off street car parks.

However, current SRA policy is not to have pay parking for rail commuters in any of its rail commuter car parks. The operation of these car parks would therefore have to remain separate from any pay parking in council and private car parks.

# 8 Summary and Conclusion

## 8.1 Parking Surveys

Detailed surveys of weekday and weekend parking occupancy and rail commuter parking have been undertaken in each of the 6 nominated town centres of Ku-ring-gai LGA.

## 8.2 Theoretical Parking Demand

In most of the centres surveyed (except Roseville and Lindfield, refer to summary in Table 7 of this report ) the parking inventory results have shown that the current parking supply is significantly lower that the theoretical parking demand as determined by the Council's historic parking code requirements for retail/commercial development and the estimated current rail commuter parking usage.

## 8.3 Surveyed Parking Utilisation

However, despite the existing parking supply in most of the centres being lower than the theoretical parking demand, the parking utilisation surveys showed significant levels of spare parking capacity remain even at peak periods, in all of the centres with generally at least 200 vacant car parking spaces being available in each of the surveyed centres on weekdays and at least 500 vacant car parking spaces being available in the centres on weekends.

## 8.4 Parking Enforcement, Residents Parking Schemes and Pay Parking

Council's existing levels of parking enforcement in each of the surveyed centres appear to be low key. This is arguably appropriate in view of the acceptable current overall levels of parking demand for long stay and short stay parking in the centres.

In some of the centres the most conveniently located and centrally accessible car parks eg The Village Green Parade Outside and Village Green Shopping Centre Underground car parks at St Ives, The Coles car park and the Kochia Lane-Chapman Lane car park at Lindfield, The Wade Lane Multi Storey car park at Gordon and the Gilroy Lane car park at Turramurra do reach high parking occupancy levels of 90-100 percent.

However these high parking occupancy levels are not generally sustained for more than 1-2 hours each day and are not generally indicative of the overall peak parking occupancy levels in the centres with the on street short stay car parking and other off street car parks in the centres having spare capacity even at these busiest periods.

Based on the observed overall car parking utilisation levels, the introduction of either pay parking or residents parking schemes to any of the Kuring-gai town centres or their surrounding residential streets would not appear to be warranted at the current time.

This would require a combination of parking meter and /or ticket parking on street and ticket parking or boom gate control for off street car parks.

However, current SRA policy is not to have pay parking for rail commuters in any of its rail commuter car parks. The operation of these car parks would therefore have to remain separate from any pay parking in council and private car parks.

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However these high parking occupancy levels are not generally sustained for more than 1-2 hours each day and are not generally indicative of the overall peak parking occupancy levels in the centres with the on street short stay car parking and other off street car parks in the centres having spare capacity even at these busiest periods.

Based on the observed overall car parking utilisation levels, the introduction of either pay parking or residents parking schemes to any of the Kuring-gai town centres or their surrounding residential streets would not appear to be warranted at the current time.

# 8.5 Parking for Future Developments

Significant future levels of retail/commercial and mixed use developments (ground floor retail/commercial with residential above) are predicted to occur in all six of the town centres investigated.

All of these developments will generally occupy significant consolidated sites where they should be able to accommodate their future parking needs on-site in accordance with requirements of Council's Town Centres LEP,2006, with appropriate street access arrangements in some cases requiring new laneway extensions and new local access streets.

## 8.6 Replacement of Existing on street Parking

In three of the town centres, Roseville, Pymble and Gordon, the future proposed urban design changes as a result of Council's Town Centres LEP, 2006, will result in a small net gain in the supply of public car parking. However in the three other centres, there will be some potential losses of public car parking namely:

- -75 spaces at Lindfield
- -220 spaces at Turramurra
- -450 spaces at St Ives

These losses in available public car parking will be required to be replaced by either redevelopment of the remaining Council car parks in the respective centres, additional on-street angle car parking, or additional future public car parking to be provided in future retail / commercial developments to be negotiated by Council with the respective site developers.

## 8.7 Future St Ives Public Transport Options

The overall future car parking requirements in the St lves town centre could potentially be reduced by improved future public transport access to the centre. The current bus routes and service frequencies in the St lves area are currently under review as part on the Ministry of Transport's Area 12 operations.

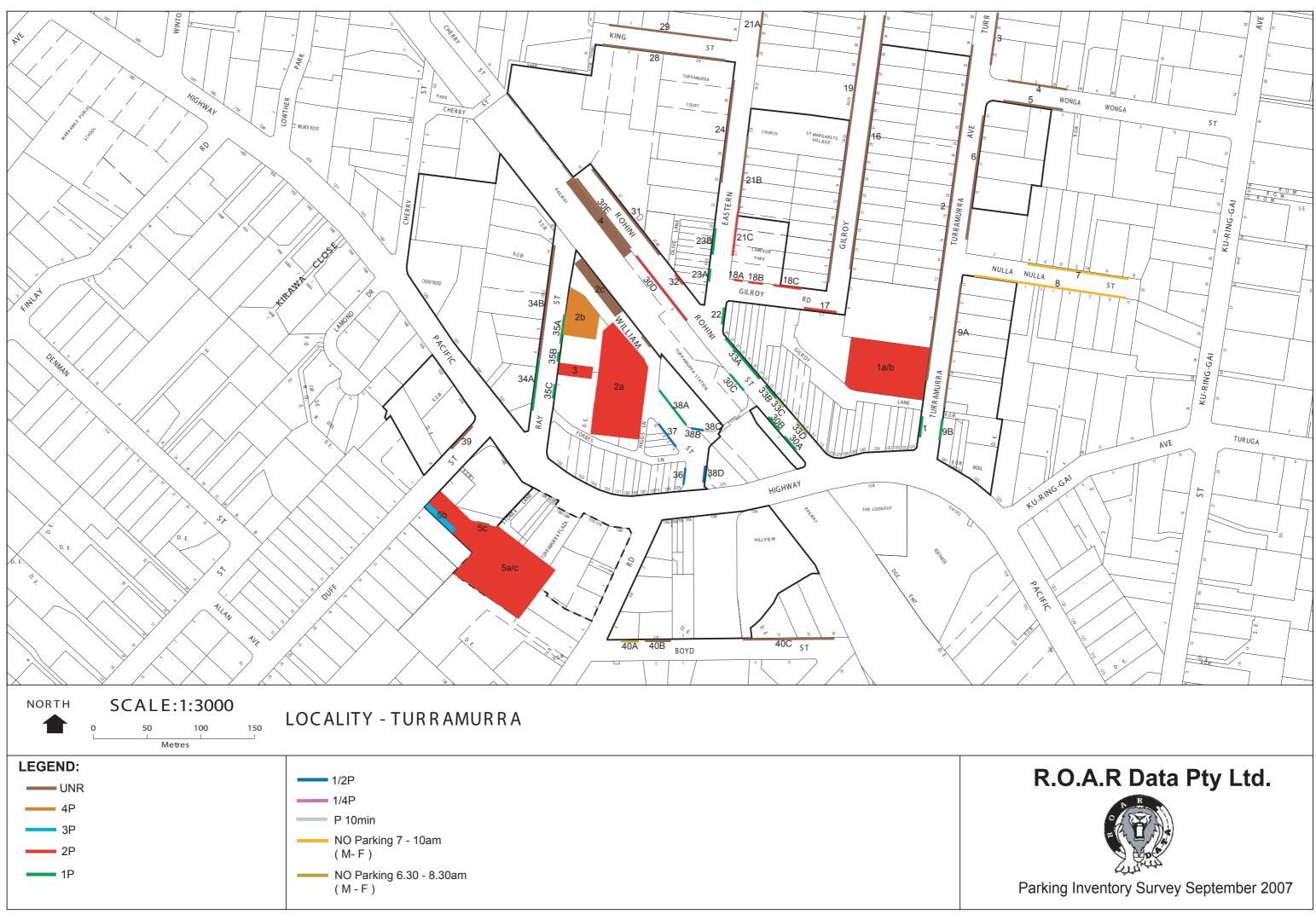
With a new town centre bus station in a central location and significantly improved bus service frequencies and route coverage between the St lves town centre and all its related retail and commercial customer catchment areas, the future total car parking provision in the St lves town centre could be reduced by up to 20% potentially, reducing the identified need for construction of major new car parking areas in the town centre by Ku-ring-gai Council and others.

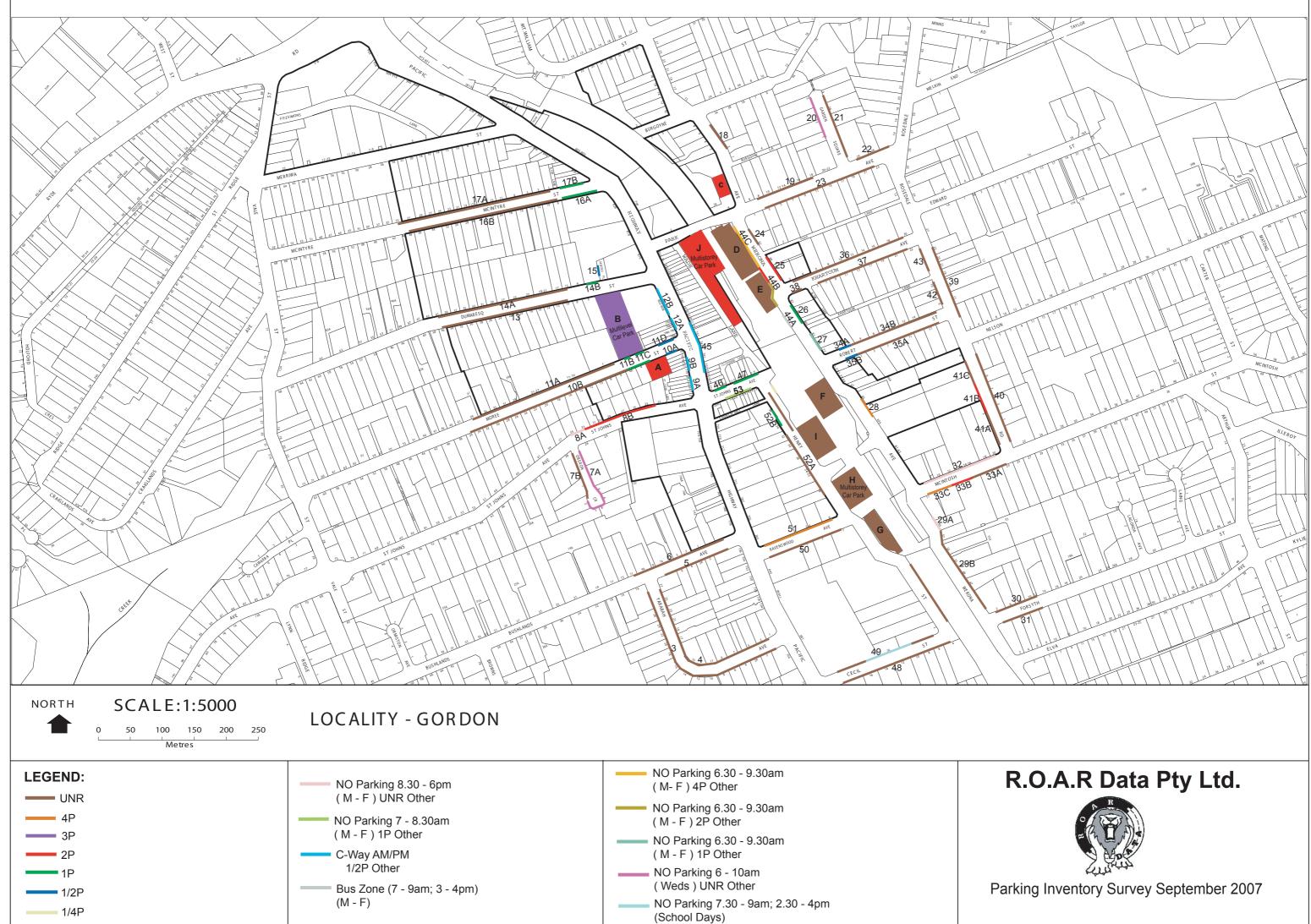
Appendix A

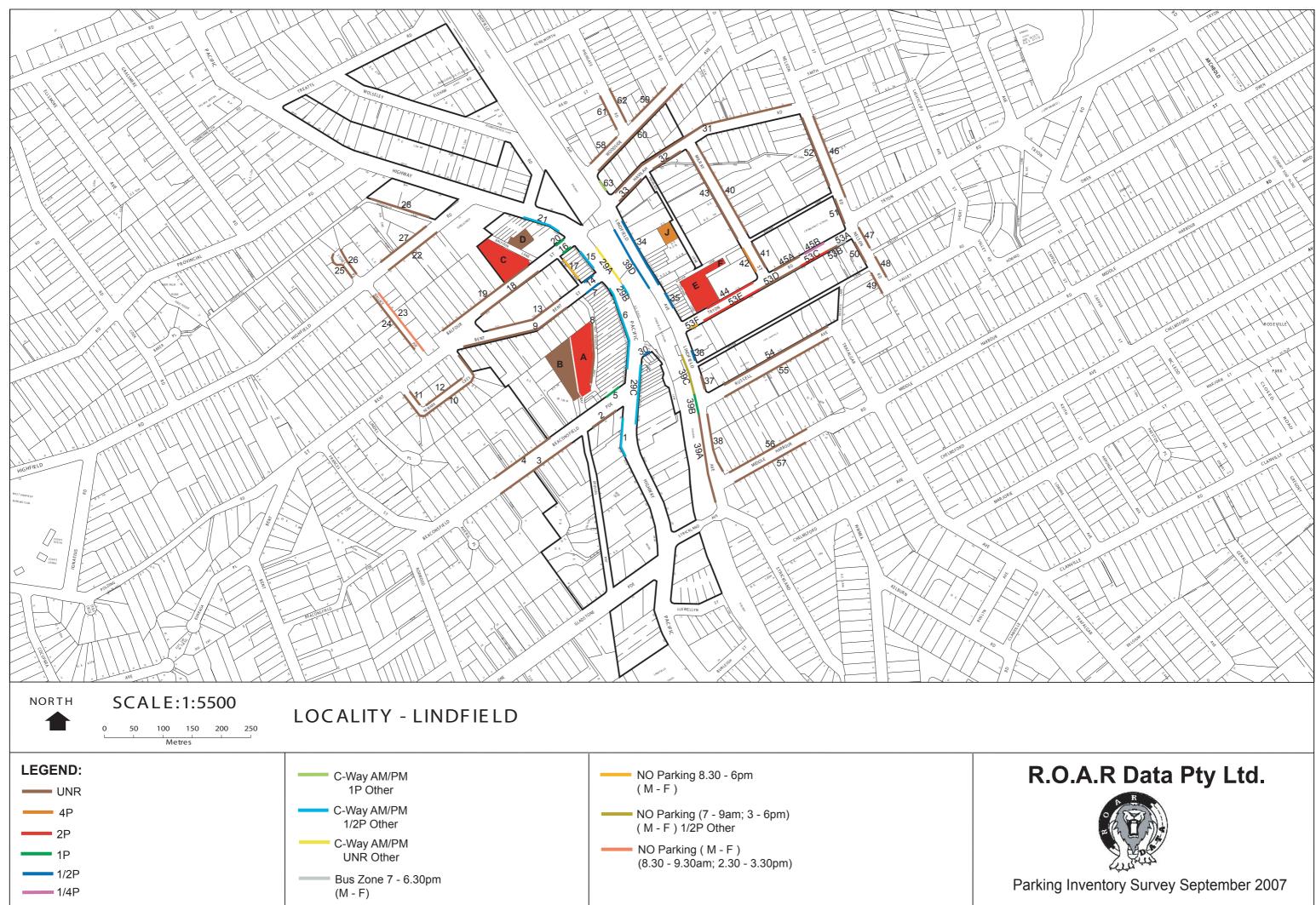
Car Parking Demand Calculations

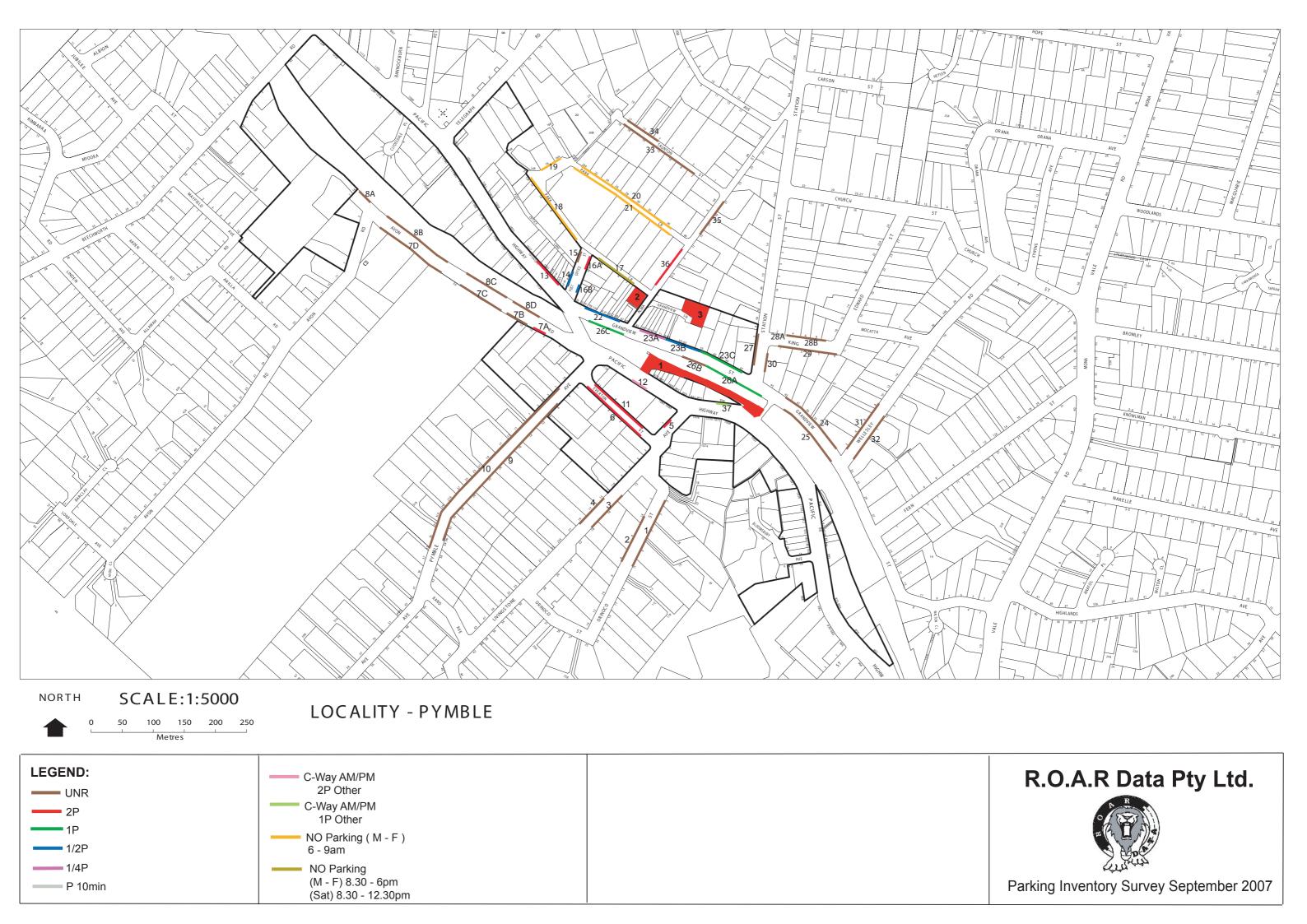
Ku-ring-gai Towr	n Contros P	arking Stud																				
Current and futur				Cont																		
Current and futur	re developi	ment in the r	u-ring-gal I	own cent	lies																	
Town Centre	Eviat D	)ev(2006)	Future	Davi	Predicted G																	
Town Centre	EXIST L	Jev(2006)	Future	-	Predicted G	FA Growth																
	D		During	Retail GFA	During	Datall																
		Retail GFA			Business	Retail																
	( )	(m²)	GFA (m <sup>2</sup> )	(m <sup>2</sup> )	GFA (m <sup>2</sup> )	GFA (m <sup>2</sup> )																
Gordon	54,859	22,200		60,100		37,900																
Lindfield	19,317	16,902		28,448	3,602	11,546																
Pymble	18,301	6,853	,	10,801	16,020	3,948																
Roseville	9,405	,	10,379		974	2,888																
St Ives	13,650	28,900		,	-1,825	20,572																
Turramurra	13,890	20,838	,	27,545	-2,390	6,707																
Total	129,422	106,533	150,806	190,094	21,384	83,561																
		<u> </u>	<u> </u>																			
	L			L																		
Existing centre p																						
Town Centre	Park	ing Requirem	nents for Cen	tre Busine	ss Use	ļ	Park	ang Requ	irements for	Centre Re	tail Use	Total Pa	rking Require	mnts ( exc R	(ail Comm)	<b></b>			Rail Comr	nuter Car Parl	ung Demand	1
																		Total 6.30 -	% AM Peak		Rail	Rail
																		9.30 AM	Rail	% Car	Commuter	Commuter
				Council						Council					e Total Centre			Peak Rail		Drivers who		Car Parking
Note St Ives				Rate 1					_	Rate 1		Parking	Parking	Long Stay	Public Short			Commuters	Driving a car	are Kuringai		Demand For
Retail Rate is 1	Existing		Space Req		Space Req		Existing		Space Req			Space Req						exc School	to the	LGA	Kuringai LGA	
space per 17 m2		RTA Rate	(RTA)	33m2	(Council)			Rate	(RTA)	28m2	(Council)	(RTA)	(Council)	Req	space Req			Children	Station	Residents		Residents
Gordon	54,859	0.025	-	0.0303	1662	22200	,	0.056	1057	0.0357	793			140			Gordon	2360				
Lindfield	19,317				585		,	0.056	805		603		1189	59			Lindfield	1510				-
Pymble	18,301			0.0303	555			0.061	355	0.0357	245			462			Pymble	1240	-			
Roseville	9,405			0.0303	285		9,214	0.061	562	0.0357	387			316			Roseville	1210			-	
St Ives	13,650	0.025	-	0.0303	414	28900	24,565	0.043	1056	0.0588	1699		-	799			St Ives	0	, o		-	-
Turramurra	13,890	0.025	÷		421	20838	,	0.056	992	0.0357	744			518			Turramurra	1990				
Total	129,422		3236		3921	106533			4827		4471	8062	8392	408	6 430	5	Total	8310	35	86	2481	401
<b>F</b> . (																						
Future centre par		onal Parking					المناطقة المحافظ		ing Requirem	anta fan F		A dditional I	De alvia a De ave	in a second a la sur								
Town Centre	Additio	onal Parking	Requirements		less Use		Addille	onal Park	ing Requirem			Additional	arking Requ	liemnis ( exc	c Rail Comm)							
				Council						Council	1		A shell the second									
				Rate 1						Rate 1	1	Additional	Additional	Additional	Additional							
Note St Ives	054		0	space	0	054				space	0	Centre			g Public Short							
	GFA		Space Req		Space Req				Space Req		Space Req		Space Req		Stay Car							
space per 17 m2		RTA Rate	(RTA)	45 m2	(Council)			Rate	(RTA)	33 m2	(Council)	(RTA)	(Council)	space Req								
Gordon	5,003	0.025	125		132	37900	32,215	0.041	1321	0.0343	1300	1446	1432	482								
Lindfield	3,602	0.025		0.0263	95		9,814	0.061	599		396		491	18								
Pymble	16,020	0.025		0.0263	421	3948	3,356	0.061	205	0.0343	135		557	330								
Roseville	974	0.025		0.0263	26		2,455	0.061	150	0.0343	99		125	48								
St Ives	-1,825	0.025		0.0303	-55		17,486	0.056	979	0.0588	1210		1154	324								
Turramurra	-2,390	0.025			-63	6707	5,701	0.061	348	0.0343	230											
Total	21384	1	535		555	83561			3601		3370	4136	3925	140	0 252	5						1

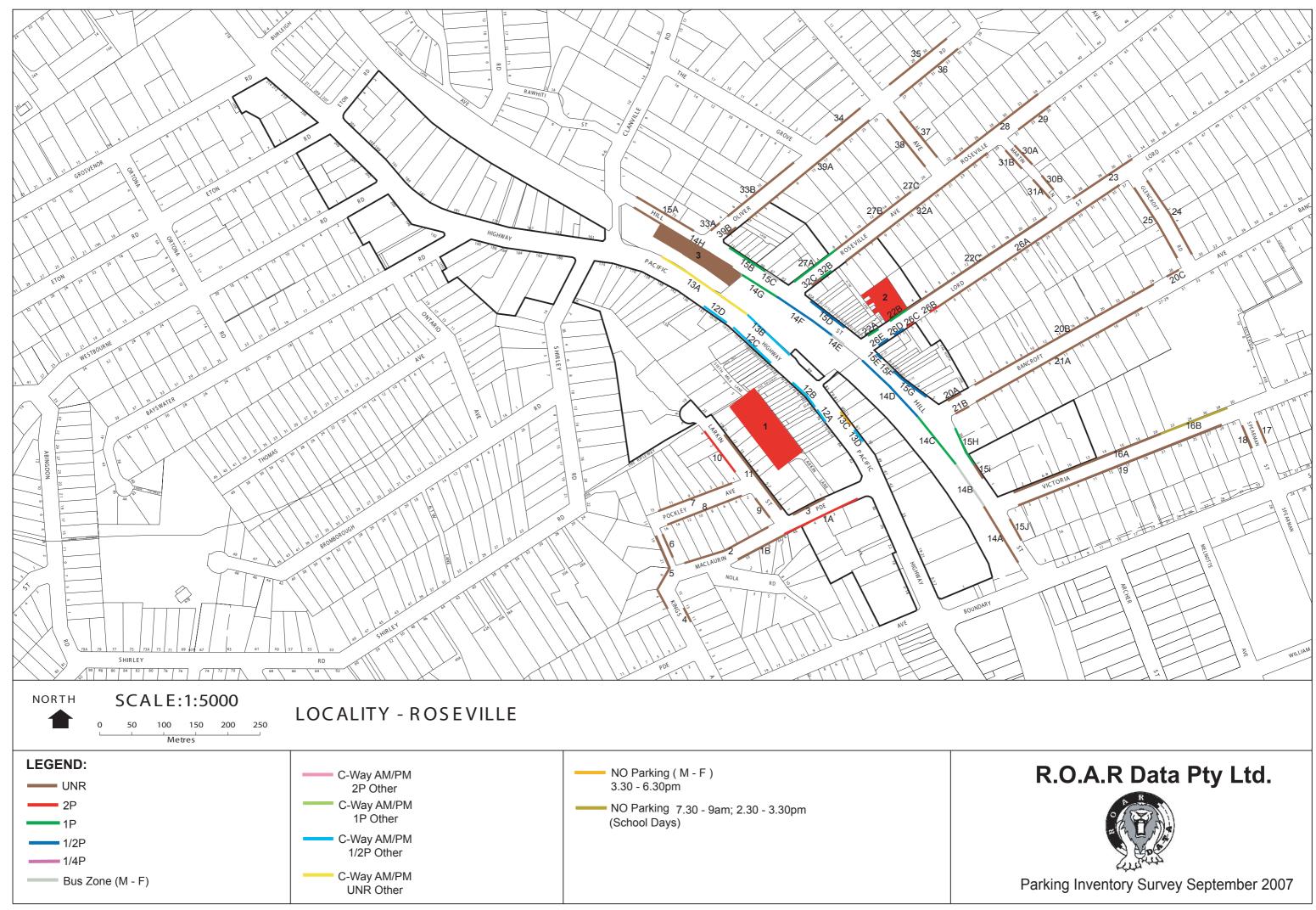
Appendix B Locality Parking Inventory Maps

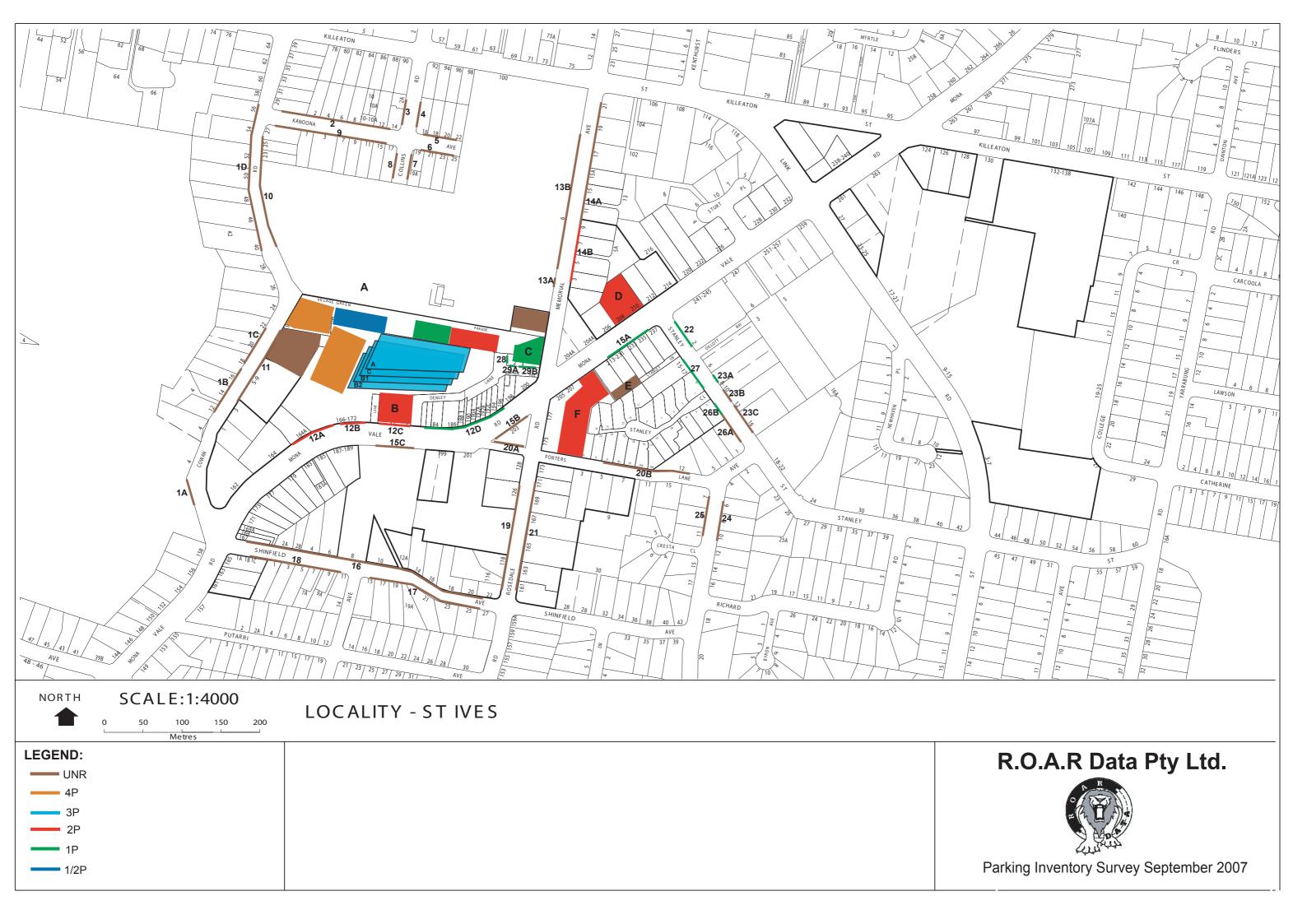












Appendix C

Public on street and off street car parking survey results



# R.O.A.R. DATA Reliable, Original & Authentic Results

Client

:ARUP Job No/Name :1931 Ku-ring-gai Town Centres

Ph.88196847, Fax 88196849, Mob.0418-239019

# <u>GORDON</u>

:Thursday 13th September 2007 Day/Date

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
7		Oberon Cr															
	Α	Oberon Cr E/Side	NP 6-10am (Wed) UNR Other	14	6	8	8	9	9	9	8	7	7	6	3	1	0
8		St. Johns Ave Nth/Side															
	Α	From Hm No.35 to Hm No.33	NP 8.30-6pm	8	0	0	0	0	0	0	0	0	0	0	0	0	0
	В	From Hm No.33 to St.Johns La	2P	15	5	5	7	4	6	5	4	4	8	6	8	6	6
9		Pacific Hwy W/Side															
	А	From St. Johns Ave to Moree St	NP 8.30-3.00pm (M- F) 1/2P Other	2	0	2	2	1	0	1	0	0	0	0	0	2	2
	В	From St. Johns Ave to Moree St	C-Way PM 1/2P	2	2	1	2	2	2	2	1	2	0	0	0	2	2
10		Moree St Sth/Side															
	Α	From Pacific Hwy to St. Johns La	1/2P	3	0	2	2	2	3	1	3	2	2	1	1	2	3
11		Moree St Nth/Side															
	В	Moree St Nth/Side	1P	1	1	0	1	1	1	1	1	0	1	0	1	1	1
	С	Moree St Nth/Side	1P	2	0	2	1	2	2	2	0	2	2	1	1	2	0
	D	From Car Park to Pacific Hwy	1/2P	4	2	3	2	3	4	4	2	3	4	3	4	4	4
12		Pacific Hwy W/Side															
	А	From Moree St to Dumaresq St	NP 8.30-3.00pm (M- F) 1/2P Other	3	0	0	2	2	2	1	1	0	0	0	0	3	2
	в	From Moree St to Dumaresq St	C-Way PM 1/2P	6	3	4	6	3	5	3	6	0	0	0	0	6	4
14		Dumaresq St Nth/Side															
	В	From Car Park to Radford PI	1P	2	2	2	1	2	2	2	2	2	1	1	1	1	1
15		Radford PI W/Side															
		Radford PI W/Side	1/2P	5	4	5	5	4	4	5	4	4	4	4	1	1	1
16		McIntyre St Sth/Side															
	Α	From Pacific Hwy to Hm No.8	1P	8	7	8	8	8	7	6	6	7	7	5	1	0	1
17		McIntyre St Nth/Side															
	В	From Hm No.1 to Pacific Hwy	1P	6	5	5	6	6	6	6	6	6	6	2	2	1	1
20		Garden Sq W/Side															
		From Park Ave to End of Street	NP 6-10am	8	0	0	0	6	6	7	7	7	7	6	4	2	2
25		Werona Ave E/Side															
		From Park La to Khartoum Ave	2P	6	4	4	6	5	4	5	5	5	6	5	6	6	2
26		Werona Ave E/Side															

			NP (7.30-8.30am)		1								1				
		From Khartoum Ave to Khartoum La	(3.30-6pm) 1P	4	0	3	2	3	4	2	2	0	3	3	3	2	2
27		Werona Ave E/Side															
		From Khartoum La to Robert St	NP (6.30-9.30am) (3.30-6pm) 1P	4	0	0	4	2	3	3	3	2	0	0	0	3	3
28		Werona Ave E/Side															
		From Hm No.65 to Tennis Court	4P	4	4	4	4	3	4	3	2	2	2	3	1	0	0
29		Werona Ave E/Side															
	Α	From McIntosh St to Hm No.59	NP 8-6pm (M-F)	3	0	0	0	0	0	0	0	0	0	0	0	0	0
32		McIntosh St Nth/Side															
		From Werona Ave to Rosedale Rd	NP 8.30-6pm (M-F)	12	0	0	0	0	0	0	0	0	0	0	0	0	0
33		McIntosh St Sth/Side															
	В	From Hm No.17 to Hm No.15	2P	4	4	4	3	3	4	3	0	0	0	0	0	0	0
	С	From Hm No.15 to Werona Ave	4P	5	1	1	1	1	1	1	1	1	1	1	1	1	1
34		Robert St Nth/Side															
	Α	From Werona Ave to Hm No.2	1/2P	2	2	2	1	1	1	2	1	2	2	2	1	1	1
35		Robert St Sth/Side															
	В	From Hm No.1 to Werona Ave	1/2P	2	1	2	1	2	1	2	1	2	2	2	1	1	1
41		Rosedale Rd W/Side															
	В	From McIntosh St to Robert St	2P	5	3	3	2	2	2	2	3	4	2	2	2	1	1
44		Werona Ave W/Side															
	Α	From Gordon Station to Park Ave	BZ 7-9am 3-4pm 1/2P Other	3	0	0	2	2	3	0	0	0	0	1	0	0	0
	в	From Gordon Station to Park Ave	NP 6.30-9.30am 2P Other	9	0	0	6	5	7	5	4	3	0	0	0	0	0
	с	From Gordon Station to Park Ave	NP 6.30-9.30am 4P Other	11	0	0	9	8	7	10	11	11	9	9	8	8	6
45		Pacific Hwy E/Side															
		From Post Office to St. Johns Ave	C-Way AM 1/2P	18	8	7	14	17	16	15	13	15	15	11	8	12	16
46		St. Johns Ave Nth/Side															
		From Pacific Hwy to Clipsham La	1P	3	2	2	2	3	2	3	3	2	3	3	2	2	3
47		St. Johns Ave Nth/Side															
		From Clipsham La to Wade La	1P	7	4	6	5	5	6	6	7	6	6	6	7	5	6
49		Cecil St Nth/Side															
		From Pacific Hwy to Henry St	NP School Days	27	18	18	23	26	24	19	17	0	0	7	6	7	1
51		Ravenswood Ave Nth/Side															
		From Pacific Hwy to Henry St	4P	15	12	12	10	15	15	14	12	13	11	9	4	7	9
52		Henry St W/Side															
	В	From Hm No.34 to Church Hill La	1P	3	2	2	3	3	3	3	3	3	3	2	1	3	3
53		St. Johns Ave Sth/Side															

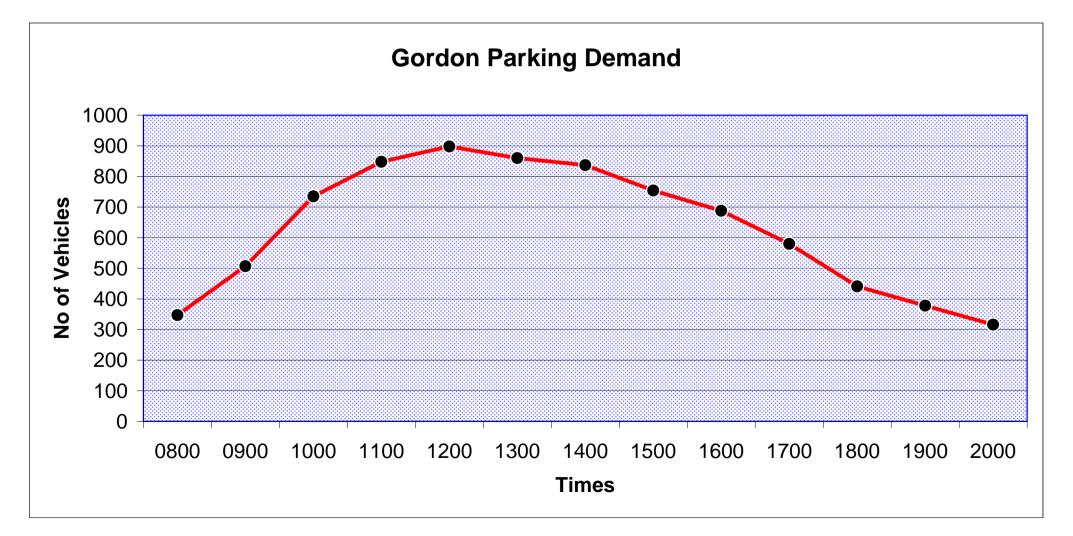
	From Henry St to Pacific Hwy	NP 7.00-8.30am 1P Other	7	5	5	4	6	7	7	6	6	6	5	4	6	5
	CAR PARK	Outor	-	0								0	0		0	Ŭ
Α	Moree St Sth/Side - Car Park	2P	25	2	19	18	19	18	18	18	12	19	16	17	16	18
В	Gordon Shopping Centre - L1	3P	115	3	28	97	105	103	101	102	100	83	64	65	85	71
	Gordon Shopping Centre - L2	3P	58	3	8	20	45	57	54	56	46	34	28	12	7	7
	Gordon Shopping Centre - L3	3P	138	30	77	93	98	101	100	99	89	85	72	53	17	14
	Gordon Shopping Centre - L4	3P	59	3	17	41	50	53	57	54	42	45	36	18	11	8
	Gordon Shopping Centre - L5	3P	35	5	25	32	33	34	35	34	28	21	17	7	7	5
С	Pearson Ave W/Side - Car Park	2P	23	6	8	10	10	11	14	22	23	19	15	8	4	0
J	Wade Lane - Top Level	2P	114	49	51	82	100	106	114	113	114	102	81	66	47	38
	Wade Lane - 1st Level	2P	108	42	61	72	98	108	86	79	72	69	64	63	55	51
	Wade Lane - Ground Level	3P	152	97	91	115	123	134	121	115	105	91	81	50	30	14



R.O.A.R. DATA Reliable, Original & Authentic Results Ph.88196847, Fax 88196849, Mob.0418-239019 Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

# <u>GORDON</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	1070	347	507	735	848	898	860	837	754	688	580	441	378	316
Total Number of Vacant Space	723	563	335	222	172	210	233	316	382	490	629	692	754	
Total % of Capacity Used	32.4%	47.4%	68.7%	79.3%	83.9%	80.4%	78.2%	70.5%	64.3%	54.2%	41.2%	35.3%	29.5%	





# R.O.A.R. DATA

Client :ARUP

Reliable, Original & Authentic Results

Ph.88196847, Fax 88196849, Mob.0418-239019

# <u>GORDON</u>

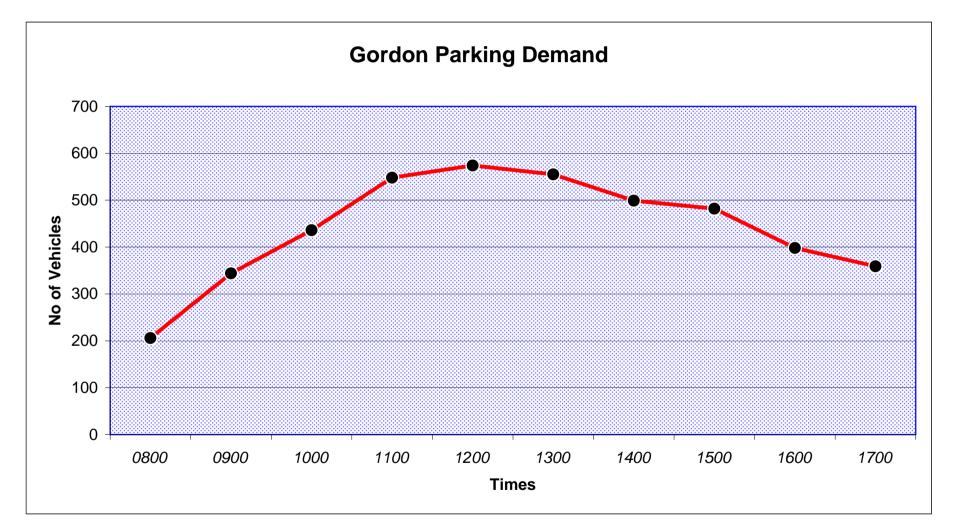
Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
7		Oberon Cr												
	Α	Oberon Cr E/Side	NP 6-10am (Wed) UNR Other	14	0	0	0	0	0	0	0	0	0	0
8		St. Johns Ave Nth/Side												
	Α	From Hm No.35 to Hm No.33	NP 8.30-6pm	8	0	0	0	0	0	0	0	0	0	0
	В	From Hm No.33 to St.Johns La	2P	15	4	4	8	6	8	5	4	7	4	4
9		Pacific Hwy W/Side												
	А	From St. Johns Ave to Moree St	NP 8.30-3.00pm (M- F) 1/2P Other	2	2	2	2	0	1	1	1	2	2	0
	В	From St. Johns Ave to Moree St	C-Way PM 1/2P	2	1	2	0	2	2	2	1	2	2	2
10		Moree St Sth/Side												
	Α	From Pacific Hwy to St. Johns La	1/2P	3	1	0	0	2	3	2	2	2	2	2
11		Moree St Nth/Side												
	В	Moree St Nth/Side	1P	1	0	1	1	0	0	1	0	0	0	0
	С	Moree St Nth/Side	1P	2	1	1	1	2	2	1	0	0	0	2
	D	From Car Park to Pacific Hwy	1/2P	4	0	0	2	3	3	1	3	2	3	4
12		Pacific Hwy W/Side												
	А	From Moree St to Dumaresq St	NP 8.30-3.00pm (M- F) 1/2P Other	3	1	2	2	3	2	2	3	2	1	3
	В	From Moree St to Dumaresq St	C-Way PM 1/2P	6	3	3	6	6	4	6	6	6	5	6
14		Dumaresq St Nth/Side												
	В	From Car Park to Radford PI	1P	2	0	1	1	1	1	1	1	2	2	1
15		Radford PI W/Side												
		Radford PI W/Side	1/2P	5	1	2	2	2	3	2	2	1	1	1
16		McIntyre St Sth/Side												
	Α	From Pacific Hwy to Hm No.8	1P	8	0	0	1	0	0	0	2	2	1	1
17		McIntyre St Nth/Side												
	В	From Hm No.1 to Pacific Hwy	1P	6	2	3	4	4	5	4	4	4	5	4
20		Garden Sq W/Side												
		From Park Ave to End of Street	NP 6-10am	8	0	0	0	0	0	0	0	0	0	0
21		Garden Sq E/Side												

25		Werona Ave E/Side												
		From Park La to Khartoum Ave	2P	6	3	2	1	1	2	3	3	4	3	3
26		Werona Ave E/Side												
		From Khartoum Ave to Khartoum La	NP (7.30-8.30am) (3.30-6pm) 1P	4	0	1	3	3	2	2	3	1	3	3
27		Werona Ave E/Side												
		From Khartoum La to Robert St	NP (6.30-9.30am) (3.30-6pm) 1P	4	1	3	2	3	3	3	3	3	3	2
28		Werona Ave E/Side												
		From Hm No.65 to Tennis Court	4P	4	2	2	3	3	2	2	2	4	3	3
29		Werona Ave E/Side												
	Α	From McIntosh St to Hm No.59	NP 8-6pm (M-F)	3	0	0	0	0	0	0	0	0	0	0
32		McIntosh St Nth/Side												
		From Werona Ave to Rosedale Rd	NP 8.30-6pm (M-F)	12	0	0	1	1	2	1	1	1	1	1
33		McIntosh St Sth/Side												
	В	From Hm No.17 to Hm No.15	2P	4	0	0	0	0	0	0	1	1	1	1
	С	From Hm No.15 to Werona Ave	4P	5	1	1	1	1	1	1	1	1	1	1
34		Robert St Nth/Side												
	Α	From Werona Ave to Hm No.2	1/2P	2	0	1	2	2	2	2	2	1	1	1
35		Robert St Sth/Side												
	В	From Hm No.1 to Werona Ave	1/2P	2	0	1	1	2	2	2	2	1	1	1
41		Rosedale Rd W/Side												
	В	From McIntosh St to Robert St	2P	5	1	1	0	0	0	4	5	4	4	5
44		Werona Ave W/Side												
	А	From Gordon Station to Park Ave	BZ 7-9am 3-4pm 1/2P Other	3	0	0	0	1	1	1	1	0	0	0
	в	From Gordon Station to Park Ave	NP 6.30-9.30am 2P Other	9	1	1	0	1	1	0	0	2	1	1
	с	From Gordon Station to Park Ave	NP 6.30-9.30am 4P Other	11	0	0	0	1	1	1	1	4	2	2

45		Pacific Hwy E/Side												
		From Post Office to St. Johns Ave	C-Way AM 1/2P	18	11	11	8	12	7	15	12	15	17	11
46		St. Johns Ave Nth/Side												
		From Pacific Hwy to Clipsham La	1P	3	2	2	2	3	3	2	2	3	3	2
47		St. Johns Ave Nth/Side												
		From Clipsham La to Wade La	1P	7	6	5	5	7	7	7	6	5	5	7
49		Cecil St Nth/Side												
		From Pacific Hwy to Henry St	NP School Days	27	20	26	23	16	17	17	17	18	12	10
51		Ravenswood Ave Nth/Side												
		From Pacific Hwy to Henry St	4P	15	11	13	10	8	7	7	7	5	5	4
52		Henry St W/Side												
	в	From Hm No.34 to Church Hill La	1P	3	2	3	3	3	3	3	3	3	3	3
53		St. Johns Ave Sth/Side												
		From Henry St to Pacific Hwy	NP 7.00-8.30am 1P Other	7	4	6	5	5	6	6	5	5	7	5
		CAR PARK												
Α		Moree St Sth/Side - Car Park	2P	25	2	5	12	13	10	8	6	8	8	11
В		Gordon Shopping Centre - L1	3P	115	30	64	98	71	93	104	79	87	73	62
		Gordon Shopping Centre - L2	3P	58	2	9	14	31	31	30	17	14	12	5
		Gordon Shopping Centre - L3	3P	138	30	44	54	74	74	60	60	51	40	40
		Gordon Shopping Centre - L4	3P	59	3	11	13	21	26	19	20	21	12	10
		Gordon Shopping Centre - L5	3P	35	3	7	7	7	9	8	6	6	6	4
С		Pearson Ave W/Side - Car Park	2P	23	2	2	3	3	5	14	18	16	5	2
J		Wade Lane - Top Level	2P	114	13	29	41	84	79	51	51	49	37	32
		Wade Lane - 1st Level	2P	108	21	41	51	89	83	85	73	64	51	42
		Wade Lane - Ground Level	3P	152	19	32	43	51	61	69	63	53	50	55

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	1070	206	344	436	548	574	555	499	482	398	359
Total Number of Vacant Space	es	864	726	634	522	496	515	571	588	672	711
Total % of Capacity Used		19.3%	32.1%	40.7%	51.2%	53.6%	51.9%	46.6%	45.0%	37.2%	33.6%





Ph.88196847, Fax 88196849, Mob.0418-239019

Client

Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

:ARUP

Cap Zone Area Location Restric **Cecil St Sth/Side** From Pacific Hwy to Hm No.30B UNR **Cecil St Nth/Side** From Hm No.19 to Pacific Hwv UNR Yarabah Ave Sth/Side From Pacific Hwy to Bushlands Ave UNR Yarabah Ave Nth/Side From Bushlands Ave to Pacific Hwy UNR Bushlands Ave Sth/Side From Pacific Hwy to Yarabah Ave UNR **Bushlands Ave Nth/Side** From Hm No.11 to Pacific Hwy UNR **Oberon Cr** В Oberon Cr W/Side UNR Moree St Sth/Side В From St. Johns La to Hm No.34 UNR Moree St Nth/Side Α From Hm No.39 to Car Park UNR **Dumaresq St Sth/Side** From Hm No.10 to Hm No.36 UNR **Dumaresg St Nth/Side** Α From Hm No.41 to Hm No.15 UNR McIntyre St Sth/Side В From Hm No.8 to Hm No.38 UNR **McIntyre St Nth/Side** Α From Hm No.33 to Hm No.1 UNR

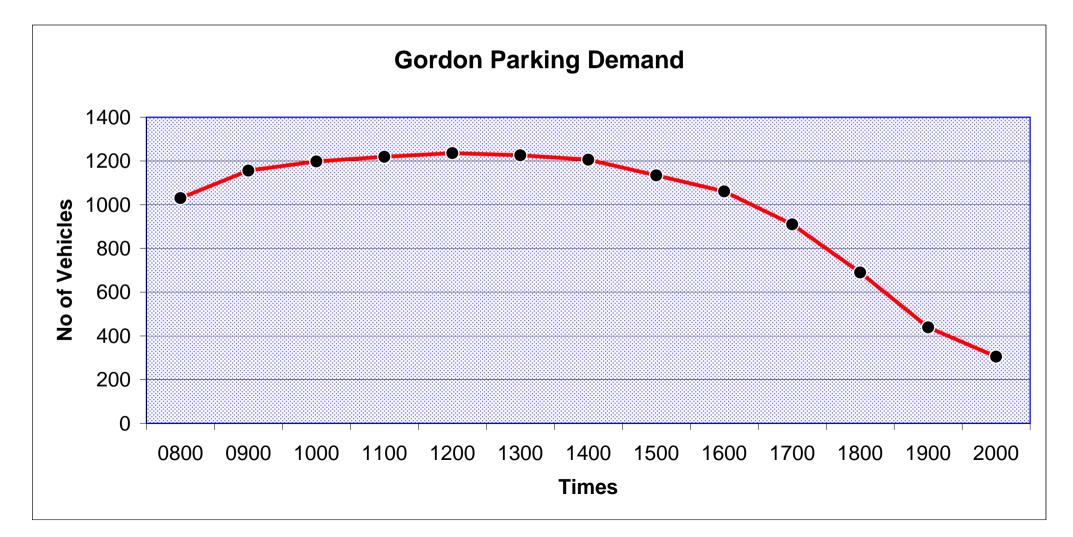
18		Pearson Ave E/Side															
		From Burgoyne La to Burgoyne St	UNR	10	10	10	10	10	10	10	10	10	9	9	6	3	2
19		Park Ave Nth/Side															
		From Pearson Ave to the Church	UNR	10	10	10	10	10	10	10	10	10	10	8	8	7	4
21		Garden Sq E/Side															
		From End of Street to Park Ave	UNR	13	13	12	13	10	12	12	13	13	13	11	7	5	3
22		Park Ave Nth/Side															
		From Garden Sq to Rosedale Rd	UNR	7	7	7	7	5	7	7	7	7	6	6	5	5	2
23		Park Ave Sth/Side															
		From Rosedale Rd to Werona Ave	UNR	21	21	20	21	19	21	21	21	21	20	18	16	13	7
24		Werona Ave E/Side															
		From Park Ave to Park La	UNR	3	3	3	3	3	3	3	2	2	2	2	2	2	2
29		Werona Ave E/Side															
	В	From Hm No.59 to Forsyth St	UNR	18	1	2	3	5	5	4	3	3	3	4	3	1	0
30		Forsyth Nth/Side															
		From Werona Ave to Hm No.12	UNR	8	0	0	0	0	0	0	0	1	0	0	0	0	0
31		Forsyth Sth/Side															
		From Hm No.10 to Werona Ave	UNR	11	1	1	1	1	0	0	1	1	0	0	0	0	0
33		McIntosh St Sth/Side															
	Α	From Hm No.23 to Hm No.17	UNR	8	8	8	7	7	8	7	8	8	8	7	3	4	4
34		Robert St Nth/Side															
	В	From Hm No.2 to Rosedale Rd	UNR	22	18	21	21	20	21	22	20	22	21	18	14	11	8
35		Robert St Sth/Side															
	Α	From Rosedale Rd to Hm No.1	UNR	21	20	20	21	21	19	19	20	20	20	19	16	14	11
36		Khartoum Ave Nth/Side															
		From Werona Ave to Rosedale Rd	UNR	29	27	27	28	28	27	27	28	29	27	23	19	14	9
37		Khartoum Ave Sth/Side															
		From Rosedale Rd to Laneway	UNR	27	27	27	26	26	27	26	27	27	25	21	14	10	8
38		Khartoum Ave Sth/Side															
		From Laneway to Werona Ave	UNR	3	3	3	3	3	3	2	2	2	3	3	3	3	2
39		Rosedale Rd E/Side															
		From Hm No.25 to Nelson St	UNR	11	10	10	8	10	10	8	7	9	9	8	6	6	5
40		Rosedale Rd E/Side															

		From Noloon Ot to Mointook Ot		10	45	40	44	0	10	40	4.4	45	40	45	44	0	7
		From Nelson St to McIntosh St	UNR	16	15	13	11	9	10	12	14	15	16	15	11	8	/
41		Rosedale Rd W/Side		-													ļ
	Α	From McIntosh St to Robert St	UNR	8	7	7	6	6	5	5	6	6	7	5	3	2	2
	С	From McIntosh St to Robert St	UNR	4	4	4	3	3	4	4	3	3	3	2	1	1	1
42		Rosedale Rd W/Side															
		From Robert St to Khartoum La	UNR	5	5	5	5	4	5	5	5	5	5	4	2	2	2
43		Rosedale Rd W/Side															
		From Khartoum La to Khartoum Ave	UNR	5	5	4	4	5	4	4	4	5	5	4	3	2	2
48		Cecil St Sth/Side															
		From Henry St to Pacific Hwy	UNR	26	21	23	22	25	23	21	20	17	15	12	13	4	1
50		Ravenswood Ave Sth/Side															
		From Henry St to Pacific Hwy	UNR	16	15	15	15	16	16	15	14	14	13	15	11	7	8
52		Henry St W/Side															
	Α	From Hm No.18 to Hm No.32	UNR	11	1	4	6	9	10	10	10	8	8	7	6	5	4
		CAR PARK															
		Gordon Shopping Centre - L6	UNR	56	25	56	54	55	55	55	54	49	45	35	15	7	4
		Gordon Shopping Centre - L7	UNR	30	3	21	28	28	29	29	26	26	22	12	7	4	1
		Gordon Shopping Centre - L8	UNR	46	3	8	16	25	37	39	32	32	26	21	17	12	5
D		Werona Ave W/Side - Car Park	UNR	104	102	103	101	102	101	103	104	95	83	79	53	46	35
Е		Werona Ave W/Side - Car Park	UNR	35	35	34	32	34	34	34	34	33	32	23	16	15	9
F		Werona Ave W/Side - Car Park	UNR	91	91	91	91	91	91	87	89	85	85	61	39	20	17
G		Henry St E/Side - Car Park	UNR	44	44	41	42	40	44	43	40	38	32	24	19	3	3
н		Henry St E/Side - Top Level	UNR	88	63	69	75	72	70	73	71	65	62	59	55	23	14
		Henry St E/Side - 1st Level	UNR	86	49	62	79	86	86	85	86	84	82	79	67	30	17
		Henry St E/Side - Ground Level	UNR	87	79	80	86	87	87	86	86	86	86	85	64	32	13
		Henry St E/Side - Underground Level	UNR	79	79	78	79	79	79	79	79	76	73	62	51	39	15
I		Henry St E/Side - Car Park	UNR	55	41	45	47	50	52	55	54	49	46	47	44	17	14



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	1433	1030	1156	1198	1219	1236	1226	1206	1134	1061	910	690	439	305
Total Number of Vacant Space	es	403	277	235	214	197	207	227	299	372	523	743	994	1128
Total % of Capacity Used		71.9%	80.7%	83.6%	85.1%	86.3%	85.6%	84.2%	79.1%	74.0%	63.5%	48.2%	30.6%	21.3%





# R.O.A.R. DATA

**Reliable, Original & Authentic Results** Ph.88196847, Fax 88196849, Mob.0418-239019

### Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

<u>GORDON</u>

Day/Date :Saturday 15th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Cecil St Sth/Side												
		From Pacific Hwy to Hm No.30B	UNR	17	10	8	8	7	8	6	6	6	7	7
2		Cecil St Nth/Side												
		From Hm No.19 to Pacific Hwy	UNR	20	6	7	4	5	8	7	7	8	7	6
3		Yarabah Ave Sth/Side												
		From Pacific Hwy to Bushlands Ave	UNR	32	9	7	9	8	7	8	8	9	8	8
4		Yarabah Ave Nth/Side												
		From Bushlands Ave to Pacific Hwy	UNR	32	4	4	5	5	7	4	4	4	4	3
5		Bushlands Ave Sth/Side												
		From Pacific Hwy to Yarabah Ave	UNR	10	4	4	3	5	4	4	3	2	3	3
6		Bushlands Ave Nth/Side												
		From Hm No.11 to Pacific Hwy	UNR	18	4	6	5	4	5	5	4	4	4	3
7		Oberon Cr												
	В	Oberon Cr W/Side	UNR	11	2	2	2	2	2	3	3	2	2	1
10		Moree St Sth/Side												
	В	From St. Johns La to Hm No.36	UNR	36	12	11	12	15	10	6	5	2	5	4
11		Moree St Nth/Side												
	Α	From Hm No.39 to Car Park	UNR	30	13	13	13	15	11	10	9	6	5	6
13		Dumaresq St Sth/Side												
		From Hm No.10 to Hm No.36	UNR	27	9	10	10	9	8	8	7	6	7	6
14		Dumaresq St Nth/Side												
	Α	From Hm No.41 to Hm No.15	UNR	27	4	4	5	4	4	5	4	4	4	3
16		McIntyre St Sth/Side												
	В	From Hm No.8 to Hm No.38	UNR	28	11	14	14	16	9	2	2	4	4	6
17		McIntyre St Nth/Side		1										
	Α	From Hm No.33 to Hm No.1	UNR	31	6	6	8	8	7	5	4	5	4	5
18		Pearson Ave E/Side												

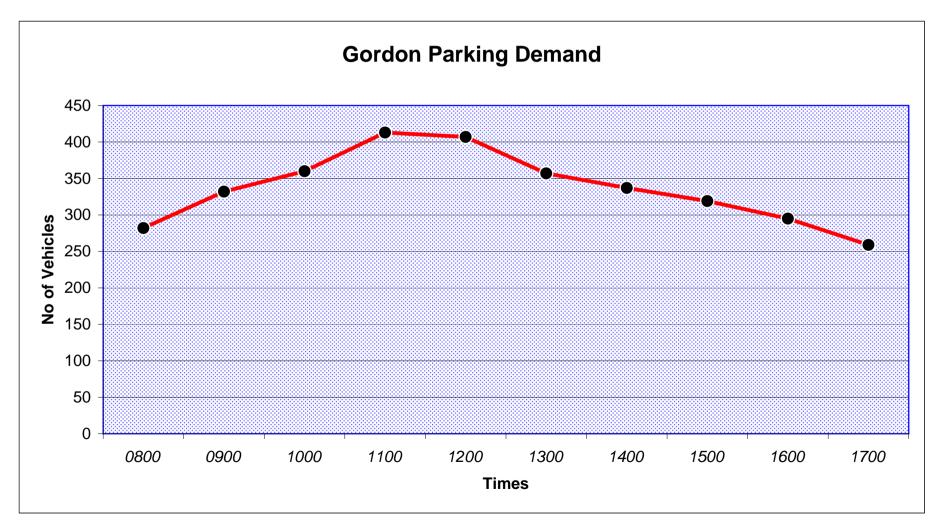
		From Burgoyne La to Burgoyne St	UNR	10	1	2	2	2	2	0	0	0	0	1
19		Park Ave Nth/Side	UNIX		•	~	2	2	2	0	0	0	0	
15		From Pearson Ave to the Church	UNR	10	3	5	5	6	6	5	4	4	4	4
21		Garden Sq E/Side	ONIX		0		0	0	0	0				
		From End of Street to Park Ave	UNR	13	0	0	0	0	0	0	0	0	0	0
22		Park Ave Nth/Side	UNK	13	0	0	0	0	0	0	0	0	0	0
		From Garden Sq to Rosedale Rd	UNR	7	0	0	0	0	0	0	0	0	0	0
23		Park Ave Sth/Side	UNK	· '	0	0	0	0	0	0	0	0	0	0
23				21	F	2	2	2	4	4	2	2	2	2
24		From Rosedale Rd to Werona Ave Werona Ave E/Side	UNR	21	5	3	3	3	4	4	2	2	2	2
24		From Park Ave to Park La	UNR	3	2	2	2	3	3	2	2	2	2	2
29		Werona Ave E/Side	UNK	5	2	2	2	5	5	2	2	2	2	2
29	в	From Hm No.59 to Forsyth St	UNR	18	0	0	0	0	0	0	0	0	0	0
30	В	Forsyth Nth/Side	UNK	10	0	0	0	0	0	0	0	0	0	0
- 30		From Werona Ave to Hm No.12		8	0	0	0	0	0	0	0	0	0	0
24			UNR	0	0	0	0	0	0	0	0	0	0	0
31		Forsyth Sth/Side		44					4			4		
		From Hm No.10 to Werona Ave	UNR	11	0	0	1	1	1	1	1	1	1	1
33	_	McIntosh St Sth/Side												
	A	From Hm No.23 to Hm No.17	UNR	8	2	2	2	2	2	2	2	2	2	2
34		Robert St Nth/Side												
	В	From Hm No.2 to Rosedale Rd	UNR	22	6	6	6	6	9	6	8	10	10	8
35		Robert St Sth/Side												
	A	From Rosedale Rd to Hm No.1	UNR	21	4	4	5	5	5	6	6	6	6	5
36		Khartoum Ave Nth/Side												
		From Werona Ave to Rosedale Rd	UNR	29	7	7	9	11	15	17	14	12	11	10
37		Khartoum Ave Sth/Side												
		From Rosedale Rd to Laneway	UNR	27	8	8	9	9	9	11	17	15	13	8
38		Khartoum Ave Sth/Side												
		From Laneway to Werona Ave	UNR	3	2	1	1	2	2	2	1	1	1	1
39		Rosedale Rd E/Side												
		From Hm No.25 to Nelson St	UNR	11	1	1	0	0	0	0	0	0	0	0

40		Rosedale Rd E/Side												
		From Nelson St to McIntosh St	UNR	16	5	5	5	4	4	3	3	4	4	4
41		Rosedale Rd W/Side												
	Α	From McIntosh St to Robert St	UNR	8	1	1	1	0	0	2	3	3	3	4
	С	From McIntosh St to Robert St	UNR	4	2	2	2	1	1	2	3	3	3	4
42		Rosedale Rd W/Side												
		From Robert St to Khartoum La	UNR	5	0	0	0	0	0	0	0	0	0	0
43		Rosedale Rd W/Side												
		From Khartoum La to Khartoum Ave	UNR	5	0	0	0	1	1	1	1	0	0	0
48		Cecil St Sth/Side												
		From Henry St to Pacific Hwy	UNR	26	25	24	24	21	21	25	24	23	18	14
50		Ravenswood Ave Sth/Side												
		From Henry St to Pacific Hwy	UNR	16	13	12	12	14	16	8	5	4	1	1
52		Henry St W/Side												
	Α	From Hm No.18 to Hm No.32	UNR	11	5	8	9	10	9	8	9	9	4	4
		CAR PARK												
		Gordon Shopping Centre - L6	UNR	56	6	11	11	11	11	11	9	8	6	5
		Gordon Shopping Centre - L7	UNR	30	3	6	7	5	7	7	5	5	1	0
		Gordon Shopping Centre - L8	UNR	46	0	2	3	3	2	3	2	2	2	2
D		Werona Ave W/Side - Car Park	UNR	104	34	43	52	85	83	71	64	62	59	54
Е		Werona Ave W/Side - Car Park	UNR	35	2	3	5	7	9	7	8	7	6	4
F		Werona Ave W/Side - Car Park	UNR	91	1	1	1	1	1	1	1	1	1	1
G		Henry St E/Side - Car Park	UNR	44	23	44	43	39	32	34	38	32	40	36
н		Henry St E/Side - Top Level	UNR	88	0	1	1	1	1	0	0	0	0	0
		Henry St E/Side - 1st Level	UNR	86	1	2	2	2	2	1	0	0	1	0
		Henry St E/Side - Ground Level	UNR	87	2	2	2	4	3	2	2	2	2	1
		Henry St E/Side - Underground Level	UNR	79	16	18	21	27	28	19	17	14	11	9
Ι		Henry St E/Side - Car Park	UNR	55	8	10	16	24	28	23	20	23	17	11



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	1433	282	332	360	413	407	357	337	319	295	259
Total Number of Vacant Space	es	1151	1101	1073	1020	1026	1076	1096	1114	1138	1174
Total % of Capacity Used		19.7%	23.2%	25.1%	28.8%	28.4%	24.9%	23.5%	22.3%	20.6%	18.1%





Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

Ph.88196847, Fax 88196849, Mob.0418-239019

### <u>LINDFIELD</u>

Day/Date :Thursday 13th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1		Pacific Hwy W/Side															
		Pacific Hwy W/Side	C-Way PM 1/2P	10	0	2	7	6	4	6	5	0	0	0	0	0	3
5		Beaconsfield Pde Nth/Side															
		From Woodford La to Pacific Hwy	1P	9	4	7	9	9	9	9	9	8	8	6	6	7	8
6		Pacific Hwy W/Side															
		From Beaconsfield Pde to Bent St	C-Way PM 1/2P	17	8	13	17	13	15	15	13	4	0	0	0	1	12
7		Bent St Sth/Side															
		From Pacific Hwy to Woodford La	1/2P	5	1	5	3	3	3	3	4	3	5	4	4	4	2
14		Bent St Nth/Side															
		From Balfour La to Pacific Hwy	1/2P	4	3	4	3	3	4	4	4	4	4	3	3	4	3
15		Pacific Hwy W/Side															
		From Bent St to Balfour St	C-Way PM 1/2P	6	3	5	5	4	4	4	4	1	0	0	0	1	4
16		Balfour St Sth/Side															
		From Pacific Hwy to Balfour La	1P	3	0	2	3	2	2	1	1	2	3	2	2	2	2
17		Balfour La E/Side															
		From Balfour St to Bent St	NP 8.30-6pm	5	0	0	0	0	0	0	0	0	0	0	0	0	0
20		Balfour St Nth/Side															
		From Balfour La to Pacific Hwy	1P	5	4	3	3	3	4	5	5	5	4	4	4	4	3
21		Pacific Hwy W/Side															
		From Balfour St to Highfield Rd	C-Way PM 1/2P	9	5	7	9	9	8	7	7	1	0	0	0	0	8
23		Wallace Pde E/Side															
		From Highfield Rd to Bent St	NP 8.30-9.30am 2.30-3.30pm	22	0	0	0	0	0	0	0	0	0	0	0	0	0
29		Pacific Hwy E/Side															
	Α	Pacific Hwy E/Side	C-Way AM UNR	10	0	0	0	0	0	0	0	0	0	2	3	4	0
	в	Pacific Hwy E/Side	C-Way AM 1/2P	3	0	0	0	0	0	0	0	2	1	2	2	3	0
	С	From Tryon PI to Library	C-Way AM 1/2P	22	0	0	0	16	16	16	16	17	14	14	14	16	15
30		Tryon PI Sth/Side															
		Tryon PI Sth/Side	1/2P	2	1	1	0	1	1	0	0	1	0	1	1	1	2
34		Lindfield Ave E/Side															
		From Havilah Rd to Kochia La	1/2P	18	6	8	14	13	15	13	9	10	13	6	8	12	1
35		Lindfield Ave E/Side															

		From Kochia La to Tryon Rd	1/2P	2	0	0	2	2	2	1	1	1	2	0	2	2	0
36		Lindfield Ave E/Side															
		From Tryon Rd to Tryon La	1/2P	3	1	2	1	2	1	1	1	2	3	3	3	2	1
39		Lindfield Ave W/Side															
	В	From Strickland Ave to Havilah Rd	1P	11	1	2	3	1	1	1	5	4	4	2	1	3	2
	С	From Strickland Ave to Havilah Rd	NP (7-9am 3- 6pm) 1/2P	10	0	2	2	4	2	1	1	0	0	0	0	2	2
	D	From Strickland Ave to Havilah Rd	1/2P	19	5	5	4	7	7	10	7	6	14	9	6	2	5
42		Milroy Of W/Cido															
42		Milray St W/Side	45	7	6	7	6	6	6	5		5	5	2	4	1	0
43		From Tyron Rd to Kochia La Milray St W/Side	4P		0	/	0	0	6	5	5	5	5	3	1		0
44		Tryon Rd Nth/Side															
		From Chapman La to Milray St	2P	16	3	7	11	13	14	11	13	12	6	7	3	3	4
45		Tryon Rd Nth/Side	۲		5	1		15	14		13	12	0	,	5	5	4
	В	From Hm No.22 to Hm No.24	1/4P	5	1	2	1	1	0	1	1	2	4	3	4	0	0
53		Tryon Rd Sth/Side	1/-11		1	~			0			2		0		0	Ū
	Α	From Nelson Rd to Hm No.25	BZ 7-6.30pm	3	0	0	0	0	0	0	0	0	0	0	0	0	0
	С	From Nelson Rd to Hm No.25	2P	4	1	2	2	0	1	3	3	1	2	3	2	0	0
	Е	From Hm No 9-25 to Hm No.8	2P	21	5	11	8	18	15	13	18	17	20	13	9	6	5
	F	From Hm No.7 to Lindfield Ave	NP 8.30-6pm	1	0	0	0	0	0	0	0	0	0	0	1	0	0
63		Lindfield Ave E/Side															
		From Woodside Ave to Havilah Rd	C-Way AM 1P Other	4	0	0	0	2	1	0	0	0	1	1	1	1	2
		CAR PARK															
Α		Woodford La E/Side - Car Park	2P	72	17	27	32	39	39	39	39	33	36	30	27	24	19
С		Balfour La W/Side - Car Park	2P	113	29	71	87	84	100	97	105	87	90	62	53	42	40
Е		Kochia La Sth/Side - Car Park	2P	122	19	90	88	82	89	94	81	79	98	96	62	35	38
F		Kochia La Sth/Side - Car Park	2P	16	2	6	5	8	6	5	7	5	6	5	0	0	1
J		Havilah La W/Side - Car Park	4P	25	1	14	16	16	16	11	9	5	5	2	1	1	0

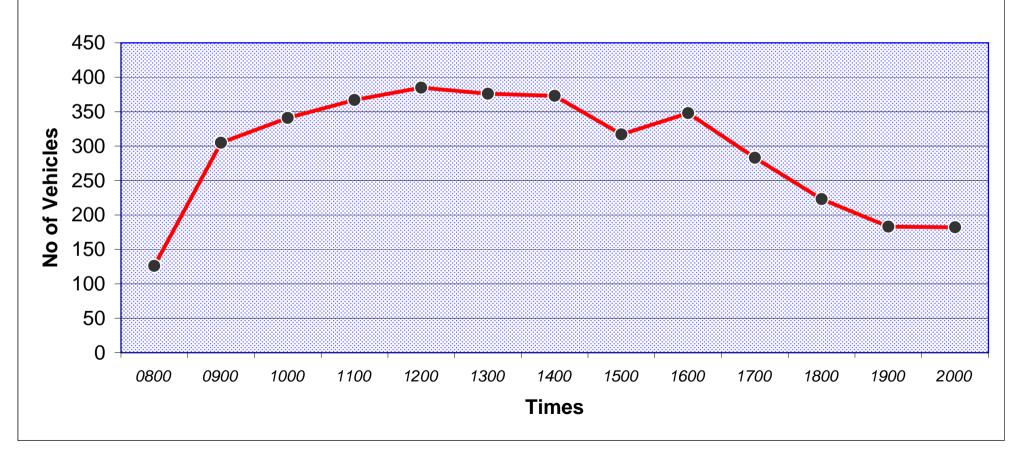


Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

<u>LINDFIELD</u>

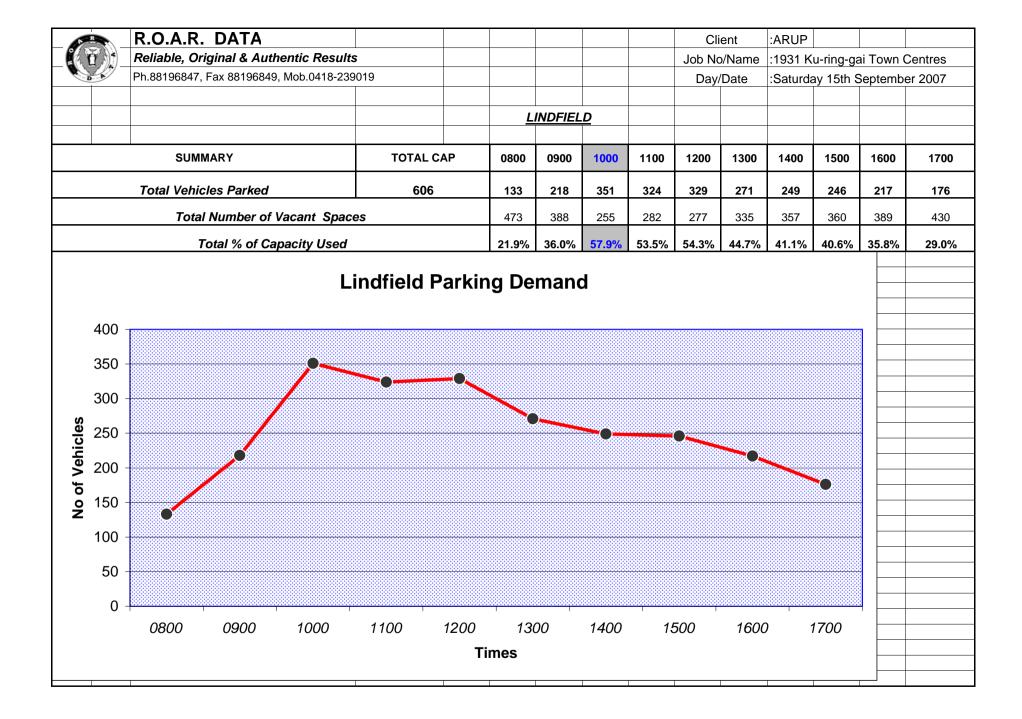
SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	604	126	305	341	367	385	376	373	317	348	283	223	183	182
Total Number of Vacant Spaces	5	478	299	263	237	219	228	231	287	256	321	381	421	422
Total % of Capacity Used		20.9%	50.5%	56.5%	60.8%	63.7%	62.3%	61.8%	52.5%	57.6%	46.9%	36.9%	30.3%	30.1%





A.C.	R	R.O.A.R. DATA							Cli	ent	:ARUP			
	R St	Reliable, Original & Authentic Result	ts						Job No	/Name	:1931 K	u-ring-ga	ai Town (	Centres
	A	Ph.88196847, Fax 88196849, Mob.0418-23	9019		<u>L</u>	INDFIEL	D		Day/	Date	:Saturda	ay 15th S	Septemb	er 2007
Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Pacific Hwy W/Side												
		Pacific Hwy W/Side	C-Way PM 1/2P	10	1	3	4	4	6	5	6	7	6	6
5		Beaconsfield Pde Nth/Side												
		From Woodford La to Pacific Hwy	1P	9	3	3	5	6	6	8	8	8	8	8
6		Pacific Hwy W/Side												
		From Beaconsfield Pde to Bent St	C-Way PM 1/2P	17	7	9	17	10	13	17	15	12	11	9
7		Bent St Sth/Side												
		From Pacific Hwy to Woodford La	1/2P	5	4	5	2	4	5	3	5	4	4	4
14		Bent St Nth/Side												
		From Balfour La to Pacific Hwy	1/2P	4	4	8	3	3	4	4	4	3	3	1
15		Pacific Hwy W/Side												
		From Bent St to Balfour St	C-Way PM 1/2P	6	5	4	5	5	5	5	5	5	5	6
16		Balfour St Sth/Side												
		From Pacific Hwy to Balfour La	1P	3	2	0	3	3	3	3	3	3	3	3
17		Balfour La E/Side												
		From Balfour St to Bent St	NP 8.30-6pm	5	3	4	4	4	1	4	3	5	4	3
20		Balfour St Nth/Side												
		From Balfour La to Pacific Hwy	1P	5	3	4	4	4	1	4	3	5	4	3
21		Pacific Hwy W/Side												
		From Balfour St to Highfield Rd	C-Way PM 1/2P	10	4	5	6	8	10	10	10	10	7	6
23		Wallace Pde E/Side												
		From Highfield Rd to Bent St	NP 8.30-9.30am 2.30-3.30pm	22	0	1	0	0	0	0	0	0	0	0
29		Pacific Hwy E/Side												
	Α	Pacific Hwy E/Side	C-Way AM UNR	10	0	0	3	2	1	2	2	2	2	4
	В	Pacific Hwy E/Side	C-Way AM 1/2P	3	0	0	0	3	3	2	2	1	1	1
	С	From Tryon PI to Library	C-Way AM 1/2P	22	6	11	17	13	15	19	16	17	13	9
30		Tryon PI Sth/Side												
		Tryon PI Sth/Side	1/2P	2	1	1	1	1	2	2	2	2	2	0
34		Lindfield Ave E/Side												
		From Havilah Rd to Kochia La	1/2P	18	10	8	12	10	10	12	7	7	5	5
35		Lindfield Ave E/Side												

		From Kochia La to Tryon Rd	1/2P	3	1	3	2	1	2	2	0	2	2	3
36		Lindfield Ave E/Side	1/2F	5	I	3	2	1	2	2	0	2	2	5
30		From Tryon Rd to Tryon La	1/2P	3	1	3	3	3	2	1	1	1	1	1
39		Lindfield Ave W/Side	1/2P	3	1	3	3	3	2	1		1	1	I
39	_			11		7	7	0	0					
	В	Lindfield Ave W/Side	1P NP (7-9am 3-6pm)		0		•	3	8	4	4	1	5	3
	С	Lindfield Ave W/Side	1/2P	10	1	3	5	6	4	3	1	3	2	2
	D	Lindfield Ave W/Side	1/2P	19	4	5	5	6	9	3	5	9	8	6
42		Milray St W/Side												
		From Tyron Rd to Kochia La	4P	7	1	2	5	6	5	5	3	2	2	2
44		Tryon Rd Nth/Side												
		From Chapman La to Milray St	2P	16	5	8	9	10	14	7	4	5	4	2
45		Tryon Rd Nth/Side												
	В	From Hm No.22 to Hm No.24	1/4P	5	4	5	4	3	2	2	5	4	5	2
53		Tryon Rd Sth/Side												
	Α	From Nelson Rd to Hm No.25	BZ 7-6.30pm	3	2	3	2	2	0	1	1	2	1	1
	С	From Nelson Rd to Hm No.25	2P	4	2	1	3	3	5	4	2	1	4	2
	Е	From Hm No 9-25 to Hm No.8	2P	21	2	11	17	18	17	13	13	12	11	7
	F	From Hm No.7 to Lindfield Ave	NP 8.30-6pm	1	0	0	0	0	0	0	0	0	0	0
63		Lindfield Ave E/Side												
		From Woodside Ave to Havilah Rd	C-Way AM 1P Other	4	1	4	2	2	2	2	2	1	1	2
		CAR PARK												
Α		Woodford La E/Side - Car Park	2P	72	6	14	24	24	25	18	24	23	17	12
С		Balfour La W/Side - Car Park	2P	113	14	20	47	51	45	33	38	39	31	27
Е		Kochia La Sth/Side - Car Park	2P	122	33	57	121	97	96	66	51	46	42	34
F		Kochia La Sth/Side - Car Park	2P	16	0	2	2	4	4	4	3	3	2	2
J		Havilah La W/Side - Car Park	4P	25	3	4	7	5	4	3	1	1	1	0





Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

# Ph.88196847, Fax 88196849, Mob.0418-239019

### <u>LINDFIELD</u>

Day/Date :Thursday 13th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
2		Beaconsfield Pde Sth/Side															
		From Pacific Hwy to Drovers Way	UNR	6	6	5	6	6	6	6	5	6	6	6	5	4	4
3		Beaconsfield Pde Sth/Side															
		From Drovers Way to Hm No.18	UNR	34	16	19	22	24	18	23	22	22	23	18	11	9	7
4		Beaconsfield Pde Nth/Side															
		From Hm No.21 to Woodford La	UNR	25	12	14	14	18	19	18	20	20	16	15	11	7	8
8		Woodford La W/Side															
		From Bent St to Beaconsfield Pde	UNR	13	13	13	13	13	13	12	12	13	9	7	5	4	2
9		Bent St Sth/Side															
		From Woodford La to Newark Cr	UNR	26	21	25	24	25	24	24	26	24	24	21	16	7	3
10		Newark Cr Sth/Side															
		Newark Cr Sth/Side	UNR	24	4	7	5	5	5	4	6	4	5	7	7	7	6
11		Newark Cr E/Side															
		From Bent St to Newark Cr	UNR	4	1	1	1	1	1	1	1	1	1	1	1	1	1
12		Newark Cr Nth/Side															
		Newark Cr Nth/Side	UNR	10	2	1	1	1	1	1	2	1	2	2	3	3	2
13		Bent St Nth/Side															
		From Balfour St to Balfour La	UNR	34	27	34	34	33	30	28	33	32	32	30	25	21	12
18		Balfour St Sth/Side															
		From Balfour La to Bent St	UNR	33	18	26	25	25	27	31	28	27	25	23	17	14	11
19		Balfour St Nth/Side															
		From Bent St to Balfour La	UNR	18	12	17	18	18	18	18	18	18	14	11	9	7	5
22		Highfield Rd Sth/Side															
		From Pacific Hwy to Wallace Pde	UNR	14	14	10	14	6	9	9	9	10	5	4	3	3	5
24		Wallace Pde W/Side															
		From Bent St to Highfield Rd	UNR	20	15	17	4	3	2	0	0	1	1	0	0	0	0
25		Stokes PI W/Side															
		From Highfield Rd to End of Street	UNR	6	6	6	1	1	1	1	0	0	2	1	0	0	0
26		Stokes PI E/Side															
		From End of Street to Highfield Rd	UNR	6	6	6	3	3	2	1	1	2	1	1	0	0	0
27		Highfield Rd Nth/Side															
		From Hm No.11 to Highfield La	UNR	11	6	8	7	9	9	7	6	4	4	3	3	4	4

28		Highfield La E/Side															
		Highfield La E/Side	UNR	5	5	3	4	3	3	3	3	3	3	4	4	4	4
31		Havilah Rd Nth/Side															
		From Lindfield Ave to Nelson Rd	UNR	40	15	23	25	24	24	25	26	19	16	14	10	6	5
32		Havilah Rd Sth/Side															
		From Milray St to Havilah La	UNR	9	5	8	8	8	8	8	7	6	5	5	2	1	1
33		Havilah Rd Sth/Side															
		From Havilah La to Lindfield Ave	UNR	4	3	4	4	4	4	4	4	4	4	3	2	1	1
37		Lindfield Ave E/Side															
		From Tryon La to Russell Ave	UNR	6	6	6	6	6	5	5	5	5	5	6	3	3	2
38		Lindfield Ave E/Side															
		From Russell Ave to Middle Harbour Rd	UNR	8	7	8	8	8	8	8	8	7	7	7	6	2	0
39		Lindfield Ave W/Side															
	Α	From Strickland Ave to Havilah Rd	UNR	30	22	29	30	30	30	30	30	28	27	24	17	7	4
40		Milray St E/Side															
		From Havilah Rd to Kochia La	UNR	23	21	22	21	23	23	22	21	21	17	14	10	9	8
41		Milray St E/Side															
		From Kochia La to Tryon Rd	UNR	5	4	4	4	4	4	4	5	5	3	3	1	0	0
43		Milray St W/Side															
		From Kochia La to Havilah Rd	UNR	24	19	23	23	23	23	23	21	21	16	13	6	4	3
45		Tryon Rd Nth/Side															
	Α	From Milray St to Hm No.22	UNR	8	5	8	8	8	8	8	7	8	6	6	6	5	4
46		Nelson Rd E/Side															
		From Havilah Rd to Tryon Rd	UNR	22	1	5	5	5	5	6	6	4	2	3	3	3	3
47		Nelson Rd E/Side															
		From Tryon Rd to Valley La	UNR	4	2	3	3	3	3	2	3	3	2	0	0	0	0
48		Nelson Rd E/Side															
		From Valley La to Valley Rd	UNR	6	4	5	6	6	6	6	6	6	4	2	2	1	0
49		Nelson Rd W/Side															
		From Valley Rd to Tryon La	UNR	5	1	3	5	5	4	5	5	4	2	0	0	1	1
50		Nelson Rd W/Side															
		From Tryon La to Tryon Rd	UNR	6	5	5	5	5	5	5	5	4	4	3	2	0	1
51		Nelson Rd W/Side															
		From Tyron Rd to Kochia La	UNR	2	1	2	2	2	2	2	2	2	2	1	0	0	0
52		Nelson Rd W/Side															
		From Kochia La to Havilah Rd	UNR	20	4	7	5	4	5	6	7	6	4	3	3	3	2
53		Tryon Rd Sth/Side															

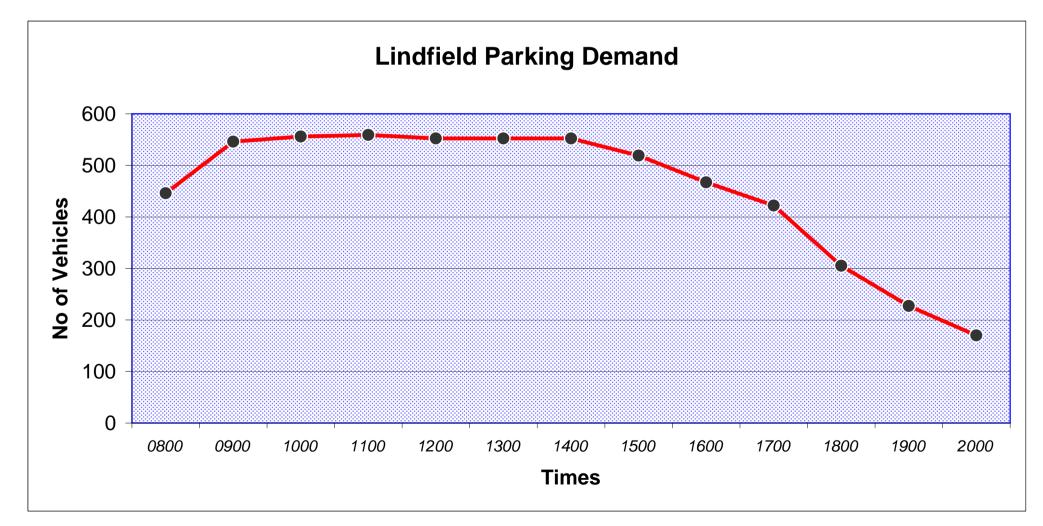
	в	From Nelson Rd to Hm No.25	UNR	3	2	3	3	3	3	2	3	2	2	2	0	1	1
	D	From Hm No 9-26	UNR	11	9	9	10	10	10	10	10	10	9	7	5	5	2
54		Russell Ave Nth/Side															
		From Lindfield Ave to Trafalgar Ave	UNR	29	18	24	24	25	27	26	24	20	19	19	10	10	6
55		Russell Ave Sth/Side															
		From Trafalgar Ave to Lindfield Ave	UNR	28	22	23	24	26	25	24	21	22	23	20	12	6	3
56		Middle Harbour Rd Nth/Side															
		From Lindfield Ave to Hm No.22	UNR	15	4	9	12	13	13	11	10	7	5	5	1	3	2
57		Middle Harbour Rd Sth/Side															
		From Hm No.19 to Lindfield Ave	UNR	19	6	11	11	13	11	14	11	8	9	7	6	6	6
58		Woodside Ave Nth/Side															
		From Lindfield Ave to Highgate Rd	UNR	7	5	6	7	7	7	7	7	7	6	6	6	4	3
59		Woodside Ave Nth/Side															
		From Highgate Rd to Bleinheim Rd	UNR	12	1	3	6	7	6	6	6	5	5	5	3	6	2
60		Woodside Ave Sth/Side															
		From Hm No.23 to Lindfield Ave	UNR	26	11	15	17	18	19	19	20	19	19	18	16	10	12
61		Highgate Rd W/Side															
		From Woodside Ave to Reid St	UNR	11	1	4	7	7	7	7	7	8	7	8	5	3	2
62		Highgate Rd E/Side															
		From Reid St to Woodside Ave	UNR	9	2	5	7	9	7	7	8	7	7	7	6	4	4
В		Woodford La W/Side - Car Park	UNR	40	40	40	40	40	40	40	40	39	36	34	23	10	4
D		Balfour La E/Side - Coles Car Park	UNR	32	16	17	24	19	22	23	25	24	21	23	19	18	14



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

### <u>LINDFIELD</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	753	446	546	556	559	552	552	552	519	467	422	305	227	170
Total Number of Vacant Spaces		307	207	197	194	201	201	201	234	286	331	448	526	583
Total % of Capacity Used	Total Number of Vacant Spaces Total % of Capacity Used			73.8%	74.2%	73.3%	73.3%	73.3%	68.9%	62.0%	56.0%	40.5%	30.1%	22.6%





# R.O.A.R. DATA

Client :ARUP

**Reliable, Original & Authentic Results** Ph.88196847, Fax 88196849, Mob.0418-239019

### <u>LINDFIELD</u>

Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
2		Beaconsfield Pde Sth/Side												
		From Pacific Hwy to Drovers Way	UNR	6	4	4	5	5	5	5	3	3	2	2
3		Beaconsfield Pde Sth/Side												
		From Drovers Way to Hm No.18	UNR	34	6	6	6	6	5	5	6	6	6	7
4		Beaconsfield Pde Nth/Side												
		From Hm No.21 to Woodford La	UNR	25	6	6	7	6	4	4	4	4	4	3
8		Woodford La W/Side												
		From Bent St to Beaconsfield Pde	UNR	13	1	0	3	3	3	3	2	1	1	0
9		Bent St Sth/Side												
		From Woodford La to Newark Cr	UNR	26	10	9	10	10	11	11	10	8	6	7
10		Newark Cr Sth/Side												
		Newark Cr Sth/Side	UNR	24	5	3	4	3	2	3	3	2	2	2
11		Newark Cr E/Side												
		From Bent St to Newark Cr	UNR	4	1	1	1	1	1	1	1	0	1	1
12		Newark Cr Nth/Side												
		Newark Cr Nth/Side	UNR	10	1	1	0	0	0	0	0	1	1	2
13		Bent St Nth/Side												
		From Balfour St to Balfour La	UNR	34	9	9	8	8	9	12	14	8	7	6
18		Balfour St Sth/Side												
		From Balfour La to Bent St	UNR	33	9	15	10	10	10	11	13	15	11	8
19		Balfour St Nth/Side												
		From Bent St to Balfour La	UNR	18	5	4	3	3	4	2	2	2	2	2
20		Balfour St Nth/Side												
22		Highfield Rd Sth/Side												
		From Pacific Hwy to Wallace Pde	UNR	14	2	2	1	1	1	2	1	1	1	1
24		Wallace Pde W/Side												
		From Bent St to Highfield Rd	UNR	20	2	2	2	2	3	1	3	2	2	1
25		Stokes PI W/Side												

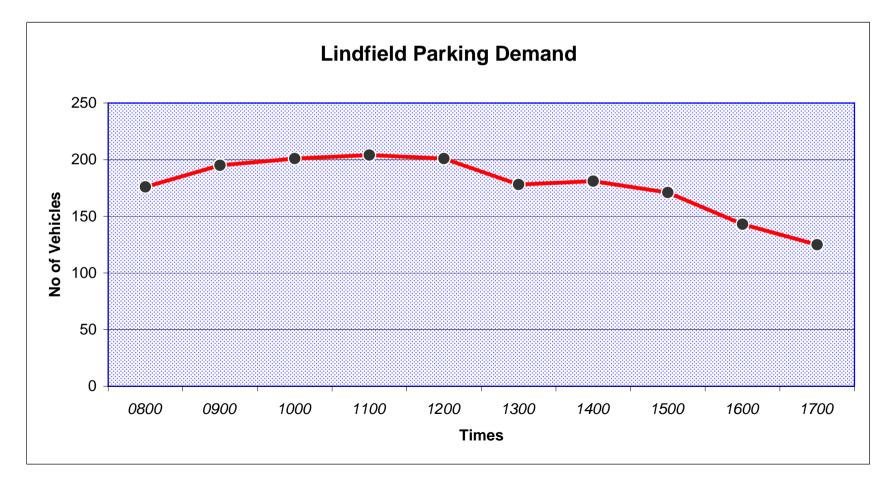
		From Highfield Rd to End of Street	UNR	6	1	1	1	1	1	1	1	1	1	1
26		Stokes PI E/Side	_											
		From End of Street to Highfield Rd	UNR	6	2	2	1	0	0	0	0	0	0	0
27		Highfield Rd Nth/Side												
		From Hm No.11 to Highfield La	UNR	11	2	2	1	1	1	1	2	4	3	1
28		Highfield La E/Side	-											
		Highfield La E/Side	UNR	5	3	3	3	4	4	4	4	4	3	3
31		Havilah Rd Nth/Side												
		From Lindfield Ave to Nelson Rd	UNR	40	11	12	13	16	18	12	10	10	9	7
32		Havilah Rd Sth/Side												
		From Milray St to Havilah La	UNR	9	3	4	4	4	3	1	0	0	0	0
33		Havilah Rd Sth/Side												
		From Havilah La to Lindfield Ave	UNR	4	1	1	1	1	0	1	0	1	1	1
37		Lindfield Ave E/Side												
		From Tryon La to Russell Ave	UNR	6	2	5	4	2	5	2	0	2	1	1
38		Lindfield Ave E/Side												
		From Russell Ave to Middle Harbour Rd	UNR	8	0	0	0	0	0	0	0	0	0	0
39		Lindfield Ave W/Side												
	Α	Lindfield Ave W/Side	UNR	30	5	6	8	7	6	5	4	2	2	2
40		Milray St E/Side												
		From Havilah Rd to Kochia La	UNR	23	8	12	10	9	9	9	5	5	5	4
41		Milray St E/Side												
		From Kochia La to Tryon Rd	UNR	5	2	2	3	2	2	2	2	1	0	0
43		Milray St W/Side												
		From Kochia La to Havilah Rd	UNR	24	7	11	6	6	6	7	2	1	0	0
45		Tryon Rd Nth/Side												
	Α	From Milray St to Hm No.22	UNR	8	7	7	8	7	7	6	8	7	5	5
46		Nelson Rd E/Side												
		From Havilah Rd to Tryon Rd	UNR	22	5	4	3	5	2	2	4	4	4	5
47		Nelson Rd E/Side												
		From Tryon Rd to Valley La	UNR	4	1	1	1	1	1	1	2	2	0	0
48		Nelson Rd E/Side												
		From Valley La to Valley Rd	UNR	6	2	4	3	5	4	2	3	3	0	0

49		Nelson Rd W/Side												
		From Valley Rd to Tryon La	UNR	5	1	0	0	1	1	1	1	1	1	0
50		Nelson Rd W/Side												
		From Tryon La to Tryon Rd	UNR	6	5	4	4	4	4	2	4	5	3	1
51		Nelson Rd W/Side												
		From Tyron Rd to Kochia La	UNR	2	0	0	0	1	0	0	1	2	1	2
52		Nelson Rd W/Side												
		From Kochia La to Havilah Rd	UNR	20	2	2	3	3	2	2	4	3	1	0
53		Tryon Rd Sth/Side												
	В	From Nelson Rd to Hm No.25	UNR	3	3	3	3	3	3	3	3	3	3	3
	D	From Hm No 9-26	UNR	11	5	7	7	6	8	7	6	4	2	4
54		Russell Ave Nth/Side												
		From Lindfield Ave to Trafalgar Ave	UNR	29	2	2	8	7	8	8	9	7	7	3
55		Russell Ave Sth/Side												
		From Trafalgar Ave to Lindfield Ave	UNR	28	5	6	8	9	9	6	8	8	8	6
56		Middle Harbour Rd Nth/Side												
		From Lindfield Ave to Hm No.22	UNR	15	4	3	2	2	2	1	2	1	1	1
57		Middle Harbour Rd Sth/Side												
		From Hm No.19 to Lindfield Ave	UNR	19	5	5	3	4	3	4	3	4	4	4
58		Woodside Ave Nth/Side												
		From Lindfield Ave to Highgate Rd	UNR	7	1	3	4	4	5	4	4	5	4	3
59		Woodside Ave Nth/Side												
		From Highgate Rd to Bleinheim Rd	UNR	12	0	1	2	1	2	1	1	2	2	2
60		Woodside Ave Sth/Side												
		From Hm No.23 to Lindfield Ave	UNR	26	3	5	4	5	5	6	5	2	2	1
61		Highgate Rd W/Side												
		From Woodside Ave to Reid St	UNR	11	2	2	2	2	1	1	1	2	2	1
62		Highgate Rd E/Side												
		From Reid St to Woodside Ave	UNR	9	2	2	3	1	1	0	1	0	1	1
В		Woodford La W/Side - Car Park	UNR	40	2	2	2	3	5	3	4	5	4	3
D		Balfour La E/Side - Coles Car Park	UNR	32	11	9	16	19	15	13	15	17	17	18



### <u>LINDFIELD</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	753	176	195	201	204	201	178	181	171	143	125
Total Number of Vacant Space	es	577	558	552	549	552	575	572	582	610	628
Total % of Capacity Used		23.4%	25.9%	26.7%	27.1%	26.7%	23.6%	24.0%	22.7%	19.0%	16.6%





Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

Ph.88196847, Fax 88196849, Mob.0418-239019

<u>PYMBLE</u>

Day/Date :Wednesday 29th August 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
5		Livingstone Av W/Side															
		From Everton St to Pacific Hwy	2P	2	0	0	0	1	1	1	1	1	0	0	0	0	1
6		Everton St Sth/Side															
		From Livingstone Av to Pymble Av	2P	15	3	9	11	7	5	9	3	5	6	6	7	8	6
7		Avon Rd Sth/Side															
	Α	From Pymble Av to Garden Entrance	2P	2	2	2	1	1	0	0	0	1	1	0	0	0	0
10		Pymble Av W/Side															
		From Hm No.35 to Avon Rd	NP 6.30 - 9.30am	30	0	0	10	12	16	16	15	11	12	9	5	3	2
11		Everton St Nth/Side															
		From Pymble Av to Livingstone Av	2P	12	1	5	8	8	6	6	4	3	3	3	6	9	8
12		Pacific Hwy Sth/Side															
		Pacific Hwy Sth/Side	C-Way PM 2P Other	3	0	0	0	0	0	0	0	0	0	0	0	0	0
13		Pacific Hwy Nth/Side															
		From Shop No.1015 to Post Office St	C-Way AM 2P Other	10	0	0	0	7	8	7	8	8	6	4	4	6	4
14		Post Office St W/Side															
		From Pacific Hwy to Office La	1/2P	5	0	2	4	2	3	3	2	3	4	5	5	4	5
16		Post Office St E/Side															
	Α	From Park Cr to Pacific Hwy	2P	5	0	3	4	2	3	4	5	5	5	5	3	3	3
	В	From Park Cr to Pacific Hwy	1/2P	2	0	1	2	1	1	1	0	0	2	2	2	2	2
17		Park Cr Sth/Side															
		From Alma St to Post Office St	NP 8.30-6.00pm	10	0	0	0	0	0	0	0	0	0	0	0	0	0
18		Park Cr Sth/Side															
		From Post Office St to Park Cr W/Side	NP 6.00-9.00am	17	0	10	15	12	17	15	17	17	15	14	9	5	3
19		Park Cr W/Side															
		Park Cr W/Side	NP 6.00-9.00am	7	0	1	3	3	5	6	4	4	3	3	0	0	0
20		Park Cr Nth/Side															

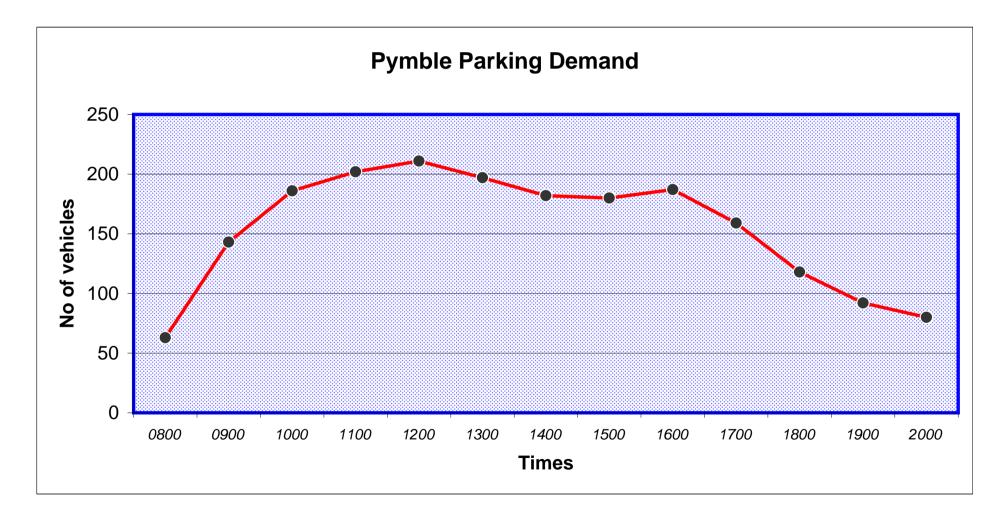
		From Park Cr W/Side to Alma St	NP 6.00-9.00am	24	0	8	10	16	18	15	12	12	10	9	4	0	0
21		Park Cr Sth/Side															
		From Alma St to Park Cr W/Side	NP 6.00-9.00am	37	0	7	12	18	21	18	14	13	11	11	7	5	4
22		Grandview St Nth/Side															
		From Pacific Hwy to Alma St	1/2P	11	0	5	7	8	9	4	8	7	9	9	9	8	6
23		Grandview St Nth/Side															
	А	From Alma St to Station St	NP 3-6pm 1/4P Other	7	5	4	6	4	4	4	2	0	0	0	0	0	1
	В	From Alma St to Station St	1/2P	10	3	6	5	2	2	4	4	6	6	4	3	2	2
	С	From Alma St to Station St	1P	13	9	7	2	3	3	2	2	4	8	5	4	3	4
26		Grandview St Sth/Side															
	Α	From Grandview Bridge to Pacific Hwy	1P	23	12	15	17	18	14	15	16	21	21	15	12	10	7
	С	From Grandview Bridge to Pacific Hwy	1P	12	0	8	10	11	9	7	9	5	9	9	6	5	9
28		King Edward St Nth/Side															
	Α	From Station St to Child Care	P 10min 8.00 - 4.30pm	4	0	0	0	1	0	0	0	2	3	3	2	1	1
36		Alma St W/Side															
		From Park Cr N/Side to Park Cr S/Side	2P	11	0	4	4	6	7	4	3	5	8	6	4	4	4
37		Pacific Hwy Nth/Side															
		From Car Park to Grandview Bridge	C-Way AM 1P Other	3	0	0	0	0	3	3	3	0	0	0	0	0	0
		CAR PARK															
	1	Pacific Hwy (beside Station) - Car Park	2P	23	8	12	15	18	18	20	19	21	21	20	15	8	6
	2	Alma St - Car Park	2P	14	8	11	14	14	14	12	13	12	11	7	4	2	0
	3	Grandview La - Car Park	2P	49	12	23	26	27	24	21	18	14	13	10	7	4	2



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Wednesday 29th August 2007



SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	361	63	143	186	202	211	197	182	180	187	159	118	92	80
Total Number of Vacant Space	ces	298	218	175	159	150	164	179	181	174	202	243	269	281
Total % of Capacity Used	Total Number of Vacant Spaces Total % of Capacity Used		39.6%	51.5%	56.0%	58.4%	54.6%	50.4%	49.9%	51.8%	44.0%	32.7%	25.5%	22.2%





Ph.88196847, Fax 88196849, Mob.0418-239019

## Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

### <u>PYMBLE</u>

Day/Date :Wednesday 29th August 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1		Orinoco St E/Side															
		From Everton St to Hm No.11	UNR	13	5	5	7	6	8	10	9	9	9	9	7	7	6
2		Orinoco St W/Side															
		From Hm No.6 to Everton St	UNR	13	6	6	7	8	5	6	9	8	8	8	5	4	3
3		Livingstone Av E/Side															
		From Everton St to Hm No.18	UNR	17	6	6	10	12	14	13	13	15	17	13	10	11	7
4		Livingstone Av W/Side															
		From Hm No.19 to Everton St	UNR	13	4	4	7	8	11	8	7	8	8	8	5	4	2
7		Avon Rd Sth/Side															
	В	From Pymble Av to Garden Entrance	UNR	5	5	5	5	5	5	5	5	5	5	4	2	2	2
	С	From Pymble Av to Garden Entrance	UNR	11	8	11	11	11	11	11	11	10	10	5	2	0	0
	D	From Garden Entrance to Avon Rd	UNR	12	12	12	12	11	12	12	12	11	11	11	6	5	2
8		Avon Rd Nth/Side															
	Α	From end of street to Avon Rd junction	UNR	5	5	5	5	5	5	5	5	4	4	4	3	2	2
	В	From Avon Rd junction to Pymble Av	UNR	13	12	13	13	13	12	12	12	10	8	5	3	1	0
	С	From Avon Rd junction to Pymble Av	UNR	11	10	11	11	11	11	11	11	10	10	8	4	0	0
	D	From Avon Rd junction to Pymble Av	UNR	13	10	13	12	12	13	13	13	10	10	10	7	5	2
9		Pymble Av E/Side															
		From Avon Rd to Hm No.36	UNR	38	32	33	35	32	30	27	29	25	26	28	18	10	4
15		Post Office St W/Side															
		From Office La to Park Cr	UNR	3	3	3	3	3	3	3	2	2	3	3	2	1	1
24		Grandview St Nth/Side															$\mid$
		From Station St to Wellesley St	UNR	17	13	15	16	15	14	14	14	15	16	11	10	2	2
25		Grandview St Sth/Side															
		From Wellesley St to Grandview Bridge	UNR	38	32	35	37	38	36	37	37	38	38	32	30	17	11
26		Grandview St Sth/Side			_	-	-	_	_	_	-	_					
~7	В	From Grandview Bridge to Pacific Hwy	UNR	7	7	7	7	7	7	7	7	7	6	5	3	1	1
27		Station St W/Side	UNR	F				4	4	4	4			4		0	
28		Station St W/Side King Edward St Nth/Side	UNK	5	3	3	4	4	4	4	4	5	3	4	3	2	2
20	В	From Station St to Child Care	UNR	10	6	8	10	10	10	10	10	8	10	9	7	6	
	D	FIULI STATION SELO CHILO CALE	ONIX	10	0	0	10	10	10	10	10	0	10	э	1	Ö	4

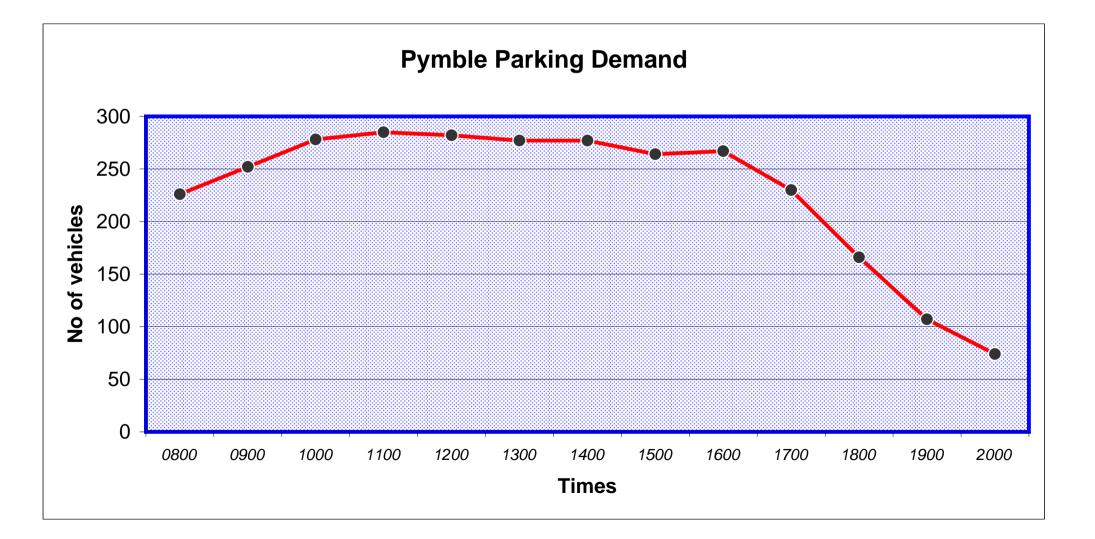
29	King Edward St Sth/Side															
	From Mocatta Av to Station St	UNR	13	10	10	12	12	11	11	13	11	13	12	6	4	3
30	Station St E/Side															
	From King Edward St to Grandview St	UNR	4	2	3	4	4	4	4	4	4	4	4	3	3	2
31	Wellesley St W/Side															
	From Grandview St to Hm No.8	UNR	13	8	11	12	13	13	13	13	12	13	11	11	8	6
32	Wellesley St E/Side															
	From Hm No.1A to Grandview St	UNR	15	10	12	13	15	15	15	15	14	11	8	7	2	2
33	Taunton St Sth/Side															
	From Alma St to End of street	UNR	23	10	12	15	18	17	15	11	11	11	9	8	6	5
34	Taunton St Nth/Side															
	From End of street to Alma St	UNR	8	1	1	2	3	2	2	2	3	4	0	0	0	0
35	Alma St E/Side															
	From Opposite of Taunton St	UNR	10	6	8	8	9	9	9	9	9	9	9	4	4	5
36	Alma St W/Side															



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Wednesday 29th August 2007

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	330	226	252	278	285	282	277	277	264	267	230	166	107	74
Total Number of Vacant Space	104	78	52	45	48	53	53	66	63	100	164	223	256	
Total % of Capacity Used			76.4%	84.2%	86.4%	85.5%	83.9%	83.9%	80.0%	80.9%	69.7%	50.3%	32.4%	22.4%

PYMBLE





Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1st September 2007

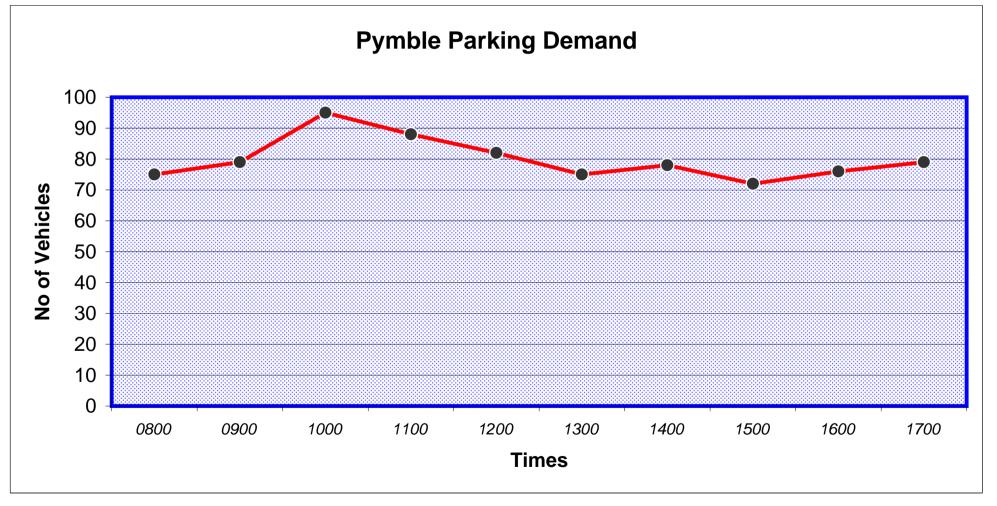
Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
5		Livingstone Av W/Side												
		From Everton St to Pacific Hwy	2P	2	0	1	0	0	0	0	0	0	0	0
6		Everton St Sth/Side												
		From Livingstone Av to Pymble Av	2P	15	0	3	1	1	0	1	0	0	0	3
7		Avon Rd Sth/Side												
	Α	From Pymble Av to Garden Entrance	2P	2	0	0	0	0	0	0	0	0	0	0
10		Pymble Av W/Side												
		From Hm No.35 to Avon Rd	NP 6.30 - 9.30am	30	0	0	0	0	2	4	4	4	4	2
11		Everton St Nth/Side												
		From Pymble Av to Livingstone Av	2P	12	2	3	3	2	1	3	3	0	0	0
12		Pacific Hwy Sth/Side												
		Pacific Hwy Sth/Side	C-Way PM 2P Other	3	0	0	0	0	0	0	0	0	0	0
13		Pacific Hwy Nth/Side												
		From Shop No.1015 to Post Office St	C-Way AM 2P Other	10	3	2	7	5	5	5	4	6	5	5
14		Post Office St W/Side												
		From Pacific Hwy to Office La	1/2P	5	4	4	3	2	1	3	4	4	3	4
16		Post Office St E/Side												
	Α	From Park Cr to Pacific Hwy	2P	5	4	5	4	3	3	3	4	3	2	2
	В	From Park Cr to Pacific Hwy	1/2P	2	2	2	2	1	1	1	2	2	1	2
17		Park Cr Sth/Side												
		From Alma St to Post Office St	NP 8.30-6.00pm	10	0	0	0	0	0	1	4	5	5	6
18		Park Cr Sth/Side												
		From Post Office St to Park Cr W/Side	NP 6.00-9.00am	17	9	10	17	13	9	5	5	5	5	4
19		Park Cr W/Side												
		Park Cr W/Side	NP 6.00-9.00am	7	0	0	0	0	0	0	0	0	0	0
20		Park Cr Nth/Side												
		From Park Cr W/Side to Alma St	NP 6.00-9.00am	24	0	1	0	1	1	0	0	0	0	0
21		Park Cr Sth/Side			ļ									
		From Alma St to Park Cr W/Side	NP 6.00-9.00am	37	0	0	0	2	2	0	1	3	4	4
22		Grandview St Nth/Side												
		From Pacific Hwy to Alma St	1/2P	11	10	9	6	7	7	5	7	5	7	5
23		Grandview St Nth/Side												
	Α	From Alma St to Station St	NP 3-6pm 1/4P Other	7	3	2	4	4	2	4	2	2	2	1

	В	From Alma St to Station St	1/2P	10	3	3	5	7	8	2	2	3	2	3
	С	From Alma St to Station St	1P	13	3	3	5	6	2	2	2	1	2	2
26		Grandview St Sth/Side												
	Α	From Grandview Bridge to Pacific Hwy	1P	23	5	6	7	6	9	6	5	6	7	6
	С	From Grandview Bridge to Pacific Hwy	1P	12	10	9	8	11	9	9	10	4	6	9
28		King Edward St Nth/Side												
	А	From Station St to Child Care	P 10min 8.00 - 4.30pm	4	0	0	0	0	0	4	4	4	4	2
36		Alma St W/Side												
		From Park Cr N/Side to Park Cr S/Side	2P	11	3	4	5	1	1	2	4	6	8	8
37		Pacific Hwy Nth/Side												
		From Car Park to Grandview Bridge	C-Way AM 1P Other	3	0	0	2	1	1	1	1	1	1	2
		CAR PARK												
	1	Pacific Hwy (beside Station) - Car Park	2P	23	4	3	4	7	9	7	6	5	5	4
	2	Alma St - Car Park	2P	14	9	9	9	5	6	4	1	0	0	2
	3	Grandview La - Car Park	2P	49	1	0	3	3	3	3	3	3	3	3



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1st September 2007

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	361	75	79	95	88	82	75	78	72	76	79
Total Number of Vacant Space	Total Number of Vacant Spaces					279	286	283	289	285	282
Total % of Capacity Used	20.8%	21.9%	26.3%	24.4%	22.7%	20.8%	21.6%	19.9%	21.1%	21.9%	





Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1st September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Orinoco St E/Side												
		From Everton St to Hm No.11	UNR	13	5	3	4	4	4	0	2	2	2	2
2		Orinoco St W/Side												
		From Hm No.6 to Everton St	UNR	13	2	4	5	5	3	2	2	5	4	4
3		Livingstone Av E/Side												
		From Everton St to Hm No.18	UNR	17	2	4	3	3	1	1	1	3	3	2
4		Livingstone Av W/Side												
		From Hm No.19 to Everton St	UNR	13	2	4	1	1	1	1	1	1	2	1
7		Avon Rd Sth/Side												
	В	From Pymble Av to Garden Entrance	UNR	5	0	0	0	0	0	0	0	0	0	0
	С	From Pymble Av to Garden Entrance	UNR	11	0	2	3	4	0	0	0	0	0	0
	D	From Garden Entrance to Avon Rd	UNR	12	6	4	3	3	6	3	4	2	1	0
8		Avon Rd Nth/Side												
	Α	From end of street to Avon Rd junction	UNR	5	0	0	0	0	0	0	0	0	0	0
	В	From Avon Rd junction to Pymble Av	UNR	13	0	0	0	0	0	0	0	0	0	0
	С	From Avon Rd junction to Pymble Av	UNR	11	0	0	0	0	0	0	0	0	0	0
	D	From Avon Rd junction to Pymble Av	UNR	13	1	0	0	0	4	4	4	4	4	2
9		Pymble Av E/Side												
		From Avon Rd to Hm No.36	UNR	38	2	4	4	4	3	3	3	1	1	2
15		Post Office St W/Side												
		From Office La to Park Cr	UNR	3	2	2	2	1	0	0	0	0	1	1
24		Grandview St Nth/Side												
		From Station St to Wellesley St	UNR	17	0	0	0	1	1	1	1	1	1	1
25		Grandview St Sth/Side												

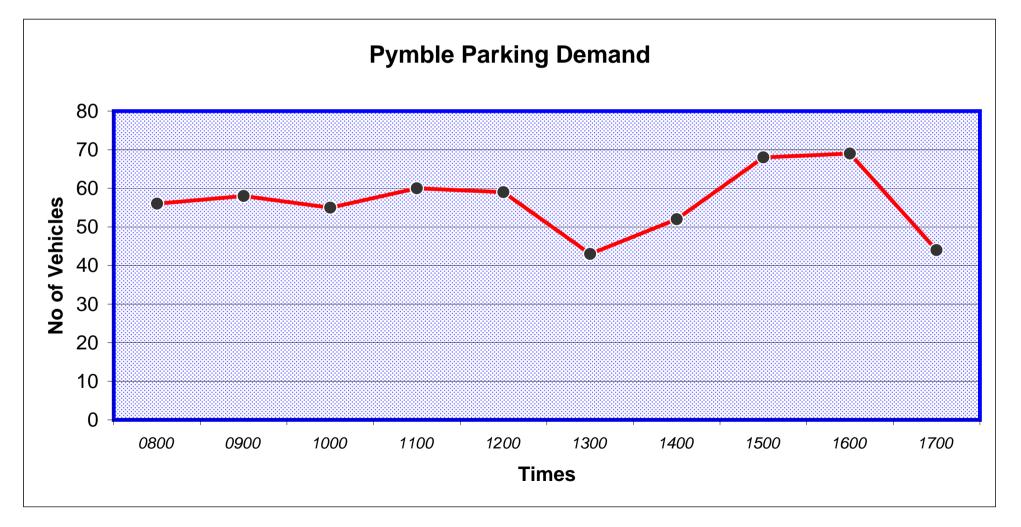
		From Wellesley St to Grandview Bridge	UNR	38	6	8	10	11	10	8	9	7	8	7
26		Grandview St Sth/Side												
	В	From Grandview Bridge to Pacific Hwy	UNR	7	1	1	0	0	0	0	0	0	0	0
27		Station St W/Side												
		Station St W/Side	UNR	5	2	2	1	2	2	1	2	3	3	2
28		King Edward St Nth/Side												
	В	From Station St to Child Care	UNR	10	2	2	1	1	1	2	7	9	10	2
29		King Edward St Sth/Side												
		From Mocatta Av to Station St	UNR	13	2	2	3	3	3	1	1	13	13	4
30		Station St E/Side												
		From King Edward St to Grandview St	UNR	4	2	2	2	2	2	2	2	4	4	2
31		Wellesley St W/Side												
		From Grandview St to Hm No.8	UNR	13	4	3	3	2	2	4	4	5	4	3
32		Wellesley St E/Side												
		From Hm No.1A to Grandview St	UNR	15	2	2	1	1	1	1	1	1	1	1
33		Taunton St Sth/Side												
		From Alma St to End of street	UNR	23	5	4	4	7	8	4	3	3	2	3
34		Taunton St Nth/Side												
		From End of street to Alma St	UNR	8	2	1	1	2	3	1	1	1	2	2
35		Alma St E/Side												
		From Opposite of Taunton St	UNR	10	6	4	4	3	4	4	4	3	3	3



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1st September 2007

## <u>PYMBLE</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	330	56	58	55	60	59	43	52	68	69	44
Total Number of Vacant Space	Total Number of Vacant Spaces					271	287	278	262	261	286
Total % of Capacity Used	17.0%	17.6%	16.7%	18.2%	17.9%	13.0%	15.8%	20.6%	20.9%	13.3%	





Client : ARUP

Job No/Name : 1931 Ku-ring-gai Town Centres

Ph.88196847, Fax 88196849, Mob.0418-239019

### <u>ROSEVILLE</u>

Day/Date : Thursday 30th August 2007

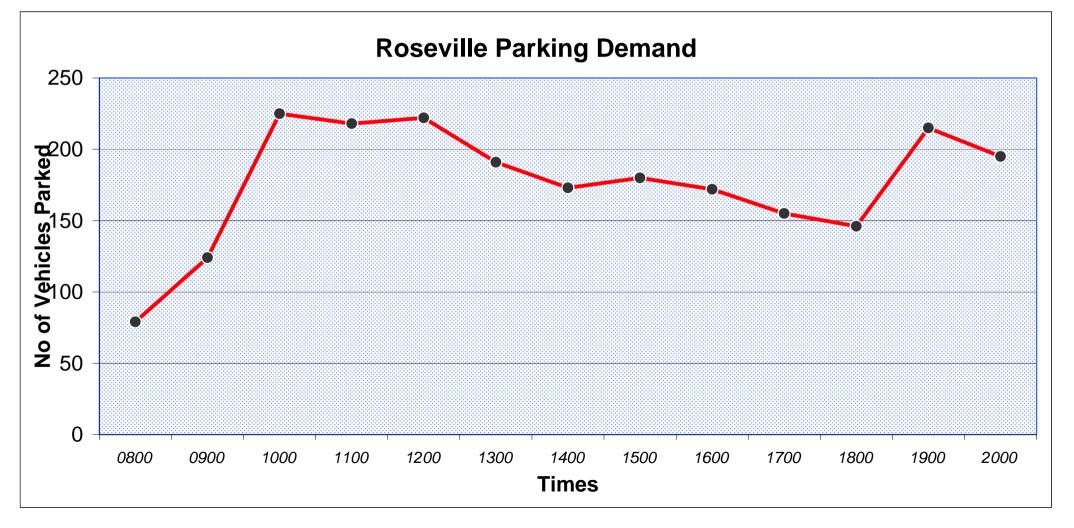
Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1		Maclaurin Pde Sth/Side															
	Α	From Pacific Hwy to Hm No.6	2P	16	2	2	11	10	7	8	7	9	10	6	8	16	15
10		Larkin St W/Side															
		From Pockley Ave to End of Larkin St	2P	10	1	1	2	2	2	2	3	4	2	4	4	4	5
12		Pacific Hwy W/Side															
	Α	From RSL to Laneway	C-Way PM 1/2 P	2	0	0	0	0	1	0	2	0	0	0	0	2	2
	В	From RSL to Laneway	C-Way PM 1/2 P	5	1	1	0	0	1	4	1	0	0	0	0	5	4
	С	From Laneway to Shirley Rd	C-Way PM 1/2 P	8	2	2	6	6	5	7	4	0	0	0	0	8	8
	D	From Laneway to Shirley Rd	C-Way PM 1/2 P	4	3	4	2	3	1	2	1	0	0	0	0	3	4
13		Pacific Hwy E/Side															
	Α	From Clanville Rd to Roseville Station	C-Way AM UNR	25	0	0	20	24	22	20	20	18	12	12	12	23	22
	В	From Clanville Rd to Roseville Station	C-Way AM 1/2 P	10	0	0	5	4	4	3	4	5	2	3	3	7	7
	С	From Bali Inn to Hm No.53	NP 3.30-6.30pm	2	0	0	0	0	0	1	0	0	0	0	0	1	2
	D	From Bali Inn to Hm No.53	C-Way AM 1/2 P	2	0	0	1	1	1	1	0	0	0	0	0	1	2
14		Hill St W/Side															
	С	From Pole 1P to Roseville Station	1P	7	0	1	5	5	5	3	1	2	2	0	0	0	0
	D	From Pole 1/2 P to Roseville Station	1/2 P	18	2	3	8	7	10	12	9	9	10	6	9	10	13
	Е	From Roseville Station to Pole 1/2 P	BZ M-F	3	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	From Roseville Station to Pole 1/2 P	1/2 P	12	6	9	10	11	10	8	8	8	9	5	5	3	7
	G	From Pole 1P to Car Park	1P	10	0	5	6	4	6	4	3	4	4	2	3	3	3
15		Hill St E/Side															
	В	From Oliver Rd to Roseville St	1P	12	5	9	9	9	7	4	7	8	6	7	7	7	8
	С	From Oliver Rd to Roseville St	BZ School Days	2	0	2	2	2	2	1	0	0	0	1	2	2	2

										T	I		I			r	
	D	From Roseville St to Lord St	1/2 P	9	8	8	9	9	9	5	3	9	6	8	7	8	7
	Е	From Lord St to Bancroft St	1/2 P	2	0	0	2	2	2	1	1	0	2	0	0	2	1
	F	From Lord St to Bancroft St	BZ M-F	3	0	0	0	0	0	0	0	0	0	0	0	0	0
	G	From Lord St to Bancroft St	1/2 P	12	4	7	10	10	10	9	10	10	8	10	8	11	4
	н	From Bancroft St to Victoria St	1P	8	2	4	6	6	4	1	0	0	0	1	3	8	1
16		Victoria St Nth/Side															
	в	From Hill St to Roseville College	NP School Days	6	2	2	5	4	5	5	3	3	3	3	2	3	0
22		Lord St Nth/Side															
	Α	From Hill St to Car Park	1P	2	2	2	2	2	1	1	2	2	2	2	1	2	1
	в	From Hill St to Car Park	1P	2	0	2	2	2	2	1	1	1	2	2	2	1	2
26		Lord St Sth/Side															
	в	From the Church to Hill St	2P	2	2	1	2	0	1	2	2	1	2	2	2	2	2
	С	From the Church to Hill St	2P	2	1	1	1	2	1	1	0	1	1	1	1	2	2
	D	From the Church to Hill St	1/2P	2	2	1	2	1	1	1	1	1	2	2	2	2	0
	Е	From the Church to Hill St	1/2P	3	2	1	3	1	1	0	1	2	1	2	0	3	3
27		Roseville St Nth/Side															
	Α	From Hill St to Hm No.6	1P	5	1	2	4	4	4	3	1	5	3	3	2	2	1
	С	From Hm No.6 to Trafalgar Ave	BZ 3-4pm	1	0	0	0	0	0	1	0	0	0	0	0	0	0
32		Roseville St Sth/Side															
	В	From Laneway to Hill St	1P	1	0	1	0	1	1	1	1	1	1	0	1	1	0
	С	From Laneway to Hill St	BZ 7-5pm	3	0	0	0	0	0	0	0	0	1	1	1	0	0
		CAR PARK															
	1	Larkin La - Car Park	2P	44	10	17	32	28	38	41	42	36	37	35	31	44	42
	2	Lord St - Car Park	2P	58	21	36	58	58	58	38	35	41	44	37	30	29	25



Client : ARUP Job No/Name : 1931 Ku-ring-gai Town Centres Day/Date : Thursday 30th August 2007

Summary	Total Capacity	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	313	79	124	225	218	222	191	173	180	172	155	146	215	195
Total Number of Vacant Space	es	234	189	88	95	91	122	140	133	141	158	167	98	118
Total % of Capacity Used	25.2%	39.6%	71.9%	69.6%	70.9%	61.0%	55.3%	57.5%	55.0%	49.5%	46.6%	68.7%	62.3%	





Ph.88196847, Fax 88196849, Mob.0418-239019

#### Client : ARUP

#### ROSEVILLE

Job No/Name : 1931 Ku-ring-gai Town Centres Day/Date : Saturday 1st September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Maclaurin Pde Sth/Side												
	Α	From Pacific Hwy to Hm No.6	2P	16	2	5	5	9	8	9	14	15	11	13
10		Larkin St W/Side												
		From Pockley Ave to End of Larkin St	2P	10	7	2	3	4	3	3	5	3	4	3
12		Pacific Hwy W/Side												
	Α	From RSL to Laneway	C-Way PM 1/2 P	2	0	1	1	2	1	0	1	2	1	0
	В	From RSL to Laneway	C-Way PM 1/2 P	5	2	1	3	3	3	3	1	3	2	2
	С	From Laneway to Shirley Rd	C-Way PM 1/2 P	8	5	3	6	5	8	6	7	8	8	8
	D	From Laneway to Shirley Rd	C-Way PM 1/2 P	4	0	0	0	2	2	3	4	4	4	4
13		Pacific Hwy E/Side												
	Α	From Clanville Rd to Roseville Station	C-Way AM UNR	25	4	6	9	14	17	24	24	21	22	22
	В	From Clanville Rd to Roseville Station	C-Way AM 1/2 P	10	2	5	6	8	6	8	9	7	5	7
	С	From Bali Inn to Hm No.53	NP 3.30-6.30pm	2	0	0	0	1	0	0	0	1	0	0
	D	From Bali Inn to Hm No.53	C-Way AM 1/2 P	2	0	0	0	2	2	2	1	1	1	1
14		Hill St W/Side												
	С	From Pole 1P to Roseville Station	1P	7	0	0	0	4	5	2	3	4	4	3
	D	From Pole 1/2 P to Roseville Station	1/2 P	18	2	9	10	11	12	12	14	11	13	12
	Е	From Roseville Station to Pole 1/2 P	BZ M-F	3	0	0	0	2	2	3	1	2	0	0
	F	From Roseville Station to Pole 1/2 P	1/2 P	12	5	5	9	5	9	8	7	5	8	5
	G	From Pole 1P to Car Park	1P	10	0	1	1	0	3	1	3	2	2	2
15		Hill St E/Side												

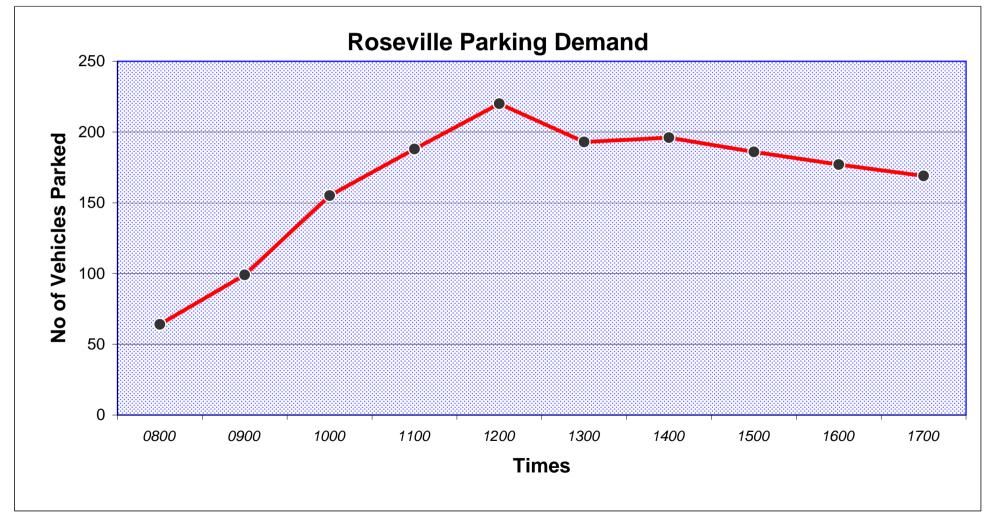
	_		45			1		1						1
	В	From Oliver Rd to Roseville St	1P	12	2	2	5	4	4	8	7	7	7	6
	С	From Oliver Rd to Roseville St	BZ School Days	2	0	1	1	2	1	2	0	1	1	1
	D	From Roseville St to Lord St	1/2 P	9	8	8	8	7	9	6	6	5	8	6
	Е	From Lord St to Bancroft St	1/2 P	2	0	1	1	2	2	1	2	2	2	2
	F	From Lord St to Bancroft St	BZ M-F	3	0	0	0	0	0	0	0	0	0	0
	G	From Lord St to Bancroft St	1/2 P	12	4	9	7	9	9	8	6	6	5	4
	н	From Bancroft St to Victoria St	1P	8	0	1	4	2	2	0	0	0	0	0
16		Victoria St Nth/Side												
	В	From Hill St to Roseville College	NP School Days	6	0	0	0	1	1	1	4	4	2	1
22		Lord St Nth/Side												
	Α	From Hill St to Car Park	1P	2	2	2	2	2	2	2	0	2	1	2
	В	From Hill St to Car Park	1P	2	0	0	2	1	2	1	1	1	1	1
26		Lord St Sth/Side												
	В	From the Church to Hill St	2P	2	0	1	1	1	1	0	1	1	1	1
	С	From the Church to Hill St	2P	2	0	1	1	2	2	0	1	0	1	1
	D	From the Church to Hill St	1/2P	2	0	0	3	3	2	1	0	0	0	1
	Е	From the Church to Hill St	1/2P	3	1	2	2	2	3	3	1	2	1	2
27		Roseville St Nth/Side												
	Α	From Hill St to Hm No.6	1P	5	1	3	2	2	4	4	4	4	2	1
	С	From Hm No.6 to Trafalgar Ave	BZ 3-4pm	1	0	0	0	0	0	0	0	0	0	0
32		Roseville St Sth/Side												
	В	From Laneway to Hill St	1P	1	0	1	1	1	1	1	0	0	0	0
	С	From Laneway to Hill St	BZ 7-5pm	3	0	0	0	0	0	0	0	0	0	0

# R.O.A.R. DATA



**Reliable, Original & Authentic Results** Ph.88196847, Fax 88196849, Mob.0418-239019 Client: ARUPJob No/Name: 1931 Ku-ring-gai Town CentresDay/Date: Saturday 1st September 2007

Summary	Total Cap	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	313	64	99	155	188	220	193	196	186	177	169
Total Number of Vacant Space	es	249	214	158	125	93	120	117	127	136	144
Total % of Capacity Used	•					70.3%	61.7%	62.6%	59.4%	56.5%	54.0%





<u>ROSEVILLE</u>

Job No/Name : 1931 Ku-ring-gai Town Centres Day/Date : Thursday 30th August 2007

: ARUP

Client

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1	Alca	Maclaurin Pde Sth/Side	Result	Oup	0000	0000	1000	1100	1200	1000	1400	1000	1000	1700	1000	1500	2000
	в	From Hm No.6 to Nola Rd	UNR	10	8	8	9	8	9	9	9	10	6	1	1	2	4
2		Maclaurin Pde Nth/Side				-					-				-		
		From King Ave to Larkin St	UNR	12	1	1	2	2	1	1	1	1	1	1	1	0	0
3		Maclaurin Pde Nth/Side															
		From Larkin St to Larkin La	UNR	7	5	6	7	7	7	7	7	5	5	4	4	7	7
4		King Ave E/Side															
		From Hm No.11 to Hm No.13	UNR	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5		King Ave W/Side															
		From Hm No.2 to Pockley Ave	UNR	6	0	0	0	0	0	0	0	0	0	0	0	0	0
6		King Ave E/Side															
		From Maclaurin Pde to Pockley Ave	UNR	2	0	0	0	0	0	0	0	0	0	0	0	0	0
7		Pockley Ave Nth/Side															
		From King Ave to Larkin St	UNR	7	0	0	0	0	0	0	0	1	2	1	1	0	0
8		Pockley Ave Sth/Side															
		From Larkin St to King Ave	UNR	17	0	0	2	2	4	4	4	4	3	3	4	5	4
9		Larkin St W/Side															
		From Maclaurin Pde to Pockley Ave	UNR	6	5	5	5	5	5	5	5	5	5	5	5	5	3
10		Larkin St W/Side															
11		Larkin St E/Side															
		From End of Larkin St to Maclaurin Pde	UNR	14	11	11	13	12	13	12	12	11	10	8	6	5	7
12		Pacific Hwy W/Side															
14		Hill St W/Side															
	Α	From Boundary St to Bus Zone	UNR	12	10	12	11	11	10	8	9	6	5	6	8	8	9
	В	From Bus Zone to Pole 1P	UNR	12	0	6	12	12	12	12	12	12	12	10	6	5	1
	н	From Car Park to Clanville Rd	UNR	21	20	21	21	21	21	21	20	20	19	12	11	5	1
15		Hill St E/Side															<b> </b>
	Α	From Clanville Rd to Oliver Rd	UNR	5	5	5	5	5	5	5	5	5	5	4	4	3	5
	i	From Bancroft St to Victoria St	UNR	3	2	2	3	3	3	3	3	2	3	2	3	3	2
	J	From Victoria St to Boundary St	UNR	6	2	5	5	5	6	5	5	5	6	6	4	2	1

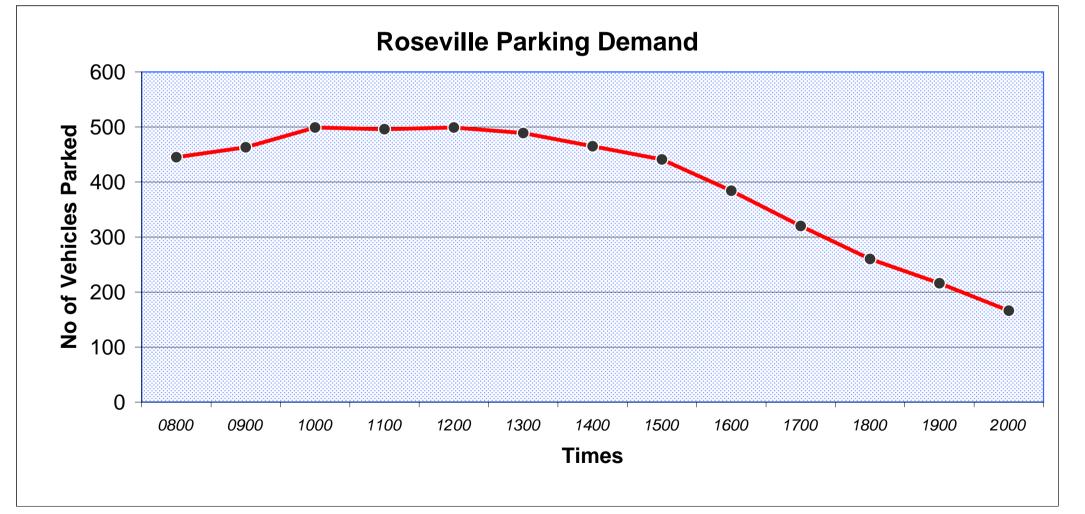
16		Victoria St Nth/Side															
	Α	From Hill St to Roseville College	UNR	29	16	19	23	26	28	27	25	25	15	11	10	9	9
17		Spearman St E/Side															
		From Victoria St to Boundary St	UNR	6	4	4	5	5	5	5	6	6	3	1	1	1	1
18		Spearman St W/Side															
		From Boundary St to Victoria St	UNR	6	2	2	3	3	3	3	6	6	3	2	2	2	2
19		Victoria St Sth/Side															
		From Spearman St to Hill St	UNR	36	23	25	28	27	29	27	29	29	19	14	15	15	13
20		Bancroft St Nth/Side															
	Α	From Hill St to Laneway	UNR	2	2	2	2	2	2	2	2	2	2	2	1	1	1
	В	From Laneway to Hm No.26	UNR	29	27	27	27	27	27	27	26	24	23	20	15	14	8
	С	From Hm No.26 to Glencroft Ave	UNR	3	3	3	3	3	3	3	3	3	3	2	1	0	0
21		Bancroft St Sth/Side															
	Α	From Roseville College to Hill St	UNR	32	32	32	32	32	31	30	29	28	24	18	12	8	6
	В	From Roseville College to Hill St	UNR	3	2	2	2	2	2	2	2	2	2	1	1	1	1
22		Lord St Nth/Side															
	С	From Car Park to Martin La	UNR	28	27	27	28	28	27	26	24	24	20	15	12	13	7
23		Lord St Nth/Side															
		From Martin La to Hm No.32	UNR	14	11	11	12	13	13	14	8	7	6	6	10	8	2
24		Glencroft Ave E/Side															
		From Lord St to Bancroft St	UNR	12	8	8	8	8	7	7	6	4	4	4	3	2	2
25		Glencroft Ave W/Side															
		From Bancroft St to Lord St	UNR	12	7	7	10	7	6	7	4	3	2	2	2	2	2
26		Lord St Sth/Side															
	Α	From Glencroft Ave to the Church	UNR	35	31	31	34	33	32	32	30	29	28	26	18	16	6
	В	From Hm No.6 to Trafalgar Ave	UNR	19	15	15	14	16	17	17	14	16	13	10	8	9	10
28		Roseville St Nth/Side															
		From Trafalgar Ave to Hm No.34	UNR	20	9	9	13	12	12	10	11	10	9	7	6	3	4
29		Roseville St Sth/Side															

		From Hm No.35 to Martin La	UNR	7	3	3	5	6	6	6	6	5	5	3	2	2	3
30		Martin La E/Side		-						<u> </u>							
	Α	From Roseville St to Lord St	UNR	6	6	6	6	5	5	6	4	3	1	1	1	1	1
	В	From Roseville St to Lord St	UNR	4	4	4	4	4	4	4	4	4	3	4	3	2	1
31		Martin La W/Side															
	Α	From Lord St to Roseville St	UNR	6	6	6	6	6	6	5	5	4	3	3	3	2	1
	в	From Lord St to Roseville St	UNR	6	6	5	6	5	5	4	3	2	1	1	1	1	0
32		Roseville St Sth/Side															
	Α	From Martin La to Laneway	UNR	31	30	30	29	29	30	29	29	25	24	23	11	8	8
33		Oliver Rd Nth/Side															
	Α	From Hill St to The Grove	UNR	3	1	2	3	3	3	3	2	3	3	3	3	2	2
	В	From Hill St to The Grove	UNR	16	14	14	14	14	14	14	14	12	12	13	10	7	6
34		Oliver Rd Nth/Side															
		From The grove to Trafalgar Ave	UNR	13	4	4	6	5	5	5	4	3	3	1	1	0	0
35		Oliver Rd Nth/Side															
		From Trafalgar Ave to Belgium Ave	UNR	16	4	4	4	4	4	4	4	3	3	3	4	4	3
36		Oliver Rd Sth/Side															
		From Belgium Ave to Trafalgar Ave	UNR	15	4	4	3	3	3	2	1	1	1	3	3	2	1
37		Trafalgar Ave E/Side															
		From Oliver Rd to Roseville St	UNR	15	10	10	10	10	10	10	9	9	9	9	7	3	2
38		Trafalgar Ave W/Side															
		From Roseville St to Oliver Rd	UNR	16	12	12	12	12	11	12	12	12	12	10	9	3	2
39		Oliver Rd Sth/Side															
	Α	From Trafalgar Ave to Hill St	UNR	27	20	20	20	20	20	21	19	17	16	13	7	7	3
	В	From Trafalgar Ave to Hill St	UNR	2	2	2	1	2	2	2	2	2	2	2	2	2	2
		CAR PARK															
	3	Hill St - Car Park	Free	31	31	31	31	31	31	31	30	31	28	24	18	16	13



Client : ARUP Job No/Name : 1931 Ku-ring-gai Town Centres Day/Date : Thursday 30th August 2007

Summary	Total Capacity	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	642	445	463	499	496	499	489	465	441	384	320	260	216	166
Total Number of Vacant Space	es	197	179	143	146	143	153	177	201	258	322	382	426	476
Total % of Capacity Used	69.3%	72.1%	77.7%	77.3%	77.7%	76.2%	72.4%	68.7%	59.8%	49.8%	40.5%	33.6%	25.9%	





#### Client : ARUP

Job No/Name : 1931 Ku-ring-gai Town Centres

Day/Date : Saturday 1st September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Maclaurin Pde Sth/Side												
	В	From Hm No.6 to Nola Rd	UNR	10	3	3	2	1	1	1	0	0	0	1
2		Maclaurin Pde Nth/Side												
		From King Ave to Larkin St	UNR	12	0	0	0	0	1	0	0	1	1	1
3		Maclaurin Pde Nth/Side												
		From Larkin St to Larkin La	UNR	7	4	4	4	4	4	4	3	4	4	5
4		King Ave E/Side												
		From Hm No.11 to Hm No.13	UNR	2	0	0	0	0	0	0	0	0	0	0
5		King Ave W/Side												
		From Hm No.2 to Pockley Ave	UNR	6	2	1	1	1	0	0	0	0	0	0
6		King Ave E/Side												
		From Maclaurin Pde to Pockley Ave	UNR	2	0	0	0	0	0	0	0	0	0	0
7		Pockley Ave Nth/Side												
		From King Ave to Larkin St	UNR	7	0	0	0	1	1	1	1	1	1	1
8		Pockley Ave Sth/Side												
		From Larkin St to King Ave	UNR	17	4	5	6	6	3	4	3	3	3	4
9		Larkin St W/Side												
		From Maclaurin Pde to Pockley Ave	UNR	6	1	2	2	2	2	2	1	1	3	3
10		Larkin St W/Side												
11		Larkin St E/Side												
		From End of Larkin St to Maclaurin Pde	UNR	14	7	7	7	7	6	6	4	5	5	3
12		Pacific Hwy W/Side												
14		Hill St W/Side												
	Α	From Boundary St to Bus Zone	UNR	12	3	3	4	4	4	4	5	5	5	4
	В	From Bus Zone to Pole 1P	UNR	12	2	3	1	1	2	2	2	2	3	2
	н	From Car Park to Clanville Rd	UNR	21	1	0	1	1	1	0	1	2	1	2
15		Hill St E/Side												
	Α	From Clanville Rd to Oliver Rd	UNR	5	0	0	0	1	1	1	2	1	1	3

	i	From Bancroft St to Victoria St	UNR	3	0	0	0	1	2	1	1	1	1	0
	J	From Victoria St to Boundary St	UNR	6	2	2	2	2	2	2	2	2	2	2
16		Victoria St Nth/Side												
	Α	From Hill St to Roseville College	UNR	29	9	9	11	10	11	9	11	12	12	12
17		Spearman St E/Side												
		From Victoria St to Boundary St	UNR	6	1	1	2	2	1	1	1	0	0	0
18		Spearman St W/Side												
		From Boundary St to Victoria St	UNR	6	2	2	2	2	2	1	1	1	1	1
19		Victoria St Sth/Side												
		From Spearman St to Hill St	UNR	36	9	9	10	10	10	8	10	14	14	12
20		Bancroft St Nth/Side												
	Α	From Hill St to Laneway	UNR	2	2	2	2	2	2	2	2	2	2	2
	В	From Laneway to Hm No.26	UNR	29	5	7	9	10	10	10	9	9	7	8
	С	From Hm No.26 to Glencroft Ave	UNR	3	3	3	3	3	3	3	3	3	2	1
21		Bancroft St Sth/Side												
	Α	From Roseville College to Hill St	UNR	32	5	6	7	7	5	5	11	6	5	4
	В	From Roseville College to Hill St	UNR	3	2	1	1	1	1	2	2	1	0	1
22		Lord St Nth/Side												
	С	From Car Park to Martin La	UNR	28	8	8	13	27	27	13	12	10	10	8
23		Lord St Nth/Side												
		From Martin La to Hm No.32	UNR	14	3	5	4	4	4	2	2	2	2	2
24		Glencroft Ave E/Side												
		From Lord St to Bancroft St	UNR	12	8	7	6	6	4	3	4	3	1	1
25		Glencroft Ave W/Side												
		From Bancroft St to Lord St	UNR	12	5	5	4	4	3	3	9	3	1	1
26		Lord St Sth/Side												
	Α	From Glencroft Ave to the Church	UNR	35	5	5	8	22	23	7	9	10	10	7
27		Roseville St Nth/Side												
	В	From Hm No.6 to Trafalgar Ave	UNR	19	5	7	7	9	11	8	8	8	5	5
28		Roseville St Nth/Side												
		From Trafalgar Ave to Hm No.34	UNR	20	1	1	1	1	1	1	8	2	1	1
29		Roseville St Sth/Side												

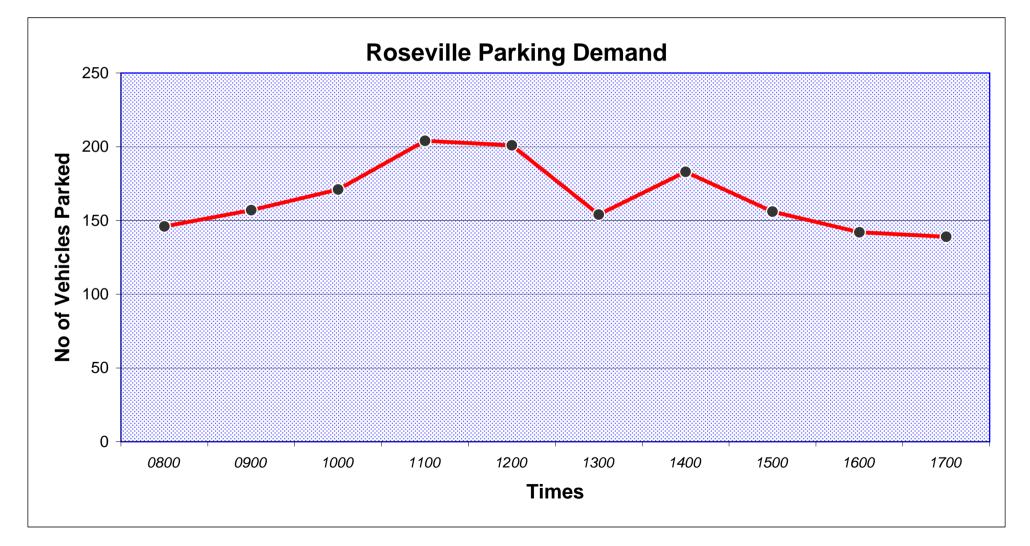
		From Hm No.35 to Martin La	UNR	7	1	1	1	1	1	0	2	1	1	1
30		Martin La E/Side												
	Α	From Roseville St to Lord St	UNR	6	0	0	0	0	0	0	0	0	0	0
	В	From Roseville St to Lord St	UNR	4	0	0	0	0	0	0	0	0	0	0
31		Martin La W/Side												
	Α	From Lord St to Roseville St	UNR	6	0	0	0	0	0	0	0	0	0	0
	В	From Lord St to Roseville St	UNR	6	0	0	0	0	0	0	0	0	0	2
32		Roseville St Sth/Side												
	Α	From Martin La to Laneway	UNR	31	10	12	14	15	14	13	21	10	8	8
33		Oliver Rd Nth/Side												
	Α	From Hill St to The Grove	UNR	3	3	3	1	2	2	2	3	2	2	1
	В	From Hill St to The Grove	UNR	16	5	4	5	5	2	2	3	4	4	4
34		Oliver Rd Nth/Side												
		From The grove to Trafalgar Ave	UNR	13	0	0	0	0	0	0	0	0	0	0
35		Oliver Rd Nth/Side												
		From Trafalgar Ave to Belgium Ave	UNR	16	4	4	4	4	5	3	3	2	3	3
36		Oliver Rd Sth/Side												
		From Belgium Ave to Trafalgar Ave	UNR	15	2	2	2	2	2	3	1	2	2	2
37		Trafalgar Ave E/Side												
		From Oliver Rd to Roseville St	UNR	15	1	1	1	1	1	1	0	0	0	0
38		Trafalgar Ave W/Side												
		From Roseville St to Oliver Rd	UNR	16	2	2	2	2	2	2	3	3	3	3
39		Oliver Rd Sth/Side												
	Α	From Trafalgar Ave to Hill St	UNR	27	7	8	8	6	8	6	5	4	4	6
	В	From Trafalgar Ave to Hill St	UNR	2	2	1	0	2	2	1	2	1	2	2
		CAR PARK												
	3	Hill St - Car Park	Free	31	7	11	13	12	14	15	13	13	10	10



Client : ARUP

Job No/Name : 1931 Ku-ring-gai Town Centres Day/Date : Saturday 1st September 2007

Summary	Total Cap	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	642	146	157	171	204	201	154	183	156	142	139
Total Number of Vacant Spac	es	496	485	471	438	441	488	459	486	500	503
Total % of Capacity Used		22.7%	24.5%	26.6%	31.8%	31.3%	24.0%	28.5%	24.3%	22.1%	21.7%





Client

Day/Date

:ARUP

Ph.88196847, Fax 88196849, Mob.0418-239019

## <u>ST. IVES</u>

Job No/Name :1931 Ku-ring-gai Town Centres :Thursday 13th September 2007

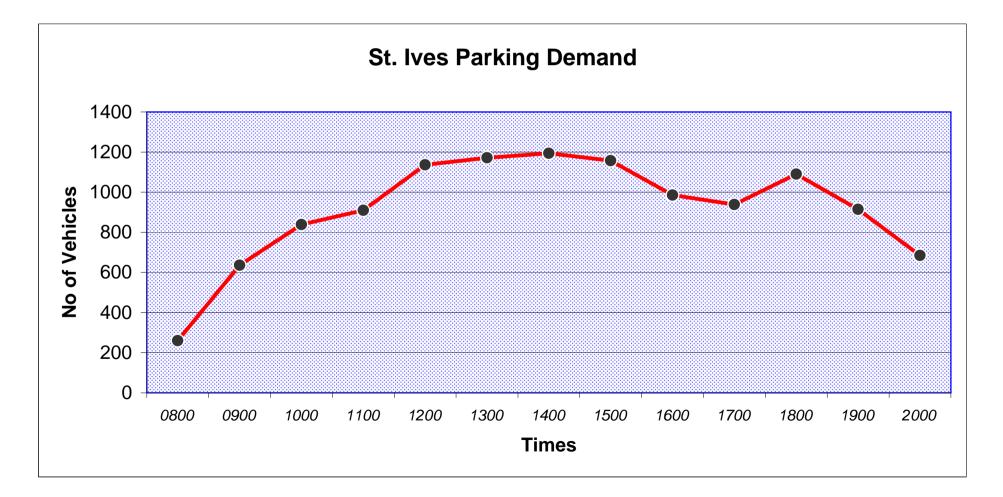
Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
12		Mona Vale Rd Nth/Side															
	Α	From Petrol Station to Village Green	2P	6	0	1	3	4	3	2	3	3	3	1	0	0	0
	В	Village Green Shopping Centre	2P	4	0	3	4	3	2	3	2	2	2	0	0	1	0
	С	Village Green Shopping Centre	2P	4	0	2	4	3	1	3	3	3	3	0	0	0	0
	D	From Denley La to Memorial Rd	1P	17	4	9	14	16	15	13	14	13	15	9	14	15	13
14		Memorial Rd E/Side															
	В	From Hm No.9 to Memorial Rd	2P	9	3	1	2	3	7	7	3	1	8	3	2	3	2
15		Mona Vale Rd Sth/Side															
	Α	From Stanley St to Memorial Rd	1P	11	4	6	11	9	11	11	9	5	3	2	7	9	7
22		Stanley St E/Side															
		From Mona Vale Rd to Gillott Wy	1P	5	5	5	5	3	2	3	3	4	4	4	5	4	5
23		Stanley St E/Side															
	Α	From Gillott Wy to Hm No. 16	1P	2	1	2	1	1	1	1	1	1	1	1	1	1	1
26		Stanley St W/Side															
	В	From Lynbara Ave to Stanley Cr	1P	2	2	1	2	2	1	1	1	2	2	1	1	2	2
27		Stanley St W/Side															
		From Stanley Cr to Stanley La	1P	8	4	3	3	6	6	4	6	7	6	4	8	7	7
28		Denley La E/Side															
		From Village Green Pde to Denley La	1P	6	3	5	6	6	6	6	6	6	5	5	6	6	6
29		Durham Ave Nth/Side															
	Α	From Denley La to End of Street	1P	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	В	From Denley La to End of Street	1P	4	2	4	4	4	4	4	4	4	4	4	4	4	4
Α		Village Green - Outside	1P	7	7	7	7	7	7	7	7	7	7	6	7	7	7
		Village Green - Outside	2P	290	59	117	125	135	260	275	290	260	200	195	290	201	140
		Village Green - Outside	4P	141	26	75	90	110	138	141	141	140	130	125	141	110	90
		Village Green - Outside	1/2P	24	10	22	23	24	24	24	24	22	20	20	24	20	19
		Village Green - Basement ( A )	3P	206	34	106	140	150	180	190	200	190	180	185	190	195	150
		Village Green - Basement ( B1 )	3P	115	0	20	35	38	78	85	90	95	75	60	65	50	20
		Village Green - Basement ( B2 )	3P	118	0	20	45	50	70	80	89	90	70	60	65	40	10
		Village Green - Basement ( C )	3P	167	29	120	147	160	167	167	167	167	150	160	160	140	110
В		Mona Vale Rd Nth/Side - Village Green	2P	60	17	46	60	60	60	60	60	60	40	47	41	35	30
С		Village Green Pde Sth/Side - Car Park	1P	40	22	36	40	40	40	40	40	40	35	30	40	38	35
D		Mona Vale Rd Nth/Side - Car Park	2P	25	14	13	12	12	10	8	6	8	3	2	1	1	2

F	а	Porters La - Car Park	2P	58	10	8	47	55	37	30	18	23	15	9	10	18	19
	b	Porters La - Car Park	2P Reserved	12	3	3	8	8	6	6	6	3	4	5	7	7	5



#### <u>ST. IVES</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	1342	260	636	839	910	1137	1172	1194	1157	986	939	1090	915	685
Total Number of Vacant Space	es	1082	706	503	432	205	170	148	185	356	403	252	427	657
Total % of Capacity Used	Total Vehicles Parked       1342         Total Number of Vacant Spaces       Total % of Capacity Used			62.5%	67.8%	84.7%	87.3%	89.0%	86.2%	73.5%	70.0%	81.2%	68.2%	51.0%





Ph.88196847, Fax 88196849, Mob.0418-239019

#### :ARUP Client

<u>ST.IVES</u>

Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
12		Mona Vale Rd Nth/Side												
	Α	From Petrol Station to Village Green	2P	6	0	1	2	2	2	1	2	3	1	0
	В	Village Green Shopping Centre	2P	4	0	0	1	0	1	1	1	1	1	0
	С	Village Green Shopping Centre	2P	4	0	0	1	0	1	1	3	2	1	1
	D	From Denley La to Memorial Rd	1P	17	6	14	15	15	17	12	17	12	13	8
14		Memorial Rd E/Side												
	В	From Hm No.9 to Memorial Rd	2P	9	2	1	7	9	5	5	4	1	7	2
15		Mona Vale Rd Sth/Side												
	Α	From Stanley St to Memorial Rd	1P	11	8	8	7	7	9	7	9	9	10	5
22		Stanley St E/Side												
		From Mona Vale Rd to Gillott Wy	1P	5	3	5	4	5	4	4	3	4	4	4
23		Stanley St E/Side												
	Α	From Gillott Wy to Hm No. 16	1P	2	1	1	1	1	1	0	1	1	1	0
26		Stanley St W/Side												
	В	From Lynbara Ave to Stanley Cr	1P	2	2	2	1	1	1	2	2	2	1	0
27		Stanley St W/Side												
		From Stanley Cr to Stanley La	1P	8	4	6	5	6	6	6	7	8	5	7
28		Denley La E/Side												
		From Village Green Pde to Denley La	1P	6	2	4	5	6	6	6	6	6	5	6
29		Durham Ave Nth/Side												
	Α	From Denley La to End of Street	1P	1	0	1	1	1	1	1	1	1	1	1
	В	From Denley La to End of Street	1P	4	2	3	4	4	4	4	4	4	4	4
Α		Village Green - Outside	1P	7	7	7	7	7	7	7	7	7	7	7
		Village Green - Outside	2P	290	20	90	115	150	290	285	280	250	210	180
		Village Green - Outside	4P	141	31	45	60	80	141	140	130	110	90	80
		Village Green - Outside	1/2P	24	15	20	22	23	24	22	20	19	11	17

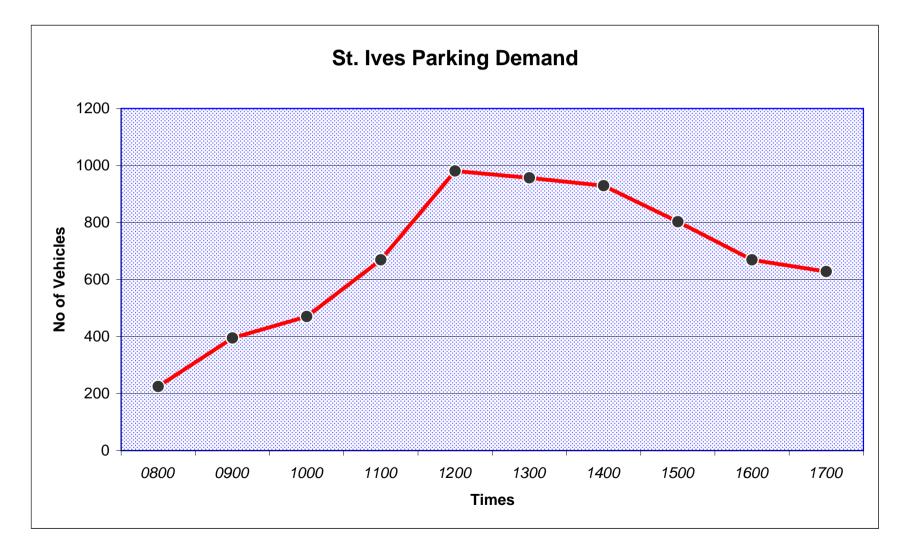
		Village Green - Basement ( A )	3P	206	27	50	70	120	140	141	150	130	100	110
		Village Green - Basement ( B1 )	3P	115	0	0	0	25	30	33	30	20	18	18
		Village Green - Basement ( B2 )	3P	118	0	0	0	20	35	20	21	19	10	10
		Village Green - Basement ( C )	3P	167	25	35	41	80	120	130	110	100	90	80
В		Mona Vale Rd Nth/Side - Village Green	2P	60	17	28	30	45	55	50	45	39	28	40
С		Village Green Pde Sth/Side - Car Park	1P	40	12	15	20	28	40	38	35	30	25	27
D		Mona Vale Rd Nth/Side - Car Park	2P	25	19	16	16	11	12	13	10	11	12	8
F	а	Porters La - Car Park	2P	58	16	35	30	18	23	22	25	12	11	10
	b	Porters La - Car Park	2P Reserved	12	6	8	5	5	6	6	6	2	3	3



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

#### <u>ST.IVES</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	1342	225	395	470	669	981	957	929	803	669	628
Total Number of Vacant Space	S	1117	947	872	673	361	385	413	539	673	714
Total % of Capacity Used		16.8%	29.4%	35.0%	49.9%	73.1%	71.3%	69.2%	59.8%	49.9%	46.8%





Ph.88196847, Fax 88196849, Mob.0418-239019

#### Client :ARUP

Day/Date

Job No/Name :1931 Ku-ring-gai Town Centres

<u>ST. IVES</u>

:Thursday 13th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1		Cowan Rd W/Side															
	Α	From Mona Vale Rd to Hm No.4	UNR	7	2	2	6	7	5	3	3	3	0	0	0	2	2
	В	From Hm No.12 to Hm No.18	UNR	8	4	7	8	8	8	8	8	8	8	4	2	4	5
	С	From Hm No.18 to Hm No.22	UNR	7	4	6	6	6	6	7	7	4	6	6	5	3	2
	D	From Hm No.40 to Hm No.56	UNR	20	8	12	10	13	13	15	15	12	10	5	9	7	2
2		Kanoona Ave Nth/Side															
		From Cowan Rd to Collins Rd	UNR	12	2	3	4	3	2	3	3	7	4	4	3	6	3
3		Collins Rd W/Side															
		From Kanoona Ave to Hm No.2A	UNR	3	0	0	0	0	1	1	1	1	2	3	3	2	2
4		Collins Rd E/Side															
		From Hm No.16 to Kanoona Ave	UNR	4	1	1	0	3	4	2	2	3	3	3	0	1	1
5		Kanoona Ave Nth/Side															
		From Collins Rd to End of Street	UNR	5	1	3	2	2	1	1	1	1	1	2	0	0	0
6		Kanoona Ave Sth/Side															
		From End of Street to Collins Rd	UNR	5	1	1	1	3	2	2	2	3	3	3	3	3	2
7		Collins Rd E/Side															
		From Kanoona Ave to End of Street	UNR	4	2	2	2	1	2	2	2	1	2	1	1	1	1
8		Collins Rd W/Side															
		From End of Street to Kanoona Ave	UNR	4	0	2	3	3	3	4	3	2	2	0	0	1	1
9		Kanoona Ave Sth/Side															
		From Collins Rd to Cowan Rd	UNR	13	2	7	6	5	4	4	4	4	4	4	4	3	2
10		Cowan Rd E/Side															
		From Kanoona Ave to Village Green Pde	UNR	22	3	10	12	12	12	15	12	13	10	13	16	20	9
11		Cowan Rd E/Side															
		From Village Green Pde to the Church	UNR	14	2	14	14	14	14	14	14	14	14	11	11	9	9

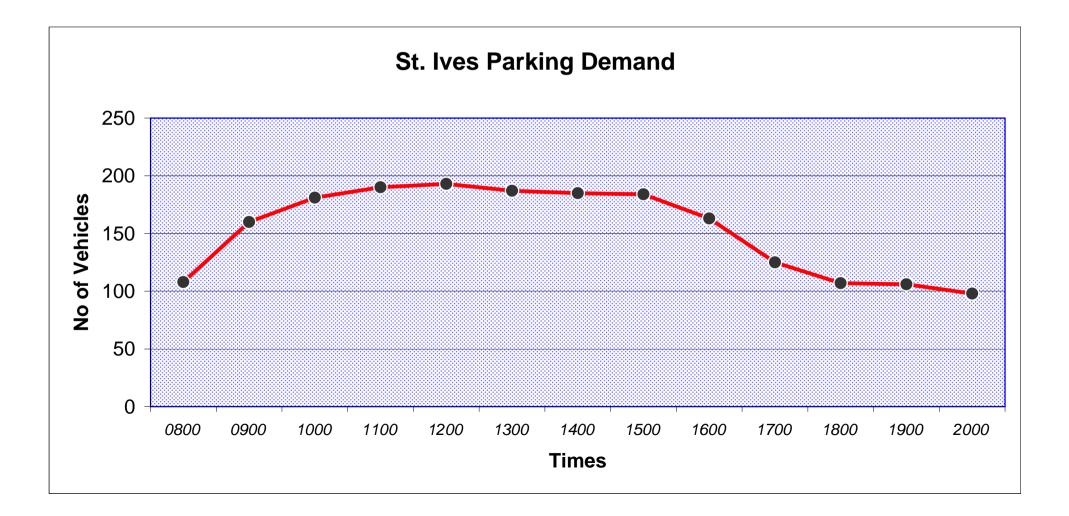
13		Memorial Rd W/Side															
	Α	From Village Green Pde to Killeaton St	UNR	2	2	2	2	1	2	2	2	2	2	2	1	1	0
	В	From Village Green Pde to Killeaton St	UNR	19	9	11	13	16	18	17	16	16	18	12	7	5	4
14		Memorial Rd E/Side															
	Α	From Killeaton St to Hm No.9	UNR	16	5	7	8	9	9	8	6	8	5	2	1	2	2
15		Mona Vale Rd Sth/Side															
	В	From Memorial Rd to Porters La	UNR	6	0	1	3	5	4	4	5	5	3	2	0	0	0
	С	Mona Vale Rd Sth/Side	UNR	6	1	1	3	2	6	6	4	4	4	2	0	1	0
16		Shinfield Ave Nth/Side															
		From Mona Vale Rd to Memorial Rd	UNR	28	13	13	11	7	6	8	7	7	5	5	6	5	7
17		Shinfield Ave Sth/Side															
		From Memorial Rd to Pildra Ave	UNR	14	2	2	4	2	4	1	1	0	0	0	1	1	4
18		Shinfield Ave Sth/Side															
		From Pildra Ave to Mona Vale Rd	UNR	14	9	9	9	7	7	5	7	7	6	2	4	5	4
19		Rosedale Rd W/Side															
		From Shinfield Ave to Porters La	UNR	16	3	5	7	8	8	8	9	8	9	5	2	2	12
20		Porters La Nth/Side															
	Α	From Rosedale Rd to Mona Vale Rd	UNR	7	5	6	5	5	6	5	5	5	5	5	5	4	1
	В	From Rosedale Rd to Lynbara Ave	UNR	14	1	2	2	4	4	4	4	4	2	2	2	2	2
21		Rosedale Rd E/Side															
		From Porters La to Shinfield Ave	UNR	14	4	4	8	8	9	7	7	7	5	3	2	3	8
23		Stanley St E/Side															
	В	From Gillott Wy to Hm No. 17	UNR	4	3	2	3	4	3	3	4	4	4	4	2	3	2
	С	From Gillott Wy to Hm No. 18	UNR	6	3	5	6	5	5	5	6	6	6	3	2	2	3
24		Lynbara Ave E/Side															
		From Hm No.6 to Hm No.10	UNR	4	0	0	0	0	0	0	0	0	0	0	0	0	0
25		Lynbara Ave W/Side															
		From Hm No.11 to Porters La	UNR	4	0	0	0	0	0	0	0	0	0	0	0	0	0
26		Stanley St W/Side															
	Α	From Lynbara Ave to Stanley Cr	UNR	8	7	5	7	7	6	6	6	7	4	2	3	2	3



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 13th September 2007

#### <u>ST. IVES</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	330	108	160	181	190	193	187	185	184	163	125	107	106	98
Total Number of Vacant Space	S	222	170	149	140	137	143	145	146	167	205	223	224	232
Total % of Capacity Used	Total Number of Vacant Spaces				57.6%	58.5%	56.7%	<b>56.1%</b>	55.8%	49.4%	37.9%	32.4%	32.1%	29.7%





Ph.88196847, Fax 88196849, Mob.0418-239019

#### Client :ARUP

## <u>ST.IVES</u>

Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

Zone	Area	Location	Restric	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Cowan Rd W/Side												
	Α	From Mona Vale Rd to Hm No.4	UNR	7	3	3	2	4	2	0	0	0	0	0
	В	From Hm No.12 to Hm No.18	UNR	8	2	5	6	6	8	8	6	8	5	5
	С	From Hm No.18 to Hm No.22	UNR	7	1	6	6	6	6	5	5	4	3	3
	D	From Hm No.40 to Hm No.56	UNR	20	1	1	4	1	1	4	6	5	4	3
2		Kanoona Ave Nth/Side												
		From Cowan Rd to Collins Rd	UNR	12	2	2	5	5	3	4	3	2	2	2
3		Collins Rd W/Side												
		From Kanoona Ave to Hm No.2A	UNR	3	0	0	0	0	0	0	1	1	0	0
4		Collins Rd E/Side												
		From Hm No.16 to Kanoona Ave	UNR	4	1	1	1	1	1	2	2	2	2	2
5		Kanoona Ave Nth/Side												
		From Collins Rd to End of Street	UNR	5	2	2	2	5	1	0	1	1	0	2
6		Kanoona Ave Sth/Side												
		From End of Street to Collins Rd	UNR	5	1	1	2	2	2	2	2	2	2	2
7		Collins Rd E/Side												
		From Kanoona Ave to End of Street	UNR	4	3	3	2	4	2	3	2	3	4	4
8		Collins Rd W/Side												
		From End of Street to Kanoona Ave	UNR	4	0	2	2	2	3	2	2	2	4	4
9		Kanoona Ave Sth/Side												
		From Collins Rd to Cowan Rd	UNR	13	2	2	1	1	2	3	3	2	2	2
10		Cowan Rd E/Side												
		From Kanoona Ave to Village Green Pde	UNR	22	3	5	6	8	12	8	11	9	10	11
11		Cowan Rd E/Side												
		From Village Green Pde to the Church	UNR	14	2	11	12	10	13	11	9	9	8	7

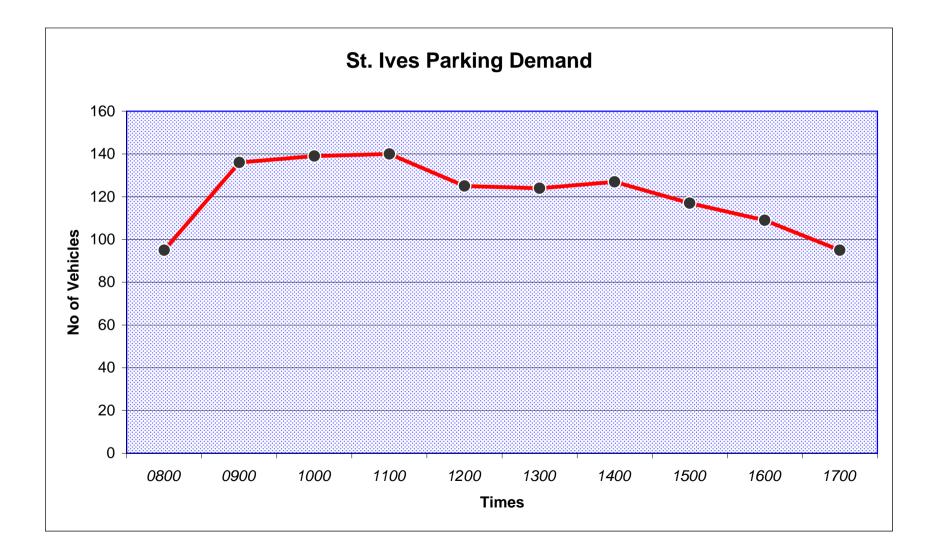
13		Memorial Rd W/Side												
	Α	From Village Green Pde to Killeaton St	UNR	2	1	1	2	2	2	1	1	2	2	2
	В	From Village Green Pde to Killeaton St	UNR	19	1	5	9	15	11	13	10	10	15	7
14		Memorial Rd E/Side												
	Α	From Killeaton St to Hm No.9	UNR	16	6	9	8	11	6	6	4	5	5	1
15		Mona Vale Rd Sth/Side												
	В	From Memorial Rd to Porters La	UNR	6	0	0	2	1	2	1	4	4	1	2
	С	Mona Vale Rd Sth/Side	UNR	6	0	1	2	1	2	2	3	2	3	4
16		Shinfield Ave Nth/Side												
		From Mona Vale Rd to Memorial Rd	UNR	28	12	12	9	5	3	3	3	3	2	2
17		Shinfield Ave Sth/Side												
		From Memorial Rd to Pildra Ave	UNR	14	1	1	0	1	1	1	0	0	0	1
18		Shinfield Ave Sth/Side												
		From Pildra Ave to Mona Vale Rd	UNR	14	7	8	3	3	3	4	4	4	4	4
19		Rosedale Rd W/Side												
		From Shinfield Ave to Porters La	UNR	16	3	4	4	4	5	5	5	5	4	4
20		Porters La Nth/Side												
	Α	From Rosedale Rd to Mona Vale Rd	UNR	7	2	5	5	5	5	6	5	3	3	1
	В	From Rosedale Rd to Lynbara Ave	UNR	14	2	3	3	2	2	1	1	1	1	1
21		Rosedale Rd E/Side												
		From Porters La to Shinfield Ave	UNR	14	0	2	5	3	4	3	3	3	3	3
23		Stanley St E/Side												
	В	From Gillott Wy to Hm No. 17	UNR	4	4	4	2	3	2	2	2	3	2	3
	С	From Gillott Wy to Hm No. 18	UNR	6	5	7	6	4	4	3	5	5	2	2
24		Lynbara Ave E/Side												
		From Hm No.6 to Hm No.10	UNR	4	2	2	3	2	1	2	1	1	1	1
25		Lynbara Ave W/Side												
		From Hm No.11 to Porters La	UNR	4	0	0	0	0	0	0	0	0	0	0
26		Stanley St W/Side												
	Α	From Lynbara Ave to Stanley Cr	UNR	8	8	8	7	4	2	3	3	2	3	3



Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 15th September 2007

<u>ST.IVES</u>

SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	330	95	136	139	140	125	124	127	117	109	95
Total Number of Vacant Space	s	235	194	191	190	205	206	203	213	221	235
Total % of Capacity Used		28.8%	41.2%	42.1%	42.4%	37.9%	37.6%	38.5%	35.5%	33.0%	28.8%





Client :ARUP

Job No/Name :1931 Ku-ring-gai Town Centres

Ph.88196847, Fax 88196849, Mob.0418-239019

<u>TURRAMURRA</u>

Day/Date :Thursday 30th August 2007

Zone	Area	Location	Restriction	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
1		Turramurra Ave W/Side															
		From Pacific Hwy to Gilroy La	1P	2	1	2	2	2	2	2	2	2	2	2	0	2	2
7		Nulla Nulla St Nth/Side															
		From Turramurra Ave to End of street	NP 7-10am	11	0	0	2	5	4	6	6	4	4	5	4	2	2
8		Nulla Nulla St Sth/Side															
		From End of street to Turramurra Ave	NP 7-10am	13	0	0	3	2	3	6	6	5	4	4	2	1	1
9		Turramurra Ave E/Side															
	В	From Nulla Nulla St to Pacific Hwy	1P	3	1	3	1	1	2	2	2	2	3	1	3	1	2
17		Gilroy Rd Sth/Side															
		From Gilroy Rd to Gilroy La	2P	3	0	0	1	3	0	0	1	2	2	3	2	2	1
18		Gilroy Rd Nth/Side															
	Α	From Eastern Rd to Gilroy Rd	2P	1	1	1	1	1	1	1	0	1	1	1	1	1	1
	В	From Eastern Rd to Gilroy Rd	2P	3	2	1	3	3	3	2	2	2	3	3	2	0	3
	С	From Eastern Rd to Gilroy Rd	2P	4	3	3	4	4	1	2	1	3	3	3	4	4	2
21		Eastern Rd E/Side															
	С	From Brentwood Av to Gilroy Rd	2P	10	6	9	2	2	10	10	9	9	10	8	5	4	3
22		Eastern Rd E/Side															
		From Gilroy Rd to Rohini St	1P	2	2	2	1	2	2	2	1	1	1	0	1	1	2
23		Eastern Rd W/Side															
	Α	From Rohini St to Olive La	1P	2	0	1	2	2	2	0	0	1	1	1	1	1	2
	В	From Rohini St to Olive La	1P	4	2	2	4	2	2	3	4	3	2	4	3	1	2
30		Rohini St Sth/Side															
	Α	From Pacific Hwy to Turramurra Station	1P	5	3	2	3	4	4	3	4	5	5	3	2	3	4
	В	From Pacific Hwy to Turramurra Station	1P	3	3	1	3	2	2	2	1	1	2	2	1	3	2
	С	From Pacific Hwy to Turramurra Station	1P	2	2	2	2	2	2	2	2	2	2	1	2	2	1
	D	Frm Turramurra Station to End of Street	2P	6	3	5	6	6	6	5	5	6	6	6	6	1	1
32		Rohini St Nth/Side															
		From Olive La to Eastern Rd	2P	4	1	3	3	4	4	4	4	4	2	2	2	3	2
33		Rohini St Nth/Side															
	Α	From Eastern Rd to Pacific Hwy	1P	8	5	7	7	5	6	5	1	2	2	2	4	2	1
	В	From Eastern Rd to Pacific Hwy	1P	3	2	1	2	2	2	1	2	3	0	3	2	1	2
	С	From Eastern Rd to Pacific Hwy	NP 6.30-8.30am 1P other	2	0	1	2	2	2	2	1	1	1	1	2	2	2
			NP 6.30-8.30am	3													
	D	From Eastern Rd to Pacific Hwy	1P other	3	0	0	2	2	2	1	1	1	1	3	0	2	2
34		Ray St W/Side	. –														<b> </b>
	Α	From Pacific Hwy to William St	1P	6	6	6	6	6	6	6	6	6	6	6	5	3	2

35		Ray St E/Side															
- 35	Α	From Library to Forbes La	1P	5	1	1	4	5	4	2	2	3	4	2	3	4	1
	B	From Library to Forbes La	1P	1	1	1	4	1	4	1	 1	1	4	0	3	4	1
	C	From Library to Forbes La	1P	3	3	3	3	2	3	3	2	3	3	3	3	3	0
36	C	William St W/Side		5	3	3	3	2	3	3	2	3	3	3	3	3	0
30		From Pacific Hwy to Forbes La	1/2P	2	0	0	0	0	0	0	1	1	1	1	1	1	0
37		William St W/Side	1/2P	2	0	0	0	0	0	0	1	I	I	I	1	I	0
37			1/2P	5	4	0	0	0	2	3	0	1	1	1	1	0	1
		From Forbes La to William St	1/2F	5	1	0	0	0	3	3	0	1	1	1	1	0	1
38		William St E/Side	1P	40				-	-			-		-		-	
	Α	From William St to Forbes La		13	2	7	7	6	8	5	6	9	5	3	4	2	3
	В	From Forbes La to Pacific Hwy	1/2P	3	0	0	3	4	0	3	0	1	1	1	0	0	1
	С	From Forbes La to Pacific Hwy	P 10min	2	0	1	0	1	0	1	1	0	0	0	0	3	1
	D	From Forbes La to Pacific Hwy	1/2P	2	0	1	1	2	0	1	1	1	1	0	0	0	1
40		Boyd St Nth/Side															
	Α	From Kissing Pt. Rd to Jersey St	NP 6.30-8.30am	2	0	2	2	2	2	2	2	2	2	1	1	1	2
		CAR PARK															
1	а	Gilroy La - Car Park	2P	137	34	52	122	121	116	87	72	79	67	71	51	61	77
	b	Gilroy La - Car Park	2P Reserved	7	0	2	7	3	3	3	2	2	2	1	0	0	0
2	а	Ray St / William St - Car Park	2P	128	42	47	84	85	86	89	92	93	85	52	89	51	38
	b	Ray St / William St - Car Park	4P	32	27	32	32	31	32	32	31	29	28	16	18	13	7
3		Library - Car Park	2P	8	1	1	2	3	5	2	4	2	2	0	0	1	0
5	а	Kissing Point Rd - Car Park	2P	131	23	51	73	94	90	91	97	72	86	65	61	38	28
	b	Kissing Point Rd - Car Park	3P	11	1	5	4	5	5	4	2	4	3	3	1	1	2
	d	Kissing Point Rd - Car Park	Reserved	10	4	10	10	10	10	10	10	10	7	5	5	5	3

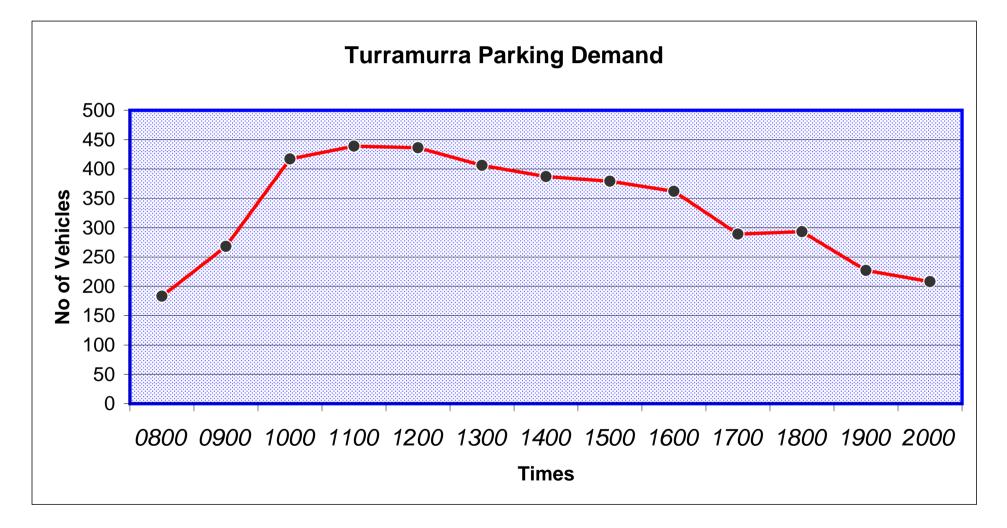
R.O.A.R. DATA

*Reliable, Original & Authentic Results* Ph.88196847, Fax 88196849, Mob.0418-239019

**TURRAMURRA** 

Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 30th August 2007

TOTAL SUMMARY	TOTAL CAPACITY	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	602	183	268	417	439	436	406	387	379	362	289	293	227	208
Total Number of Vacant Spaces	Total Vehicles Parked 602 Total Number of Vacant Spaces			185	163	166	196	215	223	240	313	309	375	394
Total % of Capacity Used		30.4%	44.5%	69.3%	72.9%	72.4%	67.4%	64.3%	63.0%	60.1%	48.0%	48.7%	37.7%	34.6%





#### Client :ARUP

Job No/Name

:1931 Ku-ring-gai Town Centres Day/Date :Saturday 1 September 2007

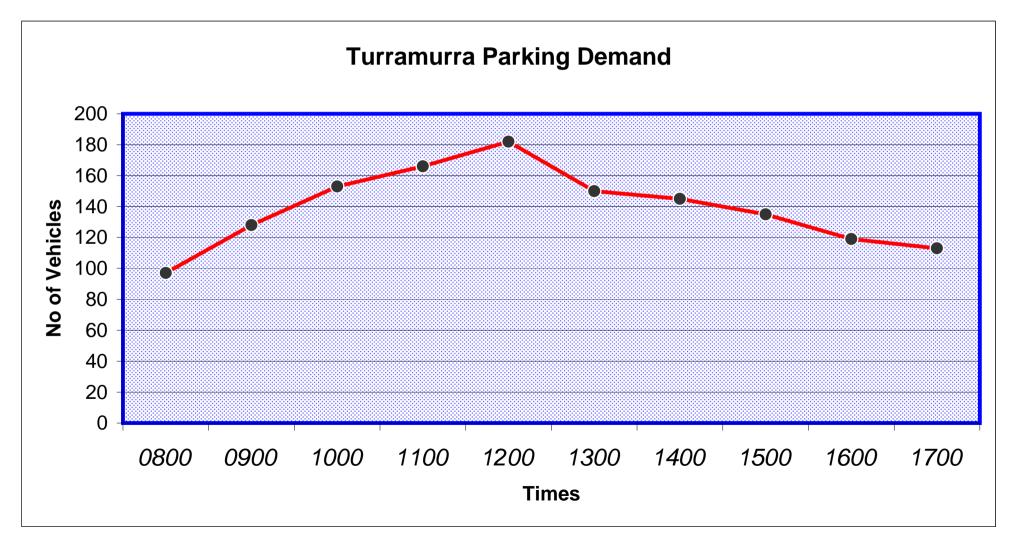
Zone	Area	Location	Restriction	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
2		Turramurra Ave W/Side												
		From Gilroy La to Brentwood Ave	UNR	28	3	3	5	4	3	3	5	6	6	4
3		Turramurra Ave E/Side												
		From Boomerang St to Wonga Wonga	UNR	8	0	0	0	0	2	1	0	0	0	0
4		Wonga Wonga St Nth/Side												
		From Turramurra Ave to Hm No.4	UNR	6	0	0	0	0	0	0	0	0	0	0
5		Wonga Wonga St Sth/Side												
		From Hm No.3 to Turramurra Ave	UNR	8	1	1	1	1	1	1	1	1	1	1
6		Turramurra Ave E/Side												
		From Wonga Wonga to Nulla Nulla St	UNR	11	0	0	0	0	0	0	0	0	0	0
9		Turramurra Ave E/Side												
	Α	From Nulla Nulla St to Pacific Hwy	UNR	11	0	1	3	3	2	3	4	4	2	1
10		Brentwood Ave Sth/Side												
		From Turramurra Av to Gilroy Rd	UNR	6	0	0	0	5	5	2	1	0	0	0
11		Brentwood Ave Sth/Side												
		From Gilroy Rd to Eastern Rd	UNR	6	0	2	3	6	6	3	1	0	0	1
12		Brentwood Ave Sth/Side												
		From Eastern Rd to Hm No.6	UNR	11	0	0	0	1	1	0	0	1	1	1
13		Brentwood Ave Nth/Side												
		From Hm No.27 to Eastern Rd	UNR	14	6	4	4	4	5	7	6	5	7	7
14		Brentwood Ave Nth/Side												
		From Eastern Rd to Gilroy Rd	UNR	6	0	0	0	2	6	2	0	1	1	1
15		Brentwood Ave Nth/Side												
		From Gilroy Rd to Turramurra Av	UNR	5	0	1	4	4	5	2	1	1	1	0
16		Gilroy Rd E/Side												
		From Brentwood Av to Child Care	UNR	42	9	11	10	14	16	8	10	7	7	8
19		Gilroy Rd W/Side												
		From Gilroy Rd to Brentwood Av	UNR	42	13	10	9	11	17	11	11	10	9	10
20		Eastern Rd E/Side												
		From Hm No.49 to Brentwood Av	UNR	6	1	1	1	1	6	2	1	2	2	2
21		Eastern Rd E/Side												
	Α	From Brentwood Av to Gilroy Rd	UNR	18	0	2	2	1	2	2	2	4	3	3
	В	From Brentwood Av to Gilroy Rd	UNR	16	0	3	6	5	5	8	7	6	5	4
24		Eastern Rd W/Side												

**TURRAMURRA** 

		From Olive La to King St	UNR	14	1	9	9	8	7	11	12	9	6	4
25		Eastern Rd W/Side												
	Α	From King St to Laneway	UNR	10	0	2	0	0	0	0	0	0	0	2
	В	From King St to Laneway	UNR	6	0	0	0	0	1	1	1	1	2	0
26		Eastern Rd W/Side												
		From Laneway to Brentwood Av	UNR	3	0	0	0	0	0	0	0	0	0	0
27		Eastern Rd W/Side												
		From Brentwood Av to Hm No.52	UNR	8	0	0	0	0	0	0	1	2	1	2
28		King St Sth/Side												
		From Eastern Rd to End of street	UNR	12	4	6	7	8	9	8	5	7	4	3
29		King St Nth/Side												
		From End of street to Eastern Rd	UNR	24	4	5	9	5	5	5	7	7	8	7
30		Rohini St Sth/Side												
	Е	Frm Turramurra Station to End of Street	UNR	11	1	8	8	8	9	7	5	6	3	5
31		Rohini St Nth/Side												
		From End of street to Olive La	UNR	12	7	7	7	7	7	7	7	5	4	4
34		Ray St W/Side												
	В	From Pacific Hwy to William St	UNR	11	6	7	10	10	10	8	10	8	8	11
39		Duff St W/Side												
		Duff St W/Side	UNR	6	3	2	1	2	1	2	1	1	1	1
40		Boyd St Nth/Side												
	В	From Kissing Pt. Rd to Jersey St	UNR	6	3	3	6	6	6	6	6	6	5	5
	С	From Kissing Pt. Rd to Jersey St	UNR	13	1	3	2	2	4	2	3	2	2	2
41		Jersey St E/Side												
		From Boyd St to Catalpa Cr	UNR	32	4	4	1	1	2	3	3	2	2	3
42		Catalpa Cr Nth/Side												
		From Catalpa Cr to Jersey St	UNR	3	0	0	0	0	0	0	0	0	0	0
43		Catalpa Cr Sth/Side												
		From Catalpa Cr to Kissing Pt. Rd	UNR	18	2	2	2	2	2	3	2	3	4	2
		CAR PARK												
	С	Ray St / William St - Car Park	UNR	40	7	13	17	17	16	16	14	14	12	10
4		Rohini St - Car Park	UNR	36	20	17	24	26	20	16	18	14	12	9
	С	Kissing Point Rd - Car Park	UNR	2	1	1	2	2	1	0	0	0	0	0

Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1 September 2007

TOTAL SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	511	97	128	153	166	182	150	145	135	119	113
Total Number of Vacant Space	es	414	383	358	345	329	361	366	376	392	398
Total % of Capacity Used		19.0%	25.0%	29.9%	32.5%	35.6%	29.4%	28.4%	26.4%	23.3%	22.1%





#### Client :ARUP

Job No/Name

:1931 Ku-ring-gai Town Centres Day/Date :Saturday 1 September 2007

Zone	Area	Location	Restriction	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
1		Turramurra Ave W/Side												
		From Pacific Hwy to Gilroy La	1P	2	2	2	1	2	2	2	2	1	2	2
7		Nulla Nulla St Nth/Side												
		From Turramurra Ave to End of street	NP 7-10am	11	2	2	2	1	1	2	6	6	3	3
8		Nulla Nulla St Sth/Side												
		From End of street to Turramurra Ave	NP 7-10am	13	1	1	0	2	5	3	2	3	4	5
9		Turramurra Ave E/Side												
	В	From Nulla Nulla St to Pacific Hwy	1P	3	0	2	1	2	2	2	3	3	3	1
17		Gilroy Rd Sth/Side												
		From Gilroy Rd to Gilroy La	2P	3	0	0	0	1	0	0	0	1	0	0
18		Gilroy Rd Nth/Side												
	Α	From Eastern Rd to Gilroy Rd	2P	1	0	1	1	1	1	1	1	1	1	1
	В	From Eastern Rd to Gilroy Rd	2P	3	0	3	3	3	3	3	3	2	1	3
	С	From Eastern Rd to Gilroy Rd	2P	4	1	2	4	2	2	1	1	3	1	0
21		Eastern Rd E/Side												
	С	From Brentwood Av to Gilroy Rd	2P	10	7	7	10	9	6	6	6	8	7	4
22		Eastern Rd E/Side												
		From Gilroy Rd to Rohini St	1P	2	1	2	2	2	1	2	2	0	0	0
23		Eastern Rd W/Side												
	Α	From Rohini St to Olive La	1P	2	0	2	2	2	2	0	1	2	2	0
	В	From Rohini St to Olive La	1P	4	3	2	4	1	2	0	2	3	2	1
30		Rohini St Sth/Side												
	Α	From Pacific Hwy to Turramurra Station	1P	5	2	2	3	3	5	4	2	1	2	1
	В	From Pacific Hwy to Turramurra Station	1P	3	1	3	3	3	3	2	3	0	2	2
	С	From Pacific Hwy to Turramurra Station	1P	2	2	2	1	2	2	2	2	2	2	2
	D	Frm Turramurra Station to End of Street	2P	6	5	5	4	4	2	2	2	3	4	4
32		Rohini St Nth/Side												
		From Olive La to Eastern Rd	2P	4	2	1	2	2	2	1	2	2	0	0
33		Rohini St Nth/Side												
	Α	From Eastern Rd to Pacific Hwy	1P	8	5	7	8	8	8	8	7	7	4	5
	В	From Eastern Rd to Pacific Hwy	1P	3	3	2	1	2	2	0	2	2	2	1
	с	From Eastern Rd to Pacific Hwy	NP 6.30-8.30am 1P other	2	2	2	0	2	2	2	2	1	2	2
	D	From Eastern Rd to Pacific Hwy	NP 6.30-8.30am 1P other	3	1	2	0	1	2	2	2	2	2	1

**TURRAMURRA** 

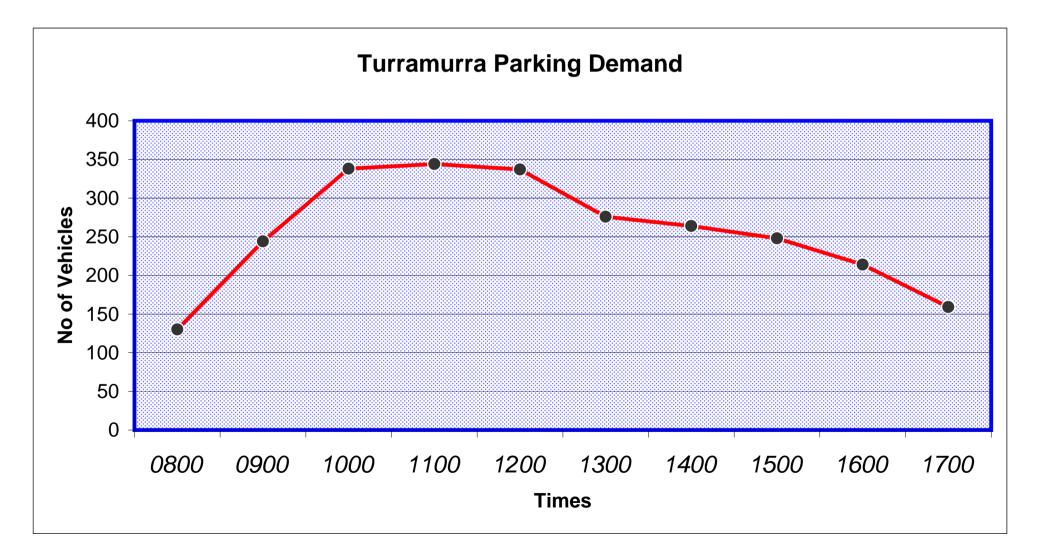
34		Ray St W/Side												
	Α	From Pacific Hwy to William St	1P	6	6	6	6	6	6	4	5	5	6	6
35		Ray St E/Side												
	Α	From Library to Forbes La	1P	5	1	1	5	3	3	3	5	3	2	3
	В	From Library to Forbes La	1P	1	0	1	1	1	1	1	1	1	1	1
	С	From Library to Forbes La	1P	3	3	3	3	3	3	3	3	3	2	3
36		William St W/Side												
		From Pacific Hwy to Forbes La	1/2P	2	0	2	0	1	2	1	0	1	2	1
37		William St W/Side												
		From Forbes La to William St	1/2P	5	1	1	1	2	1	3	2	2	3	0
38		William St E/Side												
	Α	From William St to Forbes La	1P	13	2	2	9	6	2	0	0	0	1	0
	В	From Forbes La to Pacific Hwy	1/2P	3	0	0	0	1	1	0	0	0	0	0
	С	From Forbes La to Pacific Hwy	P 10min	2	0	0	0	0	0	0	0	0	0	0
	D	From Forbes La to Pacific Hwy	1/2P	2	0	0	0	0	0	0	0	0	0	0
40		Boyd St Nth/Side												
	Α	From Kissing Pt. Rd to Jersey St	NP 6.30-8.30am	2	1	1	2	2	2	2	2	2	2	1
		CAR PARK												
1	а	Gilroy La - Car Park	2P	137	9	29	67	65	56	62	52	38	27	17
	b	Gilroy La - Car Park	2P Reserved	7	1	1	4	4	4	4	4	4	1	0
2	а	Ray St / William St - Car Park	2P	128	17	33	59	62	64	53	49	48	49	32
	b	Ray St / William St - Car Park	4P	32	0	2	9	10	11	2	9	12	10	7
3		Library - Car Park	2P	8	0	1	2	3	4	2	3	6	3	3
		·										1		
5	а	Kissing Point Rd - Car Park	2P	131	45	103	108	109	108	79	70	64	52	39
	b	Kissing Point Rd - Car Park	3P	11	0	0	1	2	5	2	1	1	1	1
	d	Kissing Point Rd - Car Park	Reserved	10	4	6	9	9	9	10	5	5	6	7



TURRAMURRA

Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Saturday 1 September 2007

TOTAL SUMMARY	TOTAL CAP	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700
Total Vehicles Parked	602	130	244	338	344	337	276	264	248	214	159
Total Number of Vacant Space	es	472	358	264	258	265	326	338	354	388	443
Total % of Capacity Used		21.6%	40.5%	56.1%	57.1%	56.0%	45.8%	43.9%	41.2%	35.5%	26.4%





Ph.88196847, Fax 88196849, Mob.0418-239019

TURRAMURRA

Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 30th August 2007

:ARUP

Client

															<b></b>		
Zone	Area	Location	Restriction	Сар	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
2		Turramurra Ave W/Side															
		From Gilroy La to Brentwood Ave	UNR	28	26	26	27	27	27	27	27	24	22	23	18	1	0
3		Turramurra Ave E/Side															
		From Boomerang St to Wonga Wonga	UNR	8	1	1	1	2	2	2	2	1	1	1	1	1	0
4		Wonga Wonga St Nth/Side															
		From Turramurra Ave to Hm No.4	UNR	6	2	4	3	3	3	2	2	3	3	2	0	0	0
5		Wonga Wonga St Sth/Side															
		From Hm No.3 to Turramurra Ave	UNR	8	2	4	6	4	5	4	4	4	2	2	0	0	0
6		Turramurra Ave E/Side															
		From Wonga Wonga to Nulla Nulla St	UNR	11	10	10	10	10	10	11	11	11	11	11	7	3	2
9		Turramurra Ave E/Side															
	Α	From Nulla Nulla St to Pacific Hwy	UNR	11	11	11	11	11	11	11	11	11	11	11	4	1	2
10		Brentwood Ave Sth/Side															
		From Turramurra Av to Gilroy Rd	UNR	6	0	0	0	0	0	0	0	0	0	0	0	0	1
11		Brentwood Ave Sth/Side															
		From Gilroy Rd to Eastern Rd	UNR	6	3	6	6	6	6	5	5	5	4	4	2	3	2
12		Brentwood Ave Sth/Side															
		From Eastern Rd to Hm No.6	UNR	11	7	11	10	10	10	11	11	11	11	9	6	6	5
13		Brentwood Ave Nth/Side															
		From Hm No.27 to Eastern Rd	UNR	14	7	8	11	11	10	10	10	10	7	6	7	4	3
14		Brentwood Ave Nth/Side															
		From Eastern Rd to Gilroy Rd	UNR	6	3	6	6	6	6	5	6	5	5	5	2	4	3
15		Brentwood Ave Nth/Side															
		From Gilroy Rd to Turramurra Av	UNR	5	1	0	0	0	0	1	1	1	1	0	1	1	2
16		Gilroy Rd E/Side															
		From Brentwood Av to Child Care	UNR	42	39	39	41	41	41	42	41	42	35	34	19	17	13
19		Gilroy Rd W/Side															
		From Gilroy Rd to Brentwood Av	UNR	42	42	42	42	42	41	41	40	41	37	37	22	10	9
20		Eastern Rd E/Side															
		From Hm No.49 to Brentwood Av	UNR	6	5	5	5	6	6	6	5	6	6	6	2	2	1
21		Eastern Rd E/Side															
	Α	From Brentwood Av to Gilroy Rd	UNR	18	18	18	18	18	18	18	18	16	16	14	11	5	5
	В	From Brentwood Av to Gilroy Rd	UNR	16	9	9	9	9	15	9	8	11	15	11	16	6	1
	-		1		Ű	Ŭ	Ű	÷		Ű	Ŭ						

24		Eastern Rd W/Side															
		From Olive La to King St	UNR	14	13	13	13	13	14	14	14	14	14	7	4	1	1
25		Eastern Rd W/Side															
	Α	From King St to Laneway	UNR	10	3	1	4	10	10	10	9	10	4	4	3	2	3
	В	From King St to Laneway	UNR	6	6	6	6	6	6	6	6	6	6	6	6	2	2
26		Eastern Rd W/Side															
		From Laneway to Brentwood Av	UNR	3	3	3	3	3	3	3	3	3	2	3	3	3	1
27		Eastern Rd W/Side															
		From Brentwood Av to Hm No.52	UNR	8	5	5	5	6	6	6	6	4	4	3	3	3	2
28		King St Sth/Side															
		From Eastern Rd to End of street	UNR	12	11	11	11	11	11	11	10	10	10	10	6	4	2
29		King St Nth/Side															
		From End of street to Eastern Rd	UNR	24	24	24	24	24	24	23	23	23	21	20	11	6	4
30		Rohini St Sth/Side															
	Е	Frm Turramurra Station to End of Street	UNR	11	11	11	11	11	11	11	11	11	11	10	7	2	2
31		Rohini St Nth/Side															
		From End of street to Olive La	UNR	12	12	12	12	12	12	12	12	12	12	11	5	3	2
34		Ray St W/Side															
	В	From Pacific Hwy to William St	UNR	11	11	11	11	11	11	11	11	11	11	11	10	5	4
39		Duff St W/Side															
		Duff St W/Side	UNR	6	5	6	6	6	6	5	5	5	4	4	5	4	4
40		Boyd St Nth/Side															
	В	From Kissing Pt. Rd to Jersey St	UNR	6	6	6	6	6	6	6	6	6	5	5	6	5	3
	С	From Kissing Pt. Rd to Jersey St	UNR	13	13	13	13	13	13	13	12	12	12	12	11	10	5
41		Jersey St E/Side															
		From Boyd St to Catalpa Cr	UNR	32	10	27	26	27	21	21	23	25	22	22	18	12	9
42		Catalpa Cr Nth/Side															
		From Catalpa Cr to Jersey St	UNR	3	0	0	0	0	0	0	0	0	0	0	0	0	0
43		Catalpa Cr Sth/Side															
		From Catalpa Cr to Kissing Pt. Rd	UNR	18	11	16	16	16	16	16	17	16	16	15	11	8	5
		CAR PARK															
	С	Ray St / William St - Car Park	UNR	40	40	40	40	40	40	40	40	40	38	23	21	12	8
4		Rohini St - Car Park	UNR	36	36	36	36	36	36	36	36	36	35	13	16	7	6
	с	Kissing Point Rd - Car Park	UNR	2	2	2	2	2	2	2	0	1	0	1	1	0	0

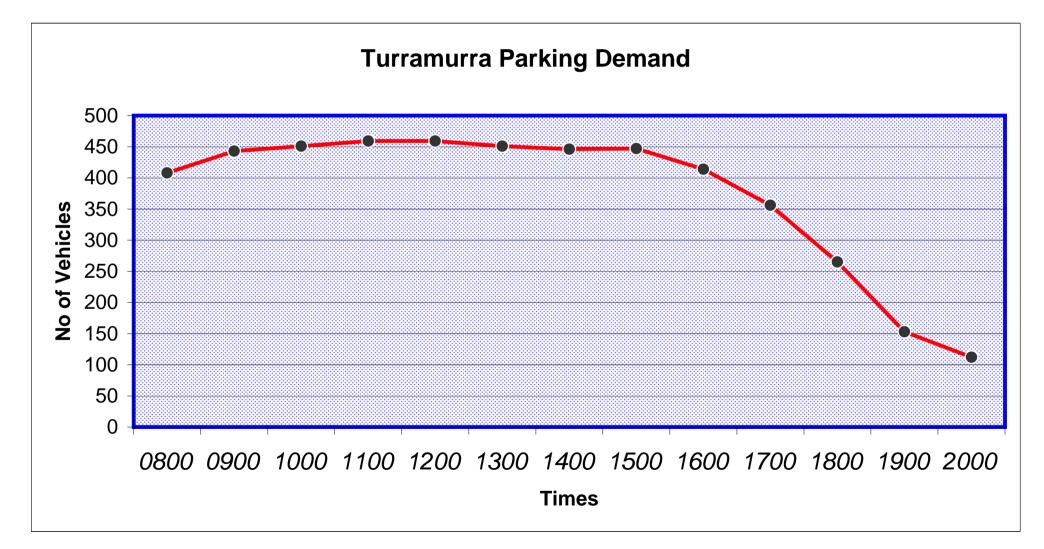


R.O.A.R. DATA Reliable, Original & Authentic Results Ph.88196847, Fax 88196849, Mob.0418-239019

Client :ARUP Job No/Name :1931 Ku-ring-gai Town Centres Day/Date :Thursday 30th August 2007

TOTAL SUMMARY	TOTAL CAPACITY	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Total Vehicles Parked	511	408	443	451	459	459	451	446	447	414	356	265	153	112
Total Number of Vacant Spaces		103	68	60	52	52	60	65	64	97	155	246	358	399
Total % of Capacity Used		79.8%	86.7%	88.3%	89.8%	89.8%	88.3%	87.3%	87.5%	81.0%	69.7%	51.9%	29.9%	21.9%

TURRAMURRA



Appendix D

Rail Commuter Interview Survey Results

Mode	Number of people		drive from Ku- ring-gai	No. of people drive from outside Ku- ring-gai	No. of people not driving to Turramurra Station	Total
Car Driver	313				726	1040
Car Passenger	194	19%				
Walk	316	30%				
Bus	202	19%				
Bicycle	0	0%				
Taxi	1	0%				
Motorcycle	7	1%				
Other	7	1%				
Total Surveyed	1040	100%	90%	10%	70%	100%

No. of people driving to Turramurra Station from Kuring-gai suburbs:

Suburb	No of Car driver	
Roseville	0	
Gordon	0	
Lindfield	0	
East Lindfield	0	
West Lindfield	0	
St lves	1	
Turramurra	142	
South Turramurra	40	
North Turramurra	15	
Pymble	5	
West Pymble	0	
Killara	0	
East Killara	0	
West Killara	0	
Wahroonga	74	
Warrawee	5	
Total	282	

No. of people driving to Turramurra Station from outside Ku-ring-gai suburbs:

Suburb	No of Car driver
West Ryde	1
Normanhurst	7
Terrigal	1
Asquith	1
Central Coast	2
Cherrybrook	
Newcastle	1
Beecroft	2
Waitara	2
Sydney	1
Thornleigh	1
Baulkham Hills	1
Mount Colah	2
Hornsby	3
Gosford	2
Westleigh	1
Total	31

J:\86697 - Ku-ring-gai Parking\Rail Commuter Surveys\Survey Results\ Turramurra Station.xls : TurramurraStation

#### Mode split in Gordon Station

	Number of		drive from Ku- ring-gai	drive from	No. of people not driving to Gordon	
Mode	people	% of people	suburbs	gai	Station	Total
Car Driver	489	52%	419	70	444	933
Car Passenger	162	17%				
Walk	208	22%				
Bus	74	8%				
Bicycle	0	0%				
Taxi	0	0%				
Motorcycle	0	0%				
Other	0	0%				
Total Surveyed	933	100%	86%	14%	48%	100%

# No. of people driving to Gordon Station from Ku-ring-gai suburbs:

Suburb	No of Car driver
Roseville	0
Gordon	73
Lindfield	1
East Lindfield	0
West Lindfield	0
St Ives	207
Turramurra	30
Pymble	46
West Pymble	35
Killara	13
East Killara	0
West Killara	0
Wahroonga	8
North Turramurra	3
South Turramurra	1
Warrawee	2
Total	419

# No. of people driving to Gordon Station from outside Ku-ring-gai

suburbs:	
Suburb	No of Car driver
Terry Hills	6
Westleigh	8
Avalon	1
Mount Colah	3
Hornsby	6
Eleonora	1 3 2 1 3 1
Thornley	3
Cherrybrook	2
Campbelltown	1
North Ryde	3
Bayview	
Monavale	3 1
Glenhaven	
Terrigal	3
Waitara	1
Church Point	1
Epping	1
Castle Hill	1
Frenchs Forest	1
Berowra	4
Empire Bay	1
Eastwood	1
Chatswood	1
Surry Hills	1
Marsfield	1
Central Coast	1
Artarmon	1
Warriewood	1
Sydney	1
Palm Beach	1
Warringah	1
Newcastle	1 2 2 1
Warrawee	2
Ingleside	2
Goldstone	
Newport	2
Total	70

#### Mode split in Lindfield Station

Mode	Number of people		drive from Ku-	drive from outside Ku-	No. of people not driving to Lindfield Station	Total
Car Driver	223	31%	201	23	504	728
Car Passenger	120	16%				
Walk	332	46%				
Bus	51	7%				
Bicycle	1	0%				
Taxi	1	0%				
Motorcycle	0	0%				
Other	0	0%				
Total Surveyed	728	100%	90%	10%	69%	100%

No. of people driving to Lindfield Station from Ku-ring-gai suburbs:

Suburb	No of Car driver
Roseville	1
Gordon	2
Lindfield	80
East Lindfield	31
West Lindfield	9
St lves	18
Turramurra	8
Pymble	3
West Pymble	2
Killara	31
East Killara	4
West Killara	8
Wahroonga	4
Warrawee	0
Total	201

No. of people driving to Lindfield Station from outside Ku-ring-gai suburbs:

Suburb	No of Car driver
Waitara	1
Westleigh	1
Central coast	1
North Ryde	2 2
Hornsby	
Pennant Hills	1
Earlwood	1
Cherrybrook	1
Hunters Hill	1
Berowra	1
Cremorne	1
Lane Cove	1
Epping	1
Terrigal	1
Marsfield	1
Baulkham Hills	1
Parramatta	1
West Pennant H	1
Eastwood	1
Denistone	1
Total	22

#### Mode split in Pymble Station

Mode	Number of people		drive from Ku- ring-gai	drive from	No. of people not driving to Pymble Station	Total
Car Driver	145	31%	129	16	319	464
Car Passenger	94	20%				
Walk	209	45%				
Bus	10	2%				
Bicycle	4	1%				
Taxi	1	0%				
Motorcycle	1	0%				
Other	0	0%				
Total Surveyed	464	100%	89%	11%	69%	100%

No. of people driving to Pymble Station from Ku-ring-gai suburbs:

Suburb	No of Car driver
Roseville	0
Gordon	0
Lindfield	0
East Lindfield	0
West Lindfield	0
St Ives	17
Turramurra	22
North Turramurra	3
Pymble	64
West Pymble	18
Killara	0
East Killara	0
West Killara	0
Wahroonga	5
Warrawee	0
Total	129

No. of people driving to Pymble Station from outside Ku-ring-gai suburbs:

Suburb	No of Car driver
Terry Hills	2
Carlingford	1
Waitara	1
Belrose	1
Sydney	1
Hornsby	1
Newcastle	2
Epping	1
Westleigh	1
Cherrybrook	3
Berowra	1
Beecroft	1
Total	16

#### Mode split in Roseville Station

Mode	Number of people	% of people	No. of people drive from Ku-ring-gai suburbs	No. of people drive from outside Ku-ring- gai	No. of people not driving to Roseville Station	
Car Driver	84	17%	51	33	411	495
Car Passenger	67	14%				
Walk	331	67%				
Bus	12	2%				
Bicycle	1	0%				
Taxi	0	0%				
Motorcycle	0	0%				
Other	0	0%				
Total Surveyed	495	100%	61%	39%	83%	100%

No. of people driving to Roseville Station from Ku-ring-gai suburbs:

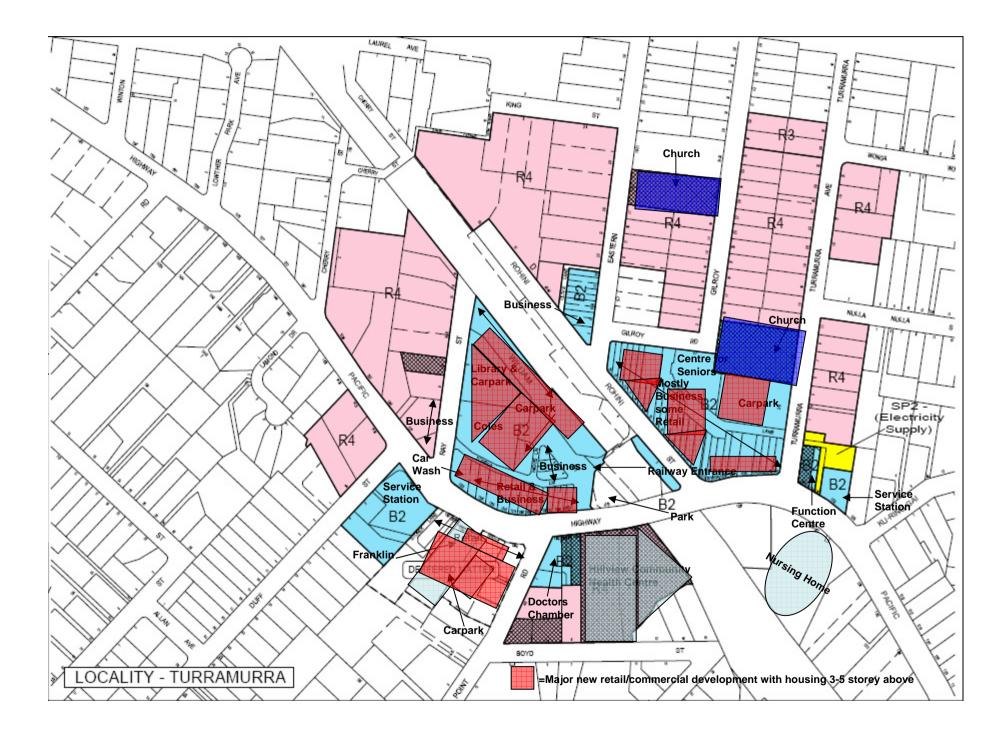
No. of people driving to Roseville Station from outside Ku-ring-gai suburbs:

Suburb	No of Car driver
Roseville	26
Gordon	1
Lindfield	8
East Lindfield	3
St Ives	6
Turramurra	1
Pymble	5
Killara	1
Wahroonga	0
Warrawee	0
Total	51

Suburb	No of Car driver
Northern Beaches	1
Carlinghurst	3
Frenchs Forest	9
Belrose	8
Forestville	2
Seaford	1
Westleigh	1
Central coast	2
Davidson	2
North Ryde	2
Terry Hills	1
Hornsby	1
Total	33

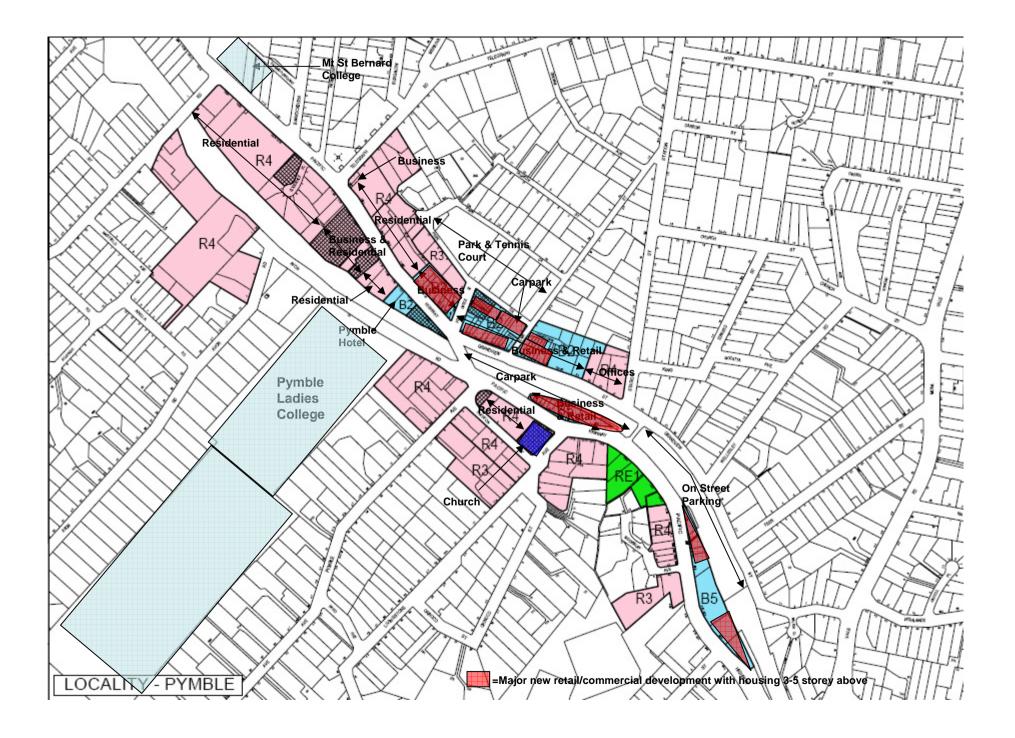
Appendix E

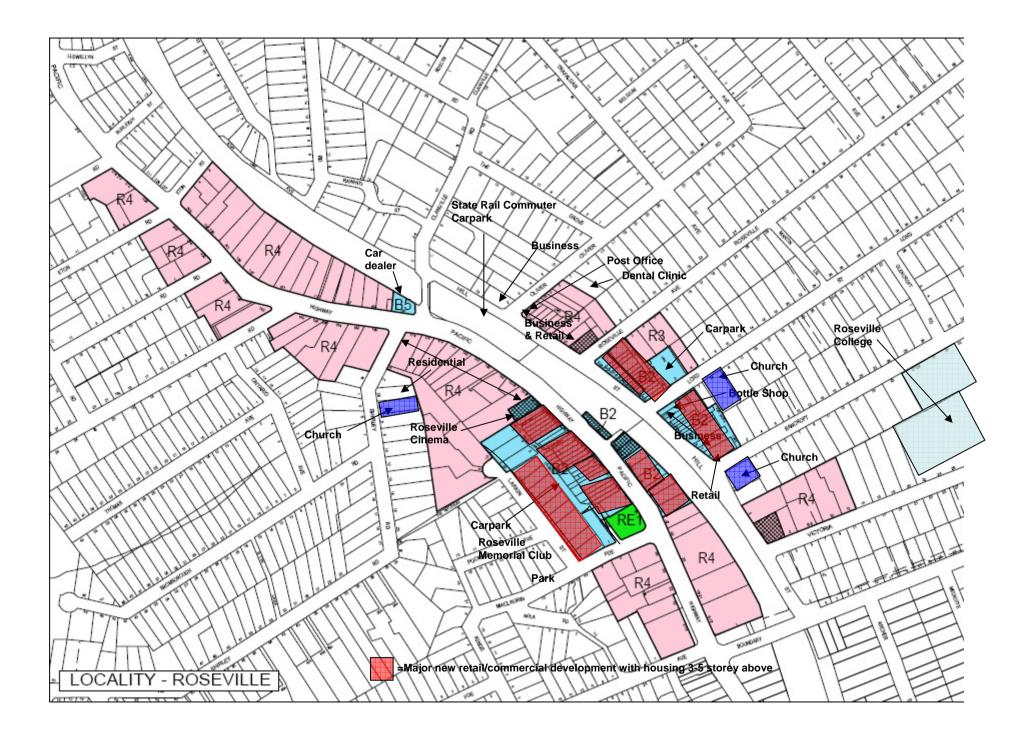
Future Town Centre Development Area Maps

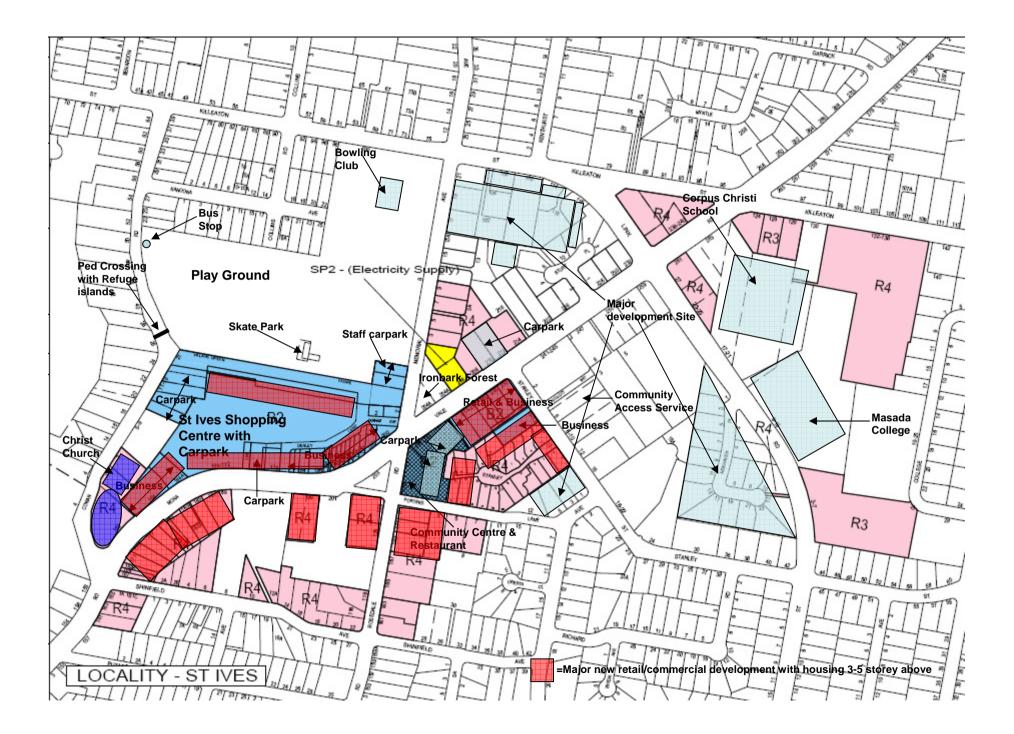












Appendix F

Future Town Centre Car Parking Strategy Maps



Do not scale



WADE AVENUE CAR PARK TO BE RECONSTRUCTED KHARTOUM AVENUE WITH RESIDENTIAL ABOVE AVENUE

PARK AVENUE

WADE AVENUE ROADWAY TO BE ONE-WAY NORTHBOUND WITH PARALLEL PARKING ON ONE SIDE

ROBERT STREET NEW MIXED USE DEVELOPMENT WITH UNDERGROUND PARKING

> **EXPANDED BUS & RAIL** INTERCHANGES WITH SOME LOSS OF RAIL COMMUTER PARKING

Ku-ring-gai Car Park Strategy

ARUP

Arup, Level 10, 201 Kent St Sydney, NSW, 2000 Tel +61(02)9320 9320 Fax +61(02)9320 9321 www.arup.com.au

Drawing Title Gordon Centre

Drawing Status

Job No 86697 Drawing No 86697/03

Issue



Issue

Date

Chkd

By

Appd

Scale	at	Aź

Discipline

A2

EXISTING PUBLIC CAR PARKING TO BE INCORPORATED IN FUTURE	
BE	
INCORPORATED IN FUTURE	
DEVELOPMENT	90 DEGREE ANGLE
	PARKING ON MILRAY
72,74	STREET WEST SIDE
	BOAD
	TRYONROAD
	EXISTING PUBLIC CAR
7.63	PARKING TO BECOME UNDERGROUND
EXTEND TRYON	USSELL AVENUE
PLACE REAR LANEWAY TO	ISSELL AVE
OTTORLAND	
AVENUE	
	ALL MARCE

Ku-ring-gai Car Park Strategy

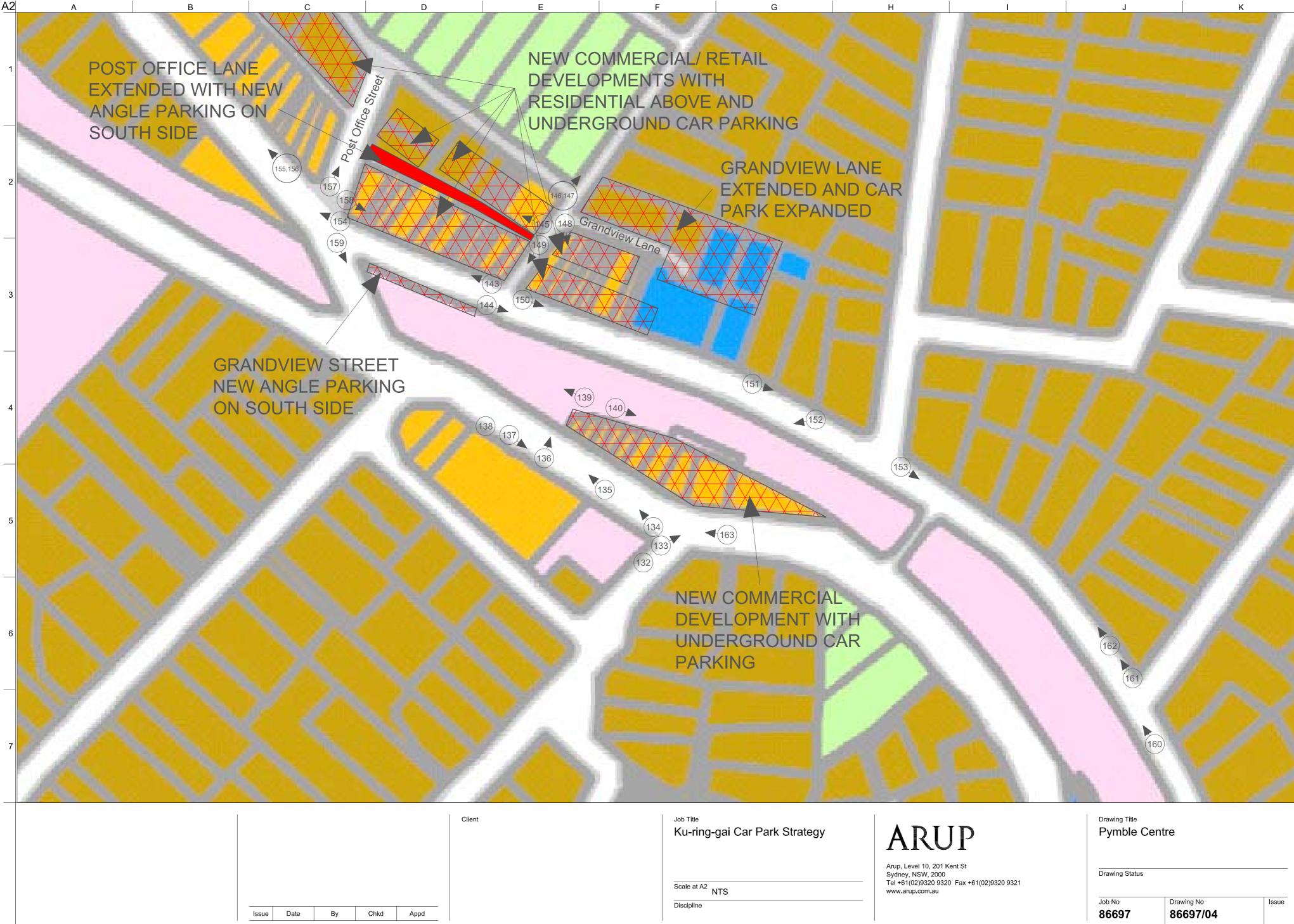
<sup>2</sup> NTS

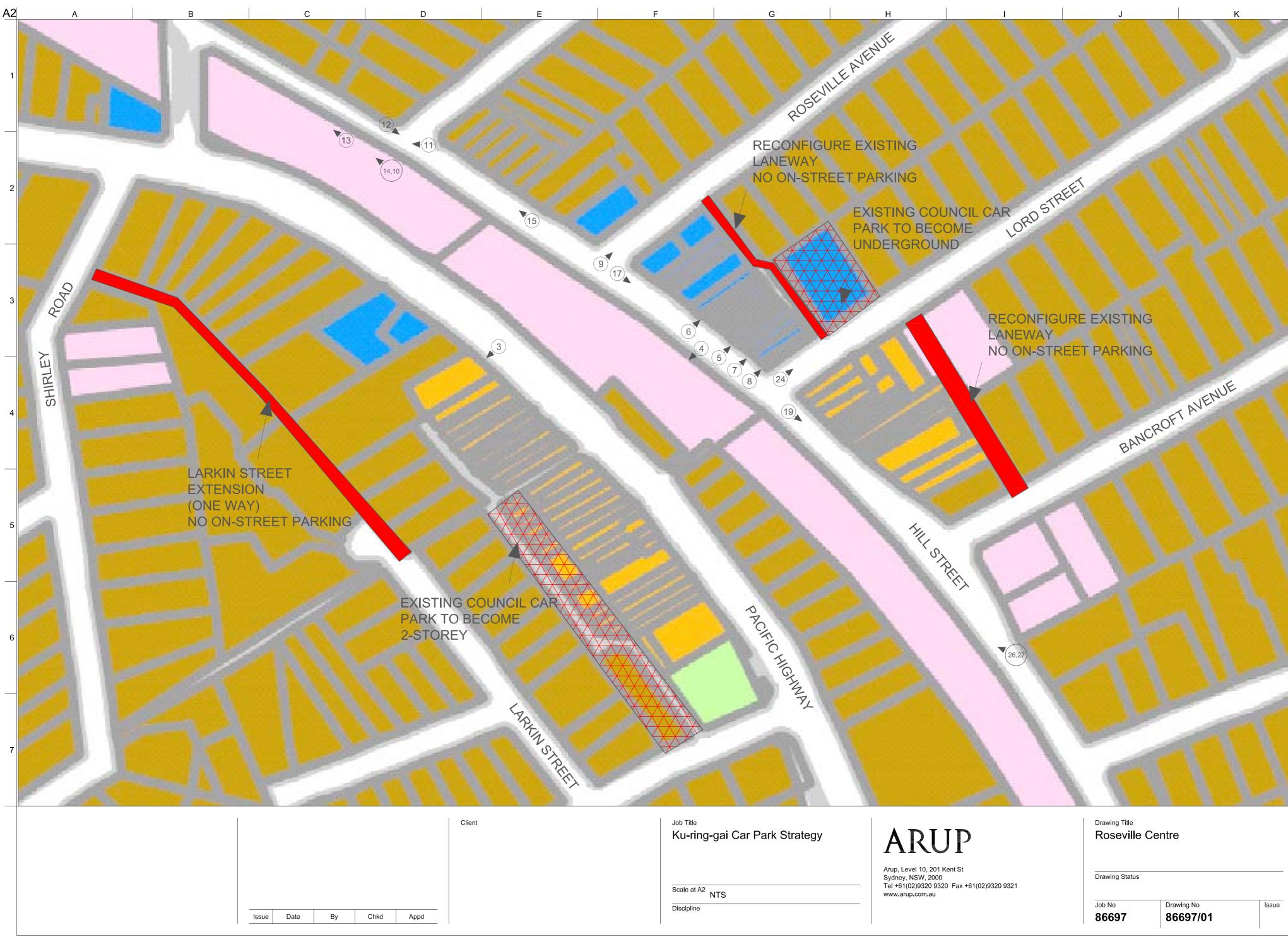
# ARUP

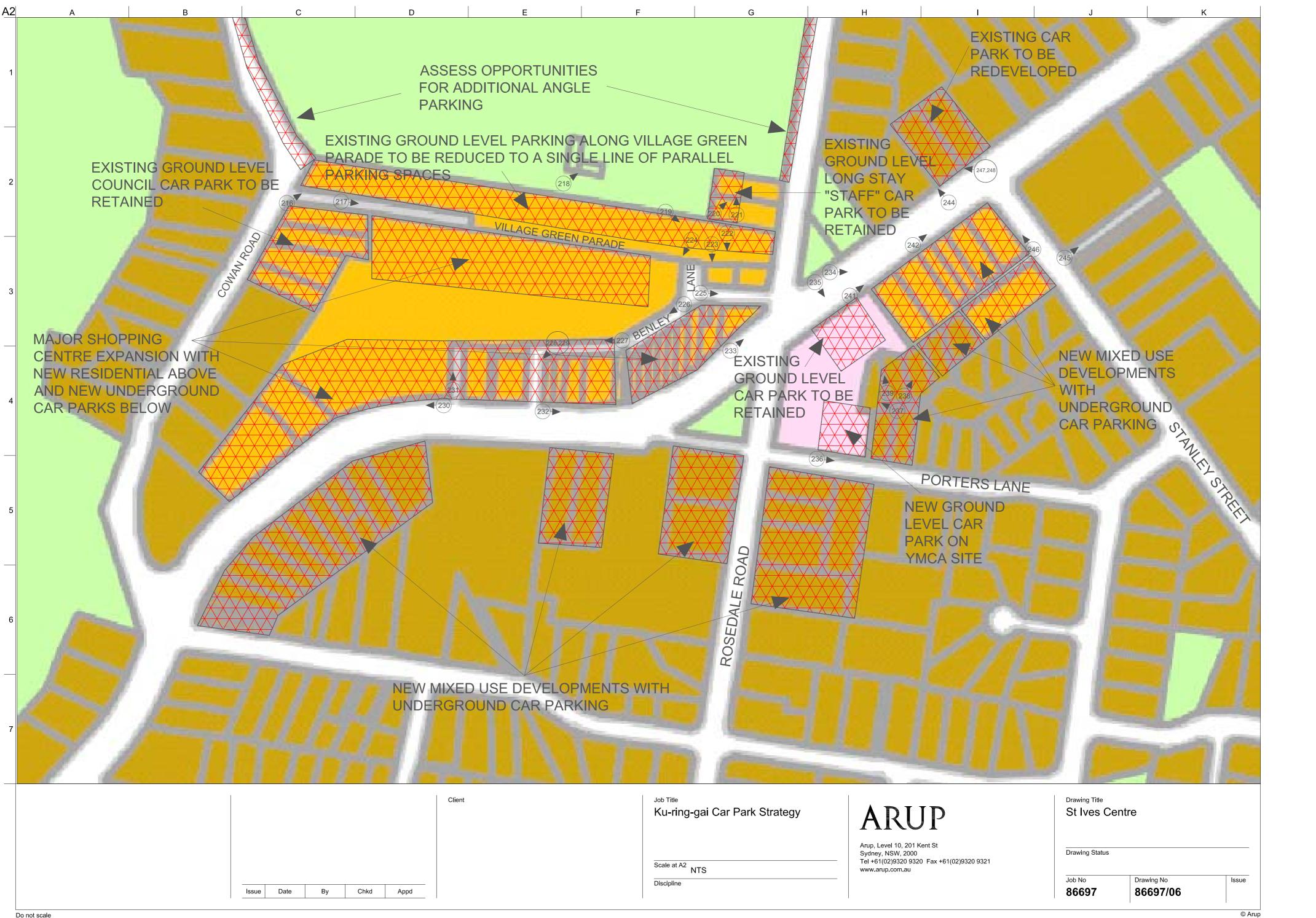
Arup, Level 10, 201 Kent St Sydney, NSW, 2000 Tel +61(02)9320 9320 Fax +61(02)9320 9321 www.arup.com.au Drawing Title
Lindfield Centre

Drawing Status

Job No **86697**  Drawing No 86697/02 Issue







Do not scale

# Ku-ring-gai Council

# **Draft Planning Agreement Policy**

(Preliminary Discussion Draft)



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# **EXECUTIVE SUMMARY**

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions. Planning agreements may specify how development contributions are to be implemented by a developer. Planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions Plan. They must be publicly advertised and submissions from the public may be made and must be considered.

Importantly, planning agreements must be voluntary. No party can be compelled to enter into a planning agreement.

Planning agreements are one mechanism Ku-ring-gai Council intends to use to implement the public domain works and community infrastructure associated with the *Ku-ring-gai Town Centres Development Control Plan*, to implement the *Ku-ring-gai Town Centres Draft Development Contributions Plan* and to assist in the orderly development of Council owned land.

By way of example, a planning agreement would be appropriate where the *Ku-ring-gai Town Centres Development Control Plan* identifies a new road to be located on or through a development site, where that site has been purchased or optioned by a developer and is expected to be the subject of a formal development application in the foreseeable future. In such circumstances, the planning agreement would make provision for the negotiated value of the land (valued by a registered valuer taking into account the unique characteristics of the land) to be off set against the monetary contributions attributable to that development. The planning agreement may also make provision for the developer to construct the road and any associated intersection works or it may make provision for the council to complete the road at such time as further land comes into Council's ownership. If the planning agreement makes provision for the road construction to be undertaken by the developer then the planning agreement would include Council's specifications, reference to detailed designs, Council's requirements for formal inspections during the course of the work, defects liability periods, security by bond or bank guarantee and the like.

This document provides an overview of the legislative requirements for negotiating planning agreements<sup>1</sup> and the procedures which Council intends to follow in the negotiation of a planning agreement.

<sup>&</sup>lt;sup>1</sup> Nothing in this policy is to be taken as superseding or obviating any legislative requirement whether made prior or subsequent to the adoption of this policy; the legislation shall always prevail to the extent of any discrepancy.

# **1 INTRODUCTION**

#### 1.1 Name of this Policy

This Policy is called the 'Ku-ring-gai Council Planning Agreement Policy.'

It details Ku-ring-gai Council's policy and procedures relating to the preparation of planning agreements under s93F of the *Environmental Planning and Assessment Act 1979*.

#### **1.2 Commencement Date**

This policy came into effect on X November/December 2007.

#### 1.3 Purpose

The purpose of this policy is:

- 1) to guide the preparation and negotiation of planning agreements for the provision of public benefits as part of applications for development and/or rezoning in Ku-ring-gai;
- 2) to facilitate the achievement of public benefits such as public domain improvements and community facilities identified in Development Control Plans, Development Contributions Plans and other plans and policies of the Council as part of the development process in the Ku-ring-gai Local Government Area; and/or
- 3) to facilitate improvements to the street vitality, amenity and economic viability of commercial centres within the Ku-ring-gai Local Government Area.

#### 1.4 Objectives

The objectives of this Policy are:

- a) the timely instigation of negotiations between a developer or prospective developer, Kuring-gai Council.
- b) to ensure transparency in the process for negotiating a planning agreement;
- c) to safeguard the public interest with respect to the provision of public benefits; and
- d) the effective and efficient achievement of quality public benefits associated with development.

### **1.5 Circumstances in which this Policy applies**

This Policy applies within the Ku-ring-gai Local Government Area:

a) in circumstances where a developer proposes to provide a public benefit as part of the development process whether or not that benefit will be on public or private land and whether or not that benefit is valued by a Contributions Plan;

- b) in circumstances where council owned land is proposed to be incorporated as part of any development site other than the direct sale of a parcel of land in its entirety; and
- c) other circumstances where Council considers it desirable to have a planning agreement.

#### 1.6 Legislation

The following legislation applies to the negotiation of a planning agreement:

- Environmental Planning and Assessment Act 1979 Part 4 Development Assessment Division 6 Development Contributions Subdivision 2 Planning Agreements – Sections 93F-93L
- Environmental Planning and Assessment Regulation 2000 Division 1A Planning Agreements – Clauses 25B-25H
- Local Government Act 1993

#### 1.7 Relationship to other Plans and Policies

The following documents also apply to the negotiation of a planning agreement:

- Ku-ring-gai Section 94 Contributions Plan 2004-2007 (as amended)
- Ku-ring-gai Section 94 Contributions Plan for the Town Centres
- Ku-ring-gai Town Centres Development Control Plan
- Any other plans and policies as determined in the circumstances of the request.

#### **1.8 Development Contributions Practice Notes**

This policy has been prepared having regard to the Development Contributions Practice Notes issued by the Department of Planning (then known as the Department of Infrastructure, Planning and Natural Resources).

#### **1.9 Variations to the Policy**

Variations to the recommendations of this Policy may be permissible if, in the opinion of the Council, the objectives of the Policy have been met. A written statement and any other supporting information that details how this has been achieved must be provided to Council.

# **2 DEFINITIONS**

Act means the Environmental Planning and Assessment Act 1979.

Affordable Housing has the same meaning as in the Act.

**Consent Authority** means Ku-ring-gai Council, its heirs or successors, or any public body or panel which may be authorised to exercise the particular local government functions in respect of the land on which the planning agreement is proposed to be made.

**Developer** means a person who has sought a change to an environmental planning instrument or who has made, or proposes to make, an application for development consent.

Development Application has the same meaning as in the Act.

**Development Contribution** means the payment of a monetary contribution, the dedication of land, the carrying out of a work-in-kind, the provision of a material public benefit or any combination of the above in part or full satisfaction of a requirement occasioned by an application to develop land.

**Explanatory Note** means a written statement associated with a draft planning agreement in accordance with clause 35E of the Regulation.

**Instrument change** means a change to an environmental planning instrument to enable a development application to be made to carry out development the subject of a planning agreement.

**Material Public Benefit** means a work not identified in or valued by a Development Contributions Plan and proposed to be offset against any development contributions required as a consequence of the development of a site.

**Planning Authority** means Ku-ring-gai Council, its heirs or successors, or any public body which may be authorised to exercise the particular local government functions in respect of the land on which the planning agreement is proposed to be made.

**Planning Agreement** means an agreement negotiated and made in accordance with the *Environmental Planning and Assessment Act 1979* (Part 4 Development Assessment Division 6 Development Contributions Subdivision 2 Planning Agreements) and the *Environmental Planning and Assessment Regulation 2000* (Division 1A Planning Agreements).

**Planning benefit** means a development contribution that confers a nett public benefit being a benefit that exceeds anything required to be done to address the impacts of a particular development on surrounding land or the wider community.

Public includes a section of the public.

**Public benefit** means a facility or work which provides a direct benefit to the public beyond the inhabitants of the proposed development.

Public facilities mean public infrastructure, facilities, amenities or services.

Public domain means any area outside the private domain.

**Public purpose** means the provision of, or recoupment of the cost of providing, public amenities and public services, affordable housing, transport or other infrastructure and may include recurrent expenditure, the costs of monitoring impacts of a development, the conservation or enhancement of the natural environment and any like purpose.

Regulations mean the Environmental Planning and Assessment Regulation 2000.

**Works in Kind** means a work identified in and valued by a Development Contributions Plan and proposed to be offset against monetary contributions.

# **3 WHAT MUST A PLANNING AGREEMENT CONTAIN?**

#### 3.1 Mandatory inclusions

A planning agreement must be in writing and signed by all of the parties to the agreement. A planning agreement is not entered into until it is signed. Ku-ring-gai Council must comply with Section 93F of the *Environmental Planning and Assessment Act* which requires planning agreements to include provisions specifying:

- a) a description of the land to which the agreement applies;
- b) a description of the change to the environmental planning agreement, or the development, to which the agreement applies;
- c) the nature and extent of the development contributions to be made by the developer under the agreement, and when and how the contributions are to be made;
- d) whether the agreement excludes (wholly or partly) the application of s94 or s94A to the subject development;
- e) if the development does not exclude the application of s94 to a development, whether benefits under the agreement may or may not be considered by the consent authority in determining a contribution in relation to that development under s94;
- f) a dispute resolution mechanism; and
- g) the enforcement of the agreement by a suitable means, such as the provision of a bond or bank guarantee, in the event of a breach by the developer.

Before a draft planning agreement may be exhibited, it must be accompanied by an Explanatory Note agreed upon by all the parties to the draft planning agreement.

#### **3.2 General Inclusions**

Ku-ring-gai Council may require a planning agreement to include additional clauses such as:

- the date or circumstances at which time a planning agreement may come into effect.<sup>2</sup>
- the application of the goods and services tax to the agreement;
- whether money contributed under a planning agreement may be pooled with other money from planning agreements and/or monetary development contributions and paid progressively towards for the purposes for which the money has been levied;
- the circumstances in which a developer's obligations may be modified which may include material changes to the planning controls applying to the land, material changes to the development consent applying to the land, the lapsing of a development consent, the revocation or modification of a relevant development consent by the Minister, or other material changes affecting the operation of the planning agreement;
- the circumstances in which a developer's obligations shall be considered to be discharged;
- the procedure for modifying a planning agreement; and

<sup>&</sup>lt;sup>2</sup> Clause 25C(2) permits a planning agreement to specify that the planning agreement does not come into effect until the happening of certain particular events.

 clauses related to the specific nature of the land dedication, monetary contributions, recurrent funding, material public benefits or works as listed in Part 6 of this Policy or any other such clauses as may be required in the circumstances of the negotiation.

#### 3.3 Other inclusions

The *Environmental Planning and Assessment Act* does not preclude a planning agreement from including other provisions that may be necessary or desirable in the circumstances of the cases with the exception of the specified exclusions cited in 3.4 and 3.5 below. Planning agreements have the potential to be used in a wide variety of planning circumstances and achieve a variety of planning outcomes. Accordingly, it is not appropriate for Ku-ring-gai Council to seek to limit the potential scope of a planning agreement in this context.

More detail on the types of considerations which would be incorporated in planning agreements for different purposes are listed in Part 6 of this Policy. A generic planning agreement template can be found at Attachment A.

#### 3.4 Exclusions – No Fetter

Section 93F(9) precludes a planning agreement from imposing an obligation on a planning authority to grant development consent or to exercise a function under the *Environmental Planning and Assessment Act* in relation to a change to an environmental planning instrument.

#### 3.5 Exclusions – Breach of the Act

Section 93F(10) provides that a planning agreement is void to the extent, if any, to which it authorises anything to be done in breach of the Act or any environmental planning instrument or development consent applying to the land to which the agreement applies.

## 4 PLANNING AGREEMENTS AND OTHER PLANNING PROCESSES

#### 4.1 Public Notice of Planning Agreements

Section 93G(1) of the Act precludes a planning agreement from being entered into, amended or revoked unless public notice is given of the proposed agreement, amendment or revocation. The accompanying exhibition must include the draft planning agreement and an explanatory note.

Clause 25D of the *Environmental Planning and Assessment Regulation* makes provision for public notice to be given of a proposal to enter into an agreement, amend or revoke a planning agreement. The practical application of this clause means that a draft planning agreement should be negotiated prior to the submission of a development application to allow for concurrent exhibition of the draft planning agreement and the development application.

The statutory exhibition period is 28 days.

#### 4.2 Planning Agreements and Development Assessment

Section 79C(1)(a) of the Act requires a consent authority to take into consideration any planning agreement entered into, or draft planning agreement proposed to be entered into, by a developer together with any submissions made in response to the exhibition of the planning agreement or draft planning agreement.

Section 93I(2) precludes a consent authority from refusing to grant consent on the grounds that a planning agreement has not been entered into in relation to the proposed development or that the developer has not offered to enter into a planning agreement.

#### 4.3 Consent conditions

Section 93I(3) authorises a consent authority to require a planning agreement to be entered into as a condition of a development consent. However, a consent condition can only require a planning agreement if it is in the terms of an offer made by the developer as part of making the development application.

The practical import of this requirement means that the draft planning agreement must be exhibited concurrently with the public notification of the development application. The draft planning agreement must be ready for execution at the time of development consent in order to enable a condition of consent referring to the draft planning agreement to be part of that development consent.

The importance of incorporating the planning agreement within the development consent arises from the need to address potential GST liability otherwise attached to the planning agreement. In view of the complexity of the legislation, specific GST issues will be considered afresh with each and every planning agreement proposed to be negotiated.

### **4.4 Contributions Plans**

Following the execution of a planning agreement, that planning agreement will then take precedence over any reference in a Contributions Plan, including a subsequent Contributions Plan, adopted by Ku-ring-gai Council, its heirs or successors.

# **5 ADMINISTRATION**

### 5.1 Registration of Planning Agreements (Caveats)

Section 93H(1) and (4) permit a planning agreement (or any amendment or revocation of a planning agreement) to be registered on the title of the land to which the planning agreement relates if each person with an interest in the land agrees to its registration. If a planning agreement has been so registered it is binding on, and enforceable against, the owner of the land as if that owner had entered into the planning agreement.

It is the policy of Ku-ring-gai Council to have all planning agreements registered on the title of the land until the responsibilities listed therein have been discharged. The cost of the registration shall be borne by the developer.

Council may also make notation under s149(5) of the Act about a planning agreement on any certificate issued under s149(2) of the Act relating to the land which is the subject of a planning agreement whether or not the planning agreement has been registered on the title of the land.

#### 5.2 Land and Environment Court

Section 93J(1) expressly precludes a person from appealing to the Land and Environment Court against the terms of a planning agreement or against the failure of a planning authority to enter into an agreement. There is a core principle is that a planning agreement must be made voluntarily on both sides therefore, once voluntarily entered into, there are no appeal rights. This does not affect the jurisdiction of the Land and Environment Court under section 123 of the Act to remedy or restrain a breach of the Act.

#### **5.3 Amendment and Revocation of Planning Agreements**

Clause 25C(3) of the *Environmental Planning and Assessment Regulation* provides that a planning agreement can be amended or revoked by a further agreement or, with the agreement of all parties, by the advertising of an intent to revoke and the execution of a revocation.

#### 5.4 Planning Agreement Register

Council is required to keep a register of planning agreements applying to land within the local government area, whether or not the Council is a party to the agreement. The register must record the date an agreement was entered into and a short description of the agreement, including any subsequent amendments.

Ku-ring-gai Council will make available for public inspection during ordinary office hours:

- the planning agreement register;
- copies of all planning agreements (and any amendments) that apply within the Ku-ringgai Local Government Area; and
- copies of explanatory notes relating to those agreements (including any amendments).

# **6 PLANNING AGREEMENTS**

#### 6.1 Ku-ring-gai Council's Objectives for Planning Agreements

Ku-ring-gai Council's objectives with respect to the role of planning agreements include:

- a) to provide an innovative and flexible approach to the provision of infrastructure in compliance with the legislation in an open and transparent manner;
- b) to facilitate the payment of contributions in kind;
- c) to provide clarity in the process and delivery of works in kind or material public benefits;
- d) to give all stakeholders in the development involvement in determining the nature, standard and location of public facilities and public benefits;
- e) to allow the community, through the public exhibition process, to gain an understanding of the process of negotiating the provision of public benefits in kind; and

f) to provide certainty for the community, developers and the council in respect to the provision of infrastructure and development outcomes.

#### 6.2 Fundamental principles of Planning Agreements

Planning agreements provide a means for planning authorities and developers to negotiate the provision of public benefits in connection with a development application or application for a rezoning. There are fundamental principles relating to probity and best practice in the negotiation of planning agreements. These include, but are not limited to:

- the underlying principle that the public interest is paramount in the negotiation of a planning agreement;
- planning agreements must be voluntary on both sides;
- planning decisions cannot be bought or sold and therefore there can be no fetter on a local government authority in the exercise of their planning functions;
- for the reasons cited above, benefits that have no relationship to the development are not encouraged;
- the type of benefits that generally could be included in a planning agreement are works of the type that appear in the works schedules of Council's adopted Contributions Plans, public domain works in the Town Centres Development Control Plan, affordable housing, recurrent funding and bushland regeneration;
- that benefits offered by a developer will not render an otherwise unacceptable development in planning terms, anything other than unacceptable unless the purpose of the benefits is to directly mitigate an unacceptable impact e.g. traffic generation, emissions, etc;
- the recognition of the need for transparency including the opportunity for public comment on a draft planning agreement;
- planning authorities should not use planning agreements to engage in revenue raising or overcome particular spending limitations;
- planning authorities should not allow the interests of individuals or an interest group to outweigh the public interest when considering planning agreements;
- planning authorities should not improperly rely on their statutory position to exact unreasonable public benefits; and
- where Council has a commercial stake in land or the development the subject of an agreement, it will take all reasonable steps to ensure that it avoids a conflict of interest between its role as a planning authority and its interests in the development or land. In this respect Council shall have regard to its *Statement of Business Ethics* and the publication from the Independent Commission Against Corruption (ICAC) entitled: *Direct Negotiations Guidelines for managing risks in direct negotiations*.

#### 6.3 When is a planning agreement required?

The circumstances in which Ku-ring-gai Council would consider negotiating a planning agreement with a developer include:

a) meeting the demands created by the development for new public infrastructure, amenities and services;

- b) compensating for the loss of or change to a public facility, amenity or service, resource or asset;
- c) securing planning benefits for the wider community so that the development delivers a nett benefit to the community;
- achieving benefits of a type that cannot be sought through formal contributions plans such as recurrent funding, affordable housing, or regeneration or rehabilitation of bushland or the like;
- e) achieving works which were excluded from contributions plans for the purpose of achieving a reasonable contribution rate;
- f) clarifying the relationship between development contributions under an adopted contributions plan and the works to be provided on any given development site; and
- g) specifying the standards to be met in the provision of works in kind or the provision of a material public benefit;

**Note:** Ku-ring-gai Council intends to request a developer to commence negotiation of a planning agreement where there is any proposal to dedicate land, carry out works-in-kind included in a Development Contributions Plan and/or provide a material public benefit whether or not it is of the kind identified in the Development Control Plan.

Clause 25D(1) of the *Regulations* requires a draft Planning Agreement to be exhibited concurrent with a Development Application or an application to modify an Environmental Planning Instrument. In order to satisfy these criteria, a prospective applicant needs to notify the Council of their intent to negotiate a planning agreement prior to the lodgement of any Development Application or concurrent with any application to modify an Environmental Planning Instrument.

#### 6.4 Land Dedication and Planning Agreements

A planning agreement may make provision for the dedication of land. In the case of land identified within a Contributions Plan, the estimated value of land that is identified in that Contributions Plan will be given due consideration. This consideration is essential the estimated value contributes to determining the contribution rates. However there are other matters that may impact on the agreed value of land.

In all cases, the agreed value of the particular parcel of land will be negotiated as part of the planning agreement. Council will employ a registered valuer and will instruct that person to take into account the unique characteristics of the property and the circumstances of the dedication which may include:

- the extent, if any, to which any development potential attaching to that part of the land to be dedicated can be incorporated elsewhere within the development;
- whether the land proposed to be dedicated has been identified by Ku-ring-gai Council in any Development Control Plan, Development Contributions Plan or other policy of the Council;
- the location, configuration, size, accessibility, topography and existing use of the land proposed to be dedicated;
- whether the land is located in or adjacent to a riparian corridor or bushfire prone land;
- whether the land adjoins an existing area of open space and can be consolidated into that area;

- whether the land will create or improve accessibility within the area whether by pedestrians, cyclists, private vehicles, public transport or any combination of these;
- whether the land supports the habitat of threatened or endangered species of fauna or endangered ecological communities of flora;
- any factors which may affect the usability of the land such soil condition, flood liability, potential site contamination, public accessibility and safety, proximity to existing uses, the current use of the land, the cost of embellishment or construction of any proposed facility on the land;
- the potential to carry out works within a reasonable time and, as a consequence, any measures required to secure or maintain the land in the event that works cannot be carried out for some time;
- in the case of a material public benefit not anticipated by a Contributions Plan and proposed to be offset against monetary contributions, the impact on the achievement of works identified within any adopted Contributions Plan of the Council;
- the on-going costs to the Council of care, control and management both prior to and after any improvement works are carried out on the land; and
- any other relevant matter in the circumstances of the case.

Where a planning agreement relates to the acquisition, transfer or disposal of land valued in accordance with the criteria above, the planning agreement will include:

- particulars to identify the land to be dedicated or a plan of subdivision;
- the dimensions, location and characteristics of the land to be dedicated;
- either the agreed value of the dedication or the conditions and/or requirements that will be deemed to be satisfied by the dedication; and
- the date at which the transfer of ownership will take place or the threshold which will trigger the requirement to transfer ownership of the land.

Following execution of a Planning Agreement the agreed value will be as per the planning agreement regardless of any subsequent change in land value including a change in value between the execution of the planning agreement and the transfer of land ownership. If a planning agreement provides that a specified land dedication satisfies a required contribution or consent condition without specifying a land value that agreement will stand regardless of whether relative changes in land value or contribution rates alter the value of that agreement to either party unless the planning agreement is formally amended by mutual agreement.

#### 6.5 Capital Works and Planning Agreements

A planning agreement may make provision for a developer to carry out work on land to be dedicated and/or in the public domain. Council will instruct a qualified quantity surveyor to verify all cost estimates submitted by the developer as part of the negotiation process. The planning agreement will specify the particulars of the work and the procedure for satisfying any requirements in carrying out of the work taking into account the unique characteristics of the property and the circumstances of the work which may include:

- requirements and specifications for detailed design plans for future approval or specific references to endorsed plans;
- public liability insurance during construction and during the defects liability period;

- requirements for inspections by council prior to and during the course of construction including the notice to be given in order to arrange such an inspection;
- requirements for the commencement of handover proceedings;
- details of the defects liability period;
- security such as bonds or bank guarantees to be held during the course of construction and during the defects liability period;
- access for council officers during the course of construction to ascertain progress or to assess asset value; and
- any other matter relevant to the securing the public interest in the achievement of a quality public benefit.

#### 6.6 Monetary Contributions and Planning Agreements

A planning agreement may make provision for monetary contributions other than contributions required under an adopted and in force Section 94 or Sections 94A Development Contributions Plan. In such circumstances the planning agreement will include:

- the amount of the monetary contribution;
- the purpose and extent of the monetary contribution;
- when such contributions are to be paid;
- in the case of staged payments, the nature of the staging or the dates or thresholds at which times payments are to be made;
- any mechanisms for the inflation of the monetary contribution over time;
- details of any security that is to be provided in lieu of the monetary contribution until such time as it becomes due and payable;
- circumstances in which contribution would be renegotiated or revoked;
- the obligations of council to expend the monetary contributions;
- in the case of contributions that require additional funding from council and/or other sources in order to achieve the ultimate objective, the process for managing and accounting for the contributions until such time as they can be expended including the investment of the contributions and the treatment of interest; and
- any other matter relevant to the securing the public interest in the management and expenditure of additional monetary contributions.

Monetary contributions required by a standard condition of consent in accordance with an adopted contributions plan will not normally be specifically referenced in a planning agreement except to the extent that the planning agreement must clarify the relationship of the planning agreement to any contributions which may be required as a consequence of granting a consent on land to which a planning agreement will apply.

### 6.7 Recurrent Costs and Planning Agreements

A planning agreement may make provision for the funding of recurrent costs associated with a public benefit. In such circumstances the planning agreement will include:

- the specific purpose of the recurrent funding;
- the nature and extent of the recurrent funding;
- the time period over which the funding shall be provided;
- any mechanisms for the inflation of the recurrent funding;
- the heads of consideration for any endowment fund or trust that may be required to be establish to manage the recurrent funding;
- circumstances in which funding would be renegotiated or revoked; and
- any other matter relevant to the securing the public interest in the achievement of an ongoing public benefit.

#### 6.8 Affordable Housing and Planning Agreements

A planning agreement may make provision for the development and future management of affordable housing. In such circumstances the planning agreement will include:

- a definition of affordable housing for the purposes of the planning agreement;
- if not in perpetuity or the life of the construction then the time period over which such housing is to meet the definition of affordable housing;
- provisions for the future management of the affordable housing; and
- criteria for assessment of future tenants or reference to another policy of the Council which specifies such criteria;
- the mechanism for ensuring the housing remains available as affordable housing;
- any other matter relevant to the securing the public interest in the achievement of affordable housing.

#### 6.9 Other Matters for Planning Agreements – Bushland

A planning agreement may make provision the rehabilitation, restoration, regeneration and/or conservation of any natural area. In such circumstances the planning agreement will include:

- a description of the site including location, configuration, size, accessibility, topography and existing land use;
- the nature and extent of the works to be carried out;
- a map of the site identifying the area where the works are to be carried out;
- an assessment of the ecological value of the site in the context of the proposed works;

- reference to a plan of management for the proposed works (initial and on-going);
- reference to a Species Impact Statement if necessary in the circumstances of the matter;
- the mechanism by which the land will be protected in the future; and
- any other matter relevant to the securing the public interest in the achievement of natural area management.

# 6.10 Costs

Unless otherwise agreed, each party shall bear their own legal and administrative costs in respect to the negotiation and preparation of a planning agreement. A planning agreement will specify that other costs related to the core purposes of the planning agreement such as detailed landscape and architectural designs will be borne by the developer. A planning agreement may make provision in respect of any other costs. A planning agreement may also make provision for Council's cost for the monitoring and enforcing of the planning agreement to be borne by the developer.

# 6.11 Goods and Services Tax (GST)

In view of the complexity of the legislation, specific GST issues will be considered afresh with each and every planning agreement proposed to be negotiated.

# 7 PROCEDURES

# 7.1 Process for Planning Agreements

In the case of a development application, a developer must approach Ku-ring-gai Council *before* lodging a development application. Council and the developer must consider whether there are other parties that should be involved. Such parties would normally include the owner of the land if the developer is not the owner. The planning agreement is then negotiated in accordance with the matters for consideration in this Policy.

The draft planning agreement will be documented and the parties will agree on the terms of the accompanying explanatory note required by the *Environmental Planning and Assessment Regulation*. The developer will then lodge an application with the council or other relevant authority accompanied by the draft planning agreement and explanatory note. The application must clearly record the offer to enter into a planning agreement. Assessment will follow the standard procedures of council including consultation with other public authorities.

The draft planning agreement and explanatory note will be advertised concurrent with the application in accordance with the Act and Regulation. Any person may make submissions and Council is bound to consider them.

Council's Internal Ombudsman would review the draft planning agreement.

The application will be determined and, as far as relevant, the draft planning agreement and any submissions in respect of the draft planning agreement will be given consideration during that process. If the application is a development consent, a condition may be included requiring the planning agreement to be entered into but only in the terms of the offer by the developer in the draft planning agreement. The Council, or other planning authority, would resolve to execute the planning agreement at the time approval of the application is also resolved.

The executed planning agreement would then be registered on the title of the land the subject of the planning agreement binding all heirs and successors until the discharge of the developer's obligations under the planning agreement.

# 7.2 Negotiation Procedures

Ku-ring-gai Council will delegate the appropriate authority to a council officer, or group of officers, to negotiate a planning agreement on behalf of the Council. Councillors will not be involved in face to face negotiation of a planning agreement.

If Council has a commercial interest in the subject matter or site of a planning agreement as a landowner, developer or financier, the Council will ensure that the Council officer who assesses the application to which the planning agreement relates is not the same person, or a subordinate of the person, who negotiated the planning agreement on behalf of Council.

Council may at its absolute discretion involve an independent third party to facilitate or participate in the negotiations particularly in the following circumstances:

- where council has a commercial interest in the property the subject of a planning agreement;
- where the size or complexity of the project or the number of stakeholders is such that the negotiation would benefit from the presence of an independent facilitator;
- where sensitive financial or confidential information mist be verified or established in the course of negotiations;
- for probity reasons; or
- as part of a dispute resolution;

A planning agreement may make provision for the costs of the independent party to be borne by the developer.

# 7.3 Probity Test

Ku-ring-gai Council will apply the following probity tests to all planning agreements:

Is the proposed planning agreement directed towards a proper or legitimate planning purpose ordinarily ascertainable from the statutory planning controls and other adopted planning policy applying to development and the circumstances of the case?

Does the proposed planning agreement provide for public benefits that bear a relationship with the development?

Will the proposed planning agreement produce outcomes that meet the general values and expectation of the public and protect the overall public interest?

Does the proposed planning agreement conform to the fundamental principles of governing council's use of planning agreements as expressed in this policy?

Are there any relevant circumstances that may operate to preclude the Council from entering into the proposed planning agreement?

If Council has a commercial interest in the land the subject of a planning agreement, was the process of negotiating the planning agreement undertaken in a separate Department to the

Department responsible for the assessment of the development application or the amendment to the relevant environmental planning instrument?

Council's internal ombudsman will review all draft planning agreements prior to execution.

# **8 GENERAL MATTERS**

# 8.1 Council Contact

Persons making enquires regarding this Policy are advised to contact Ku-ring-gai Council's Customer Service Centre on 9424 0888.

# APPENDICES

# Appendix A: Sample Draft Voluntary Planning Agreement Template

# Appendix B: Sites with opportunity for a planning agreement being:

- sites identified in the Ku-ring-gai Town Centres Development Control Plan as providing an opportunity for the a planning agreement;
- sites identified in the Ku-ring-gai Town Centres Draft Development Contributions Plan for possible and dedication or works-in-kind; and
- Council owned sites to be released for redevelopment.

# Appendix A: Sample Draft Voluntary Planning Agreement Template



# Appendix B: Sites with opportunity for a planning agreement



# Gordon Centre balance sheet - net loss or gain of public land, open space and other facilities

GORDON	Public Roads proposed to be closed	New Public Roads land purchased or dedicated	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land proposed to be returned to public ownership as strata title	New land proposed to be purchased for open space	New land purchased for urban/civic squares	Net total gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
St Johns Lane	-328							-328	0
Lane in C3	-216							-216	0
Wade Lane		+500						+500	0
McIntyre to Dumaresg		+1690						+1690	0
Dumaresq to Moree		+1950						+1950	0
Moree to St Johns		+960						+960	0
Site 1 - Council Chambers and car park			0	0	0			0	+5,160
Site 2 – Moree Street car park			-985	0	+350 (include new car park)			-635	0
Site 3 – Moree Street vacant land			-499	0	0			-499	0
Site 4 – Wade Lane car park			-3,885	0	+4250 (includes new car park)			+365	0
Site 5			0	0	0			0	+4,182
Site 6			0	0	0			0	+5,552
Site 7			0	0	0			0	+1,700
Site 8			0	0	0			0	+2,697
Site 9			0	0	0			0	+462
Site 10			0	0				0	+1830
Town Square						0	+1,000	+1000	0
Railway Square						0	+360	+360	0
Open space locations to be determined						+22,000	0	+22,000	0
TOTALS							1	+27,147	+21,583

Notes

1. Assumes full redevelopment under life of plan

2. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan

# Lindfield Centre balance sheet - net loss or gain of public land, open space and other facilities

LINDFIELD	Public roads	New land	Land proposed	Reclassified	Reclassified land	New land	New land	Net gain (+)	Land remaining
	proposed to be	purchased for	to be	land proposed	returned to public	purchased	purchased for	or loss (-) of	as community
	closed	roads	reclassified as	to be returned	ownership as strata	for open	pedestrian	publicly	(not proposed to
			Operational	to Community	title	space	access ways	owned land	be reclassified)
Drovers Way	-950							-950	
Eleham Road	-190							-190	
Balfour Lane	-664							-664	
Kochia Lane	-420							-420	
New Street –		+630						+630	
Beaconsfield									
Parade to Bent									
Street									
New Street – Bent		+750						+750	
to Balfour									
New Street –		+1160						+1160	
Balfour Lane									
New Street –		+1920						+1920	
Wolseley to									
Treatts									
New Street –		+402.5						+402.5	
Pacific Highway to									
Tryon Lane									
Site 1 – Havilah			-766	0	+750			-16	
Lane car park			,	°	.,				
Sites 2, 3 and 10 –			-2949	+2700 (new	+5349 (includes car			+5100	
Kochia Lane area			2/4/	town park)	park and library)				
(Tryon Square)				tonn pant,	part and the arg,				
Sites 5-9 -			0	0	0			0	+5889
Council library				°	Ŭ,				
and senior									
citizens site									
Site 4 – Woodford			-5643	+1800 (new	+3660 (includes			-183	1
Lane			0040	town park)	community centre			100	
Lunc				town park)	and car parking)				
Open space					parking)	+30000		+30000	1
locations to be									
determined									
Pedestrian access							+2670	+2670	1
ways							. 2070	.2070	
TOTALS								40209.5	+5889
IUIALS	l							40207.3	+5007

Notes

Assumes full redevelopment under life of plan
 Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan

# Pymble Centre balance sheet - net loss or gain of public land, open space and other facilities

PYMBLE	New public roads - land acquired by Council	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land returned to public ownership as strata title	New land purchased for open space	New land purchased for pedestrian access ways	Net gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
Post Office Lane extensions	+980	-	-		-		+980	
Grandview Lane extension to Station St	+600						+600	
Site 1 and 3 – Grandview Lane		0	0	0			0	+1409
Site 2 – Alma Street car park		-622	0	+300			-322	
Site 4 – pedestrian access way		-104	+104	0			0	
Site 5 – Post Office Lane (part)		-63.6	+63.6	0			0	
Site 6 and 7 – Ku-ring-gai town Hall and Secret Garden		0	0	0			0	+6329.8
Open space locations to be determined					+3000		+3000	
Pedestrian						+705	+705	
access ways TOTALS							+4963	+7739

Notes

Assumes full redevelopment under life of plan
 Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan

ST IVES	Existing	New Public	Land proposed	Reclassified	Reclassified	New land	New land	Net total	Land to
	Public Roads	Roads	to reclassified	land proposed	land	proposed to	purchased	gain (+) or	remain as
	proposed to	proposed to	as operational	to be retained	proposed to	be	for	loss (-) of	community
	be closed	be acquired		and returned	be returned	purchased	urban/civic	publicly	(not
		or dedicated		to community	to public	for open	squares	owned land	proposed to
					ownership as	space			be
					strata title				reclassified)
Denley Lane	-2,386sqm	+400sqm						-1986	
Stanley Lane		+1200sqm						+1200	
Site 1 car park			-803sqm	0	+750			-53	
176 MVR									
Site 2 Village			-13,750sqm	+12,150	+4500			+2900	
Green Parade				·					
and car park									
and Cowan									
Road car park									
Site 3 – library			-800	0	+1,500			-700	
and				•					
neighbourhood									
centre									
Site 4 – car			-2091	0	+1,000			-1091	
park			2071						
part									
Site 5 – St Ives			-1,317	0	0			-1317	
Occasional			.,		-				
care									
New Town							+680	+680	
Square									
Open space						+15,000	0	+15000	
locations to be						13,000	0	. 10000	
determined									
Site 6 - 177								0	+6680
Rosedale Road									+0000
TOTAL								+14633	+6680
TUTAL								+14033	+0000

# St lves Centre - balance sheet net loss or gain of public land, open space and other facilities

Notes

Assumes full redevelopment under life of plan
 Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan

# Turramurra Centre balance sheet - net loss or gain of public land, open space and other facilities

TURRAMURRA	Existing	Public roads	New Public	Land proposed	=	Reclassified land		New land	Net gain	Land remaining
IURRAMURRA			Roads - land	to be		returned to			(+) or loss	
	public roads	proposed to be			proposed to be		purchased for	purchased		as community
	proposed to	retained in public	acquired or	reclassified as	returned to	public ownership	open space	for	(-) of	(not proposed
	be closed	ownership	dedicated to	Operational	Community	as strata title		pedestrian	publicly	to be
			Council					access	owned	reclassified)
A.C.L.	0000	4800						ways	land	
William	-3000	+1780					-		-1220	
Street/William										
Square										
Higgs	-198	+198							0	
Lane/William										
Square									_	
Forbes Lane			+1200						+1200	
New road			+1402				-		+1402	
between										
Turramurra Ave										
and Gilroy Road										
New Stonex			+465				-		+465	
Street										
Site 1 –				-3619	+2060		-		-1559	
Turramurra Ave										
car park										
Site 2 – HACC				-2287	+1920		-		-367	
facilities										
Site 3 – 12				-581	+581				0	
William Street									L	
car park										
Site 4 – William				-3471	0	+7130 (includes			+3659	
Street car park				0471	<u> </u>	library /			10007	
ott oot out punt						community				
						facilities / car				
						park)				
Site 5 – Kissing				-2272.	+1300	0			-972	
Point road car						Ĩ			··· <b>-</b>	
park										
Site 6 – 4 Duff				0	0	0			0	+3104
Street				ľ		Ĩ			Ĩ	
Open space							+10,000		+10000	1
locations to be										
determined										
Pedestrian								+1185	+1185	
access ways								1105	+1105	
TOTALS									+13,789	+3104
Notos									TI3,/07	73104

Notes

13. Assumes full redevelopment under life of plan

14. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan

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# RESPONSE TO CORRESPONDENCE FROM MINISTER FOR PLANNING IN RELATION TO APPOINTMENT OF A PLANNING PANEL

# **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To consider correspondence from the Minister for Planning, in respect to the appointment of a planning panel.
BACKGROUND:	On 12 October 2007 Council received a letter from the Honourable Frank Sartor, Minister for Planning advising he is giving consideration to the appointment of a planning panel under Section 118 of the Environmental Planning and Assessment Act (EP&A Act) to take over Council's planning functions for the assessment of certain development applications and Local Environmental Plan making. The Minister has also advised he is considering a direction in relation to the making, amending or revoking of the Ku-ring-gai Development Control Plans. Council has 21 days to make a submission to show cause why a panel should not be appointed, or a direction not given.
COMMENTS:	This report contains detailed comments in relation to the heads of consideration established in the <i>Environmental</i> <i>Planning and Assessment (Unsatisfactory Council</i> <i>Performance) Order 2007</i> and concludes that there has not been unsatisfactory performance by Council that Council has acted in accordance with the EP&A Act and that the appointment of a planning panel for the major planning functions of Council is not justified.
RECOMMENDATION:	That Council adopt the recommendations as outlined in this report.

# **PURPOSE OF REPORT**

To consider correspondence from the Minister for Planning, in respect to the appointment of a planning panel.

# BACKGROUND

On 12 October 2007 Council received a letter from the Hon Frank Sartor, Minister for Planning (see **Attachment 1**), advising Council that he is giving consideration to the appointment of a planning panel under Section 118 of Environmental Planning & Assessment Act which to undertake the following planning functions:

- Development Applications (DAs) with an estimated construction cost of more than 10 million dollars.
- Development Applications which have not been determined within 3 months.
- Section 82 determinations (review of determinations).
- Local Environmental Plan (LEP) making functions encompassing the Ku-ring-gai principle (comprehensive) LEP for the Local Government area which includes the 6 Town Centre DLEP's currently with the Department of Planning.

In addition, the Minister indicated that he is considering exercising his power under Section 74F of the Act to issue a direction to a Council to make, amend or revoke a Development Control Plan (DCP).

In summary of the above, it appears that the Minister proposes to appoint a planning panel for certain DA matters and also make all LEP's for Ku-ring-gai including more broadly the comprehensive LEP. It would appear the Minister also proposes to assume greater responsibility for associated DCP's.

The appendices to the letter set out the heads of consideration which the Minister is required to consider in making any decision and also proposed reasons to make a Section 74F direction for DCPs.

Council has 21 days to make a submission showing cause why a planning panel should not be appointed. The 21 day period ends on 2 November 2007.

This report provides detailed comment on the correspondence from the Minister and is proposed to form the basis of the actual submission.

# COMMENTS

The powers the Minister proposes to use rely on the following legislation.

# Section 118(1)(b) — Appointment of Planning Administrator or Panel

The Minister may appoint a planning administrator or a panel (or both) to exercise the functions of a council if the Minister is of the opinion that the performance of the council in

dealing with planning and development matters (or any particular class of such matters) is unsatisfactory because of the manner in which the council has dealt with those matters, the time taken or in any other respect.

# Section 118(9) of the Environmental Planning and Assessment Act 1979 (the Act)

The Minister may appoint a planning administrator or a panel for a reason set out in subsection (1)(b) only if the Minister has, by order published in the Gazette, provided heads of consideration for the exercise of power under subsection (1)(b) and has taken those heads of consideration into account.

The Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007 was gazetted on 20 July 2007. The order sets out the Heads of Consideration for the purposes of s. 118(9) of the Act (see **Attachment 2)**.

# Heads of Consideration

The Heads of Consideration outlined in Appendix 1 of the Ministers letter will provide the basis for the Minister to consider whether to make a determination under Section 118 to appoint an independent panel or administrator.

This report addresses those matters where the Minister's letter raises an issue under the heads of consideration. The numbering follows that of the heads of consideration.

The heads of consideration where Minister / Department have raised an issue are set out in Section B with a staff response on each matter.

# Section 74F of the Act provides:

- (1) The Minister may, subject to the regulations (if any), direct a council to make, amend or revoke a development control plan in the time and manner specified in the direction.
- *(2)* A council to which a direction is given under this section must comply with the direction in accordance with its terms.
- *(3) If a council fails to comply with a direction of the Minister under this section, the Minister may make, amend or revoke the development control plan as if the Minister were the council.*
- (4) A development control plan made, amended or revoked by the Minister under this section has effect, or ceases to have effect as the case may be, as if it were made, amended or revoked by the council.
- (5) The Minister in making, amending or revoking a development control plan under this section is not subject to the regulations.
- *(6)* Section 74C (2) does not apply to development control plan made by or at the direction of the Minister under this section.

The reasons outlined in Appendix 2 to the Minister's letter are claimed to justify the Minister making a direction in respect to the Town Centres DCP, if such a direction is made.

The reasons are set out in Section B with a staff response on each matter.

# A. GENERAL COMMENT

The assessment relies on erroneous information and fails to consider information relevant to the reasonable assessment of Council's performance.

Moreover, there is a disjunct between the nature of the issues raised by the Minister and the proposed powers of a Planning Panel.

It is recommended that Council request a meeting with the Minister of Planning, prior to his making any determination.

# B. HEADS OF CONSIDERATION

# 4 (b)(ii) Time taken to make LEPs or DCPs

# Minister's assessment under the head of consideration

A. Town Centres LEP

*Council was directed on 27 May 2004 by the then Minister to prepare a draft LEP for areas in close proximity to the railway line and Pacific Highway and the St Ives Centre. The process was to be completed within 12 months. Rather than non-compliance with the terms of the s55 direction, the concern here is the time taken for the Council to undertake its functions under Part 3 of the Act.* 

In December 2006, the Council provided draft plans for 6 town centres to the Department under s68 of the Act, however the draft plans were deficient in many respects. These include the failure to deliver strategic outcomes that result in increased yield for residential, commercial and retail development and the failure to reclassify any Council land within the relevant town centres.

# **Council response**

The assessment fails to consider relevant information that would be an essential element for reasonable assessment of Council's performance in relation to the time taken to make the LEP and DCP, namely:

- that the timeframe for the delivery of the 6 Town Centre LEPs was accepted by the Department as December 2006; and
- that the detail on increased yields for residential, commercial and retail development has been provided on numerous occasions by Council to the Department of Planning.

The assessment relies on incorrect information, in that the Minister's Direction of 27 May 2004 did not include a requirement for the reclassification of land. Council has sought to consider reclassification to facilitate the orderly restructuring of the Town Centres.

Further, the assessment outlines issues that are not relevant to this head of consideration:

• perceived deficiencies in yield outcomes

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reclassification of Council land. •

The time Council has taken to prepare the Ku-ring-gai Town Centres LEP and DCP is considered more than satisfactory, when compared to the significant amount of research, analysis, planning, consultation and reporting, that is required to provide a high level of planning and urban design to quide the next 30 years of development for the 6 major centres in Ku-ring-gai. In addition approximately 600 written submissions were made to council on the town centres LEP & DCP. which council has also been required to take into consideration and amend the plans accordingly.

The timing of the LEP and DCP has been aligned and reviewed in line with the NSW Department of Planning; Standard Instrument (Local Environmental Plans) Order 2006. This has required Council to make several major revisions of the documents, as the State LEP was draft at the beginning of the process and has been reviewed several times. Indeed, the mapping guidelines were only finalised in early 2007. It is also understood the Standard Instrument LEP will be subject to a further significant review in the near future.

Strategically, at the regional planning level, a degree of uncertainty has prevailed, as the Department of Planning has not released the Draft Sydney North Draft Subregional Plan, which the Department indicated in March 2006 would be exhibited in July 2006. The absence of this key regional planning document, that supports the wider metropolitan strategy and further defines the role and functions of the Ku-ring-gai and Hornsby centres, has created uncertainty and a lack of quidance.

In December 2006, the Draft Ku-ring-gai Town Centres LEP was one of the first comprehensive LEPs finalised under the new planning system in NSW and submitted to the Minister. Given the above constraints, this was a significant achievement on the part of Council.

Relevantly, Council notes the time delay in gazetting the LEP. Council's Section 68 submission was sent to the Department at the end of December 2006. The Department did not make any formal response until July 2007. As detailed in the report to Council of 14 August 2007 (Attachment 3), submitted to the Department in response to many of the issues raised in the July letter were issues that had been raised at the exhibition stage and resolved at the Section 68 stage or through the amendments in May 2007. The Department's letter did not address Council's Section 68 submission or the May amendments. Similarly the assessment does not acknowledge the further changes adopted at the 14 August 2007 Council meeting.

In fact, Council has attempted to meet the Department's requirements at every step in the process but has been frustrated by the Department's inability or unwillingness to date (whether through staff workload, the complexity of the issues or for any other reason) to seek resolution of the issues through a genuine discourse on the merits of Council's planning process or outcomes. Furthermore, the Department has not provided advice to Council on how to move forward on these issues, when such advice has been sought.

The assessment is therefore unreasonable.

# Minister's assessment under the head of consideration

After requesting a timetable from the Council in September 2005, the Minister received correspondence from the Council that same month indicating a range of gazettal dates for the 6 centres. These dates varied from June 2006 to May 2008.

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In February 2006, the Minister expressed dissatisfaction with the Council's proposed program for delivery of the LEPs. The Minister required Council to process the 6 town centre LEPs concurrently with only one stage of consultation and no preliminary (non-statutory) exhibition.

*The Council by letter on 20 February 2006 agreed to a work program for all 6 town centres which indicated completion of all 6 town centres by December 2006.* 

# **Council response**

The assessment is factually incorrect. On 11 November 2005 Council received Planning Reform Funding approval from the Department of Planning with an accompanying Memorandum of Understanding, which provided a timeline with an end date of 31 December 2006 for the Section 68 submission for the Draft Town Centres LEP. Council has met this deadline.

The Principal LEP is the agreed frame work for dealing with the planning for the areas outside of the town centres boundaries. Council has previously sought to make an LEP to resolve interface issues, however, the Department advised that these issues should wait to be resolved as part of the future Comprehensive LEP.

In any event the timeframe was not excessive, compared to the nature, scale and significance of the planning work to be completed. It was supported by the Department of Planning in endorsing the Planning Reform Fund Memorandum of Understanding (between Council and the Department) on 11 November, 2005 (see **Attachment 5**). The time taken to make the LEP and DCP has not previously been raised with Council as an issue at this level by the Department or the Minister.

# Minister's assessment under the head of consideration

*Council's time for processing the draft LEPs has been suboptimal having regard to the following actions by the Council:* 

- a stagnation of the process between 9 May 2006 and 10 July 2006, supported by Council's own correspondence which indicates no relevant progression on the LEPs
- the inability of the Council to properly identify land to which the LEPs should relate, especially the exclusion of some land in close proximity to railway stations
- extensive non-statutory exhibition and consultation periods
- *inclusion of inappropriate controls within the draft LEPs resulting in a need for conditional authorisations for delegation and conditional section 65 certificates to be issued;*
- *failure to provide early indication of development yields and inclusion of superfluous controls in the draft instruments.*
- failure to manage the process of reclassification of Council land effectively (i.e. those aspects of reclassification related to LEP making).
- failure to manage the reclassification of Council land in a timely manner.

The Council has indicated that it considers it has met the time frame for preparing the LEPs of December 2006. However the draft LEPs are not complete given that further work is needed to ensure compliance with the yield requirements as a result of the Metropolitan

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Strategy, the exclusion of superfluous and restrictive controls, the identification and reclassification of Council land.

The Council has taken an inordinate amount of time to undertake the rezoning process for the Town Centres given that the process began in May 2004. The rezoning is still not complete.

# Council response

A number of above matters are not relevant to this head of consideration, namely:

- the land identified in the LEP;
- the controls included in the LEP;
- the process of reclassification.

Further, the assessment is factually incorrect in that:

- the process did not stagnate between May and July 2006;
- that the consultation process (land use plans and LEP/DCP) did not result in a failure to comply with the agreed timeframe;
- that Council did not fail to provide early indication of development yields;
- that the conditional authorisations for Pymble, Gordon, Lindfield and Roseville did not require Council to rezone all areas within a specified radius of the centres.

The assessment contains insufficient detail for Council to consider a response to some matters, in that:

- there is no identification as to what "superfluous controls" are claimed to be included in the draft instruments.
- There is no explanation of basis on which stagnation between May and July 2006 is claimed, or what is meant by "stagnation".

The assessment fails to consider critical information relevant to the assessment of Council's performance; in particular the facts that:

- the North Subregional Plan has not been made;
- the Department made amendments to the Standard LEP template during the development of the draft LEP.

# Stagnation of the process between 9 May 2006 and 10 July 2006

Council's approach to the town centre planning process has been timely and orderly throughout. There is no evidence of stagnation in the planning process during the above period, nor has the Minister detailed what constitutes stagnation. In accordance with good practice, planning for the town centres was undertaken in a two stage process, land use planning first, followed by the preparation of the formal LEPs and DCPs for each centre, each of which was required to be consistent with the Draft and Final NSW Standard Order LEP template.

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During the period between 9 May and 10 July 2006 Council was working on the land use planning stage for St Ives, Gordon and Pymble. This included a team of Council staff working with a number of consultants who were employed during this period to help develop the strategies on which the LEP/DCPs are based.

In addition, Council meetings were held to discuss the Lindfield and Roseville Centres within this period.

For the purpose of illustration, the following table lists work undertaken in this period for just one of the six centres, namely Gordon. Some of the activities listed as May-July were ongoing activities that started prior to May or were completed after June.

Date - 2006	Activity
May	Section 54 Notification advice (Gordon) sent to DoP.
26 May	Meeting with Gordon business owners/landowners.
May/June/July	Received submissions from a number of owners/developers.
May - June	Urban Design Consultants working on Gordon centre, and liaison with Council staff – also with traffic consultants (through Council).
May	Meeting with Department of Planning re town centre planning generally.
May	Consultant working on Developer Contributions strategy.
May	Consultant engaged and started work on Gordon Bus Interchange and surrounds.
May	Consultants submit heritage report.
May- June	Consultants undertaking Gordon Town Centre Economic Feasibility Study – and discussions with Council staff.
May - June	Ongoing liaison with heritage consultants Engaged consultant to undertake further research on heritage value of 2 sites.
May- June	Council engages consultant for Gordon traffic and parking study.
14 June	Consultant presentation of Gordon traffic summary report to Council's Planning Committee.
June	Preparation of materials for Section 62 consultation for Gordon.
June	Discussions between consultant and Council's engineer re parking for Gordon.

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Date - 2006	Activity
27 June	Council resolved its position for discussion with Hornsby Council regarding sharing of dwelling and employment targets under the Northern subregion component of the Metropolitan Strategy.
end June	Meeting with DoP re town centre planning generally.
early July	Consideration of further submissions received from owners in Gordon.
early July	Statistics on route costs for Gordon sought and received from traffic consultants for consideration by Council staff.

# Inability of the Council to properly identify land to which the LEPs should relate

Council clearly identified the areas to which the plans apply and these areas were wholly consistent with the detailed and prescriptive Minister's Section 55 direction issued in 2004. Additional areas were included under the broader Metropolitan Strategy guidelines.

The conditional authorisations for delegation issued by the department for the Pymble, Gordon, Lindfield and Roseville centres required Council to either demonstrate the achievement of yields under the Metropolitan Strategy *or* consider rezoning other areas within a specified radius of the respective centres. Council chose to pursue the former and indicated this to the Department.

An attempt to broaden the areas was made via an Interface planning process but this was rejected by the Department. The remaining areas outside the town centres plan areas were identified for planning controls under the Ku-ring-gai Principal /Comprehensive LEP process as adopted by Council on 24 April 2007. The Ku-ring-gai Town Centres LEP set the framework for including the remaining areas.

The Department of Planning indicated in March 2006 that a subregional plan for the Sydney North Ku-ring-gai Hornsby LGA would be exhibited by July 2006. To date, this has not been exhibited and has contributed to the uncertainty regarding the role and function of the centres for strategic planning. Due to the resultant deficiency in the level of detail required to ascertain the roles and zoning boundaries of the centres, Council has had to rely on the specifics of the Section 55 direction and later overlay the less specific Sydney Metropolitan Strategy in which the roles and scales of the centres are not adequately defined.

# Extensive non-statutory exhibition and consultation periods

Council has sought to undertake the planning of the centres in a timely and competent manner, including a consultation process that did not affect the agreed time line for the completion of the plans. Council undertook two stages of consultation, in line with the adopted stages of planning for the centres. The first stage was for the research and strategy preparation of the centre land use plans. This stage allowed many potential issues to be identified early and resolved prior to the development of the draft LEP. This action was clearly in line with the public interest in consultation embodied in the Act and is a common process for major plans in many Council areas.

Indeed, submissions throughout the process indicated the importance of such early consultation, both for resolving issues prior to the development of statutory plans and to ensure that the

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community can have effective input into the process. Timely resolution of issues in this manner has helped to avoid delays. The process has not affected the timeline for delivery of the Draft LEP or DCPs, as the Section 68 submission was completed in the time agreed. It may be noted that this issue was never raised by the Department at the land use planning stage.

Some state agencies were consulted but did not respond or did not respond until after the entire project was finalised, almost 18 months since first requested to provide input into the plans. For example a response to a request to the Heritage Office on 28 December 2005 was not received until 13 June 2007.

Stage 2 of the consultation for the draft LEPs and DCPs was in line with the statutory requirements. Nevertheless, some community submissions claimed Council had not undertaken sufficient consultation. The Department, against its own policies, advised that Council has consulted too extensively. Council has taken a reasonable course between community expectations, the early resolution of problems in a timely manner, and the Department's expectations, as communicated at the time.

# *Inclusion of inappropriate controls within the draft LEPs resulting in a need for conditional authorisations for delegation and conditional section 65 certificates to be issued*

Council developed controls in accordance with the Standard LEP Instrument and met the requirements of the Section 65 Certificates.

The Department of Planning issued conditional Section 65 Certificates for the St Ives and Turramurra Town Centre plans but gave Council conditional authorisations for delegation for the plans for the other 4 centres. It is noted that the Standard Instrument provides for Councils to able to include local provisions. The draft Town Centres LEP now contains very few local provisions as the most significant local provisions proposed by Council were relocated to the DCP in 2006, in accordance with the Department's request. As stated in the report to the Council meeting of 14 August (Attachment 3) (of which the Department has previously a copy) responding to the Department's letter of 4 July:

- 1. The local provisions are in accordance with the Section 55 Direction requiring the DLEP to be consistent with LEP 194 provisions. These provisions are consistent with the advices of the DoP at its workshop held on 16 May 2007.
- 2. Provisions regarding Deep Soil, which were included in LEP 194 have been relocated to the DCP in 2006, in accordance with the Department's requirements.
- 3. The remaining local provisions provide incentives to increase overall yield. Pages 355 and 356 of the 14 August report contain the details.

# *Failure to provide early indication of development yields and inclusion of superfluous controls in the draft instruments.*

Council has satisfactorily addressed the issue of yields in the absence of any Department of Planning guidelines or methodology on the determination and calculation of yields. Council provided its yields and calculation methodologies to the Department of Planning at least since 12 October 2005, initially for RDS stage 1, then for LEP 194, LEP 200, SEPP 53 sites and indicative Town centre yields.

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Ku-ring-gai is one of the first LGAs to sign off on the housing targets under the Metropolitan Strategy. Council is confident that it can achieve the agreed 10,000 dwellings under LEP 194, LEP 200, the Town Centre plans and the Principal LEP.

It is noted that the Minister's letter appears to exclude LEP 194 and LEP 200 from the calculations. The Department has never previously raised this as an issue. It has always been understood that the Metropolitan Strategy dwelling targets are from a 2004 base, which results in LEP 194 and 200 yields counting towards the total dwelling yield. It is noted that the Department has directed that the employment yield be counted from 2001 to 2031. Additionally, significant contributions towards Council's dwelling targets will occur through seniors developments, SEPP53, subdivision and, should the Minister approve any Part 3A applications.

The issue of the inclusion of local provisions has been addressed above. However, the assessment does not say what controls are viewed as "superfluous". Accordingly, Council cannot further address this issue.

# Failure to manage the process of reclassification of Council land effectively

Council's performance on this matter has been satisfactory. Council has spent significant resources to in an attempt establish and follow a correct process for reclassification and to meet its obligations for sound financial management of publicly owned land.

Whilst acknowledging there has been a technical issue raised the timing of the public hearing and the reclassification Plan-making process, it must also be acknowledged that the reclassification process is complex and covers two separate Acts; the NSW Local Government Act, 1993 and the Environmental Planning and Assessment Act, 1979 and the associated regulations. Council's approach was in accordance with its understanding of the requirements under the Act and past practice of Councils. Council has since sought its own legal advice.

Neither the Department of Planning nor the Department of Local Government have clearly articulated the method for the timing of a public hearing in the reclassification process, either in the legislation or the formal DLG Practice notes to guide Councils. For all Councils across NSW this matter remains unclear but could call into question the validity of a series of land reclassifications across the state. Council has spent significant resources to in an attempt to establish and follow the correct process for reclassification.

# Failure to manage the reclassification of Council land in a timely manner.

Council has performed in a satisfactory and responsible manner in relation to the timing of the reclassification of Council owned land.

As Council is a significant land owner in all centres and has, in accordance with the legislation, conducted formal independent public hearings for each centre. The reclassification process and timelines have been considered and adopted by Council.

Council considered the independent chairperson's recommendations for each of the 5 relevant centres, and in the public interest acted upon the delivery of the key recommendations from the public hearings.

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This process upholds the public interest and good planning and to provide certainty to the public and to effectively and responsibly manage public land as required under the Local Government Act

A failure by Council to properly take into account the findings and recommendations of the independent chairpersons' reports would have led to uncertainty for Council, community and the Department and the possibility of a legal challenge. Council's letter to the Department of 11 July 2007 requested advice on solutions to addressing the issues associated with the reclassification process. To date Council has received no reply from the Department.

# Summary

The Department has endorsed the timeline for the Town Centres planning process and has not previously objected to the timeframe. The timeframe was quite short for the significant amount of work to be done in a comprehensive and professional manner, including consultation with the relevant stage agencies and the community. In an LGA that has not had any significant changes to its major planning documents for the town centres since 1971, it is obvious that the LEP for such important areas are of the scale of a significant Principal LEPs. While the time taken to draw up the plans is important, the outcomes and the accountability of the process are arguably more important.

#### Minister's assessment under the head of consideration

Town Centre DCP

*The Department notes that the DCP was made in November 2006 with subsequent amendments in May and August 2007. The DCP is not yet operational.* 

The Department advised the Council in October 2006 that the Town Centres DCP purports to restrict development otherwise allowed under the LEP thereby decreasing yield. The Department has also advised the Council that the DCP included land not within the draft LEP area.

At the time of the Department's advice these matters were well known to the Council. The Department had previously advised the Council of similar restrictions in relation to DCP 55 (see below). On 20 June 2007 the Council advised the Department that the Town Centres DCP would be amended to remove the land not within the draft LEP however there is no commitment to amend the Town Centres DCP to remove restrictions and controls that will inhibit the development potential allowed under the draft LEP.

*The Town Centres DCP, while made is not in a satisfactory form given the detailed advice from the Department to the Council in October 2006.* 

# **Council response**

The assessment is based on incorrect information:

- It is not the case that the DCP is not operational because of delays in making amendments to the DCP.
- That the DCP does not restrict yield otherwise allowed by the LEP.

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The assessment includes claims that are not relevant to this head of consideration:

- Controls in the DCP said to restrict development allowed under the LEP are not in any event relevant to timelines.
- Inclusion of land in the DCP that is not covered by the Draft LEP, has not had any effect on timelines.
- Council's claimed lack of commitment to amend the DCP is not in itself relevant to timelines.

Council's process has been consistent, fair and accountable and demonstrates that the Town Centres DCP does not restrict development in a way that is inconsistent with the Draft LEP. Further, amendments in response to issues raised by the Department were delivered in a timely manner as evidenced by the amendments of May and August 2007.

The issue of perceived restrictions has been considered on a number of occasions. It was addressed in the Section 68 submission in December 2006 and in meetings with Departmental officers. Most recently, in response to the Department's letter of 4 July, further amendments were adopted at the Council meeting of 14 August (**Attachment 3**). Pages 287, 289, 315,321, 326, 332 and Attachment 12 of the business paper report address the issue in detail.

Experienced urban design professionals employed at Ku-ring-gai Council have outlined and demonstrated, that where FSRs are applied generally to a broad area, without any consideration of the site specifics, they may often not be achievable in conjunction with other LEP or DCP controls. The KPSO is a case in point. Most of Ku-ring-gai retail areas provide blanket retail FSRs of 1:1. In reality these FSRs have not been achieved on sites that are fully developed. To avoid this, Council used an integrated and iterative process to develop the built form and LEP controls, including input by urban designers, engineers, economic feasibility consultants, planners, the community and developers. The process included testing for the major sites to ensure that the FSRs in the draft LEP are achievable. Council has received compliments from developers about the resultant certainty of this process and indeed there are a number of developers, including some holding major sites, who are well underway with their plans under the Draft LEP and eagerly awaiting gazettal.

Sites include:

Lindfield	Precinct A – Main site, Tryon Road. Precinct E – Coles site, Pacific Highway. Precinct F – some sites.
Gordon	Precinct B - 5,000sqm site. Precinct J - Henry Street portion.
Pymble	Precinct A - central sites Grandview Parade.
Turramurra	Precinct B - a number of sites, Pacific Highway.
St Ives	Precinct A - 208-210 Mona Vale Road. Precinct E - Mona Vale Road / Killeaton Street / Link Road triangle. Precinct G – Commonwealth Bank training centre. Precinct B – corner Shinfield Avenue and Mona Vale Road.

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The Department has not provided any expert testing to dispute the analysis of Council's consultants, who are skilled and experienced in these matters.

While the inclusion of land not within the Draft LEP area was consistent with the methodology used by the Department in its planning for the targeted sites in Ku-ring-gai under SEPP 53, Council resolved on 8 May 2007 to make an amendment to the DCP to remove this land as required by the Department. The Department has been supplied with a copy of the amended DCP.

The fact that the DCP is not yet operational is raised as an issue, however, it is only the delay in the gazettal of the LEP which continues to result in the DCP not being operational, as the DCP is only relevant to land covered by the Town Centres LEP.

# Minister's assessment under the head of consideration

B. <u>DCP 55</u> – Railway/Pacific Highway corridor and St Ives Centre

*DCP 55 contains provisions which are inconsistent with LEP 194 and which overly restrict development allowed under the LEP. The Council responded to these claims in October 2005. In February 2006 the Minister requested the Council to remove provisions of DCP 55 that are not compatible with LEP 194 by 31 March 2006.* 

By May 2006 the Council had advised the Department that DCP 55 had been amended but only to remove requirements that are inconsistent with BASIX. The Council acknowledges the inconsistency between LEP 194 and DCP 55 in relation to set backs and FSR requirements. However, the Council has not committed to make the changes to the DCP that were requested by the Minister in February 2006.

*Again, the Council's inclusion of inappropriate controls in DCP 55 are still in place and there has been an unwillingness to amend it.* 

# **Council response**

The assessment fails to consider the following matters relevant to the assessment of Council's performance:

- The fact that, in the event of any inconsistency between the LEP 194 and the DCP 55, the LEP prevails.
- That in the short time since the gazettal of LEP 194 and LEP 200 and the adoption of DCP 55, a large number of applications have received approval resulting in the LGA having the second highest level of approved construction development in NSW, second only to the City of Sydney.

A very high percentage of DAs approved by Council substantially comply with the DCP controls. A large majority of applicants have raised no issue with any potential of the DCP to overly contradict development allowed under LEP 194.

It is noted that the vast majority of DAs under LEP194 and LEP200 have complied with FSRs and setbacks, and variations are possible as they are included within the DCP.

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Evidence of this is provided by the fact that over 3,000 apartments have been approved to date and, under the plan, \$1.7 billion worth of construction is taking place, the second highest level of construction in Sydney. Land and Environment Court appeals have not found any significant inconsistency between DCP55 and LEP194. No substantive information or verification for any individual DA has been provided by the Department of Planning to support the claim of inconsistency.

In any event, inconsistency is not included under the heads of consideration under the Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007.

# Minister's assessment under the head of consideration

# C. <u>Dual Occupancy</u>

The Council has long sought an exemption from SEPP 53 in relation to dual occupancy development. The Minister has been reluctant to progress any exemption due to the Council's poor record when dealing with dual occupancy DAs (many are determined by the Court) and the Council's inability to undertake strategic planning to address how housing choice will be delivered in the area.

In February 2006, the Minister requested the Council to formulate an alternative approach to the dual occupancy requirements of SEPP 53 and the Council acknowledged this request. The Minister was not prescriptive as to how the Council could formulate its alternative approach. However it was not until March 2007 that the Council advised that it had begun work on formulating an alternative approach.

The Department advised the Council in May 2007 that any LEP addressing dual occupancy requirements would need to ensure housing choice including forms of integrated housing. If such an LEP did not address the requirements for integrated housing, it may not qualify the Council for a full exemption under SEPP 53.

The Council has taken too long to provide an alternative approach to SEPP 53. In February 2007 the Council stated that it would not progress this matter until the comprehensive LEP work is underway. The Council's inability to formulate appropriate controls in a strategic context has led to an unacceptable delay in formulating and implementing appropriate dual occupancy controls for the area. The Department is concerned that Council's resources are being unnecessarily diverted with a potential for replication of work, at a time when the Council should be focusing on the Town Centres LEP and the comprehensive LEP.

# **Council response**

The assessment relies on erroneous information:

• Schedule 2 of SEPP53, which relates to integrated housing, does not apply to any land in the state and therefore Council does not require an exemption in this matter.

The assessment should also have considered the fact:

• That the Department has significantly changed the extent and nature of the proposals that Council is required to meet to achieve the exemption;

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The assessment is not sufficiently clear to enable Council to understand and respond:

- The Minister states that "The Department [not the Minister] is concerned that Council's resources are being unnecessarily diverted with a potential for replication of work, at a time when the Council should be focusing on the Town centres LEP and the comprehensive LEP." He also states that "Council's inability to formulate appropriate controls in a strategic context has led to an unacceptable delay in formulating and implementing appropriate dual occupancy controls for the area". The inconsistency of these two statements, leads to significant ambiguity.
- If it is claimed that Council is using resources inappropriately such a claim is inconsistent with 4(e), where the assessment concedes that Council's procedures and resources which support the administration of planning and development matters is satisfactory. In any event, the relevance of such a matter to this head is unclear.

In recent years Council has consistently sought to comply with all of the Department's requirements in order to gain exemption to SEPP 53. The Department of Planning advised Council that exemption from SEPP 53 would be granted on completion of the planning undertaken for LEP 194. When this was completed, the Department advised that exemption would not be granted until the Town Centres Planning was completed. Over the last year, Council was advised to include controls for Dual Occupancies within the Ku-ring-gai Planning Scheme Ordinance (KPSO) in order to gain exemption. Council had not progressed far along this path, due to the need to concentrate on the Town Centre Planning process, when the Department advised that exemption would not be granted until an additional component of housing, namely integrated housing, was to be included within the KPSO. The Department did not specify when Council was to formulate such an approach, or what approach was to be taken.

The work needed to undertake the land-use planning for the consideration of integrated housing is a substantial policy change and is more appropriately carried out as part of the strategic planning for the Principal LEP, and will be undertaken as part of that process. It is unreasonable to make claims against Council's actions and for delays in gaining exemption from SEPP 53, when the Department has significantly changed the extent and nature of the measures that Council is required to take.

# (b)(iii) Classes of exempt and complying development

# Minister's assessment under the head of consideration

The Council has drafted overly complex exempt and complying development provisions relating to the Town Centres LEP. In some circumstances the provisions are inconsistent with SEPP 4 and contain requirements that overly restrict the exempt and complying development categories.

The Department has requested the Council on a number of occasions to revise the categories of exempt and complying development, most recently, the Department wrote to the council in April 2007 providing extensive feedback on the categories of exempt and complying development.

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The Council has not provided the Department with any clear time frame for settling the categories of exempt and complying development and this is unacceptable given that this process ought to be concurrent with and be finalised with the draft LEP and DCP.

# Council response

The assessment is based on incorrect information in that:

- The provisions for Exempt and Complying Development are consistent with SEPP 4, as outlined in the report to Council of 14 August and previously provided to the Department.
- Council has provided the Department with a complete update of all the controls in relation to Exempt and Complying Development in early October. These included proposed changes in response to the Department's letter of 4 July, as detailed at Council's meeting of 14 August.

The claim that the provisions are inconsistent with SEPP 4 is inconsistent with the statement under clause 4(f)(i) that Council's performance in relation to SEPPs is satisfactory.

Council's performance in this regard is satisfactory. The Exempt and Complying Sections of the LEP have been resolved with the exception of a couple of minor sections.

The Department has previously highlighted a number of detailed issues, which were addressed in May 2007 and further at pages 295, 355 and Attachment 2 (from page 361) in the report to the Council meeting of 14 August 2007, which was submitted to the Department in response to its letter of 4 July. The proposed changes were adopted by the Council in response to the Department's issues. On the request of the Department, an updated version of Draft Schedules 2 and 3 was submitted to the Department in mid October 2007.

# (b)(iv) Council's response to public submissions on all draft LEP or DCPs

# Minister's assessment under the head of consideration

The Department is aware of and has received a number of submissions from members of the public in relation to the Town Centres LEP and DCP. The submissions generally express concern about whether the proposed development standards in the draft LEP and provisions of the DCP will act as a disincentive to the orderly and economic development of land, given the restrictive nature of the provisions and the proposed listing of heritage sites.

*It is evident from the draft plans submitted in December 2006 including the proposal to list 14 more heritage items in the area, that the Council has not responded adequately to the public submissions in relation to these draft instruments.* 

# Council response

The assessment fails to provide adequate information for Council to respond on this:

• Council has not been provided with copies of the submissions to which the Minister refers, or information as to their contexts.

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The Minister's assessment fails to consider matters relevant to the assessment of Council's performance:

- An adequate response to submissions cannot necessarily entail adopting all the suggestions made by the public;
- Council provided a detailed response to every submission and adopted a number of amendments in response to the submissions. These were provided to the provided to the Department at the appropriate time.
- Neither the Minister nor the Department have submitted any evidence of site testing to support the claim that the provisions provide a disincentive to orderly and economic development;
- Council has repeatedly provided evidence that the process was designed to ensure that development under the LEP would be achievable under the built form controls in the DCP;
- Council has made amendments in response to public submissions and to the Department, to provide increased flexibility within the DCP to allow developers to use alternate methods of achieving development under the LEP.

Council has undertaken an appropriate and accountable process in line with the requirements of the Environmental Planning and Assessment Act in its response to public submissions and is proud of its record in this regard.

Council received 587 submissions on the Town Centre draft LEPs and DCPs, which raised dozens of issues ranging from traffic and transport to character and amenity, from environmental or heritage concerns to property values, from built form to lack of consultation. All issues were considered carefully, as evidenced by the detailed response in the Council reports submitted to the Department as part of the Section 68 submission, and by the amendments made as a result of the submissions.

Pages 290, 318 and 332 of the Council report of 14 August 2007 addressed the issues in regard to the additional heritage items in detail. The few additional heritage items should be viewed in perspective, as a very small number of sites, many with significant existing constraints, against the much larger number of sites within the Town Centres LEP. Further, Part 5 of the Heritage Act is of relevance to the consideration of these items and overrides the Environmental Planning and Assessment Act.

In a small minority of submissions, issues were raised in regard to the commercial viability of specific FSRs, built form controls or heritage. Submissions were referred to the Council's economic consultant to review feasibility, and to Council's urban designers, and heritage consultant and, where appropriate, amendments were made.

# (c) (i) Time to assess development and modification applications:

# Minister's assessment

*The Council was among the highest 20 councils for median development application determination times in the past 3 years being 2003-2004, 2004-2005 and 2005-2006.* 

*The Council's processing time for development applications under LEP 194, while it is reducing, is still considered to be inappropriately high. The Council advised in February 2006* 

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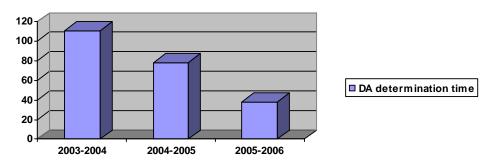
*that the gross mean processing time for development applications under LEP 194 was 159 days.* 

The Minister wrote to the Council in February 2006 advising that the processing of development applications under LEP 194 is unsatisfactory, that the number of development applications outstanding was too high and that the refusal rate was too high.

From data provided by the Council between March 2006 and March 2007 an additional 793 residential units were approved under LEP 194 in that 12 month period. However in those 12 months the number of development applications outstanding remains steady between 8 and 12 with no net reductions.

# **Council response**

In 2003-2004, Council had a median DA determination time of 111 days. In 2005-2006 this was reduced to 42 median gross determination days and 38 median net determination days. This represents a 66% improvement in assessment times, an improvement that is not matched by any other Council in NSW. In addition, in the *NSW Local Government performance Monitoring:2005-06 report*, Ku-ring-gai's performance surpassed that of 20 other Greater Sydney metropolitan Council's.



Since, February 2006, Council's mean gross processing times (NB. this does not include stop the clock time) for LEP 194 development applications has reduced from the stated 159 days to 74 days. Considering the complexity involved in the assessment of these applications, the time frames incurred are not unreasonable given the amendments that occur to the applications during assessment, the extent of public consultation and the positive outcomes that are achieved in the approved applications.

It will always be the case that if development applications are being lodged, there will be applications in Council's system that are currently undetermined. It is therefore, unrealistic and unfair to criticise Council for having a certain proportion of applications on hand. The figure of 8-12 applications on hand referred to in the Minister's letter, in of itself is a meaningless statistic. It must be considered in the context of the fact that the vast proportion (90%) of all LEP 194 applications lodged to date, have been determined.

The 8-12 applications on hand represents a small proportion of applications lodged and in the context of the vast proportion approved to date would suggest that the apparent criticism of Council has no validity.

A small number of applications currently under assessment bears little relevance to the performance of Council against its Part 4 functions.

# (c)(ii) Percentage of development and modification applications determined under delegation

# Minister's assessment

*For the period 2005-2006 the percentage of development applications determined under delegation was 97.46% for a total of 1651 applications.* 

# **Council response**

The number of applications determined by Council is in excess of the average for NSW Council being 94.7% of applications determined under staff delegation.

# (c)(vii) Number and outcome of s.82A reviews

# Minister's assessment

*In 2005-2006 an estimated 24 section 82A reviews resulted in development consent being granted, 1 review resulted in no change to the original determination and 4 reviews resulted in the original conditions of consent being varied.* 

# Council response

For 2005-2006 a total of 24 section 82A applications requesting Council to review its determination were lodged. In accordance with the provisions of the Environmental Planning and Assessment Act 1979 that allow for amendments to be made, 87% of the review applications were amended from the originally refused DAs in order to address Council's reasons for refusal. These applications as amended were reviewed and approved. A further 9% of applications were originally refused due to inadequate information being lodged by the applicant in accordance with the Environmental Planning and Assessment Regulation 2000. The subsequent s.82A applications contained the required level of information and were approved.

Only once did Council receive a request for a review where the application remained identical to the original DA that was refused. Council in its review maintained its position and refused the 82A application.

Council's processing and determination of the s.82A applications was in accordance with the Act, to the extent that s.82A is used to allow a Council to review and change its original decision based on further information, amended plans or a review by a higher level of delegation.

# (d) The number, cost or nature of legal proceedings or orders issued under section 121B of the Act concerning planning and development matters and how a council exercises its functions to ensure conditions of development consent are complied with.

#### Minister's assessment

The Council has incurred consistently high legal costs. The Council is also unsuccessful in a large number of cases in the Land and Environment Court.

*In the period 2005-2006, Council's legal costs amounted to \$1,025,519. There were 49 appeals and 89.90% of the appeals were upheld in favour of the applicant.* 

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*In the 2006-2007 financial year, Council has reported legal costs of \$970,000 and 39 appeals. 37 of these appeals were reported to have been received by 31 March 2007. Of the 37 appeals in the first three quarters of 2006/2007, 19 were in relation to deemed refusal of an application.* 

In relation to the nature of legal proceedings, of concern is the example of Charalambous v Ku-ring-gal Council regarding 49 Westbrook Avenue, Wahroonga. Council imposed a DA condition (determined 11.12.06) requiring a landscaping bond and refused a s96 application to delete this condition. The Court found such bonds were outside the scope of those which may be lawfully imposed under the Act. Council had previously imposed a similar landscape bond condition on a DA granted on 14 September 2006 at 47 Westbrook Avenue, Wahroonga.

While it is acknowledged that the Council has achieved a reduction in its legal expenses for proceedings in the Land and Environment Court, the Council continues to incur high legal costs. This is primarily related to overly restrictive development provisions and DAs in relation to dual occupancy development, both matters the Council has had the opportunity to rectify.

# **Council response**

It is asserted that Council's legal costs are high. The number and costs of legal proceedings will necessarily be greatly influenced by the number of development applications received and determined. Information published by the Department indicates that Council has the second largest level of development approved in NSW after the City of Sydney. In view of this it might be expected that the number of appeals and consequently costs would be higher than many Councils. Notwithstanding this, the current trend in the number of appeals and costs has been downward in recent years.

It is asserted that Council is unsuccessful in a large number of cases in the Land and Environment Court. Similarly to the discussion in relation to Section 82A applications above, it is Council's experience that a large number of appeals reach an outcome where a development is approved after the proposal has been modified to satisfy Council's issues. Council regards such outcomes as successful and in the public interest because they result in development with an improved environmental outcome. If Council's success rate was assessed taking this into account, Council is successful in approximately three quarters of all appeals.

In relation to Charalambous v Ku-ring-gai Council, in that appeal, a preliminary question of law was determined by the Court in relation to the imposition of bonds. This was not a question that had previously been argued before and decided by the Court, and there had been an inconsistent approach by Commissioners of the Court. As a result of the Court's decision, the uncertainty surrounding this question has been resolved and Council has discontinued the practice of imposing landscape bonds. It may be noted that the underlying development applications for both 47 and 49 Westbrook Avenue were both originally approved by Council staff under delegated authority, not at a meeting of Council.

# (f) (ii) Endorsed strategies and policies, planning and development matters

# Minister's assessment under the head of consideration

The department requested the Council to address outstanding issues associated with the town centres LEP in correspondence and meetings prior to council providing its s68 submission to the department in late December 2006. Many of the substantial matters

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raised in 2006 have not been addressed and were raised again in correspondence from the department to council including by letter dated 4 July 2007.

The Council has nominated sites in the town centres LEP for FSRs either the same or potentially less than is currently available. The yields provided by the council are unrealistic given the restrictive standards proposed in the LEP and DCP. The Department has sought a removal of these restrictions in order to realise the potential yields and has sought from the council a more realistic estimate of yields.

# **Council response**

The assessment is based on incorrect information in that:

• Council has addressed the matters raised by the Department, in its Section 68 submission, through the amendments made at the 8 May Council meeting, and further in its response to the letter of 4 July, at its Ordinary Meeting of 14 August 2007, previously reported to the Department.

The assessment fails to consider important relevant information namely:

- The fact that the Department has never coherently discussed with Council the merits or otherwise of the substance of Council's responses and submissions to the Department, by providing worked examples and ways to resolve the issues;
- The fact that neither the Minister nor the Department have submitted any evidence of site testing to support the claim that the provisions provide a disincentive to orderly and economic development;
- That fact that Council has repeatedly provided evidence that its process was designed to ensure that development potential under the LEP would be achievable under the built form controls in the DCP;
- The fact that Council has made amendments in response to public submissions and to the Department, to provide increased flexibility within the DCP to allow developers to use alternate methods of achieving development under the LEP;
- The fact that the Department has no endorsed method for estimating yields.

Council has made significant changes to the plans throughout the process in response to issues raised by the Department's Regional Team, both before the Section 68 submission (December 2006) and again afterwards. During this process, Council had to make decisions in the face of differing advice to councils in regard to the standard LEP template from different sections of the Department. The Department did not make any formal response to Council's section 68 submission until 4 July 2007.

The Department's letter of 4 July 2007 raised many issues that had already been addressed within the section 68 submission of December 2006 and the adopted Draft LEP and DCP, and were therefore no longer "outstanding". This was outlined in the Council report of 14 August 2007, submitted to the Department, but unacknowledged within the Minister's letter. Where changes were not made, Council provided good planning reasons as justification. The Department did not acknowledge or discuss these reasons in its letter of 4 July 2007.

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At its meeting of 14 August 2007 Council nevertheless addressed both the previously resolved issues and new issues raised by the Department. A number of amendments have been proposed to address some of these issues. Council has not received any feedback on the specific aspects of the 14 August 2007 response. Council determined that an independent consultant would be employed, to consider a number of issues, where Council and the Department were unlikely to come to an agreement (**Attachment 4**). It was hoped that this would provide new light on these issues. Council has had difficulty, however, engaging a consultant able to undertake the task within the tight timeframe required, remains committed to utilising an independent expert to provide guidance to Council and the Department.

In relation to yields, the Department has failed to provide any guidance on the method of calculating yields. Given this deficiency, Council has provided a full account of its methods of estimating yields, including:

- the testing of built form controls;
- an assessment by expert consultants for economic feasibility;
- an assessment of the average dwelling size for LEP 194/200 sites;
- an assessment of the likely average dwelling size for town centres;
- the exclusion of sites that are unlikely to redevelop before 2031,
- and a further reduction as not all viable redevelopment opportunities will be taken up by 2031.

Given this assessment Council is confident it will meet the 10,000 dwelling target by 2031. However, at the meeting between Council and the Department of 5 September 2007, the Department did not accept Council's estimates, while still giving no guidance as to an acceptable method for estimating the yield. Council was requested to provide two scenarios:

- Scenario 1 Maximum dwelling yield assuming full redevelopment in accordance with draft Town Centre LEP and DCP.
- Scenario 2 Minimum dwelling yield excluding all sites currently strata titled, all sites considered unlikely to redevelop over the next 20 years and other sites where owners have indicated sites are not feasible or where DOP have indicated there is an issue.

The scenarios are to be accompanied by a written report and diagrams setting out all assumptions made under each scenario. Council is currently undertaking further work to provide these details.

In summary, Council has undertaken to address concerns raised by the Department at every reasonable opportunity. Council has also requested the opportunity to meet with the LEP panel to resolve outstanding issues. It is considered that the remaining unresolved issues can be dealt with appropriately through discussion with expert officers in the Department or on the LEP Panel. However, Council seeks assurance that the most up-to-date information provided by Council will be considered prior to any further discussion about unresolved issues.

# Minister's assessment under the head of consideration

The metropolitan strategy encourages urban consolidation through an appropriate mix of medium to high density residential, commercial and retail development. This is achieved through higher FSRs and less restrictive development controls to encourage a higher yield on development sites.

# **Council response**

The assessment fails to consider relevant information in particular the fact that:

• The North Subregional Plan was intended to be the "endorsed strategy" for the region, but has not yet been made.

The assessment is also based on incorrect information in that:

- The Metropolitan strategy does not specifically require "higher FSRs and less restrictive development controls to encourage a higher yield on development sites".
- The claim that Town Centre plans do not provide for increased FSRs and yields, and an appropriate mix of residential, commercial and retail development is incorrect.

Council has sought to provide for urban consolidation, by providing for a significant increase in retail, commercial and medium density residential development across 6 town centres in the absence of endorsed strategies and plans. The Department of Planning indicated in March 2006 that a subregional plan for the Sydney North Ku-ring-gai Hornsby LGA would be exhibited by July 2006. To date this has not been exhibited and has contributed to the uncertainty regarding the strategic planning for the centres. Due to the resultant lack in the level of detail Council has had to rely on the specifics of the Section 55 direction and overlay the less specific Sydney Metropolitan Strategy.

However, Ku-ring-gai is one of the first LGAs to sign off on the housing targets under the Metropolitan Strategy. Because of the careful testing of DCP controls and the current level of development under RDS1, Council is confident that it can achieve the agreed 10,000 dwellings under LEP 194, 200 and the Town Centre LEP and DCP and the Principal LEP.

Overall, the retail/commercial floor space area would increase by about 40%. On purely residential sites the FSRs are consistent with LEP 194 as per the Section 55 direction, while on mixed use sites, the FSRs for residential development will provide for significant increase in residential development within urban areas close to transport and services.

This issue was addressed at length at the Council meeting of 14 August 2007. Pages 286, 317, 332, 330 and Attachment 10 of the report to the Council meeting of 14 August 2007, which was submitted to the Department in response to its letter of 4 July 2007 are in particular relevant. The issue of restrictive standards is considered under Town Centres LEP and DCP in this report.

In summary, in most cases the retail/commercial FSR has been increased, while residential yields are significantly higher. Council has been careful not to provide retail FSRs on smaller sites that would only be achievable over 2 storeys, as this would not be commercially viable on such sites.

# Minister's assessment under the head of consideration

A preliminary estimate by the Department identifies that even with relaxation of standards, it is unlikely that St Ives would reach 62% of Council's estimates. This percentage includes sites already counted for in LEP 194 and assumes full take up on the sites included in the LEP. That estimate is therefore conservative.

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For these reasons, the Council has failed to implement endorsed strategies for urban consolidation through the drafting of the Town Centres LEP and DCP.

# **Council response**

The assessment fails to provide information needed for Council to respond, in particular:

• The basis of the estimate site testing or other information to support the claim of 62% being unlikely to be reached.

That LEP 194 and LEP 200 have never previously been excluded from the calculations by the Department in its communications with Council.

Although the Department has not advised of this estimate previously, the issue of yield estimates in St Ives was addressed at the Council meeting of 14 August 2007. Pages 301, 329 and 407 of the report to the Council meeting of 14 August 2007, submitted to the Department in response to its letter of 4 July 2007 contains the details of Council's justification for its assessment of the FSRs that are achievable (see **Attachment 3**). The Department has not provided any evidence to support its estimate. As stated above, Council's estimates are based on extensive testing. Further clarification of 2 specific sites within St Ives will be provided to the Department shortly.

The Department has never previously excluded RDS 1 from the dwelling targets. It has always been understood that the Metropolitan Strategy dwelling targets are from a 2004 base, which results in LEP 194 and 200 yields counting towards the total dwelling yield. It is noted that the Department has directed that the employment yield be counted from 2001 to 2031.

# (f) (iii) Section 117 directions

# Minister's assessment

*In relation to the Town Centres LEP. it does not comply with the s117 directions for Business Zones (formerly Direction No 3) and Residential zones (No 21) in that the draft LEP may reduce the potential floor space area on sites in all 6 centres.* 

# **Council response**

The assessment is based on incorrect information:

- In light of Council's substantial compliance (at the very least), the minor variations in the Draft LEP would not constitute a breach of the Section 117 directions;
- The Section 117 Directions allow for the justification of variations. Council justified the variations in its Section 68 Submission and therefore cannot be in breach of the Directions.
- In Council's response to the 4 July 2007 correspondence from the Department, Council agreed to make the requested changes to the 2 sites, where variation was sought, should the Department disagree with Council's justification.

Council has substantially addressed the requirements of the Section 117 directions. There are very minor variations within the overall number of sites within the 6 town centres. Such minor variations could not give rise to a breach of the Directions.

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The floor space potential was addressed in Council's Section 68 submission and again at the Council meeting of 14 August 2007. Pages 292, 335 and 340 of the report to the Council meeting of 14 August 2007, submitted to the Department in response to its letter of 4 July contain the details.

It is noted that the Section 117 directions allow the justification of variations. Council has included justification for any variations to the relevant directions in its section 68 submission to the Department. Council has, however, indicated that it is prepared to rezone the subject sites if the Department requires it after consideration of the issues raised by Council in its justification. To put this into perspective, it is important to note that the variation only affects 2 sites across the 6 centres, a very minor portion. The Department is yet to provide any formal feedback on the assessment of the 2 sites where Council has sought to justify its departure from the directions.

The report also highlights the fact that the potential floor space will in fact be significantly increased across the 6 centres, both for commercial/retail uses and residential uses. For example, total retail floor space allowable under the proposed B2 and B4 zones across the centres has increased from 110,000 to 183,000m<sup>2</sup>, while commercial floor space has increased from 127,000 to 148,000m<sup>2</sup> a combined increase of 39.6%.

#### (j) Public Interest (both under part 3 & part 4 of the EPA Act)

#### Minister's assessment under the head of consideration

It is incumbent on all Sydney metropolitan Councils to achieve the targets set by the Metropolitan Strategy. Ku-ring-gal is identified as a major area of significance in the North subregion. By agreement with Hornsby Council, Ku-ring-gal Council will accommodate 10,000 more dwellings by 2031. The Town Centres LEP is a major step and tool for the Council to achieve this goal.

The Council is however hampering the progress of achieving these goals through a poorly managed rezoning process for the Town Centres LEP. There are also persistent issues with the determination and yield from DAs especially in relation to dual occupancies and medium to high density residential developments.

For those reasons, the Council's actions to date in relation to its functions under Part 3 and Part 4 of the Act have not been in the public interest. Matters which support that conclusion include:

#### Part 3 functions

- Lack of certainty to achieve the yields stipulated by Council given the restrictive controls proposed under the LEP and DCP.
- Inaccurate yield estimates as a result of restrictive controls or inclusion of yields previously counted from LEP 194 and LEP 200.
- Substantial delay in finalising the Town Centres LEP and DCP.
- Failure to provide a meaningful and workable alternative to SEPP 53 in relation to dual occupancies.
- Failure to take a strategic planning approach to the Town Centres including transport corridor considerations.
- Inadequate reasons for rezoning proposals which result in piecemeal rezoning and lack of buffers around high density sites.
- Confusion in the community through multiple LEP and DCP consultation processes.

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- Lack of certainty concerning the reclassification of Council land.
- Failure to comply with conditions attached to s65 certificates and delegation authorisations.
- Continual failure to address matters raised by the Minister and Department including requests to demonstrate the capacity to deliver the Metropolitan Strategy targets and to rezone more land around railway stations

#### **Council response**

In summary, Council has acted in the public interest throughout the town centres planning process. Council has met the agreed timeframes, while consulting the community in a coherent and accountable fashion. Council has taken a professional, strategic and integrated planning approach to the centres, including the testing of significant sites to ensure that the zoning and controls provide for an achievable yield in line with the requirements of the Section 55 direction, SEPP 65 and with the Metropolitan Strategy. The lack of a Subregional Plan has been a major frustration for Council in this process.

Council has complied with the Department's requirements in its town centre planning, in seeking SEPP 53 exemption and the reclassification process, where the requirements were clear and consistent.

#### Minister's assessment

#### Part 4 functions

- Long development assessment periods.
- *High level of refusals and low rate of approvals for dual occupancy and medium to high density residential development*

The Council's failure to exercise its functions under Parts **3** and 4 of the Act in an appropriate and efficient manner is contrary to the expectant level of diligence of a local government authority.

#### **Council Response**

The stated concerns with the Part 4 functions of Council are incorrect. It is asserted that Council is responsible for long assessment times. As indicated in the *NSW Local Government performance Monitoring:2005-06*, Ku-ring-gai Council achieved a median DA determination time of 38 days. This is below the statutory time frame for a deemed refusal as expressed in the Environmental Planning and Assessment Act 1979.

It is claimed that Council is responsible for a rate of refusals of dual occupancy and medium to high density developments. The facts indicate the opposite, 74% of all dual occupancy and medium to high density development applications determined by Council in the last financial year were approved.

It is noted that the vast proportion (93%) of all development applications lodged in the last financial year were approved by Council.

#### A way forward for Town Centre planning

Council has outlined that its performance in relation its plan making and assessment responsibilities under the EP&A Act is satisfactory. Strategic planning and development

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assessment functions should be retained by Council and the outstanding issues with the Ku-ringgai Town Centres LEP and DCP should be resolved through a co-operative and timely discourse between Council and the Department of Planning. The following is recommended to assist this process.

That Council and the Department jointly and in agreement appoint an independent expert planner to undertake and report back to the Minister the following matters. This approach reflects discussions Council staff and the Department had prior to the issue of the Minister's correspondence.

- 1. The outstanding LEP and DCP matters that were deferred by Council on 14 August 2007.
- 2. Retail floor space: an independent review of a separate report prepared by Council that includes the total available FSR for each centre assuming retail take up ie. assuming one storey of retail on smaller and up to 2 levels on larger sites.
- 3. For residential yields an independent review of the Councils position in relation to yield of two take up rate scenarios under the town centre plans:
  - a. Scenario 1 based on the DCP vision assuming full take up as per DCP vision.
  - b. Scenario 2 assuming the take up of only the most likely sites over 20 30 year removing sites unlikely to deliver yields including the strata title building, St Ives shopping village and Eden Brae St Ives.
- 4. Independent review of the feasibility of the residential yields for the St Ives Shopping Village.

# C. REASONS TO SUPPORT S74F DIRECTION IN RELATION TO TOWN CENTRES DCP

#### Minister's reasons

*The Department notes that the DCP was made in November 2006 with subsequent amendments in May and August 2007. The DCP is not yet operational.* 

The Department advised the Council in October 2006 that the Town Centres DCP purports to restrict development otherwise allowed under the LEP thereby decreasing yield. The Department has also advised the Council in February 2007 that the DCP included land not within the draft LEP area.

At the time of the Department's advice. these matters were well known to the Council. The Department had previously advised the Council of similar matters in relation to DCP 55 - Railway/Pacific Highway Corridor and St Ives Centre, which purports to restrict development under LEP 194.

*On 20 June 2007, some four months later, the Council advised the Department that the DCP would be amended to remove the land not within the draft LEP.* 

*The Council has provided no commitment to amend the DCP to remove restrictions and controls that will inhibit the development potential allowed under the draft LEP.* 

The Department is also concerned that the consultation and exhibition processes have

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created confusion in the community as there have been non-statutory consultation and exhibition periods

The DCP has been substantially delayed for a number of reasons including:

- Council undertaking non-statutory consultation and exhibition periods.
- The Council's inclusion of inappropriate controls in the DCP and the unwillingness to amend the DCP in accordance with requests from the Department.
- The lack of certainty as to the accuracy of the yields and how those yields can be achieved. This is due to the restrictive controls proposed under the DCP.
- The continual failure to address matters raised by the Minister and Department especially in relation to the removal of restrictive standards that inhibit an appropriate level of yield.

The Town Centres DCP, while made is not in a satisfactory form given the detailed advice from the Department to the Council in October 2006.

One of the important goals in finalising the Town Centres DCP is to assist in achieving housing targets in the Metropolitan Strategy. Undertaking the process in a way which the Council has adopted and the substantial resultant delays is not in the public interest. The Council's failure to exercise its functions under Parts 3 and 4 of the Act in an appropriate and efficient manner is contrary to the expectant level of diligence of a local government authority.

#### **Council response**

As detailed earlier in this report, the following should be noted:

- It is not the case that the DCP is not operational because of delays in making amendments to the DCP;
- It is not the case that the DCP restricts yield otherwise allowed by the LEP;
- It is not the case that the DCP purports to restrict development otherwise allowed under the LEP;
- It is not the case that there is a lack of certainty about the achievement of yields due to DCP controls;
- It is not the case that the consultation process resulted in delays in the making of the DCP, which prevented Council from meeting its agreed timeframe;
- It is not the case that the DCP will prevent the achievement of the housing targets agreed to under the Metropolitan Strategy.

The reasons are inconsistent with numerous facts including:

- The fact that Council's previous inclusion of land in the DCP that is not covered by the Draft LEP was provided as context only, and was consistent with the approach taken by the Minister in its planning for the targeted sites under SEPP 53.
- The fact that Council excluded this land from the DCP in response to the Department's request at the same time as making a number of other changes foreshadowed in Council's Section 68 submission, thus making the best use of Council's time and

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resources.

- The fact that Council has made a number of significant amendments to the DCP in response to public submissions and Departmental requests, including increasing the flexibility of the DCP controls in relation to providing for an appropriate response to the LEP controls.
- The fact that Council undertook a coherent and appropriate consultation process in line with the objectives of the EP&A Act.
- The fact that neither the Minister nor the Department have submitted any evidence of site testing to support the claim that the DCP provisions restrict development, or to enable Council to adequately consider such a claim.
- The fact that Council has repeatedly provided evidence that the process was designed to ensure that development under the LEP would be achievable under the built form controls in the DCP.
- The fact that Council has responded to every request from the Department.
- The fact that the Department has not discussed coherently with Council, the merits or otherwise of the substance of Council's responses and submissions to the Department, by providing worked examples of ways of resolving the issues.
- The fact that the Department has failed to provide any guidance on estimating yields.

In relation to the question of "the inclusion of inappropriate controls in the DCP", it is unclear what is meant by this and it is therefore not possible to comment further.

These issues were further considered in the section under Town Centres DCP within this report. Council believes that the DCP is in a satisfactory form to facilitate development and support good planning outcomes under the Town Centres LEP. The Department, to date, has not provided any specific detail or expert assessment to support their claims that the DCP restricts development under the LEP.

# CONSULTATION

This matter has been brought to the community's attention via the Mayoral Minute considered at the Ordinary Meeting of Council of 16 October 2007. The Minister's letter and the Mayor's press release have been added to Council's web site, an email advising of the Minsters letter has been sent to the group of resident / business in the Town Centre email group (4,000) group. A briefing was also been provided to Councillors on this matter on Tuesday 16 October 2007.

# FINANCIAL CONSIDERATIONS

Costs in preparing this report were covered by the Strategy Department Planning Budget.

There may be costs incurred by Council in the event that a planning panel is appointed. Details of these costs will need to be further researched in the event that a panel is appointed. Costs that Council may incur are fess for panel members, costs of administration and serving of the panel and associated staff time and resources.

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted in preparing and reviewing matters raised in relation to Planning for Ku-ring-gai. All Departments, where applicable, have been consulted in the preparation of this report.

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# SUMMARY

On 12 October, 2007 the Minister for Planning, Mr Frank Sartor, required Council to show cause why a planning panel should not be appointed for major planning functions of Council, or a direction made in relation to Section 74F of the EP&A Act.

Council has acted in a satisfactory, timely, professional and accountable manner in exercising its planning and development assessment functions.

While the lack of a subregional plan has hindered strategic planning, Council has ensured that the plans provide for yields and development types to support the strategic outcomes of the Metropolitan strategy and in accordance with the Section 55 Directions and Part 3 of the Environmental Planning and Assessment Act.

Council in its Part 4 functions continues to provide an excellent service to the community and applicants. The measures the Department raises in opposition clearly do not reflect the work currently being achieved at Council.

Council has acted with due diligence and in an appropriate and efficient manner in line with the requirements of the legislation and in the public interest. There is no cause to appoint a Planning Panel to undertake any of the planning functions of Council.

However, Council also seeks a speedy resolution of the outstanding town centre issues in the public interest. This report, in addition to addressing the Minister's assessment outlines a way forward that will ensure the strategic outcomes sought from the Town Centre LEPs can be delivered.

# RECOMMENDATION

- A. That Council reinforce its strenuous opposition to the appointment of a Planning Panel to Ku-ring-gai Council.
- B. That Council adopt the report as the basis of the response to the Minister for Planning's correspondence regarding the appointment of a Panel and a Section 74(F) Direction.
- C. That Council will forward a response to the Minister for Planning and request a meeting with the Minister prior to his making a determination on the matter.
- D. That the final submission be to the satisfaction of the Mayor and General Manager.

John McKee	Michael Miocic	Steven Head
General Manager	Director Development &	Director Strategy
	Regulation	

# Attachments: 1. Letter from Minister dated 12 October 2007 - 841430. 2. NSW Department of Planning Circular - 808939. 3. GB Item 13 Report to Council Meeting of 14 August 2007 - 811468. 4. Council resolution GB Item 12 of Council meeting 14 August 2007 - 814384. 5. Extract from Memorandum of Understanding - Planning Reform Fund Program, 11 November 2005 - 846125.





The Hon Frank Sartor MP

Minister for Planning Minister for Redfern Waterloo Minister for the Arts

NEW SOUTH WALES

1 2 OCT 2007

Y07/2133

Councillor Nick Ebbeck Mayor Ku-ring-gai Council Locked Bag 1056 PYMBLE NSW 2073

Dear Councillor Ebbeck

I am writing in relation to my ongoing communications with Council concerning strategic planning for the Ku-ring-gai local government area (LGA).

The LGA has been identified as an area of significance in the North subregion under the *Metropolitan Strategy: City of Cities* ('Metropolitan Strategy'). Appropriate strategic planning for the LGA is therefore imperative if the outcomes identified in the Metropolitan Strategy are to be successfully achieved.

You will be aware the Department has been working closely with Council for many years to ensure these strategic outcomes are achieved. While I acknowledge the more recent attempts of you as Mayor in seeking to resolve planning issues, I remain concerned that the actions taken by Council as a whole have not addressed the matters that have been repeatedly identified by myself, previous Ministers and the Department, particularly those related to various draft local environmental plans for the six town centre areas.

As a result of these concerns, I am currently giving consideration to the appointment of a planning panel under s.118 of the *Environmental Planning and* Assessment Act 1979 ('EP&A Act) to undertake the following council functions:

- (a) consent authority under Part 4 of the EP&A Act with respect to:
  - (i) development with an estimated cost of more than \$10 million;
  - development applications which have not been determined within 3 months of lodgement; and
  - (iii) s.82 determinations
- (b) local environmental plan making functions under Part 3 of the EP&A Act (in particular a principal LEP for the LGA, incorporating the six town centres).

A panel may be appointed under s.118(1)(b) of the EP&A Act where the performance of a council in dealing with planning and development matters is, in my opinion, unsatisfactory.

Before appointing a panel on this basis, I am to have regard to the heads of consideration contained in the *Environmental Planning and Assessment* 

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(Unsatisfactory Council Performance) Order 2007 which was made on 19 July 2007.

Before making a final decision in this instance, and for reasons of procedural fairness, I am writing to request Council to show cause why a panel should not be appointed under s.118(1)(b).

Attached at **Appendix 1** is a document outlining the areas where, I am advised, Council's performance against the heads of consideration has been unsatisfactory. I invite the Council to provide a written submission within **21 days** of the date of this letter responding to the areas of concern identified in Appendix 1.

I will consider the Council's written submission before making a final determination on whether a panel should be appointed in this instance.

The Department has also previously expressed concern in respect of the 'Ku-ringgai Town Centres Development Control Plan' ('DCP') made by the Council on 6 November 2006 (but not yet commenced) and proposed amendments to the DCP. The outstanding matters of concern in respect of the DCP are outlined at Appendix 2.

In the event that a panel is appointed, its terms of reference could not extend to matters related to DCPs as the EP&A Act does not provide for this. However, section 74F of the Act allows me to issue a direction to a council to make, amend or revoke a DCP. Councils are required to comply with such directions and failure to do so would allow me to make, amend or revoke a DCP directly.

I invite Council to provide a written response within **21 days** of the date of this letter showing cause why a s.74F direction should not be issued in this instance having regard to the matters identified in **Appendix 2**.

I would appreciate your urgent attention to these matters.

Yours sincerely

Frank Sartor

# Appendix 1

# Section 118(1)(b) – Appointment of Planning Administrator or Panel

"The Minister may appoint a planning administrator or a panel (or both) to exercise the functions of a council if the Minister is of the opinion that the performance of the council in dealing with planning and development matters (or any particular class of such matters) is unsatisfactory because of the manner in which the council has dealt with those matters, the time taken or in any other respect..."

Section 118(9) of the Environmental Planning and Assessment Act 1979 (the Act)

The Minister may appoint a planning administrator or a panel for a reason set out in subsection (1)(b) only if the Minister has, by order published in the Gazette, provided heads of consideration for the exercise of power under subsection (1)(b) and has taken those neads of consideration into account.

The Environmental Planning and Assessment (Unsatisfactory Council Performance Order) 2007 was gazetted on 20 July 2007. This order sets out the Heads of Consideration for the purposes of s. 118(9) of the Act.

#### Heads of Consideration

This review represents an assessment of the performance of Ku-ring-gai Council against the heads of consideration established in the *Environmental Planning and Assessment* (Unsatisfactory Council Performance Order) 2007.

- (a) The nature of any findings or recommendations as a result of a review, investigation or inquiry made by:
- (i) the New South Wales Ombudsman,
- (ii) the Department of Local Government,
- (iii) the Independent Commission Against Corruption, or
- (iv) a person or persons appointed by the Minister for Planning, or
- (v) the Minister for Local Government.

The Department of Planning (Department) is not currently aware of any report of the NSW Ombudsman, the Department of Local Government or the Independent Commission Against Corruption in the relation to the activities or functions of the Council. The Minister has not appointed a person to conduct a review, inquiry or investigation into the Council.

(b)	For LEPs and DCPs:
(i)	the number of local environmental plans a council determines to prepare under
	section 54 of the Act, publicly exhibits under section 66 of the Act or submits to the
	Director-General under section 68 of the Act which comprise minor amendments of
	a principal LEP or a spot rezoning,
(ii)	the time a council takes in exercising its functions in making LEPs or DCPs,

(iii) the nature and extent of the classes of development identified as exempt and complying development in LEPs and DCPs,
 (iv) How a council considers and responds to public submissions on draft LEPs and DCPs.

#### (i) Minor amendments or spot rezoning

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

#### (ii) <u>Time taken to make LEPs or DCPs</u>

#### A. Town Centres LEP

Council was directed on 27 May 2004 by the then Minister to prepare a draft LEP for areas in close proximity to the railway line and Pacific Highway and the St lives Centre. The process was to be completed within 12 months. Rather than non-compliance with the terms of the s55 direction, the concern here is the time taken for the Council to undertake its functions under Part 3 of the Act.

In December 2006, the Council provided draft plans for 6 town centres to the Department under s68 of the Act, however the draft plans were deficient in many respects. These include the failure to deliver strategic outcomes that result in increased yield for residential, commercial and retail development and the failure to reclassify any Council land within the relevant town centres.

After requesting a timetable from the Council in September 2005, the Minister received correspondence from the Council that same month indicating a range of gazettal dates for the 6 centres. These dates varied from June 2006 to May 2008.

In February 2006, the Minister expressed dissatisfaction with the Council's proposed program for delivery of the LEPs. The Minister required the Council to process the 6 town centre LEPs concurrently with only one stage of consultation and no preliminary (non-statutory) exhibition.

The Council by letter on 20 February 2006 agreed a work program for all 6 town centres which indicated completion of all 6 town centres by December 2006.

Council's time for processing the draft LEPs has been suboptimal having regard to the following actions by the Council:

- a stagnation of the process between 9 May 2006 and 10 July 2006, supported by Council's own correspondence which indicates no relevant progression on the LEPs.
- the inability of the Council to properly identify land to which the LEPs should relate, especially the exclusion of some land in close proximity to railway stations.
- extensive non-statutory exhibition and consultation periods.
- inclusion of inappropriate controls within the draft LEPs resulting in a need for conditional authorisations for delegation and conditional section 65 certificates to be issued.

- failure to provide early indication of development yields and inclusion of superfluous controls in the draft instruments.
- failure to manage the process of reclassification of Council land effectively (i.e. those aspects of reclassification related to LEP making).
- failure to manage the reclassification of Council land in a timely manner.

The Council has indicated that it considers it has met the time frame for preparing the LEPs of December 2006. However the draft LEPs are not complete given that further work is needed to ensure compliance with the yield requirements as a result of the Metropolitan Strategy, the exclusion of superfluous and restrictive controls, the identification and reclassification of Council land.

The Council has taken an inordinate amount of time to undertake the rezoning process for the Town Centres given that the process began in May 2004. The rezoning is still not complete.

B. Town Centre DCP

The Department notes that the DCP was made in November 2006 with subsequent amendments in May and August 2007. The DCP is not yet operational.

The Department advised the Council in October 2006 that the Town Centres DCP purports to restrict development otherwise allowed under the LEP thereby decreasing yield. The Department has also advised the Council that the DCP included land not within the draft LEP area.

At the time of the Department's advice these matters were well known to the Council. The Department had previously advised the Council of similar restrictions in relation to DCP 55 (see below). On 20 June 2007 the Council advised the Department that the Town Centres DCP would be amended to remove the land not within the draft LEP however there is no commitment to amend the Town Centres DCP to remove restrictions and controls that will inhibit the development potential allowed under the draft LEP.

The Town Centres DCP, while made is not in a satisfactory form given the detailed advice from the Department to the Council in October 2006.

C. DCP 55 - Railway/Pacific Highway Corridor and St Ives Centre

DCP 55 contains provisions which are inconsistent with LEP 194 and which overly restrict development allowed under the LEP. The Council responded to these claims in October 2005. In February 2006 the Minister requested the Council to remove provisions of DCP 55 that are not compatible with LEP 194 by 31 March 2006.

By May 2006 the Council had advised the Department that DCP 55 had been amended but only to remove requirements that are inconsistent with BASIX. The Council acknowledges the inconsistency between LEP 194 and DCP 55 in relation to set backs and FSR requirements. However, the Council has not committed to make the changes to the DCP that were requested by the Minister in February 2006. Again, the Council's inclusion of inappropriate controls in DCP 55 are still in place and there has been an unwillingness to amend it.

#### D. Dual occupancy

The Council has long sought an exemption from SEPP 53 in relation to dual occupancy development. The Minister has been reluctant to progress any exemption due to the Council's poor record when dealing with dual occupancy DAs (many are determined by the Court) and the Council's inability to undertake strategic planning to address how housing choice will be delivered in the area.

In February 2006, the Minister requested the Council to formulate an alternative approach to the dual occupancy requirements of SEPP 53 and the Council acknowledged this request. The Minister was not prescriptive as to how the Council could formulate its alternative approach. However it was not until March 2007 that the Council advised that it had begun work on formulating an alternative approach.

The Department advised the Council in May 2007 that any LEP addressing dual occupancy requirements would need to ensure housing choice including forms of integrated housing. If such an LEP did not address the requirements for integrated housing, it may not qualify the Council for a full exemption under SEPP 53.

The Council has taken too long to provide an alternative approach to SEPP 53. In February 2007 the Council stated that it would not progress this matter until the comprehensive LEP work is underway. The Council's inability to formulate appropriate controls in a strategic context has led to an unacceptable delay in formulating and implementing appropriate dual occupancy controls for the area. The Department is concerned that Council's resources are being unnecessarily diverted with a potential for replication of work, at a time when the Council should be focusing on the Town Centres LEP and the comprehensive LEP.

#### (iii) Classes of exempt and complying development

The Council has drafted overly complex exempt and complying development provisions relating to the Town Centres LEP. In some circumstances the provisions are inconsistent with SEPP 4 and contain requirements that overly restrict the exempt and complying development categories.

The Department has requested the Council on a number of occasions to revise the categories of exempt and complying development. Most recently, the Department wrote to the council in April 2007 providing extensive feedback on the categories of exempt and complying development.

The Council has not provided the Department with any clear time frame for settling the categories of exempt and complying development and this is unacceptable given that this process ought to be concurrent with and be finalised with the draft LEP and DCP.

#### (iv) Council's response to public submissions on draft LEPs or DCPs

The Department is aware of and has received a number of submissions from members of the public in relation to the Town Centres LEP and DCP. The submissions generally express concern about whether the proposed development standards in the draft LEP and provisions of the DCP will act as a disincentive to the orderly and economic

development of land, given the restrictive nature of the provisions and the proposed listing of heritage sites.

It is evident from the draft plans submitted in December 2006 including the proposal to list 14 more heritage items in the area, that the Council has not responded adequately to the public submissions in relation to these draft instruments.

	(C)	For development applications and modification applications
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the time a council takes to assess and determine those applications;

- (ii) the number and percentage of those applications determined under delegation,
- (iii) the nature and extent of determinations of development applications that do not comply with relevant development standards;
- (iv) how a council complies with the relevant advertising and notification requirements for those applications;
- (v) how a council considers and responds to public submissions on those applications;
- (vi) the nature and extent of determinations that are contrary to recommendations made by council staff or an advisory or independent panel;
- (vii) the number of outcomes of reviews of development applications under s.82A of the Act.
- (i) Time to assess development and modification applications

The Council was among the highest 20 councils for median development application determination times in the past 3 years being 2003-2004, 2004-2005 and 2005-2006.

The Council's processing time for development applications under LEP 194, while it is reducing, is still considered to be inappropriately high. The Council advised in February 2006 that the gross mean processing time for development applications under LEP 194 was 159 days.

The Minister wrote to the Council in February 2006 advising that the processing of development applications under LEP 194 is unsatisfactory, that the number of development applications outstanding was too high and that the refusal rate was too high.

From data provided by the Council between March 2006 and March 2007 an additional 793 residential units were approved under LEP 194 in that 12 month period. However in those 12 months the number of development applications outstanding remains steady between 8 and 12 with no net reductions.

(ii) Percentage of development and modification applications determined under delegation

For the period 2005-2006 the percentage of development applications determined under delegation was 97.46% for a total of 1651 applications.

(iii) Nature and extent of determinations that do not comply with development standards

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(iv) Council compliance with advertising and notification requirements

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(v) Council response to public submissions on development and modification applications

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(vi) Nature and extent of determinations contrary to recommendations by council staff or an advisory or independent panel

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(vii) Number and outcome of s.82A reviews

In 2005-2006 an estimated 24 section 82A reviews resulted in development consent being granted, 1 review resulted in no change to the original determination and 4 reviews resulted in the original conditions of consent being varied.

(d) the number, cost or nature of legal proceedings or orders issued under section 121B of the Act concerning planning and development matters and how a council exercises its functions to ensure conditions of development consent are complied with.

The Council has incurred consistently high legal costs. The Council is also unsuccessful in a large number of cases in the Land and Environment Court.

In the period 2005-2006, Council's legal costs amounted to \$1,025,519. There were 49 appeals and 89.90% of the appeals were upheld in favour of the applicant.

In the 2006-2007 financial year, Council has reported legal costs of \$970,000 and 39 appeals. 37 of these appeals were reported to have been received by 31 March 2007. Of the 37 appeals in the first three quarters of 2006/2007, 19 were in relation to deemed refusal of an application.

In relation to the nature of legal proceedings, of concern is the example of Charalambous v Ku-ring-gai Council regarding 49 Wesbrook Avenue, Wahroonga. Council imposed a DA condition (determined 11.12.06) requiring a landscaping bond and refused a s96 application to delete this condition. The Court found such bonds were outside the scope of those which may be lawfully imposed under the Act. Council had previously imposed a similar landscape bond condition on a DA granted on 14 September 2006 at 47 Westbrook Avenue, Wahroonga.

While it is acknowledged that the Council has achieved a reduction in its legal expenses for proceedings in the Land and Environment Court, the Council continues to incur high legal costs. This is primarily related to overly restrictive development provisions and DAs in relation to dual occupancy development, both matters the Council has had the opportunity to rectify.

(e) the nature and extent of the systems, policies, procedures or resources which support Ku-ring-gai's administration of planning and development matters.

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(f) whether Ku-ring-gai Council has complied with:

 State Environmental Planning Policies and Regional Environmental Plans;
 other strategies and policies endorsed by the New South Wales Government, the Minister for Planning or the Department of Planning concerning planning and development matters, and

- (iii) directions issued by the Minister for Planning under section 117 of the Act.
- Compliance with SEPPs and REPs

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

Endorsed strategies and policies, planning and development matters

The Department requested the Council to address outstanding issues associated with the Town Centres LEP in correspondence and meetings prior to Council providing its s68 submission to the Department in late December 2006. Many of the substantial matters raised in 2006 have not been addressed and were raised again in correspondence from the Department to Council including by letter dated 4 July 2007.

The Metropolitan Strategy encourages urban consolidation through an appropriate mix of medium to high density residential, commercial and retail development. This is achieved through higher FSRs and less restrictive development controls to encourage a higher yield on development sites.

The Council has nominated sites in the Town Centres LEP for FSRs either the same or potentially less than is currently available. The yields provided by the Council are unrealistic given the restrictive standards proposed in the LEP and DCP. The Department has sought a removal of these restrictions in order to realise the potential yields and has sought from the Council a more realistic estimate of yields.

A preliminary estimate by the Department identifies that even with relaxation of standards, it is unlikely that St lves would reach 62% of Council's estimates. This percentage includes sites already counted for in LEP 194 and assumes full take up on the sites included in the LEP. That estimate is therefore conservative.

For these reasons, the Council has failed to implement endorsed strategies for urban consolidation through the drafting of the Town Centres LEP and DCP.

(iii) Section 117 directions

In relation to the Town Centres LEP, it does not comply with the s117 directions for Business Zones (formerly Direction No 3) and Residential zones (No 21) in that the draft LEP may reduce the potential floor space area on sites in all 6 centres.

(g) whether Ku-ring-gai Council has complied with requirements in the Act concerning the levying, collection and management of development contributions.

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

(h) the manner in which Ku-ring-gai Council or its councillors manage conflicts of interests concerning planning and development matters.

The Department if not currently aware of any areas where the Council's or councillors' performance in this regard is unsatisfactory.

 the time and manner in which Ku-ring-gain Council provides information to the Department in accordance with any program for development performance monitoring.

The Department if not currently aware of any areas where the Council's performance in this regard is unsatisfactory.

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It is incumbent on all Sydney metropolitan Council's to achieve the targets set by the Metropolitan Strategy. Ku-ring-gai is identified as a major area of significance in the North subregion. By agreement with Hornsby Council, Ku-ring-gai Council will accommodate 10,000 more dwellings by 2031. The Town Centres LEP is a major step and tool for the Council to achieve this goal.

The Council is however hampering the progress of achieving these goals through a poorly managed rezoning process for the Town Centres LEP. There are also persistent issues with the determination and yield from DAs especially in relation to dual occupancies and medium to high density residential developments.

For those reasons, the Council's actions to date in relation to its functions under Part 3 and Part 4 of the Act have not been in the public interest.

Matters which support that conclusion include:

#### Part 3 functions

- Lack of certainty to achieve the yields stipulated by Council given the restrictive controls proposed under the LEP and DCP.
- Inaccurate yield estimates as a result of restrictive controls or inclusion of yields previously counted from LEP 194 and LEP 200.
- Substantial delay in finalising the Town Centres LEP and DCP.
- Failure to provide a meaningful and workable alternative to SEPP 53 in relation to dual occupancies.
- Failure to take a strategic planning approach to the Town Centres including transport corridor considerations.
- Inadequate reasons for rezoning proposals which result in piecemeal rezoning and lack of buffers around high density sites.
- Confusion in the community through multiple LEP and DCP consultation processes.
- Lack of certainty concerning the reclassification of Council land.
- Failure to comply with conditions attached to s65 certificates and delegation authorisations.
- Continual failure to address matters raised by the Minister and Department including requests to demonstrate the capacity to deliver the Metropolitan Strategy targets and to rezone more land around railway stations.

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#### Part 4 functions

- Long development assessment periods.
- High level of refusals and low rate of approvals for dual occupancy and medium to high density residential development.

The Council's failure to exercise its functions under Parts 3 and 4 of the Act in an appropriate and efficient manner is contrary to the expectant level of diligence of a local government authority.

2 October 2007

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#### Appendix 2

#### Reasons to support s74F direction in relation to Town Centres DCP

The Department notes that the DCP was made in November 2006 with subsequent amendments in May and August 2007. The DCP is not yet operational.

The Department advised the Council in October 2006 that the Town Centres DCP purports to restrict development otherwise allowed under the LEP thereby decreasing yield. The Department has also advised the Council in February 2007 that the DCP included land not within the draft LEP area.

At the time of the Department's advice, these matters were well known to the Council. The Department had previously advised the Council of similar matters in relation to DCP 55 - Railway/Pacific Highway Corridor and St Ives Centre, which purport to restrict development under LEP 194.

On 20 June 2007, some four months later, the Council advised the Department that the DCP would be amended to remove the land not within the draft LEP.

The Council has provided no commitment to amend the DCP to remove restrictions and controls that will inhibit the development potential allowed under the draft LEP.

The Department is also concerned that the consultation and exhibition processes have created confusion in the community as there have been non-statutory consultation and exhibition periods

The DCP has been substantially delayed for a number of reasons including:

- Council undertaking non-statutory consultation and exhibition periods.
- The Council's inclusion of inappropriate controls in the DCP and the unwillingness to amend the DCP in accordance with requests from the Department.
- The lack of certainty as to the accuracy of the yields and how those yields can be achieved. This is due to the restrictive controls proposed under the DCP.
- The continual failure to address matters raised by the Minister and Department especially in relation to the removal of restrictive standards that inhibit an appropriate level of yield.

The Town Centres DCP, while made is not in a satisfactory form given the detailed advice from the Department to the Council in October 2006.

One of the important goals in finalising the Town Centres DCP is to assist in achieving housing targets in the Metropolitan Strategy. Undertaking the process in a way which the Council has adopted and the substantial resultant delays is not in the public interest. The Council's failure to exercise its functions under Parts 3 and 4 of the Act in an appropriate and efficient manner is contrary to the expectant level of diligence of a local government authority.



# **PLANNING** circular

# PLANNING SYSTEM

Local planning				
Circular	PS 07–010			
Issued	1 August 2007			
Related				

# Heads of consideration for the Minister to appoint a planning administrator or panel for unsatisfactory performance

This circular is to advise of the gazettal of heads of consideration for the exercise of power under section 118 of the *Environmental Planning and Assessment Act 1979* to appoint a planning administrator or panel to exercise the functions of a council where there is unsatisfactory performance in dealing with planning and development matters.

## Introduction

The Environmental Planning and Assessment Act 1979 (EP&A Act) has long provided for the appointment of a planning administrator to perform all or part of a council's functions, where a council has been responsible for technical breaches of State planning law.

A new provision was included in the EP&A Act in 2006 to also allow the Minister for Planning to appoint a planning assessment panel to undertake a council's consent authority role or to prepare environmental planning instruments. This provision is to ensure satisfactory and appropriate performance by local councils in their undertaking of legislative functions that relate to planning and development matters. This is essential in the public interest for good environmental, social and economic outcomes.

Under section 118 of the EP&A Act the Minister for Planning may appoint a planning administrator or panel, or both, if:

- council has failed to comply with its obligations under the planning legislation, or
- performance of a council in dealing with planning and development matters is unsatisfactory, or
- council agrees to the appointment, or
- the Independent Commission Against Corruption recommends it because of serious corrupt conduct by any councillors.

# Appointment where the performance of a council in dealing with planning and development matters is unsatisfactory

Section 118(1)(b) of the EP&A Act allows the Minister for Planning to appoint a planning administrator or a panel to exercise the functions of a council if the Minister is of the opinion that the performance of a council in dealing with planning and development matters (or any particular class of such matters) is unsatisfactory because of the manner in which the council has dealt with those matters, the time taken or in any other respect.

Under section 118(9) of the EP&A Act, the Minister for Planning may only appoint a planning administrator or panel under section 118(1)(b) if the Minister has gazetted 'heads of consideration' and taken them into account before making a decision.

On 19 July 2007, the Minister for Planning made the Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007 (Order). The Order sets out the heads of consideration for the purposes of section 118 of the EP&A Act and will take effect on 1 August 2007. The heads of consideration include:

- The nature of findings or recommendations as a result of a review, investigation or inquiry made by the NSW Ombudsman, the Department of Local Government, the Independent Commission Against Corruption or a person or persons appointed by the Minister for Planning or the Minister for Local Government.
- In respect of local environmental plans (LEPs) and development control plans (DCPs):
  - the number of LEPs proposed for spot rezonings and/or minor amendments
  - the time a council takes in exercising its functions in making LEPs or DCPs
  - the nature and extent of classes of development identified as exempt and complying development in LEPs and DCPs
  - how a council considers and responds to public submissions on draft LEPs and DCPs.
- In respect of development applications and modification applications:
  - the time a council takes to assess and determine those applications
  - the number and percentage of those applications determined under delegation
  - the nature and extent of determinations that do not comply with relevant development standards
  - how a council complies with the relevant advertising and notification requirements for those applications
  - how a council considers and responds to public submissions
  - the nature and extent of determinations that are contrary to recommendations made by council staff or an advisory/independent panel
  - the number and outcome of reviews undertaken pursuant to section 82A of the EP&A Act.
- The number, cost and nature of legal proceedings or orders issued under section 121B of the EP&A Act concerning planning and development matters and how a council ensures conditions of development consent are complied with.
- The nature and extent of the systems, policies, procedures and resources which support a council's administration of planning and development matters.
- Whether a council has complied with:
  - State environmental panning policies and regional environmental plans
  - other strategies and policies endorsed by the NSW Government, the Minister for Planning or the Department of Planning concerning planning and development matters

- directions issued by the Minister for Planning under section 117 of the EP&A Act.
- Whether a council has complied with requirements in the EP&A Act concerning the levying, collection and management of development contributions.
- The manner in which a council or councillors manage conflicts of interests concerning planning and development matters.
- The time and manner in which a council provides information to the Department of Planning in accordance with any program for local development performance monitoring.
- The public interest.

## How panels will be established

Section 118AA provides that planning assessment panels will consist of three to five members, appointed by the Minister, who have relevant skills and knowledge in planning and development matters. The Minister will appoint a chairperson for each panel, and the panel members may appoint a deputy chairperson.

To establish a panel, the Minister will list the panel in Schedule 5B of the EP&A Act by Order published in the Gazette.

Under section 118, a panel may not exercise a council's functions for more than five years continuously. A panel's appointment and functions is to be reviewed (in consultation with the Minister for Local Government, the Local Government and Shires Associations and other relevant industry organisations) after it has been in place for more than two years.

# Appointment where council agrees to the appointment

In addition to the appointment of a panel or administrator by the Minister under section 118(1)(b), a council may request the appointment of a planning administrator or panel under section 118(1)(c).

Such a request might arise where the appointment of a planning panel or administrator would assist in achieving State planning objectives or where the council has conflict of interests in relation to planning and development matters.

## **Further information**

Attached for your information is a copy of the gazetted Order. (Note the Special Supplement Government Gazette No. 93 of 20 July 2007 is included in the Government Gazette for 27 July 2007.)

The Environmental Planning and Assessment Act 1979 is available on the Parliamentary Counsel Office's website at www.legislation.nsw.gov.au (see 'Browse A to Z In Force').

Note: This and other Department of Planning circulars are published on the web at www.planning.nsw.gov.au/planningsystem/practic enotes.asp.

Authorised by:

Sam Haddad Director General

#### Important note

This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

#### ENVIRONMENTAL PLANNING AND ASSESSMENT (UNSATISFACTORY COUNCIL PERFORMANCE) ORDER 2007

#### under the

#### **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

I, FRANK SARTOR, the Minister for Planning, in pursuance of section 118 of the *Environmental Planning* and Assessment Act 1979, make the following Order.

Dated, this 19th day of July 2007.

FRANK SARTOR, M.P., Minister for Planning

#### **Explanatory note**

The object of this order is to provide for the heads of consideration that the Minister is to take into account in determining whether to appoint a planning administrator or planning assessment panel to exercise the functions of a council because the performance of a council in planning and development matters is unsatisfactory.

This Order is made under section 118 of the Environmental Planning and Assessment Act 1979.

Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007

#### under the

**Environmental Planning and Assessment Act 1979** 

#### 1. Name of Order

This Order is the Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007.

#### 2. Commencement

This Order commences on 1 August 2007.

#### 3. Definitions

(a) In this Order:

the Act means the Environmental Planning and Assessment Act 1979.

councillor has the same meaning it has in the Local Government Act 1993.

DCP means development control plan.

**development contribution** means any contribution imposed or obtained by a council under Part 4, Division 6 of the Act.

LEP means local environmental plan.

**modification application** means an application to modify a development consent under sections 96 and 96AA of the Act.

(b) Words used in this Order have the same meaning as words used in the Act.

#### 4. Heads of Consideration for Appointment of Planning Administrator or Panel

The heads of consideration for the Minister to take into account before appointing a planning administrator or planning assessment panel under section 118(1)(b) are:

- (a) The nature of any findings or recommendations as a result of a review, investigation or inquiry made by:
  - (i) the New South Wales Ombudsman,
  - (ii) the Department of Local Government,
  - (iii) the Independent Commission Against Corruption, or
  - (iv) a person or persons appointed by the Minister for Planning, or
  - (v) the Minister for Local Government.

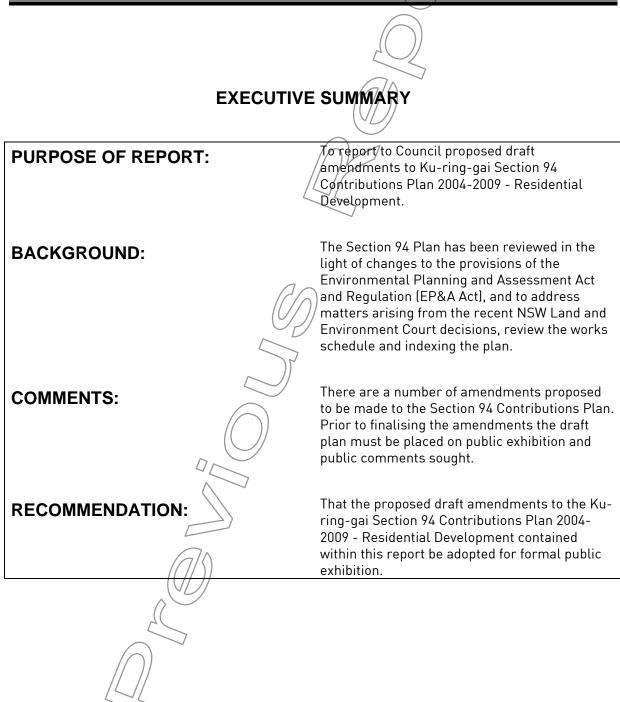
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- (b) For LEPs and DCPs:
  - the number of local environmental plans a council determines to prepare under section 54 of the Act, publicly exhibits under section 66 of the Act or submits to the Director-General under section 68 of the Act which comprise minor amendments of a principal LEP or a spot rezoning,
  - (ii) the time a council takes in exercising its functions in making LEPs or DCPs
  - (iii) the nature and extent of the classes of development identified as exempt and complying development in LEPs and DCPs, and
  - (iv) how a council considers and responds to public submissions on draft LEPs and DCPs.
- (c) For development applications and modification applications:
  - (i) the time a council takes to assess and determine those applications,
  - (ii) the number and percentage of those applications determined under delegation,
  - (iii) the nature and extent of determinations of development applications that do not comply with relevant development standards,
  - (iv) how a council complies with the relevant advertising and notification requirements for those applications,
  - (v) how a council considers and responds to public submissions on those applications,
  - (vi) the nature and extent of determinations that are contrary to recommendations made by council staff or an advisory or independent panel, and
  - (vii) the number and outcome of reviews of development applications under section 82A of the Act.
- (d) the number, cost or nature of legal proceedings or orders issued under section 121B of the Act concerning planning and development matters and how a council exercises its functions to ensure conditions of development consent are complied with.
- (e) the nature and extent of the systems, policies, procedures or resources which support a council's administration of planning and development matters.
- (f) whether a council has complied with:
  - (i) State Environmental Planning Policies and Regional Environmental Plans,
  - (ii) other strategies and policies endorsed by the New South Wales Government, the Minister for Planning or the Department of Planning concerning planning and development matters, and
  - (iii) directions issued by the Minister for Planning under section 117 of the Act.
- (g) whether a council has complied with requirements in the Act concerning the levying, collection and management of development contributions.
- (h) the manner in which a council or councillors manage conflicts of interests concerning planning and development matters.
- (i) the time and manner in which a council provides information to the Department in accordance with any program for local development performance monitoring.
- (j) the public interest.

Item 13

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# DRAFT AMENDMENTS TO KU-RING-GAI SECTION 94 CONTRIBUTIONS PLAN 2004-2009 - RESIDENTIAL DEVELOPMENT



Item 13

# PURPOSE OF REPORT

To report to Council proposed draft amendments to Ku-ring-gai Section 94 Contributions Plan 2004-2009 - Residential Development.

# BACKGROUND

The Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development enables Council to require a contribution towards the provision, extension or augmentation of:

- community facilities;
- recreation facilities and open space ;
- traffic, pedestrian and cycleway facilities and public domain improvements; and
- administration.

that will, or are likely to be, required as a consequence of residential development in the area.

Council engaged BBC Consulting Planners to undertake a review of the current Section 94 Contributions Plan 2004-2009. This involved:

- 1. Reviewing the current plan in the light of changes to the provisions of the EP&A Act and Regulation relating to contributions plans including requirements for pooling funds and maps showing the location of works in the work schedule;
- 2. Updating costs of works on the works schedule;
- 3. Updating the work schedules with new items such as West Pymble Aquatic Centre;
- 4. Address matters outstanding from the L&E Court decisions;
- 5. Review the provision of open space in the light of recent decisions on the provision of open space;
- 6. General 'housekeeping' review of the wording of the plan's provisions and update where appropriate to reflect current legislation and *Development Contributions Practice Notes.*

A comprehensive review of the plan is scheduled for 2009. The review will commence in 2008, coinciding with the release of detailed 2006 census data.

# COMMENTS

The amended draft Contributions Plan is called the draft Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development (Amendment 1). This has been included as Attachment 1 to this report

The key amendments that are proposed to the current plan are as follows.

## Review of Rates - Work Schedule and Land Values

There have been no reviews of the contribution rates since the plan was adopted in 2004.

As part of this review the works schedule have been updated to reflect current values for cost estimates of capital works and land acquisition and to include some new works. Construction N:\070814-OMC-SR-03751-DRAFT AMENDMENTS TO KURIN.doc/linnert /2

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costs have been reviewed and updated based on available construction cost indices and available information on construction costs of some projects such as open space embellishment.

#### Process for reviewing rates

The sections dealing with the review of contributions rates used in the plan have been revised and simplified in accordance with the practice directions and the outcomes of court cases. The proposed update the indexing and reviewing provisions of the plan will allow a more simplified indexing process based on CPI for capital costs and a land value index to be prepared and maintained by the Council for land acquisition cost increases.

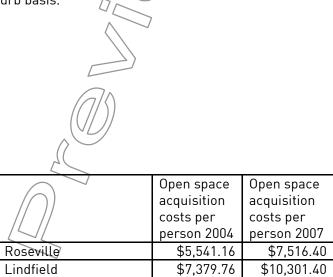
The regulations allow the contribution rates to be reviewed at a regular interval as determined by the plan in accordance with changes to readily accessible index figures adopted by the plan or index figures prepared by or on behalf of the Council from time to time that are specifically adopted by the plan. It is proposed that the indexing will occur at quarterly intervals and will continue following consent until the contribution is paid.

Because of the requirement for land values to be reviewed on the basis of a readily identifiable index, such an index needs to be identified. The previous reference to the Rent and Sales Report of the Department of Housing is not considered to be a valid index. Consequently Council will need to prepare and maintain its own index. This could be based on the land values used in this plan prepared by Chesterton International as part of the open space acquisition study.

A suitably qualified land economist would need to be engaged to update the index on an agreed basis which could be used to update the land values rates in the plan. This process would need to be put in place at the time this plan is adopted and reviewed and updated every 6 months.

#### Land Acquisition Values

The revised land acquisition values contained in the amended plan are based on advice prepared for Council as part of the Open Space Acquisition Strategy. The land values used were an average of the sales price adjusted in areas where there was evidence of sales prices for development sites. This results in a significant increase in the contribution rate for land acquisition per person of up to 40% in the case of Gordon. The table below outlines the revised acquisition costs on a suburb by suburb basis.



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Killara	\$5,541.16	\$6,817.20
Gordon	\$7,379.76	\$10,476.00
St lves	\$5,541.16	\$7,166.80
Pymble	\$5,541.16	\$6,118.00 ))
Turramurra/Warrawee	\$3,689.88	\$4,481.40
Wahroonga	\$5,541.16	\$5,855.80
Acquisition costs	\$95.37	\$/18.86
Acquisition planning		
investigations	\$6.00	\$6.90
	\$46,256.57	\$58,857.86
	\$46,256.57	\$58,857.86

2007	Land	Values ir	above	table	per
	(co)	( 0 0 4 0)			

sq m (S3.4 of USAS)			_
		Update	
	2004 Rate /	Rate	
Roseville	\$1,180.00	\$1,580.00	34%
Lindfield	\$1,180.00	∕\$1,630.00	38%
Killara	\$1,180.00	\$1,420.00	20%
Gordon	\$1,180.00	\$1,660.00	41%
St lves	\$1,180.00	\$1,500.00	27%
Pymble	\$1,780.00	\$1,260.00	7%
Turramurra/Warrawee	\$1,180.00	\$1,400.00	19%
Wahroonga	\$1,1,80.00	\$1,200.00	2%
	$\overline{\ }$		

#### Reviewing the plan in response to matters raised in various Court proceedings

The amended Plan has included a revision of the basis for calculating contribution rates per dwelling from the method based on the size of the dwelling to a more accurate method based on the number of bedrooms in the dwelling. Definitions are included in the Contributions Plan to provide certainty as to what will be counted as a bedroom. Other changes have been made to the contribution rates for:

- child care centre on the basis that allowance should be made for the private sector provision of child care;
- traffic studies not directly undertaken for the S94 plan are removed;
- contributions for public art are removed.

## Changes in Contribution Rates

Following consideration of amendments to the works schedules, indexing of costs of works and review of land values on a suburb by suburb basis, the revised per capita contribution rates to be included in the plan are as follows:-

Suburb	Current per person	Revised per person	Change

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		Jan Start	ク 7 August 2007
	rate	rate	
Roseville	\$9,098.97	\$10,626.67	17%
Lindfield	\$10,937.57	\$13,411.67	23%
Killara	\$9,098.97	\$9,927.47	9%
Gordon	\$10,937.57	\$13,586.27	24%
St lves	\$9,288.51	\$10,487.45	13%
Pymble	\$9,288.51	\$9,438.65	2%
Turramurra /	\$7,437.23	\$7,802.05(( )/	5%
Warrawee			
Wahroonga	\$9,288.51	\$9,176.45	-1%
		$\langle \alpha   \delta \rangle$	

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#### Pooling and Staging

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Provision has been made for pooling contributions as now permitted under the Act and Regulation. Clause 27(1)(i) requires that the plan must include particulars of *the priorities for the expenditure of the contributions, particularised by reference to the work schedule*. Authorising money paid for different purposes in accordance with conditions of development consents to be pooled and applied progressively for those purposes. The ability to pool funds for the progressive implementation of the works schedule in the Contribution Plan enables a more orderly and timely implementation of works.

Prioritisation has been included on Table 2 of the Work Schedule spreadsheet. Priorities for each work item have been allocated a ranking from 7 to 3 with 1 being the highest priority. The plan assumes that funds will not be pooled across the various categories' only within the categories ie. recreation funds would not be pooled to pay for community facilities and so on. This is a matter that should be considered further in the development of the next contributions plan as it will require prioritisation across the whole range of proposed works and will need to be driven by Council funding priorities. This work has commenced as part of Council's overall funding and long term financial plan to be considered by Council this year.

#### Mapping of Work Schedules

Clause 27 of the Regulation now requires a *map showing the specific public amenities and services* proposed to be provided by the Council supported by a works schedule that contains an estimate of their cost and staging (whether by referenced to dates or thresholds). Maps which represent the revised works schedule have been prepared and included at the end of the Contributions Plan.

#### Staging of works

The proposed staging of works have been included in Table 2 of the Work Schedule. Staging has been allocated in terms of short (0-5 years), medium (5-10 years) or long (10+ years).

#### Review of the Plan

Section 16 of the plan allows for the plan to be comprehensively reviewed by the end of the 5 year period in 2009. This review will be triggered by the full release of 2006 census data in early 2008 allowing a review to commence during 2008.

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The future comprehensive review of the plan would also need to consider the integration of the plan with the new Town Centres Section 94 Plan currently being developed and with particular reference to the detailed 2006 census data released in early 2008.

# CONSULTATION

The consultants preparing the amendments to the contributions plan providing a briefing to Councillors at the planning committee on 15 May 2007, outlining the objectives of the review and discussed specific issues. Councillors were also briefed on the outcomes of the review on 23 July 2007.

Consultation has also taken place with Council's consultants preparing the Section 94 plan for the town centres to ensure consistency in approach and methodology in areas such as occupancy rates, work schedules, needs assessments and the like.

The EP& A Act Regulations require the draft amendments to the plan to be placed on public exhibition for a period of 28 days for public comment.

# FINANCIAL CONSIDERATIONS

The cost of reviewing and updating the Section 94 Contribution plan can be recouped from the plan administration contributions collected under the plan.

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation with all Council's Departments has been undertaken in preparing draft amendments to the Section 94 Contributions Plan. This has included reviewing of work schedule items and indexing of the capital costs included in the plan.

# SUMMARY

A review of the Ku-ring-gai Section 94 Contributions Plan 2004-2009 – Residential Development has been undertaken, which includes:

- Reviewing the current plan in the light of changes to the provisions of the EP&A Act and Regulation relating to contributions plans including requirements for pooling funds and maps showing the location of works in the work schedule;
- Updating costs of works on the works schedule;
- Updating the work schedules with new items such as West Pymble Aquatic Centre;
- Address matters outstanding from the Land and Environment Court decisions;
- Review the provision of open space in the light of recent decisions on the provision of open space;

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• General 'housekeeping' review of the wording of the plan's provisions and update where appropriate to reflect current legislation and *Development Contributions Practice Notes.* 

It is proposed that the draft amendments to the contributions plan be placed on public exhibition and reported to Council. It is proposed that the amended plan be reported back to Council following exhibition in October 2007.

# RECOMMENDATION

- A. That Council adopted the draft amendments to the Ku-ring-gai Section 94
   Contributions Plan 2004-2009 Residential Development contained in Attachment 1 for formal public exhibition.
- B. That Draft Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development (Amendment 1) be placed on public exhibition in accordance with the Environmental Planning and Assessment Regulations.
- C. That a report be bought back to Council following the exhibition period.
- D. That Council engage a suitably qualified land economist to establish and update an appropriate index which could be used to update the land values rates in the plan. This be put in place at the time this plan is adopted.

Craige Wyse Senior Urban Planner Antony Fabbro Manager Urban Ptanning

Steven Head Director Strategy

Attachments:

Attachment 1 - Draft Ku-ring-gai Section 94 Contribution Plan 2004-2009 -Residential Development (Amendment No.1) - Circulated Separately

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

#### 14 AUGUST 2007

#### <sup>287</sup> Ku-ring-gai Town Centres Draft LEP & DCP Response to Matters raised by the NSW Department of Planning on 4 July 2007

File: S04151

The following members of the public addressed Council:

W Simpson B Johnson C Wells S Donovan S Cougle S Gross G Gurney

#### **Resolved:**

(Moved: Mayor Ebbeck/Councillor Shelley)

1. That Council adopt the recommendation as outlined under the headings below on the issues raised with the Ku-ring-gai town centres draft Local Environmental Plan and Development Control Plan:

#### J1 – Authorisations

- 1. The properties 1335, 1337 and 1343 Pacific Highway, Turramurra be included in the B2 zone with a maximum retail / business FSR of 1:1 and a maximum site FSR of 2.3:1. The draft LEP be appropriately amended to accommodate this.
- 2. Council advise the Department of Planning of its resolution of 19 June 2007 to delete land, indicated in the DCP for Gordon as potential future open space, from the DCP thus complying with the Department's request.
- 3. Council resolve to bring Turramurra Precinct I into the draft LEP as exhibited.

#### J2 – LEP Provisions

- 1. Consult with the Department of Planning on the desired format for proposed savings provisions to enable necessary changes.
- 2. Council include "home occupation (sex services)" as permissible with consent in B2, B4 and B5 zones.

- 3. Council include "vehicle showroom" as a permissible use with consent in the B2 zone.
- 4. Delete reference to Category 1 (Environmental Corridor) in Exempt and Complying Development.
- 5. Council seek advice from the Department of Planning as to the process for furthering proposed Exempt and Complying amendments and ensure this to be on the agenda for the next meeting with the Department.
- 6. The LEP be amended in accordance with the Council's resolution of 19 December 2006 concerning Exempt and Complying provisions (as listed in the relevant comments in Attachment 2).
- 7. Exempt Development reference for Awnings amend note to read "See also Complying Development for awnings up to 25 m<sup>2</sup>".
- 8. Amend to (d) in Decks and verandahs in Complying Development by adding:

"....except where the area of land on which they are located has a slope of more than 15%, in which event the finished surface may not be not more than 800mm."

- 9. Exempt Development note for Alterations to Dwellings has a reference note to "Alterations and additions to dwelling houses," which is to be deleted.
- 10. Delete the Exempt schedule note at the beginning of Paving referring to "Driveways in Complying Development".
- 11. Exempt Development provisions for Telecommunications- Satellite TV dishes be amended as follows:

Satellite TV dishes - ground mounted:

Amend (a) to:

*(a) not more than one satellite dish is established per allotment or per multi-unit building, whichever is the greater.* 

Satellite TV dishes roof mounted:

Amend (e) to:

*(e) not more than one satellite dish is established per allotment or per multi-unit building, whichever is the greater.* 

Satellite dishes (other) - ground mounted

Amend (a) to:

(a) not more than one satellite dish is established per allotment or per multi-unit building, whichever is the greater.

Satellite dishes (other) -roof mounted

Amend (e) to:

*(e) not more than one satellite dish is established per allotment or per multi-unit building, whichever is the greater.* 

Aerials/antennae

Amend (f) to:

- *(f)* are not located within or beneath the canopy of an existing tree.
  - Exempt Development provisions for:
- # Amusement Devices 13 non automated:

Amend (c) to:

(c) are structurally sound and adequately supported

Include a note at the end of the section, as follows:

- *Note:* Approval for the temporary structure may be required under the Local Government Act 1993, even where the development is exempt development.
- # Awnings and pergolas, for Awnings add:
  - *(j)* Have a minimum height of 2.4 metres above existing ground level.
- # Boundary adjustments, to Clause 15 of the LEP add a local provision as follows:
  - *(3)* Notwithstanding clause 15(2), subdivision under this clause must meet the requirements for exempt development listed in Clauses 16 and 18 of this Plan and:
    - (a) is not undertaken on bushfire prone land;
    - (b) is not implemented for the purpose of leasing land;
    - (c) the size of any lot is not altered by more than 10%;
    - (d) no new property boundary is located within 0.9 metres of any building;
    - *(e) the boundary adjustment is not within 3 metres of any tree to which Clause 34 of this LEP applies;*
    - *(f) there is no impact on the drainage or access rights for any of the subject allotments or any adjoining premises;*
    - *(g) a written notice and copy of the plan of subdivision is lodged with Council prior to lodgement with the Land Title Office;*
    - (h) any notice of transfer is forwarded to Council with the appropriate transfer fee.

*Note:* A Section 73 compliance certificate must be obtained from Sydney Water and submitted to Council with the plan of subdivision.

- # Cubby houses, amend (c) to:
  - (c) have a maximum floor area of 5m2
- # Decks, amend (i) to:
  - *(i) if located on bushfire prone land, complies with relevant Australian Standards in relation to construction on such lands and are constructed of non-combustible materials other than aluminium.*
- # Sheds and greenhouses including shade structures, amend as follows:
  - *(h) if located on bushfire prone land, complies with relevant Australian Standards in relation to construction on such lands; and* 
    - *(i)* are constructed of non-combustible materials other than aluminium.
    - *(ii)* are located at least 10 metres from any tree;
    - *(iii)* are finished in a manner that ensures non-reflectivity; and
    - *(iv) if erected on residential premises, not more than 1 shed and/or greenhouse is erected per allotment.*
- # General:

Council request that the Department of Planning review its requirements to reference DCPs and policies in the LEP in the light of Council's comments. If this is not acceptable, banners and footpath dining be deleted from the provisions for exempt development.

# Replacement of structures and materials:

Carport and garage replacement. Add the following provision:

- (c) the new carport or garage is similar in terms of footprint, height and design to the structure it replaces.
- # Stormwater drainage works (minor). <u>Delete the following:</u>
  - (b) the works are not to be undertaken within 7 metres of any tree subject to Clause 33 of this LEP.

And replace with:

(b) the works are not undertaken within the canopy of any tree protected under clause 34 of this LEP.

#### Complying Development provisions make changes as set out below:

# Amend all non-commercial complying development types by adding the following provision:

Where a BASIX certificate has previously been issued for the site, the Occupation Certificate has been issued for the development.

# For Swimming pools and spas, add a note to the end of these sections as follows:

*Note: A BASIX certificate is required for pools over 40,000 litres.* 

- # For BASIX and Riparian issues Council requests that the Department review its concerns in the light of the information provided by Council.
- # For Decks and Verandahs, Sheds and Greenhouses, delete the requirement under "Location" for a 50 metres buffer to a Category 1 (Environmental Corridor).
- # For Decks and verandahs, Awnings and sail cloths, and Pergolas, <u>replace</u> the provision which states:

has a maximum height of 2.7 metres above (existing) ground level

with:

has a maximum height of 2.7 metres above finished floor level.

# For Decks and verandahs, and Sheds and greenhouses, <u>delete all</u> of the provision which states:

not possible via a legal interallotment drainage easement, in which event the stormwater is drained to an on-site dispersal system designed, by a consulting hydraulic engineer, for the whole.....

# For Decks and verandahs, Awnings and sail cloths, and Pergolas amend the provision relating to the 6 metre setback to side and rear property boundaries to:

*For residential sites is set back from all side and rear property boundaries by at least the following:* 

- (i) in R4 zones, 6 metres
- *(ii) in R3 zones, 3 metres, except where dwellings primarily address the relevant boundary, where the structure is set back a minimum of 5 metres.*

# For swimming pools and spas add a note to the end of these sections as follows:

Note: A BASIX certificate is required for pools over 40,000 litres.

- # Council requests that the Department of Planning include a note in the standard LEP template relating to BASIX for exempt and complying development.
- # For Pools and spas, amend the provision relating to a 6 metre setback to side and rear property boundaries to:

For residential sites the outer edge of the nearest coping is setback from all side and rear boundaries by at least the following:

- (i) In R4 zones, 6 metres.
- In R3 zones, 3 metres, except where the dwellings primarily address the relevant boundary, where the structure is set back a minimum of 5 metres.
- # For Sheds and greenhouses insert under the "Location" criteria the following:

Is set back from all side and rear property boundaries by the at least the following: in R4 zone, 6 metres;

R3 zones, 3 metres, except where the dwellings primarily address the relevant boundary, where the structure is set back a minimum of 5 metres.

- # For Swimming pools and spas, amend the "Drainage" (s)(ii) criteria to read as follows:
  - *(s) (ii)* Not possible via a legal interallotment drainage easement, in which event the stormwater is drained to an on-site dispersal system designed by a consulting hydraulic engineer, for the whole site coverage area and the landscaping area is either:
    - *at least 65% if the pre-development landscaped area is at least 65%, or- no less than the existing landscaped area if the pre-development landscaped area is less than 65%.*
- # For Alteration and additions to commercial premises external, amend (e) to:
  - (e) does not result in additional seating capacity.
- # For Awnings and sail cloths amend (a) by replacing 30m<sup>2</sup>

with:

25m².

# Add the subtitle Part 1 above the Schedule 3 table. Delete the note preceding the table to Schedule 3. Include a Part 2 to Schedule 3 containing conditions of consent as per Attachment 11.

Delete the table heading in Part 1 Complying Development Conditions and replace with Complying Development Standards.

Add a note to Part 2 as follows:

*Note:* All Complying Development Certificates must be issued with a copy of all the relevant conditions for a particular development. Before work commences, the applicant is required to appoint a Principle Certifying Authority and give Council 2 days notice prior to commencement of work.

#### J3 – DCP Provisions

- 1. To dot point one, Section 4.3 Site Amalgamations for Lindfield and Roseville, add the following:
- 2. These are suggested amalgamations to facilitate orderly development. Alternative amalgamations can be considered if it can be demonstrated it meets the design objectives of the plan.
- 3. Add the following paragraph to Part 1.9 in the section on Part 4 after Paragraph 2:
  - a. Where an applicant wishes to vary a written design control or building envelope control to respond to the particular circumstances of their site, written justification in the Statement of Environmental Effects accompanying the development application must be provided. The written justification must demonstrate that the departure from the control/s still achieves the design objectives of the plan. An appropriately qualified and experienced design professional must prepare the written justification for the proposed variation to the control.

Delete "bio-linkages" and "bio-links" in Section S2.2.6 (St Ives) G2.2.5 (Gordon) P2.2.7, (Pymble) T2.2.7 (Turramurra) L2.2.8 (Lindfield) and R2.2.8 (Roseville).

- a. Replace with "indigenous canopy linkages".
- 4. Amend the title of Sections S2.2.6, P2.2.7, T2.2.7, L2.2.8 and R2.2.8 to "Landscaping and Biodiversity.
- 5. Delete 3(i) in s6.2.1 regarding 50m buffers to Category 1 riparian corridors.
- 6. Add a note to Section 5.5.1 Deep Soil Landscaping as follows:

- 7. Note: Minimum deep soil provisions and requirements for minimum numbers of trees for tree replenishment apply only to residential zones.
- 8. Council consider the adoption of amendments to the R3 controls in August 2007.
- 9. Amendments to Turramurra Precinct C plans to be considered by Council in August/September 2007.
- 10. Reword dot point 4 in Section 2.2.1 relating to the location of apartments and townhouses, to delete the reference to "one block from" and replace with "in close proximity to" Mona Vale Road or Link Road/Killeaton Street.
- 11. Council review Part 2 Strategy section to:
- 12. Delete the subtitle "Strategies" and replace with the following:
  - a. The following provides a framework and context for the redevelopment of the centre. Specific development controls are found in Parts 3 to 9.
- 13. Amend the diagrams showing new access routes to ensure consistency with Part 4.
- 14. Delete numerical references and references to standards and rework other detailed strategies within the framework to ensure consistency with the broader focus of the framework.
- 15. Amend the Vision Statement for St Ives to delete the reference to "high forest" character, and replace with reference to large treed character.
- 16. Delete the reference to Street Tree Masterplan in Section S2.2.3 (St Ives). Substitute instead reference to the Public Domain Plan.
- 17. Amend the wording of the second objective in Section S2.2.6 Biodiversity (St Ives) by deleting the phrase "high forest character" and replace with "the treed character" of the area.
- 18. Include an additional strategy in Section S2.2.6 (St Ives) to provide for new street tree planting to all streets.
- 19. Council request further information from the Department of Planning to clarify the change being sought in regard to percentages of indigenous and exotic species in landscaping (s.2.2.6).
- 20. Delete the control re vertical canvas drop blinds in s.5.3.1.
- 21. Council review and amend the parking controls for residential, retail (excluding supermarkets and the like) and commercial uses in mixed use zones within 400m of a railway station including those sites noted by the Department.

- a. This work to be undertaken in consultation with an economic consultant and traffic and transport planner to ensure consistency with the objectives of the Metropolitan Strategy, to ensure feasibility of redevelopment and improve the utilisation of public transport. The controls are also to be consistent with the Metropolitan Parking Strategy if it is available in time.
- 22. Delete the note at s.5.14.4 that basement car parking more than one metre above ground will be considered as gross floor area.
- 23. Council advise the Department of Planning that the provisions in relation to washing bays and larger visitor and service bays facilitate pollution control, and access for service vehicles and visitors with a disability.
- 24. To s.5.14.5 add the following objective:
  - a. Multi-storey car parking design that allows flexibility for changes over time.
- 25. To s.5.12.3 add a note as follows:
  - *a.* All activities related to contaminated land must comply with the requirements of the Protection of Environment Operations Act and State Environmental Planning Policy 55- Remediation of Land.
- 26. Council provide the Department of Planning with a copy of Council's Contaminated Lands Policy.
- 27. In 8 in s10.2.4 <u>replace</u> the following:
  - a. proposed heritage conservation area of where the item is identified as a potential heritage item...
  - b. <u>with:</u>
    - *c. draft heritage item under an Environmental Planning Instrument:...*
- 28. Delete last dot point in 8 in s10.2.4 and delete 12 in s10.2.6 regarding separate listing on Council's website.

#### J5 – St Ives – Specific Issues

#### 1. St Ives Shopping Village, St Ives

To address the issue noted by the Department that the redevelopment of the St Ives Shopping Village may not be viable due to a clause in the Town Centre DCP relating to above ground parking being included in FSR it is recommended that Council delete the relevant part of the clause R1 in Part 5.14.4 of the Town Centre DCP.

2. Eden Brae, St Ives

To address the Dept concerns that the Eden Brae site is unlikely to redevelop it is recommended that Council accept the Dept's comments that this site will not be redeveloped and request the Minister to revoke his S.55 Direction over this site to retain its Residential 2(h) zone.

<i>For the Resolution:</i>	<i>The Mayor, Councillor N Ebbeck, Councillors Andrew, Bennett, Hall, Lane, Malicki &amp; Anderson</i>

Against the Resolution: Councillors Cross, Ryan & Shelley

#### J6 – Town Centres – General Issues

#### 1. Reduction in retail floor space

(Moved: Councillors Ryan/Lane)

That the recommendation that the maximum retail FSR be deleted from the Draft LEP, be referred to the Consultant.

For the Resolution: Councillors Bennett, Cross, Malicki, Ryan & Shelley

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

The voting being EQUAL, the Mayor exercised his Casting Vote IN FAVOUR of the Resolution

The following Part J6-1 was removed from the Motion:

*In relation to Department's concerns regarding loss of retail floor space under the Town Centre LEP, Council maintains that there will be no loss of retail floor space, in fact, Council has planned for substantial increases in retail space.* 

*Council notes that the inclusion of a maximum retail FSR may be confusing and it is therefore recommended that:* 

- *the draft LEP FSR map be amended to provide a site FSR with a minimum retail FSR only and deletion of the maximum retail FSR;*
- \* Certain sites are to excluded from this requirement, in particular, sites proposed for future supermarkets or other larger retail sites where a cap on retail is considered important to the overall vitality of the centre

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

Against the Resolution: Councillor Andrew

#### J7 – Lindfield

#### 1. Recommended DCP changes

Council to revise DCP controls for the northernmost site (321 to 329 Pacific Highway & 1 to 5 Tryon Place) to achieve better urban form and residential amenity.

#### 2. Other recommendations

Council to review and reduce parking requirements for the following properties in consultation with economic consultant to achieve economic viability:

- i. 1 to 21 Lindfield Avenue (heritage item) within Precinct A;
- ii. 305 to 329 Pacific Highway and 1 to 5 Tryon Place (strip shop sites) within Precinct B;
- iii. 302 to 356 Pacific Highway (strip shop sites) within Precinct C;
- iv. 358 to 374 Pacific Highway (strip shop sites) within Precinct D.

Council to continue the reclassification process the following Council lands to enable redevelopment:

- i. 8 to 10 Tryon Road and 3 Kochia Lane (Council Car Park);
- ii. 1 Beaconsfield Parade and 19 Drovers Way (Council Car Park).

Council to investigate the financing and funding strategies for the following as part of the Section 94 strategy for the centre:

- i. Community component in the 12 to 18 Tryon Road development;
- ii. Underground car parking and new town square on Tryon Road Car Park site;
- iii. Community building and underground car parking on Woodford Lane Car Park site.

Council to continue discussion with the owners of 12-18 Tryon Road.

#### J8 – Roseville

#### 1. Recommended LEP changes

Council to consider the option to rezone proposed B5 site currently zoned 3(b)-(B2) (161 Pacific Hwy) to R4 as requested by the DOP. The potential contradiction with the Section 117 Directions is noted.

#### 2. Other recommendations

Council to review and reduce parking requirements for the following properties in consultation with economic consultant to achieve economic viability:

- i. 64 to 116 Pacific Hwy (strip shop sites) within Precinct A;
- ii. 69 to 89 Pacific Hwy within Precinct B;
- iii. 5 to 35 Hill St and 1 to 5 Lord St (strip shop sites) within Precinct C;
- iv. 37 to 63A Hill St and 1 Roseville Ave (strip shop sites) within Precinct D.

Council to investigate the financing and funding strategies for the following as part of the Section 94 strategy for the centre:

- i. New double-decked parking on Larkin Lane car park site;
- ii. New village green and underground parking on Lord Street car park site.

#### J9 – Residential Yields

- 1. To address the Departments concern that the yield tables showing Council's estimates of anticipated dwellings, provided by Council in 2006, are likely to be substantially inflated it is recommended that Council:
  - i. Update estimates of yield for LEP 194 based on 115sqm average for residential 2(d3) and R4 zones;
  - ii. Modify town centre LEP yield tables using a 95sqm average apartment size for mixed use B2 zones;
  - Provide DCP controls to encourage a range of dwelling sizes within the mixed use (B2) zones and to provide for an appropriate proportion mix of dwelling sizes;
  - iv. Modify the yield tables by applying take-up rates of 90% for residential zones and 50% for the mixed use zones to provide realistic yield estimates;
  - v. Re-issue amended yield tables to the Department for approval.

#### J10 – Economic Feasibility

- 1. It is recommended that Council:
  - i. Review and make amendments to the parking controls in the Town Centre DCP Part 5 for residential, retail and commercial uses in mixed use zones within 400m of a rail station including those sites noted by the Department in the attached tables.
  - ii. This work should be done in co-ordination with the Town Centre Parking Management Plan and with advice from an economic consultant to ensure economic viability and in view of current and future public transport infrastructure.

- iii. The outcomes must be consistent with the objectives of the Metropolitan Strategy, that is, to ensure feasibility of redevelopment and improving the utilisation of public transport.
- 2. That remaining unresolved issues in the correspondence from the Department and as identified in the summary of recommendations in the Officers' report be the subject of independent review, further discussion and as appropriate mediation with the Department prior to final reporting to Council.

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

That the following sites be referred to the Consultant.

(Moved: Councillors Ryan/Lane)

1. Precinct P in Lindfield

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

(Moved: Councillors Ryan/Lane)

- 3. Precinct D in Lindfield
- For the Resolution:Councillors Cross, Hall, Lane, Ryan, Shelley<br/>& AndersonAgainst the Resolution:The Mayor, Councillor N Ebbeck, Councillors

tion: The Mayor, Councillor N Ebbeck, Councillors Andrew, Bennett & Malicki

(Moved: Councillors Ryan/Lane)

4. Precinct D in Roseville

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

(Moved: Councillors Ryan/Lane)

5. Precinct B Lindfield - 321 to 329 Pacific Highway & 1 to 5 Tryon Place

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

3. That the Mayor and General Manager engage as a matter of urgency a suitably qualified expert/facilitator to assist Council and staff to implement this resolution. That the person to be engaged has not been involved in the Ku-ring-gai town centre process and they should have senior and recent experience in the development of town centre instruments and be experienced as a mediator or facilitator.

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

4. That the reporting matter of reclassification of Council land be brought forward from December to October 2007.

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

5. That the consultant's recommendations be reported to Council at the meeting of 25 September 2007.

To provide a comprehensive response to the issues raised in the letter of the Department of Planning dated 4 July 2007 for the Ku-ring-gai Town Centres Draft Local Environmental Plan (LEP) and Development Control Plan (DCP).

Where there is no separate voting shown, the voting was as follows:

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

*The above Resolution was subject to an Amendment in Part J.10.2 which was LOST. The Lost Part of the Amendment was:* 

That the following site be referred to the Consultant.

2. The Eden Brae site in St Ives

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



NSW GOVERNMENT Department of Planning

> Phone: 9228 6510 Fax: 9228 6499

:61 2 9762 8713

Mr Brian Beli General Manager Ku-ring-gai Council Locked Bag 1056 Pymble NSW 2073

Attention: Antony Fabbro

24 0949

Dear Mr Bell

#### Subject: Memorandum of Understanding – Planning Reform Fund Program

Following the Department's advice that your Expression of Interest for funding under the Planning Reform Fund Program has been successful, I now enclose for your signature the Memorandum of Understanding (MOU) between the Department and Council.

The MOU contains provisions requiring that LEPs and DCPs are consistent with the Metropolitan Strategy and NSW Government Planning Reform, and that LEPs follow the format of the standard LEP template. The MOU also contains provisions for the payment of funds by instalment, the first of which will be issued to Council upon acceptance of the MOU.

Council is requested to ensure that the MOU is signed and returned to the Department by Wednesday 30<sup>th</sup> November, to facilitate the commencement of Council's planning reform project and delivery of the first cheque from the Department.

Should you require any further information regarding the Memorandum of Understanding, please contact the planner responsible for your area.

Yours sincerely

11-11.05

Petula Samios Director, Metropolitan Planning Co-ordination Unit



Sydney Region East, 23-33 Bridge Street, Sydney NSW 2000, GPO Box 39, Sydney NSW 2001 Phone 02 9228 6510 Fax 02 9228 6499 www.dipnr.nsw.gov.au



# **Planning Reform Funding Program**

## Memorandum of Understanding

Between

**Department of Planning** 

And

Ku-ring-gai Council ("Council") 13

#### Purpose of the Memorandum of Understanding (MOU)

This Memorandum of Understanding ("MOU") is between the Department of Planning ("the Department") and Ku-ring-gai Council ("Council") to undertake the project as outlined in Schedule A ("Project") as part of the Planning Reform Funding Program. Terms and conditions for funding the Project are listed in Schedule B.

#### Objectives of the Planning Reform Funding Program (PRFP)

The intention of the Planning Reform Funding Program ("**PRFP**") is to improve the NSW planning system consistent with the *Environmental Planning* Assessment Regulation Further Amendment (Fees) Regulation 2002.

The priority is to fund local councils preparing new local environmental plans (LEPs) to implement the NSW Planning Reforms announced in September 2004.

The aim of the PRFP is to fund local councils to:

- complete new LEPs in the revised LEP format consistent where appropriate with emerging regional strategies, this includes Councils in high growth areas where the Department is currently preparing a regional strategy, such as the Far North Coast, Lower Hunter, South Coast and Sydney metropolitan area. As well as Councils that have recently amalgamated or expanded through boundary restructures and need to rationalise and consolidate existing planning instruments
- undertake local planning strategies (eg to identify growth potential for housing and industry, and to protect high conservation areas, including threatened species habitats)
- develop economic strategies (eg for job creation, or to implement State resource sector strategies, eg for agriculture, forestry, construction, mining and petroleum)
- undertake investigative work (eg development studies for settlements and urban design, identifying transport and infrastructure priorities, or for biodiversity or rivers and to undertake foreshore protection)
- undertake projects to address skill and staff shortages in rural and remote locations
- undertake joint work between two or more Councils (eg joint studies to solve subregional planning and infrastructure issues, or councils sharing a planner to assist in new LEP work)
- create solutions to broader issues that can be applied in other areas (eg natural resource management, planning for rural lands or regional town centres, or management of salinity)
- undertake mapping (eg to assist with biodiversity certification or threatened species mapping)

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### Schedule A

### **Description of Project and Timeline**

Project Name:	"Ku-ring-gai Comprehensive Local Environmental Plan – A Staged Approach"
Organisation:	Ku-ring-gai Council

#### 1. Project description

- a) Undertake planning work and the specific studies and actions (as detailed in Council's revised Application Form details sent on 23 September 2005 and listed below) to support the preparation of a new comprehensive LEP for Ku-ring-gai Local Government Area in line with planning reforms and the standard LEP template.
  - Retail Study
  - Six Traffic Studies
  - Six Urban Design Studies
  - Land Economics Advice
  - Other Consultants Advice
  - Project Staff
  - Biodiversity Study
  - Mapping
  - Exhibition/Printing/Mailing/Advertising
  - Public Domain Landscape Study
  - Information Technology
  - Community consultation
- b) Prepare a Commercial Centres LEP by 31 December 2006, as the first stage of the overall comprehensive LEP.

Note: The studies and planning work to support the completion of the comprehensive LEP covering the entire LGA will continue beyond the timing of the Commercial Centres LEP detailed in this MOU. The studies necessary for the preparation of the Commercial Centres LEP will be prioritised to allow that plan to be completed in the specified timeframes.

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#### 2. Milestones & Timeline:

Milestones	Timeline*
Preparation of planning work and studies detailed in Council's revised Application Form sent on 23 September 2005 (listed above in this Schedule) to inform the Stage 1 Commercial Centres LEP and overall Comprehensive LEP	Studies to be prioritised to allow progression of the Commercial Centres LEP within the timeframes below.
Draft Commercial Centres LEP - Section 64 submission to Department of Planning	No later than 28 February 2006
Draft Commercial Centres LEP - Section 68 submission to Department of Planning	No later than 31 December 2006

\* Timeline may be amended only in consultation and agreement between the Department and Council.

#### 3. Overall project objectives

#### Objectives in relation to the preparation of a comprehensive LEP:

- Articulate a Vision for the LGA. This will emerge from engagement with the community, businesses, government agencies and other stakeholders. Key localities and centres may have their own important objectives.
- The Vision will incorporate wider strategic objectives for the Sydney Metropolitan area and have particular regard to the integration of transport and land use.
- Background information will need to include an audit of the social, economic, infrastructure and ecological resources of the LGA in the context of demographic and economic change.
- Identify opportunities and constraints based on the audit. Key identifiers are housing and employment needs and trends, threatened species, water availability etc.
- Identify and provide for growth patterns in housing and employment lands, open space, transport and infrastructure in accordance with the Vision.
- Prepare a Local Structure Plan showing the spatial representation of the desired outcomes, establish strategic priorities and the actions that will achieve them.
- Develop an implementation plan including DCPs, Management Plans and Section 94 Plans with consideration of the staging or timing of various actions.
- Establish monitoring mechanisms to assess the effectiveness of the plan. Performance standards need to be measurable.
- Modernise the planning provisions having regard to the direction of planning reform in the State and Standard LEP template.
- Promote the electronic delivery of the plan.

Objectives specifically in relation to the Commercial Centres LEP

- Rezone land to facilitate the development of multi-unit housing and increase housing choice particularly in the form of "shop-top" housing.
- Improve the development standards so as to encourage the redevelopment of land in the existing multi-unit housing zones.
- Include provisions which allow for the redevelopment of land for multi-unit housing consistent with the development standards contained in LEP 194.
- Provide for retail and commercial activities to cater for the local community and to implement housing density standards which compliment those contained in LEP 194.

#### 4. Financial Matters:

Department of Planning Funding	\$200,000	
Council Funding	\$1,739,500	
Funding from other sources	\$0	
TOTAL PROJECT COSTS	\$1,939,500	
Total Cost + GST	\$2,133,450	