

Council Resolution

158

Planning Proposal - Deferred Area 15 - Killara Golf Club

File: S11324

Vide: GB.4

For Council to consider a Planning Proposal for the north-eastern part of the Killara Golf Club known as Deferred Area 15 under the *Ku-ring-gai Local Environmental Plan 2015*.

The following member of the public addressed Council on this item:

R Read

Resolved:

[Moved: Councillors McDonald/Szatow]

- A. That the Planning Proposal be amended in accordance with the recommendations in this Council Report and *Table of Amendments* at Attachment A1.
- B. That the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.
- C. That delegation be given to the General Manager and Director of Strategy and Environment to verify all amendments are in accordance with the recommendations of this Council Report and *Table of Amendments* at **Attachment A1** prior to forwarding to the Department of Planning and Environment.
- D. That should a Gateway Determination be issued for public exhibition of the Planning Proposal, site specific amendments to Council's Comprehensive Development Control Plan be prepared in accordance with Council's fees and charges, the details in this Council Report and the *Table of Amendments* at **Attachment A1** and be placed on public exhibition concurrently with the Planning Proposal.
- E. That a Report be brought back to Council, as per any Gateway requirements, following the exhibition of the Planning Proposal and site specific *draft Development Control Plan*.
- F. That Council proceeds to make the Plan under delegated authority under Section 23 of the *Environmental Planning and Assessment Act 1979*.
- G. That the applicant be notified of Council's Resolution.

CARRIED UNANIMOUSLY

PLANNING PROPOSAL - DEFERRED AREA 15 - KILLARA GOLF CLUB

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	For Council to consider a Planning Proposal for the north-eastern part of the Killara Golf Club known as Deferred Area 15 under the <i>Ku-ring-gai Local Environmental Plan 2015</i> .
BACKGROUND:	At the Ordinary Meeting of Council on 13 June 2017 Council resolved <i>That the matter be deferred pending a site inspection</i>. A site inspection was scheduled to be held at the Killara Golf Club on 23 June 2017. The matter is now being reported back to Council. This parcel of land was deferred from inclusion in the <i>Ku-ring-gai Local Environmental Plan 2015</i> to allow Council to consider the landowner's case regarding the zoning and standards that apply to the site. The proposal seeks to maintain the <i>KPSO</i> residential status of the land with a partial rezoning to a higher density. The Planning Proposal indicates that should development of the site be found necessary at some future date to enable the continued long-term operation of the Club. The Club has indicated they will maintain the existing golf provision through relocation of the facilities currently provided on the Deferred Area, including the bowling greens and tennis courts.
COMMENTS:	This report presents the assessment of the Planning Proposal and addresses key issues regarding the application, namely the flexibility sought through the proposal that will support the long term retention of the Killara Golf Club in this location, and the issues of interface impacts on neighbouring properties and the protection of the Heritage Item and its curtilages. This report stipulates the amendments required to the Planning Proposal prior to it proceeding for Gateway Determination.
RECOMMENDATION:	That the Planning Proposal be amended and forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with section 56 of the <i>Environmental Planning and Assessment Act 1979</i> .

PURPOSE OF REPORT

For Council to consider a Planning Proposal for the north-eastern part of the Killara Golf Club known as Deferred Area 15 under the *Ku-ring-gai Local Environmental Plan 2015*.

BACKGROUND

At the Ordinary Meeting of Council on 13 June 2017 Council resolved *That the matter be deferred pending a site inspection*. A site inspection is scheduled to be held at the Killara Golf Club from 2pm – 3.30pm on Friday 23 June 2017. The matter is now being reported back to Council.

The land subject of this Planning Proposal is known as Deferred Area 15 under the *Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)*. It is owned by Killara Golf Club and forms the north-eastern part of the Golf Club land located closest to the Pacific Highway.

Under the *Ku-ring-gai Planning Scheme Ordinance (KPSO)*, the land was zoned Residential 2(b), allowing low density residential development across the site. The draft *Ku-ring-gai Local Environmental Plan 2013 (draft KLEP 2013)*, exhibited the land as RE2 Private Recreation; however, Killara Golf Club expressed the necessity to retain the residential status of the site as a means to future proof and facilitate the longevity of the Golf Club and its facilities.

In making the *KLEP 2015*, the Department of Planning and Environment made a variation to exclude part of the Killara Golf Club site from the *KLEP 2015*. The excluded land is known as Deferred Area 15.

In its 4 March 2015 notification letter to Council (refer to **Attachment A2**) the Department of Planning and Environment advised that:

- 4. The draft Plan has been amended to defer part of the Killara Golf Club site that is currently zoned to permit low density residential development.*

The change has been made as a result of representations to the Department on behalf of Killara Golf Club that identified that the site was appropriately zoned for low density residential and an R2 Low Density zone was preferred. This will mean that the current controls from the Ku-ring-gai Planning Scheme Ordinance will continue to apply, pending a planning proposal to enable consideration of the appropriate zone for the land.

The deferral option is recommended as it provides the opportunity for a transparent process to address the appropriate zone for the land, and provides an opportunity for adjoining landowners to make submissions on the proposed zoning.

The lodgement of the Planning Proposal will enable the transparent assessment of the Deferred Area zoning and corresponding standards, including consultation and consideration of community comment during the public exhibition.

A Pre-Planning Proposal meeting was held with the applicant and Council staff on 20 August 2015. Assessment of the Planning Proposal commenced on 24 February 2017 following the receipt of complete documentation on the proposal. Further clarification was requested by Council and received on 15 May 2017.

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The Planning Proposal seeks to reinstate residential zoning across the Deferred Area with a split zoning of R2 (Low Density Residential) and R4 (High Density Residential).

A copy of the Planning Proposal and appendices are included at **Attachments A3 – A14**.

Site description and local context

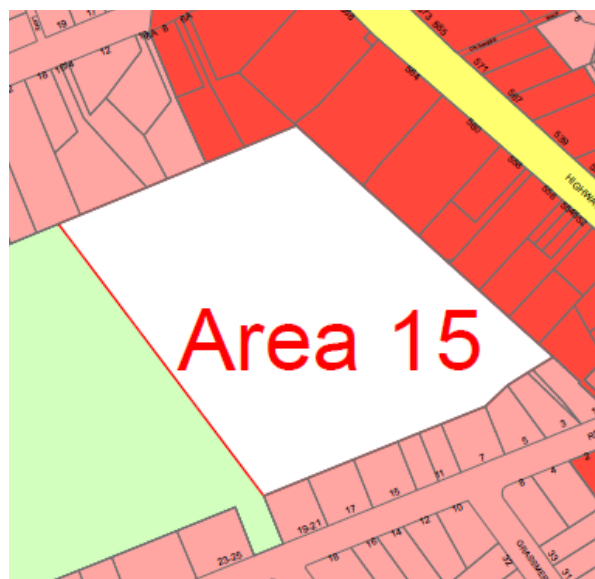
The site is owned by the Killara Golf Club and is one of four private golf clubs in the Ku-ring-gai local government area. Killara Golf Club has long standing historical links with the area since its establishment in 1899.

The site, subject of this Planning Proposal, is part of a larger site known as 556 Pacific Highway, Killara and identified as Lot 2 in DP535219. The Deferred Area site constitutes a limited area to the north-east of the Lot and comprises the Clubhouse, bowling greens, tennis courts, golf fairways, parking and vehicular access from the Pacific Highway. The Killara Golf Course Clubhouse is identified as a local Heritage Item under Schedule 7 of the *KPSO*.

The subject site is located within a predominantly residential area with low density residential development (zoned R2 (Low Density Residential)) to the south fronting Fiddens Wharf Road and north-west fronting Buckingham Road. High density residential development including some small business premises (zoned R4 (High Density Residential)) is located to the north and east of the site, fronting the Pacific Highway. The Deferred Area site operates as a battle-axe property with driveway access from Pacific Highway.

The historical Club house building sits on a relatively flat area at a lower level than surrounding land to the east and north. The topography of the site steadily falls to the west, thus giving panoramic views from the Club house and private properties around it.

Almost all of the lots along Pacific Highway are zoned R4 (High Density Residential). Lots towards the north consist of unit blocks of 4-5 stories. Lots surrounding the site are made up of large lots of private residential housing. These lots are zoned R2 (Low Density Residential).



Location and Context - Killara Golf Club - Deferred Area 15 (KLEP 2015)

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The applicant's justifications for the proposed amendments to the KLEP 2015 are as follows:

- there is a growing worldwide trend of golf slowly losing popularity, especially amongst younger people, with many golf clubs in Australia already experiencing financial difficulty;
- Killara Golf Club is currently in a strong financial position and wishes to maintain this through good forward planning able to cater for the needs of a changing local demography;
- the Club sees as crucial to its future, the maintenance and continual improvement of its golf course together with the provision of a wider offering of activities and facilities for current and future Members; and
- through the increased zoning, to ensure that future Boards and Members have options to secure Club's future including the major upgrade to the Clubhouse facilities, enabling the Club to offer much greater functionality in a more cost effective manner.

The Killara Golf Club proposal seeks to maintain the *KPSO* residential status of the land with a partial rezoning to a higher density as a means to enable long-term flexibility around the use of the site to support and preserve the majority of the land as a golf course and other related facilities. The Planning Proposal indicates that should development of the site be found necessary at some future date to enable the continued long-term operation of the Club, the Club will maintain the existing golf provision through relocation of the facilities currently provided on the Deferred Area, including the bowling greens and tennis courts.

The Planning Proposal

The Planning Proposal seeks to make the following amendments to the *KLEP 2015*:

- rezone the subject site from Residential 2(b) under the *KPSO* to a split zoning of R2 (Low Density Residential) and R4 (High Density Residential);
- amend the associated development standards to the R2 (Low Density Residential) and R4 (High Density Residential) land to be consistent with the *KLEP 2015*; and
- to amend the heritage mapping and *Schedule 5 - Environmental Heritage* to delineate and extend the Heritage Curtilage Area and the Heritage View Curtilage around the Clubhouse Heritage Item.

These amendments to the KLEP 2015 are intended to:

- maintain the Killara Golf Club's flexibility on the use of the site;
- enable the conservation of the heritage clubhouse and its curtilage; and
- to facilitate future development to support and retain the long-term operation and upkeep of the Club and its facilities, should the need arise.

Several studies form appendices to the Planning Proposal and provide analyses and justifications for the Planning Proposal. The studies, listed below, have been considered with comment and recommendations in the *Table of Amendments* at **Attachment A1**.

- Detailed Site Survey prepared by YSCO Geomatics;
- Killara Golf Club Urban Design Study Dec 2016 – PMDL;
- Traffic Report (Varga Traffic Planning);

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- Conservation Management Plan + Statement of Heritage Impact;
- Flora and Fauna Assessment;
- Arborist Report;
- Contamination Report, SESL Australia; and
- Killara Golf Club - Communications Outcomes Report, Elton Consulting.

A Planning Proposal is not a Development Application and does not consider the specific detailed matters for consideration under section 79C of *Environmental Planning and Assessment Act 1979*. A Planning Proposal relates only to an LEP amendment and the proposed amendments need to be acceptable as an outcome on the site, regardless of the subsequent approval or refusal of any future Development Application.

COMMENTS

A Planning Proposal must demonstrate the strategic merit of the proposed amendments to a Local Environmental Plan. This Planning Proposal has been assessed against the provisions of the Department of Planning and Environment's "*A Guide to Preparing Planning Proposals*" and section 55 of the *Environmental Planning and Assessment Act 1979*.

Detailed assessment of the Planning Proposal and its supporting studies has been conducted. In general the Planning Proposal is supported conditional on the incorporation of all the recommended amendments stipulated in this Council Report and in the *Table of Amendments* at **Attachment A1**.

The following is an assessment of the key planning issues regarding the amendments proposed in this Planning Proposal.

Zoning

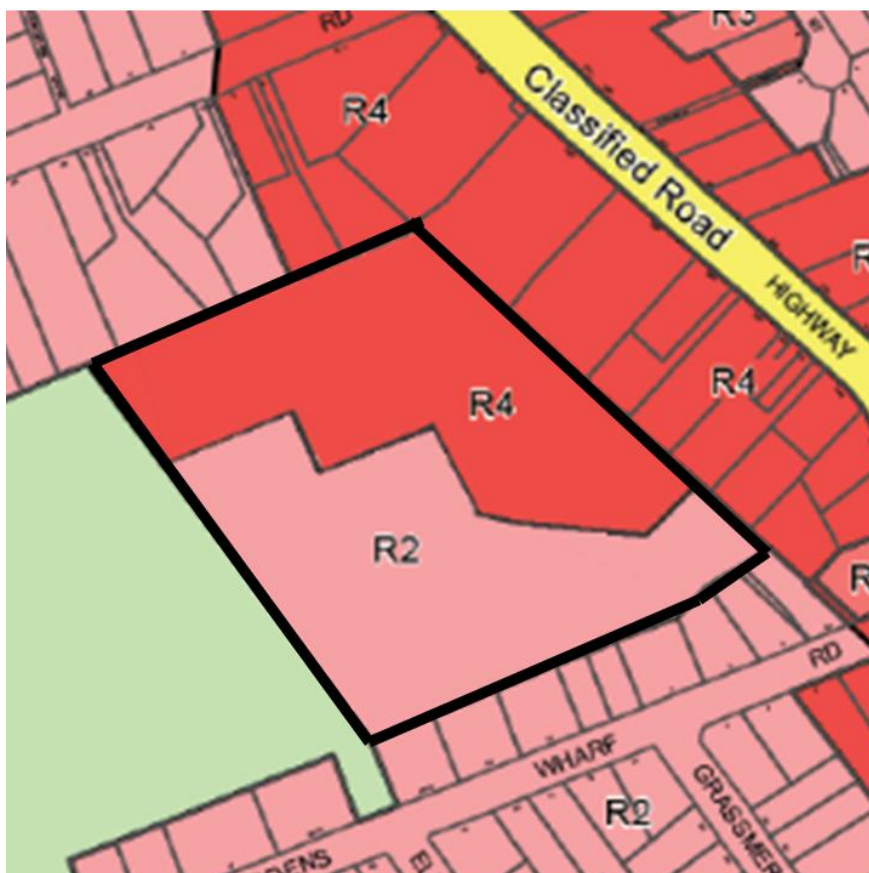
As stated above, the subject site is currently zoned Residential 2(b) under the *KPSO* enabling low density residential development. The *draft KLEP 2013* exhibited the land as RE2 Private Recreation; however, following instruction from the *Department of Planning and Environment* the site was deferred from *KLEP 2015* and is known as Deferred Area 15 in that LEP. This issue was not raised by the Club in submissions to the exhibition of the Principal LEP at the time.

The Planning Proposal seeks to amend the zoning of the site to:

- translate the existing Residential 2(b) *KPSO* zoning to R2 (Low Density Residential) on the majority of the site;
- rezone to R4 (High Density Residential) that portion of the site at the north-east of the Deferred Area parcel.

It is understood that the motivation for Killara Golf Club to rezone part of the site to R4 (High Density Residential) is to enable a means of protecting and retaining the Golf Club and its associated facilities into a future which is already experiencing a change in the traditional recreational function of the sport.

The position to protect the longevity of the sport at this location is supported as this recreational facility is important in the long-term structure and historical fabric of the area.



Planning Proposal – proposed zoning

R2 (Low Density Residential) Zoning

The Planning Proposal retains a larger portion of the site as R2 (Low Density Residential).

This is supported as the zoning has historically applied to the land through the *KPSO* equivalent of Residential 2(b). Further, the dwellings resulting from any future development of the site will not conflict with the built form of the surrounding area which is predominantly single dwellings (R2 (Low Density Residential) zone) located upslope from the Deferred Area site.

R4 (High Density Residential) Zoning

The Planning Proposal incorporates an area of R4 (High Density Residential) restricted to the north-east of the Deferred Area. The location of the R4 (High Density Residential) zoning to that part of the site, places any future high-density development mainly adjacent to existing areas of similar R4 (High Density Residential) zoning fronting Pacific Highway and Buckingham Road.

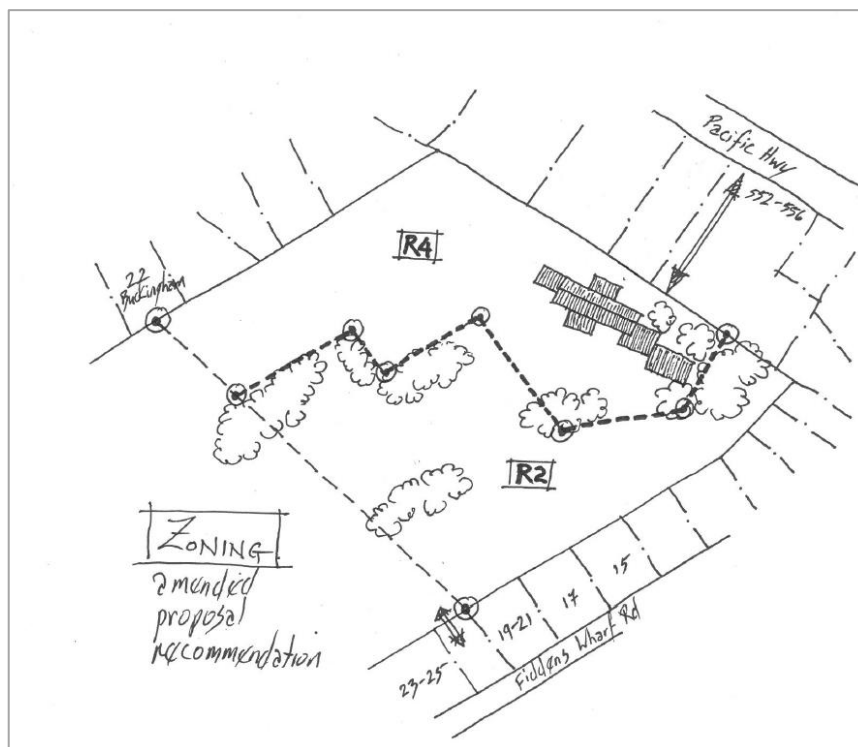
The proposal siting the R4 (High Density Residential) component at this location is supported as the placement ensures no overshadowing or impacts on solar access to adjacent properties, and will result in limited impact on the golf course site itself with separation from areas of biodiversity and heritage curtilages.

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The split R2 (Low Density Residential) and R4 (High Density Residential) zoning to the Deferred Area site is supported.

The amendments to the zoning boundaries, adjusted to incorporate key trees into the heritage curtilage area is detailed in *Table of Amendments* including at *Appendix B Detailed Site Survey prepared by YSCO Geomatics* and *Appendix C – Urban Design Study prepared by PMDL* and illustrated in the diagram below.



Recommended R2 (Low Density Residential) and R4 (High Density Residential) Zone Boundaries

Heights

The Planning Proposal stipulates a height standard of 17.5m to all the proposed R4 (High Density Residential) area; however, the *PMDL Urban Study* attached to the Planning Proposal provides variations to the heights within the R4 (High Density Residential) zoning.

The *PMDL* study indicates three height variations within the R4 (High Density Residential) zoning labelled Area B, B1, B2 (discussed in detail in the *Table of Amendments* at **Attachment A1**). The proposed heights are:

- Area B - a maximum height level set by the Heritage Item Clubhouse;
- Area B1 - a 17.5m height enabling 5-storey development to the north-east of the site and on the tennis court area;
- Area B2 - a maximum RL109.810 height level enabling 4-5-storey development on the R4 (High Density Residential) land adjacent to the R2 (Low Density Residential) area of single dwellings fronting Buckingham Road.

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Planning Proposal – proposed height areas – Area B, Area B1, Area B2

Topography

The boundary lines of the proposed Areas B1 and B2, with their differing height standards is not supported.

As illustrated in the *PMDL* report and analysed in the *Table of Amendments* at **Attachment A1**, the proposed height of Area B1 on the tennis courts would enable a building with a greater height (RL 114.7) than the adjacent building (RL 109.810) within Area B2 on the bowling greens. This built form is not congruent with Council's policy of buildings stepping down in response to the sloping topography. Therefore it is recommended that the boundary line between Area B1 and Area B2 be adjusted to ensure the heights and built forms can better respond to the topography.

It is recommended that the RL109.500 apply to that part of Area 1 located on and around the tennis court, and that this area be merged into Area B2. This will give the additional advantage of the 5-storey element being recessed from the wider views from the Clubhouse Heritage Item. See the below diagram.

Views

Whilst the views from the Buckingham Road houses will change should the site be developed in the future, it is acknowledged that the views are not to the public domain, nor iconic, nor district views. The views are landscape views across private property with no established propriety rights to the neighbouring properties. For this reason views do not present sufficient motive to dismiss consideration of rezoning to R4 (High Density Residential). However, consideration of the amenity arising from the rezoning must be addressed as the area directly adjacent to the single dwellings on Buckingham Road creates an Interface Area.

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Area B2 is classed as an interface site as it is directly adjacent to R2 (Low Density Residential) land. As such, it is acknowledged that there will be a change to the amenity (privacy and overlooking) of the dwellings and their private open spaces should 5-storey buildings be permitted adjacent to the 2-storey dwellings accessed from Buckingham Road.

Since Council has the position of providing an Interface Area that acts as a buffer between low density R2 (Low Density Residential) areas and high density R4 (High Density Residential) areas, it is important to maintain consistency with that approach at this location.

An Interface Area may be provided through placing an R3 (Medium Density Residential) zoning with height limit of 11.5m (3-storey) in between the R2 (Low Density Residential) 2-storey, and R4 (High Density Residential) 5-storey zones; or, by placing R4 (High Density Residential) zoning with height limit of 11.5m (3-storey) between the R2 (Low Density Residential) height 9.5m-2 storey, and R4 (High Density Residential) 17.5m – 5 storey zones.

Given the topography of the site, a lower height R4 (High Density Residential) zoning to the interface area is preferred as it will limit the footprint of the built structure. The footprint of R3 (Medium Density Residential) development will be more widespread and reduce the ability to provide view corridors and areas for large canopy tree planting around the new development.

Use of Reduced Level (RL) Height Standard

To acknowledge the views that have benefited surrounding properties albeit across private lands, and to ensure the proposed R4 (High Density Residential) zone building heights maintain a relationship to the existing balcony levels of the dwellings with R2 (Low Density Residential) zoning on Buckingham Road adjacent to Area B2 (as provided in the *PMDL* study attached to the Planning Proposal), it is recommended that the maximum height permissible under the amended LEP be stipulated as a specific RL amount.

This will ensure that any future development that occurs in front of the existing R2 (Low Density Residential) dwellings on Buckingham Road will remain at a level that minimises impacts to those dwellings and is congruent with Council's approach to development on both topographically sloping land and Interface Areas.

The *PMDL* study (discussed in **Attachment A1**) proposes an RL109.810 to the B2 Area. A recommended reduction in this RL from the proposed RL109.810 to RL109.500 will maintain the amenity to the dwellings at 8A, 14, 16, 22 Buckingham Road as it will retain height levels relative to those dwellings. The reduction in the proposed RL will enable 3-story buildings at the boundary with the dwellings (at the bowling greens), and a 4-storey building further into the site at the lower level tennis court location.

Therefore, whilst the proposed height variations are supported, a further reduction to Area B2 is recommended due to its status as an Interface Area. This reduction to RL109.500 will limit the building heights adjacent to the rear boundaries of the Buckingham Road dwellings. It will ensure the proposed R4 (High Density Residential) development does not tower over the neighbouring dwellings fronting Buckingham Road, and in tandem with Council's DCP controls of view corridors, 9m setbacks on such interface sites, screening and landscaping requirements, will maintain privacy and amenity to the rear of the dwellings and their gardens.

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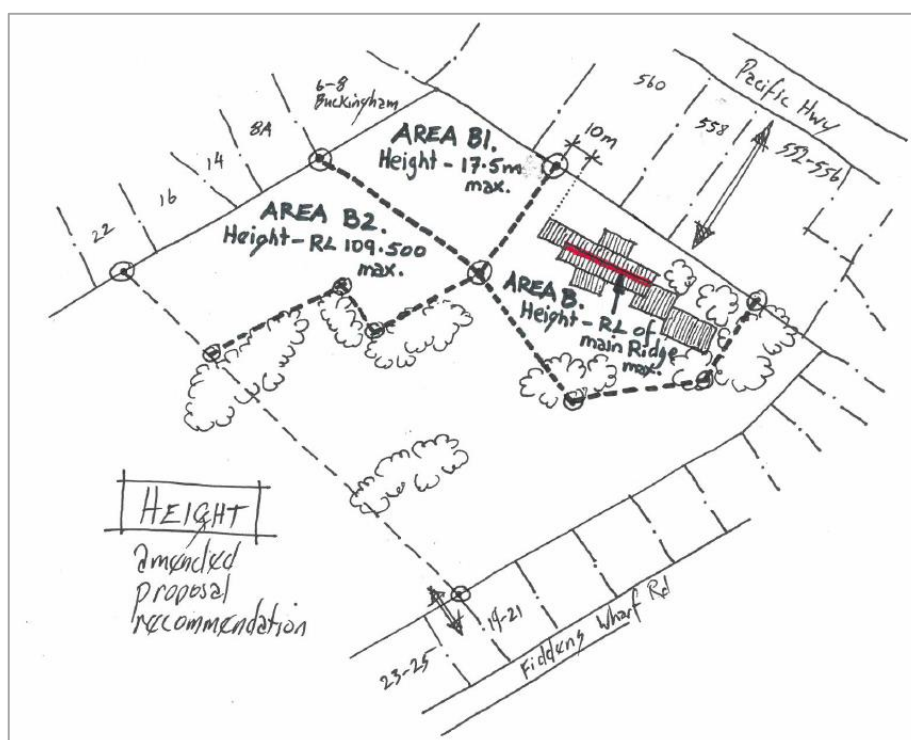
As a result of the recommended adjustment to boundaries for zoning and differing heights to Areas B, B1, B2 within the R4 (High Density Residential) area, calculations are to be undertaken by the applicant to establish the site FSRs based on the zoning and height areas recommended in this Council report and in the *Table of Amendments* at **Attachment A1**. The evidence and numerics of the FSR calculations must also be provided to enable verification by Council.

Conclusion

The variation of height standards across the R4 (High Density Residential) site is supported; however, a reduction in Height to Area B2, classed as an Interface Area, will ensure that partial views and good amenity, consistent with Interface Areas, is maintained to the neighbouring single dwelling properties to Buckingham Road consistent with that afforded to interface sites within the LGA.

The proposed mixture of height standards across the R4 (High Density Residential) area will enable a variety of building heights and corresponding FSR standards to be achieved appropriate to their location in the Deferred Area. This will preserve amenity onsite and to adjacent properties.

The amendments to the height standards are detailed in *Table of Amendments* including at *Appendix B Detailed Site Survey prepared by YSCO Geomatics* and *Appendix C – Urban Design Study prepared by PMDL* at **Attachment A1** and illustrated in the diagram below



Recommended Boundaries for Height Variations

HERITAGE

The Clubhouse is a Heritage Item which under the KPSO has a limited curtilage area around it. This Planning Proposal provides analysis of the Item and its curtilage. Comment on these studies

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has been provided in the *Table of Amendments - Appendix E – Conservation Management Plan + Statement of Heritage Impact* at **Attachment A1**.

The *CMP* studies have resulted in a proposal that seeks to ensure the long-term preservation of the Heritage Item through adaptive reuse should it become necessary, and the establishment of two Heritage Curtilage Areas protecting its setting: a Heritage Curtilage Area directly around the Item, and a Heritage View Curtilage Area in front of the building relating to views from the Item in a view corridor downslope across the fairways.

Heritage Item

The Killara Golf Course Clubhouse is identified as a local Heritage Item under Schedule 7 of the *KPSO* and is located within the proposed R4 (High Density Residential) area to the north of the site known as Area B under the recommended Height diagram above.

The Planning Proposal seeks to retain the Clubhouse as a Heritage Item with the option for its adaptive reuse and the formalisation of its heritage curtilage area, including a new formalised area surrounding the Clubhouse and a view curtilage (view corridor) to the main facade of the building.

The Planning Proposal has looked at future options for the Clubhouse, including a refurbishment of the existing building, or relocation of the clubhouse facility to another location within the site and adaptive reuse of the existing heritage listed building for high-end apartment living.

The R4 (High Density Residential) zoning may be perceived as conflicting with the conservation of the Item. However, in this instance the R4 (High Density Residential) zoning is the zoning-through of a Heritage Item which allows development in the vicinity of the item that does not impact on the item's significance, particularly with the recommended changes to the zoning, height and curtilage boundaries, and allows for the adaptive reuse of the building should it be necessary in the long-term.

Further, to mitigate against any future assumptions that R4 (High Density Residential) development is supported within the immediate curtilage of the Heritage Item it is recommended the permissible Maximum Building Height within the area identified in the *CMP (page 74)* as Curtilage A, and identified in the Height map in the *PMDL* study and in this Council Report as Area B, be limited to an RL equivalent to the main roof ridgeline (running NE-SW) of the Clubhouse. This potentially permits adaptive reuse of the Clubhouse while not supporting 5-storey development within the curtilages of the Heritage Item. This RL is to be provided as stipulated in the *Table of Amendments* including at *Appendix B Detailed Site Survey prepared by YSCO Geomatics* and *Appendix C – Urban Design Study prepared by PMDL* at **Attachment A1**.

In addition, the *CMP* refers to the item as Killara Golf Course Clubhouse. The item name doesn't fully describe the elements and curtilage identified as significant. It is recommended to revise the Heritage Item name in Schedule 5 to: *Killara Golf Course Clubhouse including putting green and fairway*.

Heritage Curtilage Area and Heritage View Curtilage Area

The proposed curtilage for the Clubhouse, based on the assessment *CMP*, is considered to be insufficient.

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The nominated curtilage of the Heritage Item which includes a significant view corridor has failed to include two groups of trees close to the Clubhouse. Many of these trees have previously been assessed by Council in the assessment of DA0147/11 as having significant aesthetic value to the setting of the Heritage Item.

It is recommended to expand the mapped area for the Heritage Item curtilages on the proposed Heritage Map within the Planning Proposal to include the two groups of trees on the southern boundary of the proposed Heritage Item (between the 1st and 18th holes) being H1 202-209, H18 160-164 and H1 188-200, extending the boundary of the Curtilage Area and Visual Curtilage Area to the edge of the dripline of these trees – also detailed in *Table of Amendments* including at *Appendix B Detailed Site Survey prepared by YSCO Geomatics* and *Appendix C – Urban Design Study prepared by PMDL (Attachment A1)*.

Other Heritage considerations

The north-west corner of the proposed R4 (High Density Residential) zone abuts an existing R2 (Low Density Residential) zoned area which includes the Heritage Item I257 at 22 Buckingham Road. To have R4 (High Density Residential) immediately adjacent to an R2 (Low Density Residential) zoning creates an interface issue as discussed above in this Council Report. It is Ku-ring-gai Council's practice to generally (where possible) step down the built form bulk and scale through appropriate transitional zoning, or height/FSR standards within an interface site to reduce amenity impacts such as overshadowing and loss of privacy that result from R4 (High Density Residential) 5-storey buildings being adjacent to R2 (Low Density Residential) 2-storey buildings.

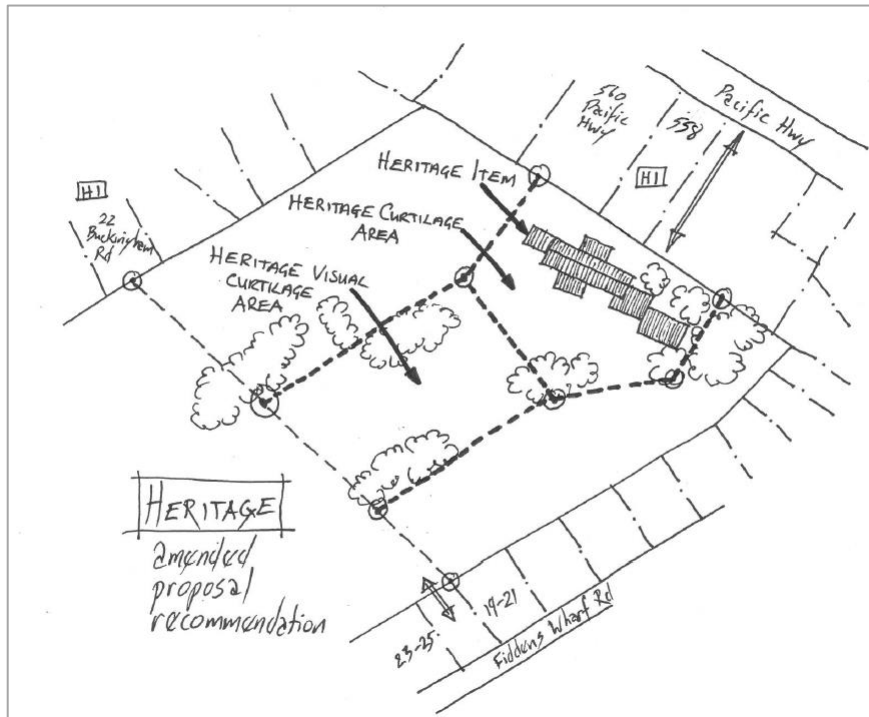
Reducing the maximum building height of the site immediately adjacent the 22 Buckingham Road Heritage Item from an RL109.810 to RL109.500 will ameliorate some of the impacts from having an incompatible zoning immediately adjacent to the Heritage Item.

Conclusion

The retention and conservation of the Heritage Item via the R4 (High Density Residential) through-zoning with height and development standard restrictions protecting the Item as recommended in this Council Report and the *Table of Amendments (Attachment A1)* is supported.

The curtilages associated with the Item are also supported conditional on the recommendation to expand the visual curtilage to include significant trees on the boundary of the fairway as the trees contribute to consolidating the fairways sense of place and facilitates the future interpretation of its original use. Detail on the curtilage boundary lines may be found in the *Table of Amendments* to the *Statement of Heritage Impact* and detailed in *Table of Amendments to Appendix B – Detailed Site survey by YSCO Geomatics (Attachment A1)*.

Reduction of the height of the site known as Area B2 in the *PMDL* Height map, and adjusted in the Height diagram above from RL109.810 to RL109.500, will ameliorate some of the impacts to the 22 Buckingham Road Heritage Item directly adjacent to the interface site.



Recommended Boundaries for Heritage Curtilage and Heritage View Curtilage

OTHER CONSIDERATIONS

Site specific Development Control Plan

Given the unusual nature of this site, its "battleaxe" aspect, interface issues, topographical features, heritage significance and ecological areas, it is recommended that site specific provisions be prepared for inclusion in Council's comprehensive Development Control Plan (DCP) be prepared should a Gateway Determination be issued for the public exhibition of the Planning Proposal. This DCP amendment will be prepared by Council incorporating masterplan principles discussed with the landowner with costs paid by the landowner and in accordance Council's Fees and Charges.

The DCP amendment would ensure consideration of: the physical and visual amenity to adjacent low density dwellings including the Heritage Items in the vicinity of the proposal; consideration of the Heritage Item clubhouse and its curtilage and view corridor; consideration of new onsite dwellings; and consideration of the users of the golf course. Consistent with the current development controls in the DCP, the site specific DCP amendment would reflect the landscape, screening, access, circulation, amenity and setback requirements including the larger setback dimensions required on Interface Areas adjacent to lower density zoning.

Traffic Study

Whilst the access for all vehicles off Pacific Highway is supported, consideration of further access off Fiddens wharf Road is recommended. To this end, an assessment of impacts of a separate access point from Fiddens Wharf Road for the R2 (Low Density Residential) zone at the southern end of the Deferred Area site is required for inclusion into the *Varga* traffic study. Refer to details in the *Table of Amendments* (Attachment A1).

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The Contamination Report by *SESL* conducted for this Planning Proposal has limited the area of investigation to the carpark area only; and, the study dismisses the requirement for consideration of contamination and remediation consideration as part of this Planning Proposal. This approach is not supported.

Contamination is a consideration for this site as it falls under cl6 of SEPP 55, which requires contamination and remediation to be considered in zoning or rezoning proposals involving residential purposes. This Planning Proposal involves residential uses, moreover, the intensification of the residential use to R4 (High Density Residential) will require extensive excavation which warrants this investigation. In particular, the cl6(4) references Table 1 of the *Planning Guidelines* which emphasises the requirement to consider contamination and remediation for certain land uses including horticultural activities (relating to the use of chemicals for maintenance of the building greens and golf greens) and landfill (relating to the built up landform to the building greens across the site). Further, the *SESL* Report verifies these uses on pages 1 and 51:

"historically been used as a golf course and has been filled to achieve the current landscape. This fill is of unknown origin. Onsite activities involved in course maintenance include pesticide and herbicide use."

It is recommended that the *SESL* study investigates the entire Deferred Area 15 site as detailed in the *Table of Amendments* (**Attachment A1**).

SUMMARY OF RECOMMENDED KEY CHANGES TO THE PLANNING PROPOSAL

The Planning Proposal is supported in principle as the proposal presents sufficient planning grounds for proceeding with the amendments to the *KLEP 2015* and the progression of the Planning Proposal for Gateway Determination, subject to the recommended changes presented in this Council Report and the *Table of Amendments* at **Attachment A1**.

The key consideration is the reinstatement of the residential use of the site under the *KPSO* and the ongoing retention of social and recreational uses historically associated with this location, particularly preserving the longevity of the recreational golfing facility in uncertain economic and changing demographic times.

The key changes to the applicant's Planning Proposal are as follows:

1. Amend the Planning Proposal as stated in the *Table of Amendments* at **Attachment A1** to ensure clear, correct and content consistent with Council's approach to land use planning is presented for Gateway Determination and for public exhibition.
2. Amend the Zoning Map boundary lines for the split R2 (Low Density Residential) and R4 (High Density Residential) zoning as required in this Council Report and the *Table of Amendments* at **Attachment A1** and depicted in *Figure 1* below.

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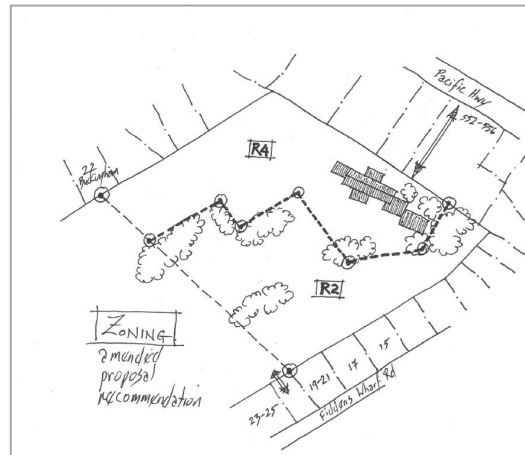
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Figure 1: Recommendation for zoning amendments to the Planning Proposal

3. Amend the Building Height Map boundary lines to include the following standards and detail as required in this Council Report and the *Table of Amendments (Attachment A1)* and depicted in *Figure 2* below:
 - R4 (High Density Residential) area with height of RL 109.500 from the corner boundary point between 8A Buckingham Road and 6-8 Buckingham Road to the corner point of the Heritage Curtilage Area and the Heritage Visual Curtilage lines (referred to as Area B2 in this Council Report);
 - R4 (High Density Residential) area with height of maximum 17.5m (referred to as Area B1 in this Council Report);
 - R4 (High Density Residential) area with height of maximum RL equivalent to the main roof ridgeline of the Heritage Item Clubhouse running NW-SE (referred to as Area B in this Council Report).

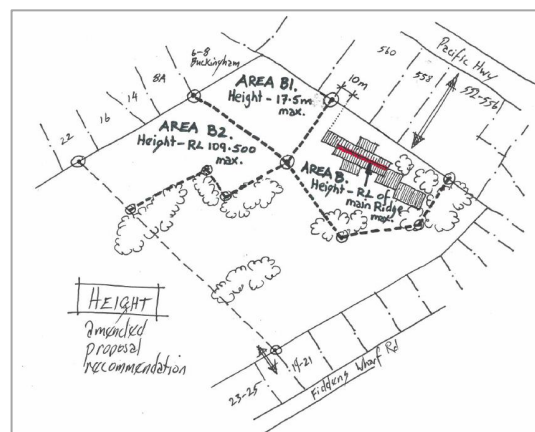


Figure 2: Recommendation for height amendments to the Planning Proposal

4. Amend the Heritage Map boundary lines to include the two heritage curtilage area lines as per the Planning Proposal with the amendment stated below and as required in this Council Report and the *Table of Amendments (Attachment A1)*, and depicted in *Figure 3* below:

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- Heritage Visual Curtilage Area and Heritage Visual Curtilage Area (view corridor) lines to include the two groups of trees on the southern boundary of the proposed Heritage Item (between the 1st and 18th holes) being H1 202-209, H18 160-164 and H1 188-200. Extend the boundary of the Curtilage Area and Visual Curtilage Areas to the edge of the dripline of these trees.

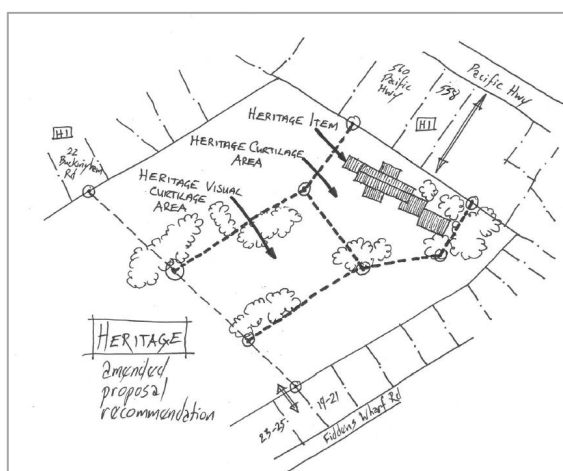


Figure 3: Recommendation for heritage amendments to the Planning Proposal

5. Tabulate all numerics relating to the R2 (Low Density Residential) and R4 (High Density Residential) areas, including FSR calculations for each differing height area based on the recommended maximum Heights for Area B, Area B1, Area B2. Include evidence and numerics of the FSR calculations to enable verification by Council. Refer to detailed requirements in this Council Report and the *Table of Amendments* (**Attachment A1**).
6. Amend the description of the Heritage Item for inclusion in KLEP 2015 Schedule 5 to "*Killara Golf Course Clubhouse including putting green and fairway.*"
7. Provide/assess impacts of a separate access point from Fiddens Wharf Road for the R2 (Low Density Residential) zone at the southern end of the site as required in this Council Report and the *Table of Amendments* (**Attachment A1**).
8. Extend the investigation area covered by the contamination report by *SESL* area to cover all of the proposed R4 (High Density Residential) land within the Deferred Area 15 and revise the statement to show that contamination and remediation has been considered for the entire Deferred Area 15 site as required in this Council Report and the *Table of Amendments* (**Attachment A1**).

INTEGRATED PLANNING AND REPORTING

Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai	Strategies, plans and processes are in place to effectively manage the impact of new development	Continue to review existing strategies and plans

GOVERNANCE MATTERS

The process for the preparation and implementation of Planning Proposals is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

RISK MANAGEMENT

This is a privately initiated Planning Proposal. Council needs to determine its position on this Planning Proposal. Council risks damage to its reputation if it does not undertake strategic land use planning in an effective and timely manner.

FINANCIAL CONSIDERATIONS

This is a private Planning Proposal and Council's Fees and Charges have been applied to cover the Departmental costs of processing the Planning Proposal. Should the proposal proceed to exhibition, advertising fees will be sought from the applicant as per Council's Fees and Charges. Costs to develop the recommended site specific DCP controls upon Gateway determination will be sought from the applicant in accordance with Council's Fees and Charges.

SOCIAL CONSIDERATIONS

The Killara Golf Course had submitted this Planning Proposal as a means of future proofing their land by reinstating the residential uses on the site. This enables flexibility of the land use into the future. The Club is committed to remaining in operation in the long-term, continuing to provide the existing level of recreational uses despite the global and national trends of diminishing interest in the sport of golf.

ENVIRONMENTAL CONSIDERATIONS

All aspects of the proposal with potential environmental impacts have been considered in the preparation of this Council Report. Assessment has included the investigation of riparian, biodiversity and flora/fauna aspects relating to the site. The Planning Proposal will not impact on the environmental aspects of the site. Any specific development that occurs on the site as a result of the proposal will be considered in detail at the development application stage.

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Elton Consulting were engaged by Killara Golf Club to undertake and report on a preliminary (non-statutory) period of community consultation from 3 November 2016 to 24 November 2016. Consultation was undertaken by the KGC to provide the community and relevant stakeholders with an opportunity to comment on the Planning Proposal prior to its finalisation and lodgement with Council.

If the Planning Proposal proceeds to a Gateway Determination, the draft Planning Proposal will be formally publicly exhibited by Council, in accordance with the requirements of the Gateway Determination and the NSW Department of Planning Guide to *Preparing Local Environmental Plans*.

INTERNAL CONSULTATION

Where relevant, internal consultation with other Departments of Council has taken place for the preparation of this report. Staff provided Councillors a presentation on the overall planning proposal and the opportunity to ask any questions on Tuesday 13 June 2017.

SUMMARY

The Killara Golf Club has submitted a Planning Proposal to consider the zoning and development standards on a portion of their land known as Deferred Area 15 under the *KLEP 2015*. The Planning Proposal seeks to reinstate the existing *KPSO* residential zoning across the Deferred Area with a split zoning of R2 (Low Density Residential) and R4 (High Density Residential).

The motivation for Killara Golf Club to rezone part of the site to R4 (High Density Residential) is to enable a means of protecting and retaining the Golf Club and its associated facilities into a future which is already experiencing a change in the traditional recreational function of the sport. The position to protect the longevity of the sport at this location is supported as this recreational facility is important in the long-term structure and historical fabric of the area.

The proposed amendments address the conflicting concerns around the proposal, namely the flexibility sought through the proposal that will support the long term retention of the Killara Golf Club facilities into the future, and the issues of interface impacts on neighbouring properties and the protection of the Heritage Item and its curtilages.

The recommendation of this Council Report is to support the proposal and proceed it to Gateway Determination subject to the Planning Proposal being amended in accordance with this Council Report and the *Table of Amendments* at **Attachment A1**.

RECOMMENDATION:

- A. That the Planning Proposal be amended in accordance with the recommendations in this Council Report and *Table of Amendments* at Attachment A1.
- B. That the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.
- C. That delegation be given to the General Manager and Director of Strategy and Environment to verify all amendments are in accordance with the recommendations of this Council Report and *Table of Amendments* at **Attachment A1** prior to forwarding to the Department of Planning and Environment.

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- D. That should a Gateway Determination be issued for public exhibition of the Planning Proposal, site specific amendments to Council's Comprehensive Development Control Plan be prepared in accordance with Council's fees and charges, the details in this Council Report and the *Table of Amendments* at **Attachment A1** and be placed on public exhibition concurrently with the Planning Proposal.
- E. That a Report be brought back to Council, as per any Gateway requirements, following the exhibition of the Planning Proposal and site specific *draft Development Control Plan*.
- F. That Council proceeds to make the Plan under delegated authority under Section 23 of the *Environmental Planning and Assessment Act 1979*.
- G. That the applicant be notified of Council's Resolution.

Rathna Rana
Senior Urban Planner

Craige Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Table of Amendments	2017/150666	
		A2	Department of Planning and Environment Letter to Council 4 March 2015	2017/147155
		A3	Planning Proposal	2017/144167
		A4	Appendix A Checklist of Consistency with Section 117 Directions and SEPPs	2017/144164
		A5	Appendix B Detailed Site Survey prepared by YSCO Geomatics	2017/144160
		A6	Appendix C Killara Golf Club Urban Design Study December 2016, PDML	2017/144158
		A7	Appendix D Killara Golf Club 556 Pacific Hwy Killara - Traffic and Parking Assessment Report	2017/144156
		A8	Appendix E Statement of Heritage Impact and Conservation Management Plan December 2016	2017/144154
		A9	Appendix F Flora & Fauna Assessment – Planning Proposal – Deferred Area 15 at Killara Golf Course & 552-554 Pacific Hwy Killara	2017/144150
		A10	Appendix G Preliminary Arboricultural Assessment – Planning Proposal Deferred Area 15, May 2016	2017/144149
		A11	Appendix H Tier 1 Detailed Site Investigation Killara Golf Course 556 Pacific Hwy Killara – SESL Australia	2017/144144
		A12	Appendix I Killara Golf Club Planning Proposal Consultation Outcomes Report, Elton Consulting	2017/144141
		A13	Appendix J Information Checklist	2017/144136

Attachment A1:
Table of Amendments

Planning Proposal – Consideration and required amendments

Appendix A - Checklist

Appendix B - Detailed Site Survey prepared by YSCO Geomatics

Appendix C - Killara Golf Club Urban Design Study Dec 2016 – PMDL

Appendix D - Traffic Report (Varga Traffic Planning)

Appendix E – Conservation Management Plan + Statement of Heritage Impact

Appendix F – Flora and Fauna Assessment

Appendix G – Arborist Report

Appendix H – Contamination Report, SESL Australia

Appendix I – Killara Golf Club - Communications Outcomes Report, Elton Consulting

**Figure 1:
Recommendation for zoning amendments to the Planning Proposal**

**Figure 2:
Recommendation for height amendments to the Planning Proposal**

**Figure 3:
Recommendation for heritage amendments to the Planning Proposal**

Planning Proposal - Consideration and required amendments			
PAGE	SECTION	COMMENT	RECOMMENDATION
	Justifications	The arguments in the Planning Proposal require more detail and evidence to strengthen and support the case for the proposal. This can be done by incorporating detailed evidence and conclusions from the supporting studies in relation to the questions being asked in the Planning Proposal. It is not sufficient to state compliance and give the name of the report/study with an expectation that the reader will search through the studies to find the evidence. Reference to the supporting studies can be made but should not be relied on to pose the necessary arguments and supporting evidence. All evidence and arguments must be clearly presented in the body of the Planning Proposal under the appropriate question.	• Insert detail and evidence from the supporting studies/reports into the Planning Proposal body to clearly present the arguments and justifications to each question.
	Consistency	Incorrect references are made to the Department of Planning and Infrastructure. The organisation is now known as Department of Planning and Environment. References are made interchangeably to <i>Appendix</i> and <i>Attachment</i>. For clarity, only one of the terms should be used throughout the Planning Proposal.	• Amend all references to read <i>Department of Planning and Environment</i>. • Use either <i>Appendix</i> or <i>Attachment</i> consistently throughout the Planning Proposal.
	Site references	This Planning Proposal applies only to a portion of the Killara Golf Club lands. That portion is known as Deferred Area 15 and is delineated by a line from corner 19-21 Fiddens Wharf Road to approximate centre of 22 Buckingham Road (touching the corner of the bowling green). References are made within the Planning Proposal to the entire site Lot 2 DP535219. Since the site has not been subdivided to separate the Deferred Area 15, it is prudent to include an additional statement locating Deferred Area 15 to the NE of the greater lot.	• Specify Deferred Area 15 to clarify the extent of land that this Planning Proposal applies to.
	Mapping	As explained in this Table of Amendments addressing <i>Appendix B Detailed Site Survey prepared by YSCO Geomatics</i>, the proposed boundary lines for the Planning Proposal require accurate plotting	• Amend all mapping to reflect accurate plotting as required by this Table of Amendments addressing <i>Appendix B</i>

		and must be incorporated in all the mapping and studies that are included in the Planning Proposal. All proposed mapping must be consistent with the KLEP 2015 mapping and either replicate the mapping as exhibited for draft KLEP 2013 or as stipulated in the proposed amendments stated in this Table of Amendments.	<i>Detailed Site Survey prepared by YSCO Geomatics, and Appendix C – Urban Design Study prepared by PMDL.</i> • Ensure all mapping is consistent within the Planning proposal and all its Appendices.
1	Introduction <i>Location Map</i>	Whilst the <i>Location Map</i> indicates the extent of the Killara Golf Club, it does not delineate the Deferred Area 15 boundary.	• Show the extent of the Deferred Area 15 on the <i>Location Plan</i>.
4	Introduction <i>The Killara Golf Course Clubhouse is identified as a local Heritage Item under Schedule 7 of the Ku-ring-gai Planning Scheme Ordinance. This will require modification of Schedule 5 of the KLEP 2015 to include the Killara Golf Course Clubhouse as a Heritage Item with local significance.</i>	The proposed listing includes clubhouse and curtilage. Consider changing the description in the 'Item name' column to include <i>clubhouse, putting green and fairway</i>.	• Amend the description of the Heritage Item for inclusion in KLEP 2015 Schedule 5 to: <i>Killara Golf Course Clubhouse including putting green and fairway.</i> • Amend description in Introduction to : <i>This will require modification of Schedule 5 and the heritage map of the KLEP 2015</i>
4	Extract drawing from PMDL Study	This diagram must be updated in accordance with the amendments required in the PMDL Study as stated in this Table of Amendments addressing <i>Appendix C – Urban Design Study prepared by PMDL</i>. This diagram is confusing as it includes an area marked “Area A” which does not form part of this Planning Proposal; it utilises colours pertaining to land use zoning but which do not relate to the entire zoning area and further confusion arises from the use of the term “zone” in reference to the heritage curtilage. A detailed explanation on the clarity of this diagram is provided in this Table of Amendments addressing <i>Appendix C – Urban Design</i>	• Replace the diagram with one that is clear and relates specifically to the Deferred Area 15 as amended by this Planning Proposal.

		<i>Study prepared by PMDL.</i>	
5	Part 1 – Objective and Intended Outcomes <i>...any rezoning of the Site would complement the existing high density residential development and provide for an appropriate transition to the surrounding low density residential land and private recreation.</i>	This statement is not consistent with the proposed zoning and development standards contained in the planning proposal. The R4 (High Density Residential) zoning with the proposed 17.5m height does not provide a transition between the R2 (Low Density Residential) area and the RE2 (Private Recreation) area. Council has applied an approach to provide transition zoning to buffer low density housing from the impacts of 5-storey apartments adjacent to one and two storey homes. This has been done through an interface area where the bulk and scale of building between 2-storey and 5-storey buildings is set at 3-storey to ensure some amenity is maintained to the adjacent 2-storey dwellings. The proposed approach to vary the heights across the proposed R4 (High Density Residential) zoned area to address topography and interface issues should be explained in this section of the Planning Proposal. The reduction in Heights to the R4 Area B2 (see Figure 2), classed as an interface area, will ensure that partial views and good amenity, consistent with interface sites, is maintained to the neighbouring single dwelling properties. The proposed height standards across the proposed R4 (High Density Residential) area will enable a variety of building heights to be achieved depending on the location, whilst preserving amenity and consistency with KLEP standards. Given the unusual nature of this site, its “battleaxe” aspect, interface issues, topographical features, heritage significance and ecological areas, it is recommended that a site specific Development Control Plan be prepared should the proposal be issued a gateway determination for public exhibition. This DCP would be prepared by Council in accordance with Council’s adopted fees and charges and incorporate masterplan principles negotiated with the landowner. The DCP would ensure consideration of the physical and visual amenity to adjacent low density dwellings including the Heritage Items in the vicinity of the proposal, consideration of the Heritage Item clubhouse and its curtilage and view corridor, consideration of	• Amend the statement to reflect the transitional interface area adjacent to the 2-storey dwellings fronting Buckingham Rd as put forward in this Council Report and described in detail in the Table of Amendments addressing <i>Appendix C – Urban Design Study prepared by PMDL.</i> • Include reference to preparation of a site specific DCP for the Deferred Area site.

		new onsite dwellings, and consideration of the users of the golf course, landscape screening, access and circulation. The planning proposal should include reference to the preparation of site specific DCP proceed provisions as a means of ensuring the delivery of intended outcomes of this Planning Proposal.	
7-8	Part 2 – Explanation of Provisions <i>Zoning map</i> <i>Building Height map</i>	The objective of the heritage listing is to conserve the heritage significance of the Heritage Item, including curtilage. The objectives of the R4 (High Density Residential) zoning are: • <i>To provide for the housing needs of the community within a high density residential environment.</i> • <i>To provide a variety of housing types within a high density residential environment.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> • <i>To provide for high density residential housing close to public transport, services and employment opportunities.</i> The proposed zoning of the Heritage Item as R4 does provide adaptive reuse opportunities but it also creates a conflict in that an adopted new zone implies a defacto acceptance of possible future development or redevelopment consistent with permissible uses in the zone under the LEP, and that any compromise to the significance of the Heritage Item as result of this use must have been considered during the rezoning. However, in this instance the R4 (High Density Residential) zoning is the zoning-through of a Heritage Item which allows development in the vicinity of the item that does not impact on the item's significance and allows for the offset of development potential (eg. the FSR is calculated for the whole R4 site not just the area free of constraints and available for redevelopment.) To mitigate against any future assumptions that high density residential development is supported within the immediate curtilage of the Heritage Item it is recommended the permissible Maximum Building Height within the area identified in the Conservation	• The permissible Maximum Building Height within the area identified in the CMP (page 74) as 'curtilage A' be limited to an RL equivalent to the main roof ridgeline (running NW-SE) of the clubhouse (see Figure 2).

		Management Plan (CMP) (page 74) as Curtilage A be limited to an RL equivalent to the main roof ridgeline (running NE-SW) of the clubhouse. This potentially permits adaptive reuse of the clubhouse while not supporting 5-storey development within the immediate curtilage of the Heritage Item.	
8-9	Part 2 – Explanation of Provisions <i>Zoning Map</i>	The north-west corner of the proposed R4 (High Density Residential) zone abuts an existing R2 (Low Density Residential) zoned area which includes the Heritage Item I257 at 22 Buckingham Road Killara. To have R4 (High Density Residential) immediately adjacent to an R2 (Low Density Residential) zoning creates an interface issue. It is Ku-ring-gai Council's practice to generally (where possible) step down the built form bulk and scale through appropriate transitional zoning or height/FSR standards within an interface sites to reduce amenity impacts such as overshadowing and loss of privacy that result from R4 5-storey buildings being adjacent to R2 (Low Density Residential) 2-storey buildings. Limiting the Maximum Building Height of the site immediately adjacent the Heritage Item to RL109.5 will ameliorate some of the impacts from having an incompatible zoning immediately adjacent to the Heritage Item at 22 Buckingham Road.	• Reduce the Maximum Building Height of the site immediately adjacent the Heritage Item at 22 Buckingham Road Killara from an RL of 109.810 to 109.500 (see Figure 2).
10	Part 2 – Explanation of provisions <i>Table for Schedule 5</i>	As previously explained.	• Change the Heritage Item name for inclusion in KLEP 2015 Schedule 5 to: <i>Killara Golf Course Clubhouse including putting green and fairway</i>. • Change Heritage mapping to include expanded curtilage of proposed I341 (see Figure 3).
10	Part 2 – Explanation of Provisions <i>Riparian Lands and Watercourse Map</i>	The riparian lands mapping is incorrect as it is not consistent with the methodology utilised for mapping all riparian areas under the current KLEP 2015.	• Amend the Riparian maps to reflect that of the exhibited draft KLEP 2013.

11	<i>Terrestrial Biodiversity Map</i>	The biodiversity mapping is incorrect as it is not consistent with the methodology utilised for mapping all biodiversity areas under the current KLEP 2015. It is acknowledged that the proposal has investigated the site mapping. Whilst the mapping completed by Footprint Green is considered to be valid, it has not been undertaken in accordance with Council's methodology for creating the Terrestrial Biodiversity Map within the KLEP 2015 Consequently, the biodiversity mapping needs to be verified and adjusted to reflect Council's methodology and any necessary amendments should be included in the Biodiversity mapping contained with the planning proposal. This revised mapping should be undertaken by Council staff prior to submitting the planning proposal for a Gateway Determination.	Amend the Biodiversity maps in accordance with Council's methodology used for the Terrestrial Biodiversity Map within the KLEP 2015. This is to be undertaken by Council staff prior to submitting the planning proposal for a Gateway Determination
12	Part 3 - Justification <i>Q1.Is the planning proposal a result of any strategic study or report?</i>	The justification is lacking in detail. The dot points listing the studies require extrapolation and explanation, stating the full name, consultant, date of the study followed by an overview of the content in the study including its purpose and its outcomes/conclusions. The location of the study within the specific Appendix must also be stated. This detail validates the reason for the study and what it contains, and how the findings underpin the Planning Proposal. Reference should be made to the Council reports and events that resulted in the Deferred Area and the progression to this Planning Proposal.	- Insert details of each attached study that relates to this Planning Proposal. - Include dates and details of the Council reports and events that have resulted in this Planning Proposal.
12	<i>Q3.Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft</i>	Reference is made to <i>Sydney Metropolitan Strategy 2036</i>. This has been superseded by <i>A Plan for Growing Sydney</i> and is redundant in this section. No detail illustrating how the Planning Proposal is consistent with <i>A Plan for Growing Sydney</i> has been included.	- Remove references to <i>Sydney Metropolitan Strategy 2036</i>. - Insert detailed explanation on consistency with <i>A Plan for Growing Sydney</i>.

	<i>strategies)?</i>	Explanation is required on how the proposal will promote the stated 'orderly and economic delivery of a new development area in Killara'. For example the 4 goals should be stated and explanation given under each goal on how the Planning Proposal is aligned with the goal. Likewise with the 3 planning principles, explanation is required on how those principles are supported by this proposal. Reference to the <i>Draft District Plan</i> must be included and detailed explanation of the Planning Proposal's consistency with it is required. Reference to Council in the statement below is not supported. <i>"...which will assist Council in meeting the required..."</i> The justification requires wording that refers to the objectives and actions of the applicable regional or sub-regional strategy and explanation on how this proposal will enable those objectives and actions, not on how Council can perform its duties.	• Insert reference and detailed explanation on consistency with the <i>Draft District Plan</i>. • Remove reference to "Council" in the text.
13	Part 3 Justification <i>Q3.Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?</i> <i>Paragraph 6</i>	The following statement is incorrect: <i>"This portion of the site is predominantly cleared of any significant vegetation"</i> The R2 (Low Density Residential) zone contains Critically Endangered Blue Gum High Forest (BGHF) which has subsequently been mapped as an area of Biodiversity Significance under the KLEP 2015. The R2 (Low Density Residential) area is not predominantly cleared as a large patch of BGHF occurs within the south-eastern corner of the R2 (Low Density Residential) zone.	• Remove the following statement <i>This portion of the site is predominantly cleared of any significant vegetation.</i>
13	Part 3 Justification <i>Relationship to strategic planning framework</i> <i>It is also noted that the refurbishment & adaptive re-</i>	The retention and maintenance of the heritage building is not 'ensured' but 'facilitated'. It is possible but it is not guaranteed.	• Amend the wording from 'ensured' to 'facilitated'.

	<i>use of the existing Clubhouse or its renovation will ensure the retention and maintenance of this heritage listed building.</i>		
13	<i>Q4.Is the planning proposal consistent with a council's local strategy or other local strategic plan?</i>	The 6 themes have been listed, however each theme must be addressed and explanation given under each one on how the proposal will/will not align with the theme. This means the specific objectives of the theme must be stated and an explanation of the Planning Proposal's consistence detailed under it. No reference or detail on consistency has been provided to address the following Council studies: - <i>Ku-ring-gai Sustainability Vision 2008</i> - <i>Ku-ring-gai Integrated Transport Strategy, July 2011.</i>	• Provide detail on the consistency with the themes in the <i>Community Strategic Plan 2030</i>. • Provide justification and illustrate consistency with the content of - <i>Ku-ring-gai Sustainability Vision 2008</i> and - <i>Ku-ring-gai Integrated Transport Strategy, July 2011.</i> -
	<i>Q5.Is the planning proposal consistent with applicable State Environmental Planning Policies?</i>	The Table commenting on Consistency with relevant SEPPs is lacking in detail and justification on why this Planning Proposal should proceed. A clear statement stating level of consistency/alignment with the SEPP must be provided in the comment column. A robust argument must then be provided to back that statement. This argument has to draw on the evidence that the supporting studies provide, with the evidence being stated/quoted in the SEPP table. It is not sufficient to refer to the supporting study with an expectation that the reader will search the study documents to justify the arguments. The arguments must be clearly presented with detail from the studies inserted into the Table. A final reference to the location of the supporting study in the Planning Proposal can then be provided but should not be relied on to carry the weight of the arguments to support the Planning Proposal.	• Insert detail that addresses and justifies the Planning Proposal against each SEPP, including detailed evidence quoted from the relevant supporting studies.
14	Part 3 Justification <i>Q5.Is the planning proposal</i>	This SEPP does not apply to the site, therefore the following statement is incorrect: <i>"Compliance with SEPP 19 has been addressed through the</i>	• Remove the entire statement and replace with the following:

	<i>consistent with applicable State Environmental Planning Policies?</i> <i>SEPP 19 Bushland in Urban Areas</i>	<i>biodiversity mapping and the Biodiversity and Riparian Lands, Draft Background Study (Ku-ring-gai Council 2011) The amendments in this Planning Proposal relevant to SEPP 19 is the zoning change from private recreation (Deferred Area) to R4 and R2. While these changes will allow for additional future development on site it does not alter the Biodiversity or Riparian mapping within these locations.</i> <i>Since ecological constraints are required to be considered as part of any development application, or applications to remove trees or vegetation under cl5.9 (Preservation of Trees and Vegetation) of the draft KLEP, the integrity of the vegetated areas will have a continuing means of protection”.</i>	<i>The land subject to consideration under the Planning Proposal does not adjoin Urban Bushland therefore SEPP 19 is not applicable to this Planning Proposal.</i>
15	<i>SEPP 55 Remediation of Land</i>	The statement <i>“The site is occupied by Killara Golf Club with the portion of the site involved in this Planning Proposal currently being utilised as a carpark, Clubhouse and greens. Refer to the report prepared by SESL which concludes that the subject land is not captured by clause 6(4) of the SEPP.”</i> Does not provide an explanation or justification with regards to the SEPP. Further, the statement is incorrect as cl6(4) does apply to this Planning Proposal as detailed in this Table of Amendments addressing <i>Appendix H – Contamination Report prepared by SESL Australia</i>.	• Insert detail that addresses and justifies the Planning Proposal against this SEPP, including correction of the quoted statement. • Insert details of the studies conducted and quote evidence from the SESL contamination study (updated as detailed in this Table of Amendments addressing <i>Appendix H – Contamination Report prepared by SESL Australia</i>).
16	<i>Sydney REP (Sydney Harbour Catchment) 2005</i>	Explanation is required on how this included statement will be achieved: <i>“it aims to protect and enhance identified environmentally sensitive lands and waterways and implement appropriate planning provisions.”</i>	• Insert detailed explanation on how this Planning Proposal will achieve consistency through the aims stated.
17	<i>Q6.Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?</i>	Evidence from the supporting studies must be provided in the justifications against the 117 Directions. Conclusions and arguments from those studies should be quoted in the table itself. It is not enough to state the title of the study/report and say that they support the Planning Proposal, detail on how they support the proposal must be provided.	• Provide the detailed evidence and conclusions from the supporting studies within the 117 Table to justify the position of this Planning Proposal.
	<i>2.1 Environment Protection</i>	The stated	• Provide the detailed evidence and

	<i>Zones</i>	<i>"A Flora and Fauna Study has been undertaken by Footprint Green P/L and this study supports the proposal."</i> does not explain how the study supports the proposal. It is not a sufficient argument to point to the content of a study/report. The evidence and explanation of how the study supports the Planning Proposal must be detailed in the body of the Planning Proposal by drawing out and quoting evidence and conclusions from the study.	conclusions from the supporting studies within the body of the Planning Proposal.
17-18	Part 3 Justification <i>Relationship to strategic planning framework</i> <i>Direction 2.3 Heritage Conservation</i>	The objective is to conserve Heritage Items, this includes curtilage. The proposed curtilage for the clubhouse based on the assessment <i>Conservation Management Plan by GBA</i> is considered to be insufficient. The nominated curtilage of the Heritage Item which includes a significant view corridor fails to include two groups of trees close to the club house (see Fig. 3). Many of these trees have previously been assessed by Council in the assessment of DA0147/11 as having significant aesthetic value to the setting of the Heritage Item. The two groups of trees are on the edge of the fairway of Hole 1 and include hoop pines and bunya pines. Visually they act as a frame to the proposed visual curtilage. As explained in the publication <i>"The Killara Golf Club"</i> by Earle Bastian (1999, p9): <i>"Tree planting is done for a number of reasons, from influencing strategy of play to defining holes and adding charm, shelter and windbreaks...once chosen trees are placed so as to allow vistas...and to give a natural rather than artificial or geometric look to the course"</i>. For these reasons the visual curtilage should include the specified trees to retain the Heritage Item's setting.	Expand the mapped area for the Heritage Item on the proposed Heritage Map (p.10) to include the two groups of trees on the southern boundary of the proposed Heritage Item (between the 1st and 18th holes) being H1 202-209, H18 160-164 and H1 188-200. Extend the boundary of the Curtilage Area and Visual Curtilage Area s to the edge of the dripline of these trees (see Figure 3).
	<i>3.1 Residential Zones</i>	The statements made do not provide evidence/argument that demonstrate consistency.	Provide the detailed evidence and conclusions from the supporting studies.

		For example, explain how <i>"The planning proposal will promote a wider variety of housing choice and type to assist in meeting the future needs of the area."</i> Explain how <i>"The planning proposal will make efficient use of the existing infrastructure. The site is located in close proximity to public transport and local services."</i> and what are the specific public transport (bus numbers and routes etc) and facilities. Again, it is not adequate to state the study: <i>"An Urban Design Study has been prepared by PMDL Architects and forms part of this submission. The study includes identification of areas that can be utilised for multi-unit housing."</i> Detailed evidence quoted from the study and its conclusions must be stated to show how the objectives are supported.	
17	<i>3.4 Integrating Land Use and Transport</i>	The 30 minute public transport travel catchment extends to employment areas and strategic centres of Chatswood, St Leonards and North Sydney. Northerly, it extends as far as Hornsby. The 30 minute catchment is much more limited in the east-west direction, just reaching the eastern edge of Macquarie Park. Apart from NightRide services, there are no regular bus services on this section of Pacific Highway or nearby local roads. Overall though, the subject site would provide relatively good access to jobs by public transport (predominantly rail). Include detail as above in study to support the justification, and further, provide information on specific roads, services, transport, with justifications drawn from the <i>Varga Traffic Study</i> to reinforce the arguments to this section.	• Provide the detailed evidence and conclusions from the supporting studies
	<i>7.1 Implementation of the Metropolitan Strategy</i>	Justification is required on how the Planning Proposal is consistent with the Goals and Principles in <i>A Plan For Growing Sydney</i>. These justifications should be outlined in Part3,Q3 of the Planning Proposal (see comments above)	• Provide a reference to the detail and justification in relation to <i>A Plan For Growing Sydney</i> outlined in Part3,Q3 of the Planning Proposal

21	<i>Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</i>	The statement below is not supported: <i>"The planning proposal to rezone the site will not result in any additional environmental effects"</i> as the increased built upon area will result in changed environmental outputs (stormwater, heat emission, energy/water consumption etc). The statement requires modification and an argument to justify the position. The statements regarding the relevance of land contamination and remediation investigation for this Planning Proposal are not supported: <i>"This investigation has confirmed that none of the land the subject of the proposal is land captured by clause 6(4) of SEPP 55"</i> With detail provided in this Table of Amendments addressing <i>Appendix H- Contamination Report prepared by SESL Australia.</i>	• Replace the statement to reflect the impacts of the development that will result from this proposal with corresponding justifications. • Amend the arguments to align with the required updated contamination study as explained in the Table of Amendments addressing <i>Appendix H- Contamination Report prepared by SESL Australia.</i>
21	<i>Q9. Has the planning proposal adequately addressed any social and economic effects?</i>	Explanation is required on how <i>"The proposal seeks to revitalise the eastern portion of the Killara Golf Course site to enable residential development. This will create additional housing stock and create greater diversity in housing choice which will benefit the community."</i> Provide explanation on the meaning of <i>"high status housing"</i> and what specific objectives are being referred to in the statement <i>"This is considered to satisfy the objectives of 'A Plan for Growing Sydney'"</i> The justification should include the social and economic aspects of relocating the Club facilities albeit at some future date, as well as of social and economic aspects of the development on this site that would result from the Planning Proposal.	• Detailed explanation is required to explain the justification statements included. • Provide detail and facts on the social and economic merits of the proposal.
22	<i>Q9. Has the planning proposal adequately addressed any social and economic effects?</i> <i>Ensure the heritage item will</i>	The retention and maintenance of the heritage building is not 'ensured' but 'facilitated'. It is possible but it is not guaranteed.	• Amend wording to replace 'ensured' to 'facilitated'.

	<i>be retained and adapted</i>		
	<i>Q10. Is there adequate public infrastructure for the planning proposal?</i> <i>(Access to transport, shops, services, schools and leisure/recreation)</i>	The majority of shops/services and leisure/recreation facilities are located outside the convenient 10 minute walking catchment. Future residents of this site will more likely be using cars to access basic services and facilities more than would a residential site located in either Lindfield or Gordon local centre. The bicycle network in the vicinity is largely undeveloped. The majority of cycling is expected to be confined to either on-road/mixed use cycling or cycling on footpaths (where permissible). The absence of safe, separated cycling facilities anywhere near the site is unlikely to encourage cycling as an alternative means of transport in the short to medium term. With regards to access and traffic: The location of the access point from Pacific Hwy is supported and considered suitable to continue operating as an access point as the recorded crash history on Pacific Highway directly outside the site indicates there are no obvious vehicle safety issues. The assessment estimates traffic generation of 60 vehicle trips during the am commuter peak and 50 vehicle trips during the pm commuter peak. These figures indicate that site access would continue to operate at a satisfactory level of service. The possible future relocation of the clubhouse to another location on the site, with access possibly off Fiddens Wharf Road, is unlikely to produce significant additional impacts to traffic conditions on Fiddens Wharf and surrounding local roads. The development of the R2 (Low Density Residential) zone at the southern end of the Deferred Area site would warrant a separate access road from Fiddens Wharf Rd which, given the low numbers of potential dwelling lots possible on the site, would have little impact on traffic patterns. Detail as above and specifics relating to the site must be evidenced in the Planning Proposal.	• Investigate and indicate a separate access point from Fiddens Wharf Road for the R2 (Low Density Residential) zone at the southern end of the site. • Include specific factual detail relating to the site.

23	<i>Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?</i>	S.56 consultation should also include the Heritage Division of the Office of Environment and Heritage (OEH), OEH (Environment) and Ausgrid and Remove Railcorp (now known as Sydney Trains) as proposal is unlikely to impact on rail infrastructure. Remove Energy Australia as it is a retail provider only. Ausgrid is the relevant infrastructure agency for electricity.	- Amend proposed list of agencies to replace redundant/irrelevant agencies. - Include consultation with the Heritage Division of the Office of Environment and Heritage, Ausgrid and OEH (environment).
24	<i>Part 4 - Mapping</i>	It is unclear what the following statement is being referring to: <i>(Full Set of Maps included in Appendix C)</i> Appendix C is the PMDL study. All mapping that will form part of the Planning Proposal amendments must be replicated in this mapping section Part 4 of the Planning Proposal and not in the Appendices. The mapping resulting from the studies and the amendments to those studies stipulated in this Table of Amendments, including at <i>Appendix B Detailed Site Survey prepared by YSCO Geomatics</i> and <i>Appendix C – Urban Design Study prepared by PMDL</i>, are to be incorporated into the final mapping included in this Part 4 of the Planning Proposal. This includes all proposed amendments to zoning, heritage, heights and FSR boundaries and numerics.	- Amend all mapping to incorporate all changes required as per this Table of Amendments, and to be consistent in all parts of the Planning Proposal. - Ensure all maps are amended as per this Table of Amendments and included in this Part 4 of the Planning Proposal.

Appendix A – Checklist of consistency with SEPPs and 117 Directions

PAGE	SECTION	COMMENT	RECOMMENDATION
		This Checklist must be consistent with the SEPPs and 117s as amended in the body of the Planning Proposal.	Amend Checklist to be consistent with changes required as per this Table of Amendments.

Appendix B - Detailed Site Survey prepared by YSCO Geomatics

PAGE	SECTION	COMMENT	RECOMMENDATION
		The survey map provided is of the entire Killara Golf Course site. It is of poor quality with discontinuous contour lines, and does not clearly show key elements of the Deferred Area site. The Survey does not show any accurate plot of the Deferred Area	- Provide an additional legible Survey of the specific Deferred Area 15 site only. - On this Deferred Area 15 survey:

		boundary line (distance and bearing angles) bisecting the golf course site. This line is necessary as it will form the basis for future subdivision. Accurate plots must be provided of the proposed division of the site. This includes the line of proposed Heritage Curtilage Area and Heritage Visual Curtilage relating to the Heritage Item Clubhouse (as explained in the heritage comments); and, the proposed R4 (High Density Residential) area and the division between the area of differing height standards. These details will enable Council to accurately plot the proposed amendments for exhibition and inclusion into the KLEP 2015 should the proposal be adopted. Refer to Figures 1, 2, 3 at the end of this Table of Amendments.	– Clearly show all elements including trees, contours, key RLs etc; – Provide the RL of the Heritage Item Clubhouse main roof NW-SE ridge line; – Plot the Deferred Area boundary lines and provide point, distance and bearing numerics; – Plot the zoning boundary line and provide point, distance and bearing numerics, for the proposed ▪ R4 (High Density Residential) and R2 (Low Density Residential) zoning as amended by this Council Report (see Figure 1); ▪ R4 area with height of RL 109.500 from the corner boundary point between 8A Buckingham Rd and 6-8 Buckingham Rd to the corner point of the Heritage Curtilage Area and the Heritage Visual Curtilage lines (see Figure2); ▪ R4 area with height of maximum 17.5m (see Figure 2); ▪ Heritage Curtilage Area lines with a 10m setback from the Heritage Item side NW wall, and 5m setback from the Heritage Item side SE wall to the Curtilage boundary lines (see Figure 3); ▪ Heritage Visual Curtilage (view corridor) lines to include the two groups of trees on the southern boundary of the proposed Heritage Item (between the 1st and 18th holes) being H1 202-209, H18 160-164 and H1 188-200. Extend the boundary of the Curtilage Area and Visual Curtilage Areas to the edge of the
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			dripline of these trees (see Figure 3).
Appendix C - Killara Golf Club Urban Design Study Dec 2016 – PMDL			
PAGE	SECTION	COMMENT	RECOMMENDATION
9	Biodiversity	A detailed <i>Flora and Fauna Assessment by Footprint Green</i> has been prepared. The map included in this <i>PMDL</i> report has been derived from that assessment. Whilst this map may remain as is in the <i>PMDL</i> study, it should be noted that it is not consistent with the mapping that will prevail for the site at its inclusion in the KLEP 2015 (due to differences in the mapping methodology). The mapping that will be included will be that as under the KPSO and draft KLEP 2013 as exhibited.	No change
10	Values	Areas A and B are not part of the Deferred Area. The structure of the <i>PMDL</i> report does not clearly separate the references to the Deferred Area site and other parts of Killara Golf Course and may cause confusion or question during the exhibition of the Planning Proposal. The plans have not indicated the location of Heritage Items in the vicinity of the Deferred Area and their consideration in the urban design study, in particular 22 Buckingham Rd.	- Clarify and clearly separate the details that relate to the Deferred Area site in both text and diagrams. - Indicated the location and consideration of Heritage Items in the vicinity of the Deferred Area.
	Area D <i>'Significant blue gum forest is identified within this area which limits opportunities for development.'</i>	Areas of BGHF have been mapped by <i>Footprint Green</i> . In general, the consideration of development and the impact on biodiversity within Area D and across all areas of biodiversity will be a matter of consideration at assessment of any development application proposal and do not hinder this Planning Proposal.	No change
	Area E <i>'High value site for development due to minimal environmental and topology constraints'</i>	Area E is identified as having minimal environmental and topology constraints. This statement is not supported. The topology of the Deferred Area is one where the land slopes downward into the site. As such, the surrounding properties fronting Buckingham Rd, Pacific Hwy and Fiddens Wharf Rd have	Acknowledge the outlook from adjacent dwellings and their open spaces.

		downslope views across the golf course. Although there are no propriety rights to views across private property, development of the Deferred Area may impact the privacy and visual/acoustic amenity of neighbouring properties.	
11	Access	The structure of the <i>PMDL</i> report does not clearly separate the Deferred Area site and other parts of Killara Golf Course which may present elements of confusion during exhibition of the proposal. The pedestrian access within the property of 568 and 564 Pacific Hwy providing access to the Killara Golf Course Deferred Area site has not been identified as a Right of Way. Clarification is required on the status of this pathway (ownership, right of way agreement) to ensure it remains as an access point for any future development on the Deferred area site. If there is no agreement for ongoing right of way access, then this access path should not be illustrated in any diagrams relating to this Planning Proposal as it cannot be relied on in the future. The development of the R2 (Low Density Residential) zone at the southern end of the Deferred Area site would warrant a separate access road from Fiddens Wharf Rd which, given the low numbers of potential dwelling lots possible on the site, would have little impact on traffic patterns. Consideration should be given to indicating this access point on the drawings.	• Clarify those parts of the <i>PMDL</i> Study that relate to the Deferred Area site. • Provide evidence (title search) indicating the status of the implied Right of Way across 568 and 564 Pacific Hwy which benefits the Deferred Area site by providing pedestrian access to the Pacific Hwy. • Indicate a separate access point from Fiddens Wharf Road for the R2 (Low Density Residential) zone at the southern end of the site.
14	Planning Proposal	The <i>PMDL</i> report does not clearly separate the Deferred Area site and other parts of Killara Golf Course that are not relevant to this Planning Proposal and which may present elements of confusion during the exhibition of the proposal: Area A is not part of the Deferred Area and is irrelevant to this Planning Proposal. The diagram is confusing as it shows partial zoning colour on some but not all R4 (High Density Residential)/R2 (Low Density Residential) parts of the site, and a Heritage Curtilage Area plus Heritage Visual Curtilage Area (view corridor) to another part of the site. The Heritage Curtilage Area plus Heritage Visual	• Remove the word “zone” in reference to the Heritage Curtilage Area and Heritage Visual Curtilage Area, and utilise reference terms to these areas that are consistent with the Planning Proposal and supporting heritage studies. • Separate the proposed zoning and the proposed heritage areas; or, remove the land use zoning colours to the diagram.

		Curtilage Area adds to the confusion around this drawing. The current drawings imply that the Heritage Item has a different zoning called "Curtilage Zone". Separation of the zoning and heritage mapping would clarify the intentions of this drawing, particularly for the audience at exhibition. In addition, the Heritage Items in the vicinity of the site could be marked on the drawing to indicate their position and consideration around the site.	• Indicate Heritage Items in the vicinity of the site.
15 and 16	Planning Diagram 1 Planning Diagram 2	Planning Diagram 1 and Planning Diagram 2 do not clearly separate the Deferred Area site and other parts of Killara Golf Club lands that are not relevant to this Planning Proposal and which may present elements of confusion during the exhibition of the proposal. Area A is not part of the Deferred Area and is irrelevant to this Planning Proposal. Both the diagrams and tabulated information may, to the untrained eye, give the impression at exhibition that Area A is part of the Planning Proposal site and that the yields for the proposal are greater than proposed.	• Clarify the areas that relate to the Planning Proposal in drawings and writing.
		Diagram 1 and 2 illustrate different development phases of the Deferred Area site. The numerical table on both pages must state the proposed R2 (Low Density Residential) and R4 (High Density Residential) zoning areas and their Height, FSR, Lot Size and other standards required under the KLEP 2015. This will indicate consideration of all the standards that will apply to the site as amended by this Planning Proposal and can be utilised as supporting evidence in the body of the Planning Proposal. Diagram 2 is the critical consideration for this Planning Proposal as it provides information regarding the full development potential of the Deferred Area site albeit at some future time; therefore, the numerical table relating to this diagram requires complete details for both the R4 (High Density Residential) and R2 (Low Density Residential) zoning, including separate numbers on the adaptive reuse of the Heritage Club House building as dwellings, and the	• Update Diagram 1 and 2 to be consistent with the zoning, height and heritage curtilage boundaries as described within this Table of Amendments in response to the pg 24-32 <i>PMDL Appendix – Building Heights and View Analysis</i>. See Figures 1, 2, 3. • Ensure the correct DCP controls are utilised to set the building envelope boundaries.

		individual numerics for the areas with differing height standards as illustrated in Figure 2. An indicative lot subdivision of Area C is required to verify the numbers proposed in this study for the R2 (Low Density Residential) area, particularly as the boundary of the Visual Curtilage Area will be altered as a result of the recommendations within this Council Report (see Figure 3). A number of large trees within the 18th hole fairway are currently within the proposed Area C R2 (Low Density Residential) zone. These trees should be retained within the Heritage Curtilage Area/Heritage View Curtilage (view corridor) labelled "Curtilage zone" to avoid future conflicts between the development of the residential R2 (Low Density Residential) zone and the value of those established trees. To achieve this, the Area C R2 (Low Density Residential) zone boundary should be repositioned further to the south. For clarity of the proposal and ease of integration into the KLEP 2015, all the numerics should be stated in a manner consistent with the language and numerics of the KLEP 2015. This includes all the standards (height, FSR, Lot Size etc) and dwelling potentials as amended to reflect the requirements of this Council report as delineated within this Table of Amendments in response to the <i>PMDL Appendix – Building Heights and View Analysis</i> at pg 24-32. It is noted that the Diagrams appear to be using controls (such as setbacks) to the building footprints that are not consistent with the DCP controls. For example the DCP stipulates a 9m setback to adjacent properties which have a lower zoning – the Diagrams indicate a 6m setback.	
17 to 20	Perspectives and Sections	These drawings illustrate the Diagram 1 (pg 15) scenario. Since the Planning Proposal will enable a greater potential than depicted in Diagram 1, it is suggested that similar diagrams be provided for the Diagram 2 (pg 16) scenario which is indicative of the site at full potential.	• Provide new, or amend perspectives and sections to illustrate the Diagram 2 scenario in the <i>PMDL</i> report.

21	Proposed Zoning	R4 (High Density Residential) zoning is proposed to the north and west of the Deferred Area, including the through-zoning of the Heritage Item Curtilage Area. R2 (Low Density Residential) zoning is proposed to the remainder of the site. This position is supported as the R4 (High Density Residential) area is restricted to that part of the Deferred Area, which will have the least impact on the site and on adjacent sites. The R4 (High Density Residential) development will not cause overshadowing and will only extend across a small portion of the site, with the majority of the land being R2 (Low Density Residential) zoning, and retaining the Clubhouse Heritage Item and associated Curtilage Area and Curtilage View (corridor) Area. It is understood that Killara Golf Club seeks to rezone part of the Deferred Area site as a means to protect and retain the Golf Club and all its associated facilities into the future. This position is supported as the provision of this recreational facility is important in the long term infrastructure of the area.	• No change.
22	Heritage – existing clubhouse adaptive reuse study	This page indicates four different plan layouts for the main level of the building. Since the Clubhouse has more than one level, similar indicative layout should be provided for all levels of the building with a clear statement of the potential of the total building. This will provide the necessary traffic and parking numerics.	• Provide indicative layout plan for all levels of the Clubhouse building to show the development potential for adaptive reuse as dwellings.
24 to 32	Appendix Planning Diagram – Building Heights	At Council's request, Building Heights and a View Analysis was submitted and attached to the PMDL study as an Appendix. The analysis shows building footprints and heights that differ from the body of the <i>PMDL</i> study. For consistency, it is important that all footprints and heights be the same throughout the <i>PMDL</i> study, and any implications for dwelling yield be reflected in the Tables stated within the body of the study. It is noted that the Plan Diagram appears to be using controls (such as setbacks) to the building footprints that are not consistent	• Amend the <i>PMDL Appendix- Planning Diagrams</i> content to reflect the recommended zoning boundaries, heritage curtilages, and maximum heights to be applied to Area B, B1, B2, incorporating the accurate plotting as required in this Table of Amendments to <i>Appendix B – Detailed Site survey by YSCO Geomatics</i>. – Specifically: ▪ R4 (High Density Residential) and R2

		with the DCP controls. For example the DCP stipulates a 9m setback to adjacent properties which have a lower zoning – the Diagrams indicate a 6m setback. This must be amended to ensure correct calculations and visuals.	
		Maximum Heights: The Building Heights and View Analysis indicate that within the proposed R4 (High Density Residential) zone there are 3 different height standards: • Area B- Clubhouse and Heritage Curtilage – Height as existing • Area B1- Height maximum 17.5m • Area B2 – Height maximum RL 109.810 Sections and perspectives across the proposed R4 area from the balconies at 8A and 14 Buckingham Rd and the second floor balcony at 564 Pacific Hwy have been provided. In some instances, both the section and perspective drawings appear to be incorrect, indicating proposed heights that do not relate in scale to the given RLs of the existing balconies on adjacent dwellings. Whilst the title to the section drawings says “<i>Indicative section...</i>”, it is vital that a true section, to scale and correct RLs be provided for accuracy and clarity of proposed outcomes. FSR Standards: As a result of the proposed adjusted zoning boundaries and the proposed differing heights within the R4 (High Density Residential) areas, calculations are to be undertaken by <i>PMDL</i> to establish the site FSRs based on the new zoning and height areas. The evidence and numerics of the FSR calculations must be included to enable verification by Council. These calculations will also amend the outputs of dwelling yield within the PMDL report.	(Low Density Residential) Zoning and Heritage Curtilage Area and Heritage Visual Curtilage (view corridor) boundary lines as amended by this Council Report (see Figures 1, 2, 3); ▪ R4 Area B2 with maximum height of RL 109.500 (see Figure 2); ▪ R4 Area B1 with height of maximum 17.5m (see Figure 2); ▪ R4 Area B with height of maximum RL equivalent to the main roof ridgeline running NW-SE (see Figure 2).  • Tabulate all numerics relating to the R4 areas including FSR calculations for each area based on the recommended maximum Heights for Area B, Area B1, Area B2. Include evidence and numerics of the FSR calculations to enable verification by Council. • Ensure the correct DCP controls are utilised to set the building envelope boundaries.
		Area B: The R4 (High Density Residential) Area B consists of the Heritage Curtilage Area. This has a 10m setback from the Heritage Item’s north west side wall, and 5m setback from the Heritage Item’s	• Adjust the boundary line of the Area B to incorporate trees into the Heritage Curtilage Areas as explained in this Table of Amendments to the <i>Statement of</i>

		south east side wall to the Curtilage boundary line. This is supported. However, the Curtilage to the front of the Clubhouse and the Visual Curtilage require adjustment to include vegetation on the curtilage boundary lines as explained in this Table of Amendments to the <i>Statement of Heritage Impact</i> and detailed in this Table of Amendments to <i>Appendix B – Detailed Site survey by YSCO Geomatics</i>.	<i>Heritage Impact</i> and detailed in this Table of Amendments to <i>Appendix B – Detailed Site survey by YSCO Geomatics</i>.
		Area B1: Area B1 is located predominately adjacent to existing R4 (High Density Residential) land, fronting Buckingham Road and Pacific Highway. Since the placement of R4 zoning in Area B1 will not create any interface issues with the adjacent sites (as they are also zoned R4 High Residential), the proposal of R4 zoning with 17.5m height is supported for this area, with the exception of land at the tennis court location as explained below regarding the topography of the site. Topography: The boundary lines of the proposed B1 and B2 areas, with their differing height standards depicted on the Plan at pg 25 is not supported. As indicated in the section drawing on pg 26, the Area B1 would enable a building that would have a greater height (RL 114.7) despite having a lower natural ground line, than the adjacent building (RL109.810) within Area B2. This built form is not congruent with Council's policy of buildings stepping down in response to the sloping topography. Therefore the boundary line between Area B1 and Area B2 must be adjusted to ensure the built forms can better respond to the topography. See Figure 2.	Adjust the boundary line of the Area B1 with maximum Height 17.5m from the corner boundary point between 8A Buckingham Rd and 6-8 Buckingham Rd to the corner point of the Heritage Curtilage Area and the Heritage Visual Curtilage lines (see Figure2), and accurately plotted as required in this Table of Amendments to <i>Appendix B – Detailed Site survey by YSCO Geomatics</i>.
		Area B2: As indicated in the section drawing on pg 26 and 27, the proposed height of RL 109.810 would result in a building that would be 1.76m above the balcony floor RL108.050 at 14 Buckingham Rd, and 0.93m above the balcony RL108.880 at 8A Buckingham Rd. No indication has been given regarding the relative height to indoor and outdoor living areas on 22 Buckingham Rd (Heritage Item) and 16 Buckingham Rd.	To incorporate an Interface Area, adjust the boundary line of the Area B2 with maximum Height to RL 109.500 from the corner boundary point between 8A Buckingham Rd and 6-8 Buckingham Rd to the corner point of the Heritage Curtilage Area and the Heritage Visual Curtilage lines (see Figure2), and accurately plotted

		View and Interface: Whilst the views from the houses accessed from Buckingham Rd will change, it is acknowledged that the views being altered are not a view to public domain, nor iconic nor district views. Therefore views are not a reason to dismiss consideration of rezoning to R4 (High Density Residential). Area B2 is classed as an <i>interface site</i> as it is directly adjacent to R2 (Low Density Residential) land. As such, it is acknowledged that there will be a change to the amenity (privacy and overlooking) of the dwellings and their private open spaces should 5-storey buildings be permitted adjacent to the 2-storey dwellings accessed from Buckingham Road. Since Council has the position of providing an Interface Area that acts as a buffer between low density R2 areas and high density R4 areas, it is important to maintain consistency with that approach at this location. An interface area may be provided through placing an R3 Medium Density Residential zoning with height limit of 11.5m (3-storey) in between the R2 (2-storey) and R4 (5-storey) zones; or, by placing R4 High Density Residential zoning with height limit of 11.5m (3-storey) between the R2 (height 9.5m-2 storey) and R4 (17.5m – 5 storey). Given the topography of the site, a lower height R4 (High Density Residential) zoning to the interface area is preferred as it will limit the footprint of the built structure. The footprint of R3 development will be more widespread and reduce the ability to provide view corridors and areas for large canopy tree planting around the new development. To acknowledge the views that have benefited surrounding properties albeit across private lands, and to ensure the proposed R4 (High Density Residential) Zone building heights maintain a relationship to the existing balcony level of the dwellings on	as required in this Table of Amendments to <i>Appendix B – Detailed Site survey by YSCO Geomantics</i>.
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		Buckingham Road, it is recommended that the Maximum Height permissible under an amended LEP be stipulated as a specific RL amount. This will ensure that any development that occurs in front of the existing R2 (Low Density Residential) dwellings on Buckingham Rd will remain at a level that minimises impacts to those dwellings and is congruent with Council's approach to development on both topographically sloping land and interface areas. A reduction in the RL to the B2 Area from the proposed RL109.810 to RL109.500 will maintain the amenity to the dwellings at 8A, 14, 16, 22 Buckingham Rd. The reduction in the proposed RL will enable 3-story buildings at the boundary with the dwellings (at the bowling greens), and a 4-storey building further into the site at the lower level tennis court location.	
Appendix D - Traffic Report (Varga Traffic Planning)			
PAGE	SECTION	COMMENT	RECOMMENDATION
5	<i>Proposed Development</i>	The traffic report anticipates that loading/servicing for the proposed development would be undertaken by a range of light commercial vehicles up to and including 6.4m small rigid trucks. Accordingly, the proposal suggests that the future layout would be designed to accommodate Council's small rigid garbage truck/ While this might be the case for the R4 (High Density Residential) and existing Clubhouse component, the 16 R2 (Low Density Residential) lots would likely need to be serviced by Council's standard length waste collection vehicle (approximately 10m). This would result in the proposed internal roads connecting to the existing access point being inadequate for this size vehicle. Consideration should be given to traffic study on the provision of vehicular access off Fiddens Wharf Rd to service the R2 (Low Density Residential) component.	• Provide/assess impacts of a separate access point from Fiddens Wharf Road for the R2 (Low Density Residential) zone at the southern end of the site.
17	<i>Off-Street Parking Provision</i>		
		Additionally: There has been no consideration of: • access to public transport;	• Include analysis of access to public transport, employment, services, facilities and expected mode split and employment destination for residents in the travel

		- access to employment (within 30 minutes travel time); - access to essential retail, services and facilities within a convenient walking/cycling catchment; - journeys to work (expected mode split and employment destination for residents in the travel zone).	zone, and assess opportunities and impacts.
Appendix E – Conservation Management Plan			
PAGE	SECTION	COMMENT	RECOMMENDATION
		The Conservation Management Plan includes the opinions of the consultant as to how to interpret the significance of the heritage place. As such these are not factual errors to be corrected but in some instances is a difference of opinion. An explanation of recommended changes can be found in the following tables: (1) Heritage comments on the Planning Proposal and (2) Comments on the <i>Statement of Heritage Impact</i> .	No change
Appendix E – Statement of Heritage Impact			
PAGE	SECTION	COMMENT	RECOMMENDATION
8	2.0 Established heritage significance <i>Curtilage analysis</i>	The view corridor has importance as a visual link and allows for a better interpretation of heritage significance. For the clubhouse this is a visual association with the remaining links but also a meaningful setting to the clubhouse that facilitates the interpretation of: - why the clubhouse was built - the orientation of its design and - the use of this heritage place as a golf course. It is recommended to expand the visual curtilage as reflected in the heritage map to include significant trees on the boundary of the fairway as the trees contribute to consolidating the fairways sense of place and facilitates the future interpretation of its original use. Further explanation can be found in the planning proposal comments table.	- See recommended changes to Heritage Curtilage Area and Heritage Visual Curtilage in the Table of Amendments on the <i>Planning Proposal</i> (see Figure 3) to include the following amendments: - Heritage Curtilage Area lines with a 10m setback from the Heritage Item side NW wall and 5m setback from the Heritage Item side SE wall to the Curtilage boundary lines (see diagram); - Heritage Visual Curtilage (view corridor) lines to include the two groups of trees on the southern boundary of the proposed Heritage Item (between the 1st and 18th holes) being H1 202-209, H18 160-164 and H1 188-200. Extend the boundary of the Curtilage Area and Visual Curtilage Areas to the edge of the dripline of these trees.

10	3.0 Description of the proposal <i>Item name</i>	The item name doesn't fully describe the elements and curtilage identified as significant.	Revise the Heritage Item name in Schedule 5 to: <i>Killara Golf Course Clubhouse including putting green and fairway.</i>
12	4.0 Assessment of heritage impact Storeys of buildings in R2 zone	The HIS states that the R2 zone permits buildings of approximately 3 storeys. Council's preference as stated in the KDCP 2016 (4C.1.1) in an R2 zone is for 2 storeys: <i>The maximum height of a dwelling is 9.5m (including any garage, basement or the like) and present as a 2 storey dwelling house</i>	Remove the reference to 3 storeys.
13	4.0 Assessment of heritage impact Impact on 22 Buckingham	The limited inventory sheet for 22 Buckingham Road available for this assessment does not elaborate on the significance of the house to facilitate the assessment of important views and vistas, and how the design of the original house responded to the existing golf course. As such it is difficult to understand the impact of future development under the proposed zoning on the significance of the item other than at a superficial level. Council's practice to protect the significance of Heritage Items, including their amenity to support the traditional and existing use, is to provide compatible and interface zoning. As such 5-storey R4 zoning would not be recommended abutting an R2 (Low Density Residential) zoned Heritage Item. Due to the significant fall from 22 Buckingham Road to the golf course, a higher building height and residential density than that specified in the R2 (Low Density Residential) zone can be accommodated before this amenity is compromised. As such a reduced maximum building height is recommended next to the retained R2 (Low Density Residential) zoned Heritage Item to optimise development potential.	See recommended changes to zoning, height boundary lines in the Planning Proposal recommendations (see Figures 1 and 2).

Appendix F – Flora and Fauna Assessment

PAGE	SECTION	COMMENT	RECOMMENDATION
		A detailed Flora and Fauna Assessment report has been prepared by Footprint Green.	No change

		The flora and fauna assessment provides quality technical data to assist the rezoning application. The assessment has identified the presence of Blue Gum High Forest (BGHF) a critically endangered ecological community (CEEC) listed under the Threatened Species Conservation Act 1995. Areas of BGHF which have been mapped Footprint Green are located outside of indicative building footprints & roads and are unlikely to conflict with future development. Whilst the mapping completed by Footprint Green is considered to be valid, it has not been undertaken in accordance with Council's methodology for creating the Terrestrial Biodiversity Map within the KLEP 2015 Consequently, the biodiversity mapping needs to be verified and adjusted to reflect Council's methodology and any necessary amendments should be included in the Biodiversity mapping contained with the Planning Proposal. This revised mapping should be undertaken by Council staff prior to submitting the Planning Proposal for a Gateway Determination.	
Appendix G – Arborist Report			
PAGE	SECTION	COMMENT	RECOMMENDATION
		The arborist report prepared by Urban Forestry Australia provides details on species of trees within the rezoning areas as well as detailed information on tree protection zones and structural root zones for each trees in accordance with the (AS-4970-2009) Australian Standard for the protection of trees on development sites. The arborist report is sufficient for the purpose of the rezoning application. Detailed assessment of tree impacts can be undertaken at the development stage to ensure the retention/protection of significant trees in accordance with the relevant development controls plan (DCP) relevant to each zone.	• No change.
Appendix H – Contamination Report, SESL Australia			
PAGE	SECTION	COMMENT	RECOMMENDATION

1	Executive Summary <i>SESL concludes that in consideration of the provisions of SEPP 55 Clause 6, the site does not meet the conditions of subclause 4, and is therefore not captured under Clause 6 and can be rezoned without further consideration of contamination. Prior to development for residential purposes being undertaken:</i>	This statement is not supported. Contamination is a consideration for this site as it falls under cl6 of SEPP55, which requires contamination and remediation to be considered in zoning or rezoning proposals involving residential purposes. Cl 6(4) stipulates that residential uses accepted by the SEPP. In particular, the clause references Table 1 of the Planning Guidelines which emphasises the requirement for consideration of contamination and remediation for certain land uses including horticultural activities (relating to the use of chemicals for maintenance of the building greens and golf greens) and landfill (relating to the built up landform to the building greens across the site. Further the SESL Report verifies these uses: <i>"historically been used as a golf course and has been filled to achieve the current landscape. This fill is of unknown origin. Onsite activities involved in course maintenance include pesticide and herbicide use."</i> Refer to details provided in this table in relation to 7.6 Summary.	• Revise the statement to show that contamination and remediation has been considered for the entire site. • Ensure the SESL study investigates the entire Deferred Area 15 site.
2	<i>A remedial action plan must be developed for the minor hotspot in the south eastern corner of the visitors carpark</i>	This statement is not supported. The restriction of the remedial action plan to a small area at the south east of the carpark is based on a study that has not considered the possibility of contamination across the entire extent of the Deferred Area 15 site. Given the historical and current uses of the site and the extent of excavation that will result from the development in the R4 (High Density Residential) areas, it is vital that the study encompasses the entire site and that a remediation action plan be based on that assessment.	• Amend the statement to encompass the entire proposed R4 areas within Deferred Area 15.
12	<i>Figure 2</i>	The Figure outlines the area that has been investigated for contamination. The area is confined to the carpark areas on the site. The investigation has not been conducted across the entire Deferred	• Extend the investigation area to cover all of the proposed R4 (High Density Residential) land within the Deferred Area 15 site.

		Area 15 site. In particular, the investigation must include that part of the site proposing R4 (High Density Residential) zoning. Given the historical and current uses of the site, concern is raised on the possibility of contamination on and around the bowling green areas and golf swales as these would have been subject to intense ground preparation, including fertilization, to maintain their green status. Further, with the proposal for residential flat buildings on the land, there will be extensive excavation to provide the required onsite basement parking.	
10	2.1 Site Location and Ownership	The reference to the “ <i>area of investigation</i> ” does not consider the entire area proposed for rezoning through this Planning Proposal. This entire area must be investigated and reflected in the numerics.	• Amend the paragraph to state the entire proposed R4 (High Density Residential) area within the Deferred Area 15 site has been considered.
	2.4 Site Layout and Infrastructure	Figure 2 indicates the area investigated in this study. The investigation has not included the entire Deferred Area 15. Given the historical and current uses of the land, the SESL must include the total Deferred Area 15 in the investigation.	• Extend the investigation to include all proposed R4 (High Density Residential) areas within the boundary of Deferred Area 15.
16	2.9 <i>Site Zoning and Council Records</i> <i>Ku-ring-gai Local Environmental Plan 2015 is the principle planning instrument regulating land use and development in the area. Ku-ring-gai Planning Scheme Ordinance (KPSO) and the Draft Ku-ring-gai Local Environment Plan 2013 are other planning instruments to be considered as they list the site as Residential 2(b) and RE2 Private Recreation respectively. The site is</i>	This statement is not supported. The current instrument under which development on this site would be carried out is the Ku-ring-gai Planning Scheme Ordinance (KPSO) which zones the area Residential 2(b). Following the exhibition of the Draft Ku-ring-gai Local Environmental Plan 2013, under the instruction of the Department of Planning and Environment, the area was deferred out of the Ku-ring-gai Local Environment Plan 2015 and is noted therein as Deferred Area 15.	• Amend the paragraph to include correct the planning information.

	<i>currently zoned Deferred Area 15 due to the proposed zoning changes.</i>		
23	3.4 Cut and Fill <i>This assessment was limited to the area to be rezoned at present and did not include the bowling greens or tennis courts. Fill depth within the investigation area varied between 1.2m and 7.7m below the surface.</i>	This statement is not supported. The extent of the land being rezoned by this Planning Proposal, particularly the land being rezoned to R4 (High Density Residential), has not been captured by this investigation.	• Extend the investigation area to incorporate all proposed R4 (High Density Residential) areas.
50	7.5 Site Characterisation	The statement “<i>The area of investigation was limited to the area to be rezoned.</i>” is incorrect. The area being rezoned to R4 (High Density Residential) has not been considered in this investigation.	• Include the entire proposed R4 (High Density Residential) area within this investigation.
51	7.6 Summary <i>“Based on the findings of this site investigation, SESL concludes that in consideration of the provisions of SEPP 55 Clause 6, the site does not meet the conditions of subclause 4, and is therefore not captured under Clause 6 and can be rezoned without further consideration of contamination. Prior to development for residential purposes being undertaken: A remedial action plan must be developed for the minor hotspot in the south eastern corner of the visitor’s carpark...”</i>	The report implies that contamination and remediation is not a consideration for this site, however under SEPP 55 Cl 6(4), there is a requirement to investigate this site for contamination as the proposed R4 (High Density Residential) use falls under “<i>residential</i>” and is an intensification of that use which will require substantial excavation and disturbance of earth stratum for foundations and basement levels. In addition the site has been used for purposed listed in Table 1 of the Planning Guidelines, cited at Cl 6(4), namely horticultural activities on the greens and landfill at various parts of the site as stated on Page 1 and 57 of the SESL report: <i>“historically been used as a golf course and has been filled to achieve the current landscape. This fill is of unknown origin. Onsite activities involved in course maintenance include pesticide and herbicide use.”</i> There is sufficient evidence on the use and maintenance of the site proposed for R4 (High Density Residential) zoning consider contamination for this Planning Proposal, and any required	• Amend references on Pg 2 and 51 to state that contamination issues have been considered as part of this Planning Proposal as required under SEPP 55, and that any remediation works required will be completed as part of the Development Application process.

		remediation to be conducted as part of any future development.	
	Appendix A <i>Sampling and Well Installation Locations</i>	The aerial photograph indicates that the entire Deferred Area has not been included in the study, given the historical and current uses on the site, contamination must be investigated across the whole of Deferred Area 15, especially areas proposed for R4 (High Density Residential) development which will involve substantial excavation.	• Include further contamination analysis to cover the entire proposed R4 (High Density Residential) area within the Deferred Area 15 site, including the bowling greens and tennis courts.
Appendix I – Killara Golf Club - Communications Outcomes Report, Elton Consulting			
PAGE	SECTION	COMMENT	RECOMMENDATION
4	1.2 Background <i>“Council has also asked KGC to look at future options for the clubhouse.”</i>	This phrase incorrectly implies Council is driving the considerations for the site. Council’s role is to assess the options put forward by the landowner.	• Remove reference to Council in this sentence.
4	Zoning Map	The zoning map is inconsistent with that in the Planning Proposal. The area to the west of the Club House is R2 (Low Density Residential) zoning. However, it is acknowledged that the visuals are tied to the consultation undertaken at the time, and that these consultants may have directed some of the changes proposed in the Planning Proposal.	• No change.
5	2.1.1 Stakeholder and Agency Briefings • NSW State Planning – John Dorran – late October • Ku-ring-gai Council – Tony Fabro and a planner – late October	<i>“John Dorran”</i> might be incorrect and confused with Terry Doran. <i>“Tony Fabro”</i> is incorrect. The correct name is Antony Fabbro.	• Check and correct the name ‘John Dorran.’ • Correct the name to Antony Fabbro

Figure 1:
Recommendation for zoning amendments to the Planning Proposal

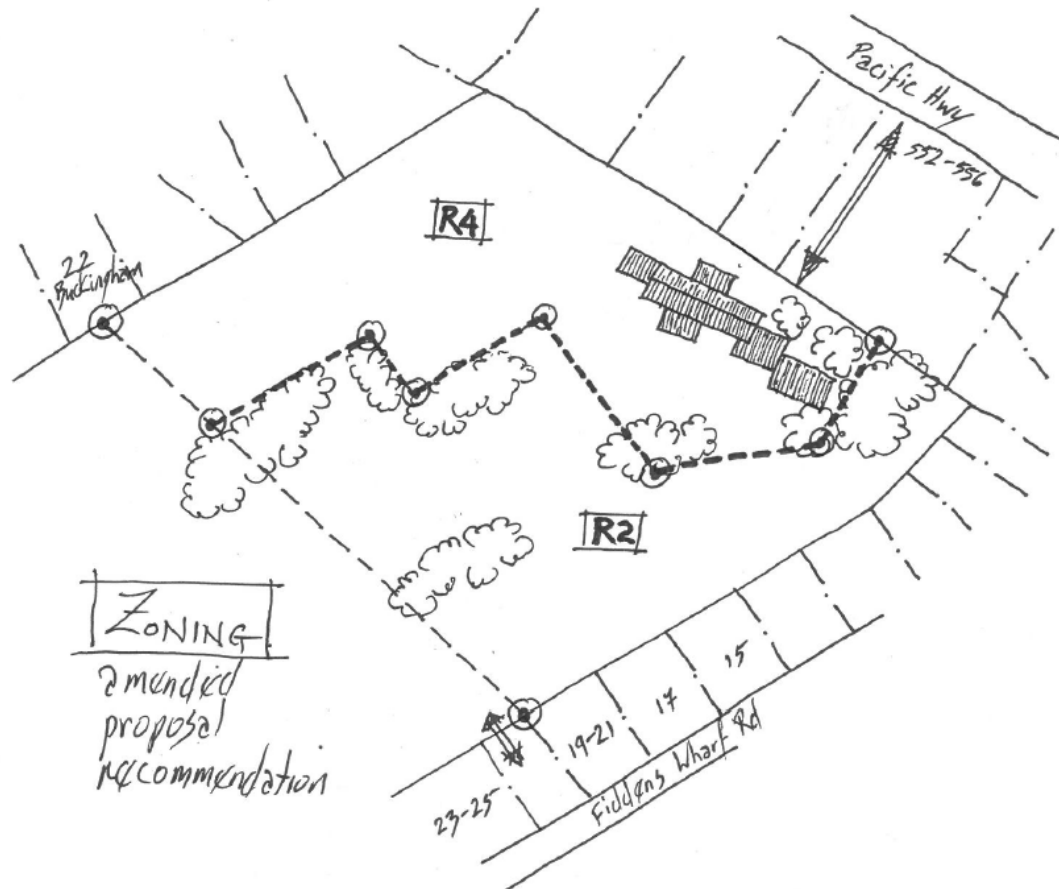


Figure 2:

Recommendation for height amendments to the Planning Proposal

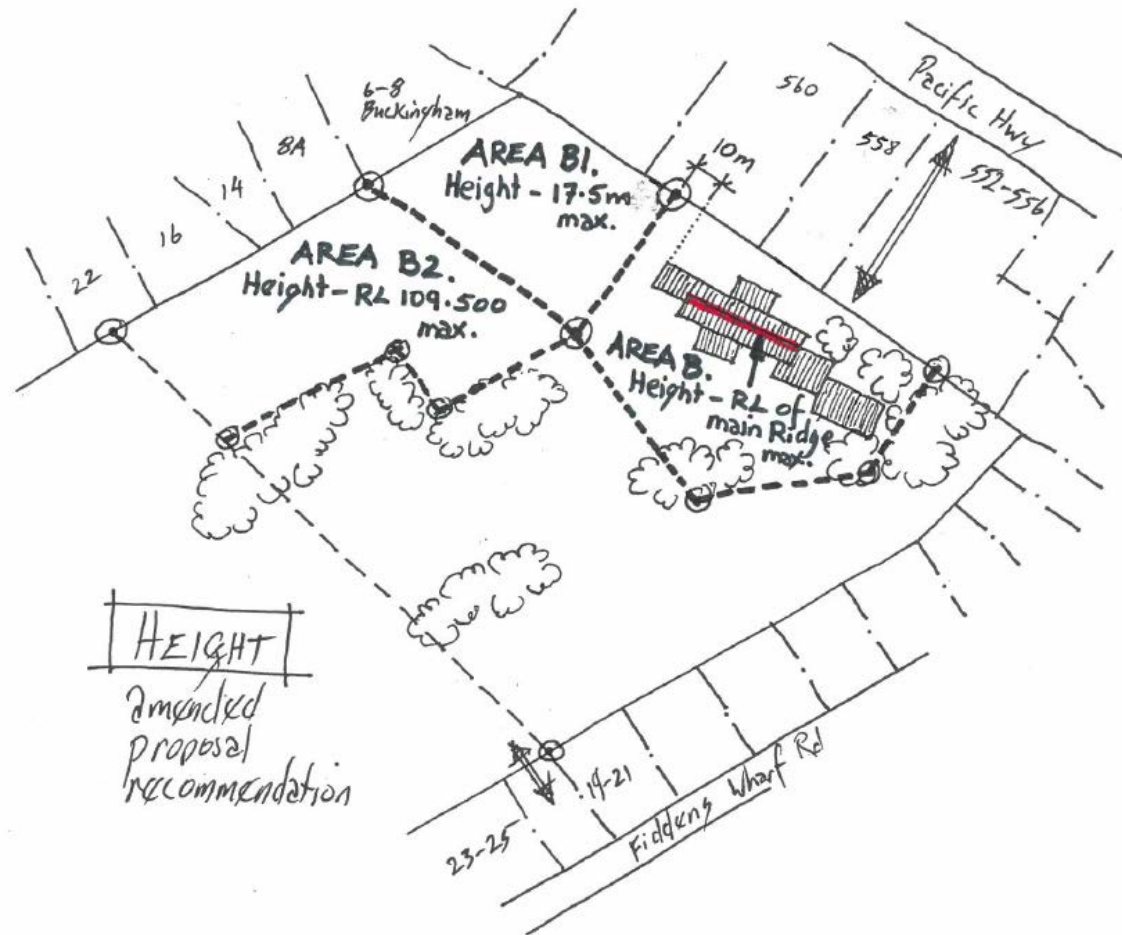


Figure 3:
Recommendation for heritage amendments to the Planning Proposal

