

Mark Dennett

From: Alexandra Plumb <aplumb@kmc.nsw.gov.au>
Sent: Wednesday, 7 June 2017 3:09 PM
To: Mark Dennett
Cc: Terry Doran; Craig Wyse; Antony Fabbro
Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Mark

Questions 1 and 2 - Exhibited Development Standards and Ownership

Site	Owner	Zoning	HOB	FSR	LSZ
420 Bobbin Head Road, North Turramurra (Lot 102 DP1134640)	Ku-ring-gai Council	RE1 – Public Recreation	J2 -9.5m	N/A*	N/A
22 St Columbans Green, North Turramurra (Lot 101 DP1134640)	Ku-ring-gai Council	RE1 – Public Recreation	J2-9.5m	N/A*	N/A
410-412 Bobbin Head Road, North Turramurra (Lots 1-7 DP211722 and Lot 3 DP506214)	Knox Curagul Playing Fields The Uniting Church in Australia Prop Trust (NSW)	RE2 – Private Recreation	J2 -9.5m	A1 – 0.2	N/A
61 Miowera Road, North Turramurra (Part Lot 323 DP752031)	Girl Guides Association (NSW)	RE2 – Private Recreation	J2 -9.5m	N/A	N/A
118a Koola Avenue, East Killara (Lot 17 DP241746)	Crown	E2 – Environmental Conservation	J2 -9.5m	A1-0.2	U2 - 1500

*I've noted that the Council Report and Resolution states that 420 Bobbin Head Road and 22 St Columbans are to have the FSR removed, however in checking the exhibited maps, there was no FSR exhibited for these two properties.

3. Council does not apply development standards to zones RE1, RE2 or E2 – this is consistent with the KLEP (Local Centres) 2012 and KLEP 2015.

I hope this answers your questions – let me know if you require anything further.

Regards,

Alexandra Plumb | Urban Planner | Ku-ring-gai Council



From: Mark Dennett [<mailto:Mark.Dennett@planning.nsw.gov.au>]
Sent: Wednesday, 7 June 2017 2:25 PM
To: Craige Wyse
Cc: Terry Doran; Antony Fabbro; Alexandra Plumb
Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Dear Craige,

Thank you for advising us of the supplementary advice from RFS regarding the planning proposal and the post-exhibition changes.

We just wish to clarify the details relating to the post-exhibition amendment for the sites at:

- | | | |
|---|---|--------------------|
| • 420 Bobbin Head Road, North Turramurra
FSR – Zone RE1 Public recreation | Lot 102 DP1134640 | Remove HOB and |
| • 22 St Columbans Green, North Turramurra
FSR – Zone RE1 Public recreation | Lot 101 DP1134640 | Remove HOB and |
| • 410-412 Bobbin Head Road, North Turramurra | Lots 1-7 DP211722
and Lot 3 DP506214 | Remove HOB and FSR |
| | – Zone RE2 private recreation | |
| • 61 Miowera Road, North Turramurra
Zone RE2 private recreation | Part of Lot 323 DP752031 | Remove HOB – |
| • 118A Koola Avenue, East Killara
and LSZ – Zone E2 Environmental Conservation | Lot 17 DP241746 | Remove HOB, FSR |

We note from Council's Report and the below advice that height, FSR, and Minimum Lot Size were exhibited during the exhibition, and the sites (post-exhibition) have had these development provisions removed.

We just have a few items to confirm;

1. We need to confirm what height and FSR were exhibited with these sites? Having checked the exhibited proposal, the sites appear to have been exhibited with HOB of 9.5 metres (J2), FSR of 0.2:1 (A1)?
2. We also need to identify who the sites are owned by. I understand some of the RE2 private recreation sites are owned by Knox Grammar School and used as playing fields. Would Council be able to confirm which one of the two RE2 lands this is, and who else owns the other RE2 zoned land? And if Council could confirm if it owns all the remainder of the above identified RE1 lands, and the E2 zoned land?
3. If Council could also expand on the nature of the error in applying the development provisions (e.g. if Council typically doesn't apply any HOB/FSR standards to RE1/RE2/E2 lands across the LGA). In the Council report it just states that they had been mistakenly mapped.

Thank you for your help with this. If you've any questions in the meantime, please don't hesitate to contact us.

Kind regards

Mark

From: Craig Wyse [<mailto:cwyse@kmc.nsw.gov.au>]
Sent: Thursday, 18 May 2017 3:33 PM
To: Mark Dennett <Mark.Dennett@planning.nsw.gov.au>
Cc: Terry Doran <Terry.Doran@planning.nsw.gov.au>; Antony Fabbro <afabbro@kmc.nsw.gov.au>; Alexandra Plumb <aplumb@kmc.nsw.gov.au>
Subject: FW: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Mark,

As just mentioned on the phone, please see below the email trail of ongoing dialogue I have been having with the RFS regarding the Deferred areas planning proposal.

If you have any questions, please don't hesitate to call.

Thanks

Craig

Craig Wyse | Team Leader Urban Planning | Ku-ring-gai Council
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From: Craig Wyse [<mailto:cwyse@kmc.nsw.gov.au>]
Sent: Thursday, 18 May 2017 2:31 PM
To: 'David Boverman'
Cc: Corey Shackleton; Antony Fabbro
Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi David,

In the case where there are no development standards applying to a site, any development application will be assessed on its planning merits, taking into consideration any Development Control Plan (DCP) applying to that site, s79C of the EP&A Act and any other legislation applicable to the development.

Please also be aware that Council has completed its statutory requirements in processing the Deferred Area's planning proposal and it has now been submitted to the Department of Planning and Environment to be made under s59 of the EP&A Act. If the RFS still has any outstanding concerns or unresolved issues with the planning proposal these will need to be raised directly with the Department.

Regards

Craige

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From: David Boverman [<mailto:David.Boverman@rfs.nsw.gov.au>]

Sent: Thursday, 18 May 2017 12:09 PM

To: Craige Wyse

Cc: Corey Shackleton

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Craige,

No worries, I checked and note that there are a number of development types that are permitted with consent (eg child care centres, etc) – what are the implications of having development standards removed from those five properties with regards to the development types permitted?

The NSW RFS is of the view that no increase in density is appropriate in these areas without our concurrence.

If you have any questions please let me know.

Kind regards,

David



David Boverman | Manager | Development Planning & Policy

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From: Craige Wyse [<mailto:cwyse@kmc.nsw.gov.au>]

Sent: Thursday, 18 May 2017 11:57 AM

To: David Boverman

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi David,

Please refer to the link to see what land uses are permissible in each on the zones.

Regards

Craigie

Craigie Wyse | Team Leader Urban Planning | Ku-ring-gai Council

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From: David Boverman [<mailto:David.Boverman@rfs.nsw.gov.au>]

Sent: Thursday, 18 May 2017 11:42 AM

To: Craigie Wyse

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Craigie,

Thanks for that. I note that some of the other lots are zoned RE1 and E2 – I'm assuming that these cannot be commercially developed either?

Kind regards,

David



David Boverman | Manager | Development Planning & Policy

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From: Craigie Wyse [<mailto:cwyse@kmc.nsw.gov.au>]

Sent: Thursday, 18 May 2017 11:25 AM

To: David Boverman

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi David

The various land uses permissible in each zone are listed in the Land use table in KLEP 2015. See the following link.

<http://www.legislation.nsw.gov.au/#/view/EPI/2015/134>

The land in question being Zone RE2 private recreation is owned by Knox Grammar School and is used for playing fields. The RE2 zone will allow them to continue this use, while not being able to developed for general school purposes. This site is currently zoned residential under the KPSO.

Regards

Craige

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From: David Boverman [<mailto:David.Boverman@rfs.nsw.gov.au>]

Sent: Thursday, 18 May 2017 8:15 AM

To: Craige Wyse

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Craige,

Sorry to bother you again, but to be pedantic you mentioned that the five properties would not permit residential development – would commercial development be permitted (ie could increased density occur due to commercial development)?

Thanks again for your help,
David



David Boverman | Manager | Development Planning & Policy

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From: Craige Wyse [<mailto:cwyse@kmc.nsw.gov.au>]

Sent: Wednesday, 17 May 2017 1:54 PM

To: David Boverman

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi David,

That's no problem. It's great that we have established good open avenues of communication. It will benefit both our organisations moving forward.

Regards

Craige

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From: David Boverman [<mailto:David.Boverman@rfs.nsw.gov.au>]

Sent: Wednesday, 17 May 2017 12:53 PM

To: Craige Wyse

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Craige,

Thanks again for your help with this. Is this also true for the cross-hatched evacuation zone areas?

Kind Regards,
David



David Boverman | Manager | Development Planning & Policy

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From: Craige Wyse [<mailto:cwyse@kmc.nsw.gov.au>]

Sent: Wednesday, 17 May 2017 12:11 PM

To: David Boverman

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi David,

Further to our previous discussion, I can confirm that the adopted planning proposal for the deferred areas will not result in any further increase in residential density than that which is allowable under the existing planning provisions applying to those areas. In regard to secondary dwellings, the provisions will be more onerous by requiring a development application for such developments. The current planning provisions that apply allow the development of secondary dwellings as complying development.

The purpose of Council's resolution to amend maps to remove development standards from particular lots was to correct a small number of mapping errors identified during the exhibition. The six properties involved are to be zoned either RE1 Public Recreation, RE2 Private Recreation or E2 Environmental Conservation. These zones do not permit residential development and it is protocol across the KLEP 2015 not to apply any development standards in these zones. The details of the properties involved are as follows.

- 420 Bobbin Head Road, North Turramurra – Lot 102 DP1134640 – remove HOB and FSR – Zone RE1 Public recreation
- 22 St Columbans Green, North Turramurra – Lot 101 DP1134640 – remove HOB and FSR – Zone RE1 Public recreation
- 410-412 Bobbin Head Road, North Turramurra – Lots 1-7 DP211722 and Lot 3 DP506214 – remove HOB and FSR – Zone RE2 private recreation
- 61 Miowera Road, North Turramurra – Part of Lot 323 DP752031 – remove HOB – Zone RE2 private recreation
- 118A Koola Avenue, East Killara – Lot 17 DP241746 – remove HOB, FSR and LSZ – Zone E2 Environmental Conservation

If you require any further clarification, please don't hesitate to contact me.

Regards

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From: David Boverman [<mailto:David.Boverman@rfs.nsw.gov.au>]

Sent: Friday, 5 May 2017 8:01 AM

To: Craige Wyse

Cc: Corey Shackleton

Subject: RE: Ku-ring-gai Deferred Areas - RFS Supplementary Advice

Hi Craige,

Good to see you yesterday.

As discussed, we received a query about the Council meeting the other night. This specifically referred to supplementary advice from the NSW RFS which allegedly supported an increase in density in the evacuation zones and deferred areas. It was alleged that both Council staff and Councillors referred to this supplementary advice several times during the meeting.

Please be advised that the NSW RFS does not support an increase in density.

If you have any questions please let me know.

Kind Regards,
David



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From: Craige Wyse [<mailto:cwyse@kmc.nsw.gov.au>]
Sent: Monday, 10 April 2017 12:45 PM
To: David Boverman
Cc: Heath Fitzsimmons; Alexandra Plumb; Antony Fabbro
Subject: Ku-ring-gai Deferred Areas - Secondary Dwellings

Hi David

It was good to catch up with you and Jason on Friday to clarify issues associated with secondary dwellings in the bushfire evacuation risk areas. Below is a recap of the points we discussed:

- It is important to note that secondary dwellings are not the same as a dual occupancy (either attached or detached). Secondary dwellings are limited in size, and have to be used in conjunction with the principal dwelling on the lot – they are unable to be subdivided like a dual occupancy.

The KLEP 2015 definition of 'secondary dwelling' means 'a self-contained dwelling that:

- (a) Is established in conjunction with another dwelling (the principle dwelling) and
- (b) Is on the same lot of land as the principle dwelling, and
- (c) Is located within, or is attached to, or is separate from, the principle dwelling

- The proposed E4 zone does not permit the development of Dual Occupancy. In addition the minimum lot size for subdivision is being increased from 790-930sqm to 1500sqm. This will significantly limit the potential for future density/population increases in the E4 zoned areas.
- Secondary dwellings are currently permitted on all residential land in the deferred areas as complying development under *State Environmental Planning Policy (Affordable Rental Housing) 2009* (Note: In the case of land that is bushfire prone land the secondary dwellings can be undertaken as complying development, subject to 3.36B of the Codes SEPP - Development standards for bush fire prone land)
- Secondary dwellings will not be able to be constructed as complying development in the proposed E4 Zoning. The Affordable Rental Housing SEPP does not apply to the E4 zone.
- Secondary dwellings are permissible with consent within the proposed E4 zone, which means approval of Secondary Dwellings are required to go through a Development Application process. There is no pathway for Secondary Dwellings to be approved via complying development on land zoned E4.
- The combined total floor area of the principal dwelling and the secondary dwelling cannot exceed the maximum floor area allowed on site for a dwelling house. As secondary dwellings contribute to the overall FSR of a site they, therefore, do not contribute to an increase of density.

- Those properties that can and do develop secondary dwellings, Clause 5.4 (9) of the KLEP 2015 limits the size of secondary dwellings to 60sqm or 25% of the total floor area of the principal dwelling (whichever is greater). The controls at Part 5 of the Ku-ring-gai DCP limit secondary dwellings to a maximum of 2 bedrooms.
- The permissibility of secondary dwellings within the E4 zone will not result in significant increases in residential housing or density. It is unlikely that all properties will be able to develop a secondary dwelling, due to factors such as not being able to meet the requirements under Planning for Bushfire Protection 2006, not being able to comply with the FSR requirements under the KLEP 2015, property constraints and personal choice whether the residents wish to develop a secondary dwelling.
- Secondary dwellings cater for changing population demographics, particularly extended families, ageing parents and older children remaining at home.
- The census data shows that the average household size within the deferred areas and across Ku-ring-gai has been decreasing, refer to the table below for selected areas.

Area	Average household size (persons per dwelling)	
	2006	2011
Ku-ring-gai LGA	2.90	2.88
East Killara	3.14	3.09
North Turramurra	2.55	2.52
North Wahroonga	3.11	2.99
St Ives Chase	3.10	3.08

- The most dominant household size across Ku-ring-gai is a 2 person household. The Department of Planning and Environment has also predicted that lone person households are likely to be the fastest growing in the years between 2011 – 2031 within the Northern District

If you need to clarify any of these points or you require any further information, please don't hesitate to contact me.

Regards

Craigie

Craigie Wyse | Team Leader Urban Planning | Ku-ring-gai Council

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