
KU-RING-GAI LOCAL CENTRES - PLANNING PROPOSAL

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To have Council consider the Ku-ring-gai Local Centres – Planning Proposal for submission to the NSW Department of Planning and Infrastructure.
BACKGROUND:	On 8 November 2011 Council endorsed a process to prepare a new Local Centres Plan for the six local centres in Ku-ring-gai. Council endorsed a statement of commitments, time line and consultation for the process for the preparation of formal planning proposal.
COMMENTS:	This report provides a draft formal planning proposal (including draft LEP instrument and maps) based on the Council's statement of commitments, outcomes of the community consultation process, the requirements of the NSW Standard LEP Order, and seeks a gateway determination from the NSW Department of Planning and Infrastructure for formal public exhibition.
RECOMMENDATION:	That Council endorses the draft Planning Proposal for submission to the NSW Department of Planning and Infrastructure seeking a formal gateway determination for exhibition.

PURPOSE OF REPORT

To have Council consider the Ku-ring-gai Local Centres – Planning Proposal for submission to the NSW Department of Planning and Infrastructure.

REPORT SUMMARY

In January 2003 the NSW State Government targeted six SEPP 53 sites in Ku-ring-gai for higher density residential. The resultant planning controls allowed residential and mixed use buildings up to 7 storeys in height, with the Minister for Planning as the consent authority. To date all but one of these sites has been approved with a total of 472 new dwellings.

In 2004 LEP 194 and LEP 200 were gazetted, the resultant zones, known as 2(d3) allow 5 storey apartment buildings to be constructed. The estimated net dwelling yield for these zones is 6,561 dwellings across the LGA. **Attachment A2** contains detailed spreadsheets showing how this calculation was arrived at. There is further more detailed discussion of the assumptions in Part 12 of this report.

This report puts forward six Local Centre Strategies as a basis for preparing a draft Local Centres LEP. The strategies do not propose any significant extension of the 2(d3) zone, the strategies simply translate these zones into a new classification, known as R4 – High Density Residential. There is no proposed increase in density in these zones in fact in most cases there is reduced potential, due to the deletion of a clause in LEP 194, known as the “steeply sloping sites” clause, which enables some developments to achieve six storeys in height on the down-hill side. The Strategies also propose down-zoning of some sites to address interface impacts.

The net additional yield for the new zones R4, R3, B2 and B4 is 1446 dwellings. **Attachment A2** contains detailed spreadsheets showing how this calculation was arrived at.

The key proposals of the land use strategies are:

No change

Where the now invalid Town Centres LEP 2010 had previously proposed increase in height and/or density the Local Centre Strategies propose retaining the existing KPSO provisions. For example in a number of the commercial areas the current FSR of 1:1 is retained with a 3 storey height limit (while the KPSO allows a 2 storey height limit the new definition of building height in the Template LEP translates to 3 storeys i.e. from ground level to the uppermost point of the building).

Up-zone

The strategies provide opportunities for redevelopment of land to provide additional dwelling yield and meet other planning objectives. Up-zoning has been utilised in main two ways:

- in the existing commercial lands proposed for a B2-Local Centre zone careful planning has selected one or two key sites in each of the centres and increasing the allowable floorspace (FSR) and building height to a level that will allow economically feasible redevelopment.

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The Strategies do not propose “blanket” rezoning of all the commercial areas and in fact the land use strategies propose to protect many of the important commercial streetscapes by imposing a 3 storey building height limit; and

- to address long-standing interface issues created by LEP194/200 the strategies propose the introduction of new R3- Medium Density Residential zones (allowing town houses) as a transition zone between 5-6 storey apartment buildings and lower density housing.

Down-zone

The strategies propose to down-zone land to achieve a number of planning objectives. Down-zoning has been applied in a number of situations:

- to address long-standing interface issues and planning anomalies created by LEP194/200 the strategies proposed to down-zone land currently zoned 2(d3) for 5 storey apartment buildings. The approach varies with each situation;
- to introduce new zones that will add higher levels of protection to locations with significant biodiversity, these zones are E4-Environmental Living and E2-Environmental Conservation; and
- to identify land proposed to be acquired by Council for new local parks and new public roads and identify these lands respectively as RE1-Public Recreation and SP2-Local Road

Translation

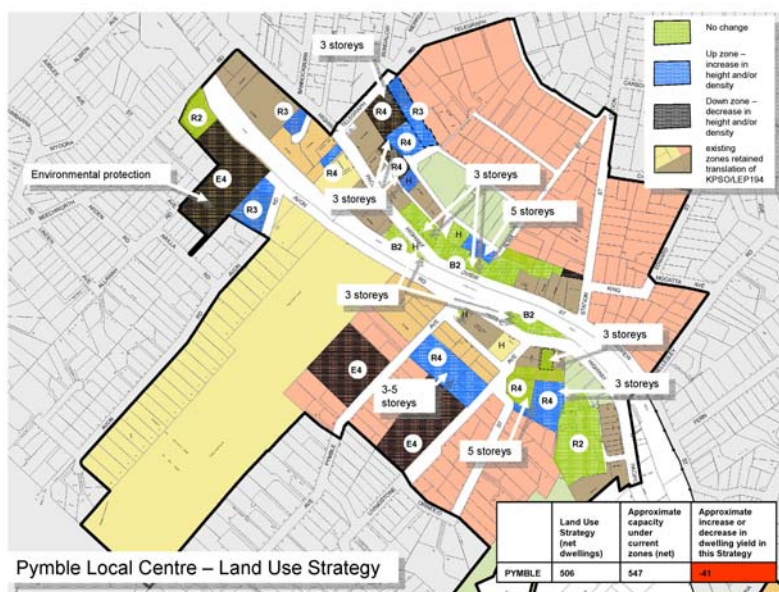
The Strategies generally maintain the development capacity of existing KPS0 zones known as Residential 2(d), 2(e) or 2(h); these zones allow 2-3 storey apartment buildings or town houses. The strategies propose to translate the current zone, building height and FSR provisions within these areas. The result will, for example, see a 2(d) zone translate to an R4 zone with an FSR of 0.85:1 and a 3 storey height limit.

The diagrams below, and **Attachment A5**, show the land use strategies for each of the centres. A detailed discussion of how the strategies were developed and a description of each strategy can be found in Parts 4 and 9 of this report.

PYMBLE LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Pymble represents a very low level of development. The additional net dwelling yield is 506 which is about 41 dwellings less than the existing zoning capacity which is approximately 547 dwellings. The loss of dwellings is the result of a number of proposed down-zonings.

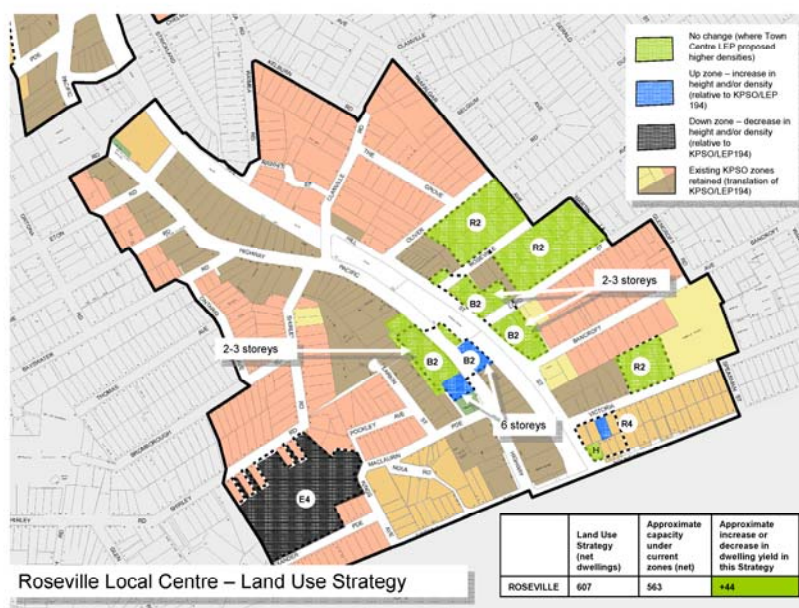
The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Pymble locality workshop (presented in Part 2 of this report).



ROSEVILLE LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Pymble represents a very low level of development. The net dwelling yield is 607 which is approximately 44 more dwellings than the current zones allow. The additional dwellings area result of up-zoning in two locations in the commercial area on the Pacific Highway.

The proposed land use strategy for Roseville is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Roseville locality workshop (presented in Part 2 of this report).

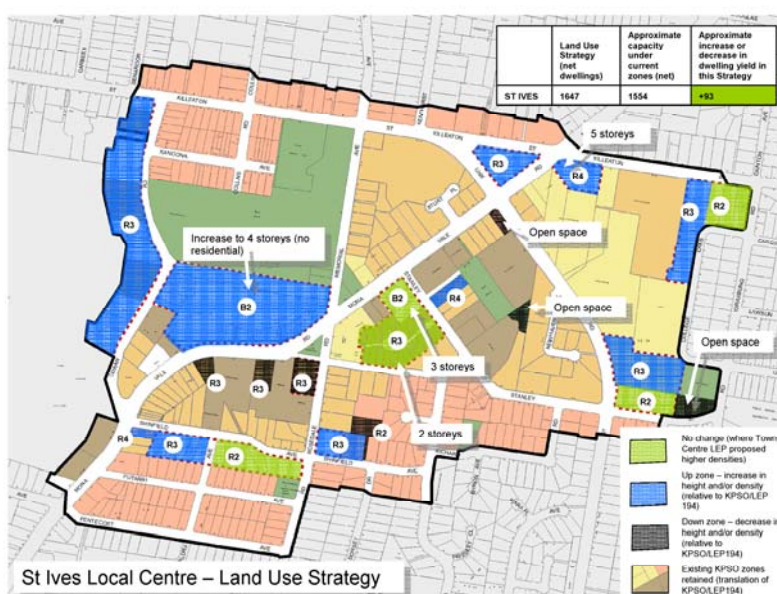


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5 March 2012**ST IVES LOCAL CENTRE – LAND USE STRATEGY**

The Land Use Strategy for St Ives represents a low level of development. The net dwelling yield is 1647 which is about 93 dwellings more than what the current zones will allow. The additional dwellings are primarily a result of interface zoning.

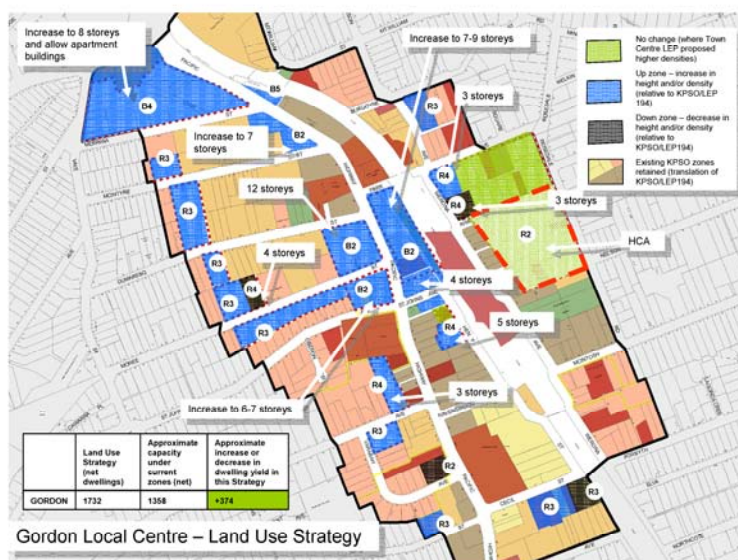
The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the St Ives Locality workshop (presented in Part 2 of this report).

**GORDON LOCAL CENTRE – LAND USE STRATEGY**

The land use strategy for Gordon represents a high level of development. The net dwelling yield is 1732 which is approximately 374 dwellings more than the current zoning capacity (KPSO and LEP 194).

The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Gordon locality workshop (presented in Part 2 of this report). The Strategy is also consistent with the results from the Summit which found high levels of support for building heights of 9-15 storeys (47.5 metres) in Gordon and strong support for revitalisation of the shopping precinct.

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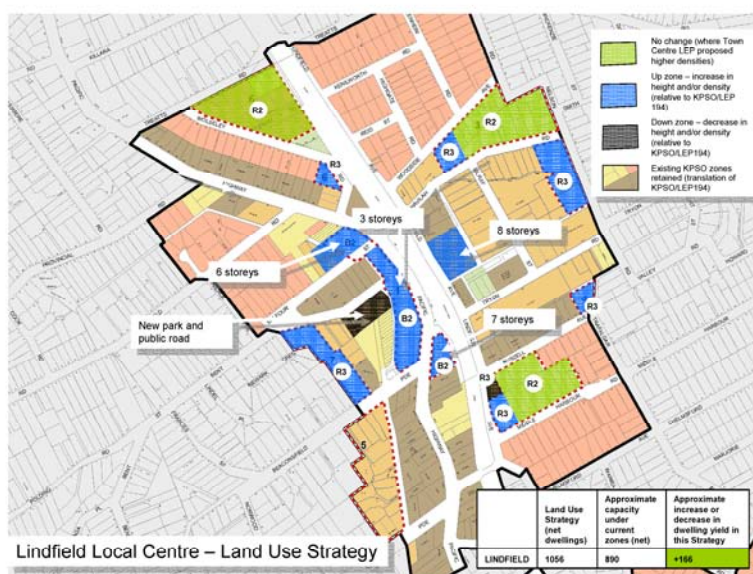
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9.5 LINDFIELD LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Lindfield represents a moderate level of development. The net dwelling yield is 1056 which is approximately 166 more than the existing zone capacity (i.e. KPSO and LEP 194). The additional yield is mainly a result of interface zoning and some up-zoning in the B2 zone.

The Strategy is consistent with the results from the Summit which found high levels of support for building heights of 17.5 to 23.5 metres (5-7 storeys) in the Lindfield commercial areas. Attendees also showed strong support for revitalisation of the shopping precinct.

The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Lindfield Locality Workshop (presented in Part 2 of this report).



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5 March 2012**TURRAMURRA LOCAL CENTRE – LAND USE STRATEGY**

The land use strategy for Turramurra represents a moderate level of development. The net dwelling yield is 1179 which is approximately 291 more than what the current zones (LEP194 and KPSO) will allow. The additional yield is mainly a result of interface zoning and some up-zoning in the B2 zone.

The Strategy is consistent with the results from the Summit which found high levels of support for building heights of 17.5 to 23.5 metres (5-8 storeys) in the Turramurra commercial areas. Attendees also showed strong support for revitalisation of the shopping precinct.

The Strategy is a combination of components from the most, moderately and least favoured scenarios from the Lindfield Locality Workshop (presented in Part 2 of this report).



In summary the following is noted in relation to the land use strategies for each of the local centres:

Community Consultation

- Overall the Proposed Land Use Strategies represent aspects of the most preferred or moderately preferred options from the Locality Workshops.
- The Strategies adopt limited aspects of the least preferred options.
- The strategies for Gordon, Lindfield, and Turramurra are consistent with the supported or strongly supported options from the Community Summit.

Council's Consolidated Statement of Commitments:

- The strategies depart significantly from the now invalid Town Centres LEP.

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- Overall the additional dwelling yield is adequate to meet Council's target of 10,000 dwellings when taking into account appropriate take-up rates and community classified land.
- The Strategies for Gordon, Lindfield and Turramurra address a range of issues economic viability, employment growth, centre revitalisation, community infrastructure and housing choice. In each of the larger centres at least one major key site is identified as a catalyst for commercial revitalisation.
- The strategies for Pymble, Roseville and St Ives are generally minimum change options that address issue of interface. In each of these centres at least one key site has been identified to encourage limited commercial revitalisation.
- The strategies for all centres have explored opportunities for down-zoning LEP 194 lands and in most cases recommends as such
- The strategies include provisions for heritage protection, biodiversity and riparian lands based on the draft Interim LEP 2012.
- Roseville and Pymble are the two remaining centres where a location for new local park is still required.

Part 1 – Background

Provides historical, demographic and broad planning context, identifies key challenges for the centre areas and the planning principles adopted.

Part 2 – Metropolitan Planning Context

Outlines the key themes and objectives of the draft *North Subregional Strategy* and how the draft local environment plan addresses these objectives and strategies.

Part 3 – Statutory Planning Context

Outlines the key statutory requirements, authorisations and delegations under the NSW Standard Instrument Order.

Part 4 – Consultation – Planning Scenarios

This part puts together the feedback from the locality workshops and the community summit into land use planning scenarios.

Part 5 – Key Planning Themes & Considerations

This part provides an overview of the key planning issues for a range of matters including heritage, open space, environmental values, interface, retail, and economic feasibility.

Part 6 – Standard Instrument LEP framework

A user's guide to the draft LEP maps and written instrument, based on the NSW Government's Standard LEP template instrument.

Part 7 – Land Use Strategies across Centres

This part outlines how the key considerations are addressed for themes that apply generally across all centres.

Part 8 – Interface Strategy

Provides an outline of the strategies for sites where high density development impacts on single dwellings and surrounding areas.

Part 9 – Land Use Strategy by Centre

This part puts forward a land use strategy for each of the local centres based on the analysis and finding of the preceding parts, and includes key sites within the centres.

Part 10 – Ministerial directions

This part provides a response to directions of the NSW State government and consultation with State agencies and authorities.

Part 11 – Aligned projects

Provides discussion of other projects that are aligned, but not included within the draft LEP, includes the Development Control Plan, in the Public Domain Manual and development contributions planning.

Part 12 – Residential Dwelling Yields

This part provides a comprehensive discussion of dwelling yield calculations, assumptions and detailed responses to the public feedback.

PART 1 - BACKGROUND

1.1 STATEMENT OF COMMITMENTS

This part provides historical, demographic and broad planning context, and identifies key challenges for the centre areas and the planning principles adopted.

On 8 November 2011 Council considered a report on a statement of commitments and a revised timing and community consultation program for a new Ku-ring-gai Town Centres Local Environmental Plan (LEP). Council endorsed the Statement of Commitments identified in this report to form the basis for the preparation of a new draft Ku-ring-gai Town Centres LEP. Council resolved, in part:

- A. Council endorse the Statement of Commitments identified in this report to form the basis for the preparation of a new draft Ku-ring-gai Town Centres LEP.*
- B. Council prepare and submit draft LEP written instrument land use table to the Department of Planning & Infrastructure for review by 16 December 2011.*

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- C. Council prepare and submit draft LEP written instrument draft Local Provisions to the Department of Planning & Infrastructure for review by 18 January 2012.*
- D. A formal planning proposal (seeking a gateway determination from the NSW Department of Planning and Infrastructure) including draft LEP instrument and Maps be reported to a Council Meeting in March 2012.*
- E. Council endorse in principal a community consultation process conducted by an independent consultant to inform the preliminary draft LEP.*
- F. Council allocate up to \$250,000 towards cost of preparing and processing the new LEP including consultation.*

On 22 November 2011 Council endorsed a further amendment to the statement of commitments to clarify that *the number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*

The starting point for the new Centres LEP consultation and policy formulation is specified in Councils Council's Statement of Commitments.

From 22 November 2011 to 20 March 2012 the following list of Council's adopted statement of commitments were the basis to satisfy the requirements expressed by the Minister and the Department- as agreed key principles to guide the process and provide certainty for all parties on the scope, intent and process for preparing the new Town Centres:

- Council will complete and submit a new Town centres LEP applying to the land covered by the former Ku-ring-gai Local Environmental Plan (Town Centres) 2010 to the Department by the August 2012 "caretaker phase" of Council, prior to the elections in September 2012.
- Town Centres LEP (2010) will be the starting point for the preparation of the new LEP with community consultation focusing on how it could be improved rather than starting from scratch.
- The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.
- The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.
- Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.
- The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.
- The LEP will address issues of reclassification of key Council owned sites with the TC LEP areas - to facilitate orderly and economic growth of the town centres.

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A series of timelines were also endorsed Council and the subsequently supported by the Minister for Planning and Infrastructure for the delivery of the new centres LEP being completed by the end of August 2012. In addition the timelines includes the provision for an Interim Biodiversity, Riparian and Heritage conservation Area LEP amendment to the KPSO and timeline for the Ku-ring-gai Principal LEP (for areas outside of the six local centres).

The Straight Talk report was presented to the Ordinary meeting of Council on 20 March 2012 wherein Council adopted a revised Statement of Commitments as follows:

That Council amends the Statement of Commitment adopted on 8 November and amended 22 November, 2011. That statement becomes:

- *Council will complete and submit a new Town Centres LEP applying to the land covered by the former Ku-ring-gai Local Environment Plan (Town Centres) 2010 to the Department by the August 2010 "caretaker phase" of Council prior to the elections in September 2012. The studies prepared for the 2010 LEP and those subsequently commissioned by the present Council should inform the LEP.*
- *The number of new dwellings from all planning instruments will be approximately 10,000 commencing from 27 May 2004, with the take up rates of 80% not applying to any dwellings approved before 20 March, 2012.*
- *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalization, community infrastructure and housing choice.*
- *Council will not seek repeal of LEP 194. However, Council will review individual sites of concern in the Town Centres LEP with specific regard given to interface issues.*
- *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*

At the time the revision to the Statement of Commitments was made, this report, and the draft Local Centres LEP, was substantially completed. The following comments are made in relation to the overall implications for the draft Local Centres LEP.

In relation to the calculation of the yields, which is discussed later in the report, there are no major implications for the draft Planning Proposal. The yield information was prepared and presented at both the locality workshops and the community summit and is consistent with the revised statement of commitments as the yields presented applied an 80% take up to potential dwelling yields not the approved dwellings.

Removal of reference to the Town centres LEP 2010 as the starting point for the new Local centres LEP. The Ku-ring-gai LEP (Town Centres) 2010 was used as guide in the preparation of the new draft planning proposal, but not the sole factor in the development of the new Local Centres LEP. The draft planning proposal has been prepared taking into account the all adopted statements of commitments including economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.

Reclassification, and its removal from the original Statement of Commitments, is dealt with later in the report.

1.2 OVERVIEW OF KU-RING-GAI'S URBAN DEVELOPMENT

Over the past century, the Ku-ring-gai Local Government Area (LGA) has experienced a series of phases of urban growth along with intervals of stable or declining population.

The first phase of rapid urban residential growth occurred after the opening of the North Shore railway line in 1890. New urban centres were formed around the main railways stations along with new housing subdivisions within the catchment.

The second phase occurred during the interwar period of the 1920s and 1930s with new subdivisions and residential expansion associated with the opening of the Sydney Harbour Bridge in 1932.

The third phase was the post-war years, beginning in the 1950s through to the 1970s, with intense development during which the population doubled from 50,000 to 100,000 then followed by a period where the population has been stable but ageing.

The more recent phase of development has occurred most notably along the urban the railway/ Pacific Highway corridor and St Ives centre with new apartment development and lower density housing (seniors living housing, dual occupancy, subdivisions) occurring in other parts of the LGA.

A variety of housing choice (villas, townhouses and apartments) may assist in the older Ku-ring-gai residents to down-size their homes within their established community and may also provides accommodation for encourage younger adults and new families. By providing better housing choice this may also improve housing affordability.

Ku-ring-gai's population is expected to have increased to around 123,000 by the time this current growth phase is complete. It should be recognised that this current phase of change in Ku-ring-gai, while highly visible and somewhat contentious, is actually smaller in real terms than growth phases that occurred in the past. Overall population numbers may be greater due to the process of cyclical renewal where existing housing stock is sold to families and other larger households.

This new growth phase in Ku-ring-gai corresponds with a growth phase across the Sydney metropolitan area more generally, highlighting that planning for Ku-ring-gai does not, and cannot, occur in isolation. Ku-ring-gai is an integral part of the greater metropolitan area and must grow and change with the rest of the city.

COMMENTS

PART 2 - METROPOLITAN PLANNING CONTEXT

This part outlines the key themes and objectives of the draft *North Subregional Strategy* and how the draft local environment plan addresses these objectives and strategies.

In December 2010 the former NSW Government launched the *Metropolitan Plan for Sydney 2036* to shape the future growth of Australia's major global city. The Metropolitan Plan incorporates the \$50 billion Metropolitan Transport Plan. It is a significant attempt to make Sydney a more connected, sustainable city as the population grows over the next 25 years.

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The publication of the *Metropolitan Plan for Sydney 2036* follows a scheduled five-year update of the 2005 Metropolitan Strategy. An extract from Metropolitan Plan for Sydney 2036 is provided below:

2.1 THE CHALLENGES FACING SYDNEY

A Growing Population

Sydney's population is growing faster than previously expected. Revised NSW forecasts show Sydney's population is expected to grow by 1.7 million people between 2006 and 2036 to 6 million -- an average annual rise of 56,650.

A Changing Population

The composition of the population is changing due to increasing life expectancy. By 2036, the number of people aged 65 and above will more than double to just over one million, requiring new, more varied housing, social infrastructure and community services.

More Suitable and Affordable Housing

While Sydney's population is growing, the average household size is falling, creating demand for more - but smaller, more affordable - homes. As a result, Sydney will need 770,000 additional homes by 2036 - a 46 per cent increase on the city's current 1.68 million homes. The location, size and type of new housing must reflect the population's changing needs.

More Jobs, Closer to Home

Sydney's growth will require 760,000 more jobs, with half in Western Sydney where the greatest population growth will occur. By 2036, half the city's population will live in Western Sydney (up from 43 per cent in 2006). A broader mix of jobs is also needed to reflect Western Sydney's growing level of job skills and education levels.

More Efficient Transport

The location of new homes and jobs to match transport capacity will determine how effectively Sydney develops as a compact and connected city and how it manages congestion and its related issues -- economic efficiency, social costs, equity, air quality and climate change.

More Efficient Infrastructure Delivery

Long-term land use and infrastructure planning and delivery must be better integrated to improve certainty for government agencies, the private sector and the community. This will improve investment decision-making and ensure more efficient use of public and private resources to support continued economic growth.

A More Sustainable Sydney

Sydney's central challenge is to grow sustainably – to improve economic and social outcomes while protecting our natural environment and containing its urban footprint.

Tackling Climate Change

Sydney's planning system and transport network must help address the long-term impacts of climate change by ensuring lower greenhouse gas emissions and adapting to more extreme weather patterns and effects.

Maintaining our Global Competitiveness

As Australia's leading global city, Sydney carries a major responsibility to remain strong, efficient and internationally competitive. While highly ranked in most global comparisons, Sydney must adapt to changing international circumstances while protecting and building on its environmental, social and economic advantages.

It is anticipated that the current Government will release a discussion paper on metropolitan planning in the near future.

2.2 THE DRAFT NORTH SUBREGIONAL STRATEGY

The draft *North Subregional Strategy* was prepared to support the previous Metropolitan Strategy and is still relevant to planning for Ku-ring-gai. The key directions relevant to Ku-ring-gai Centre identified in the draft North Subregional Strategy are:

1. *Better access to a variety of housing choice.*
2. *Enhance the local centres in the subregion.*
3. *Improve public transport access to, from and within the subregion.*

The strategy is broken down into seven sub-strategy areas, each containing a series of objectives and actions. The actions relate to both state and local government levels. Key strategies that relate particularly to LEP planning for local centres in Ku-ring-gai include the following:

1. *Economy and Employment*
 - *Provide suitable commercial sites and employment lands in strategic key areas.*
 - *Provide a framework for accommodating jobs across the subregion.*
 - *Provide for sufficient zoned land and infrastructure to achieve employment capacity targets in employment lands.*
 - *Establish a framework for the development of business parks.*
2. *Centres and Corridors*
 - *Provide places and locations for all types of economic activity and employment across the Sydney region.*
 - *Increase density in centres whilst improving liveability.*
 - *Concentrate activities near public transport.*
3. *Housing*
 - *Ensure adequate land and sites for residential development.*
 - *Plan for increased housing capacity targets in established areas.*
 - *Plan for a housing mix near jobs, transport and services*

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- *Renew local centres.*
 - *Improve housing affordability.*
 - *Improve the quality of new development and urban renewal (including near busy roads).*
4. *Transport*
- *Influence travel choices to encourage more sustainable travel.*
 - *Improve the integration of public transport.*
 - *Improve local and regional walking and cycling networks.*
5. *Environment, Heritage and Resources*
- *Protect the natural environment.*
 - *Improve waterways, coasts and estuaries.*
 - *Protect the unique diversity of plants and animals.*
 - *Adapting to climate change.*
 - *Identifying natural hazards and risk management measures in principal LEPs related to climate change.*
 - *Conserve Sydney's cultural heritage.*
 - *Identify a consistent approach to identify and protect Sydney's cultural heritage.*
 - *Recognise where cultural heritage contributes to its unique character and quality and manage change appropriately to reinforce local distinctiveness.*
6. *Parks, Public Places and Culture*
- *Increase access to quality parks and public spaces.*
 - *Improve the quality of local open space.*
 - *Investigate future options for open space provision and management.*
 - *Provide for urban civic space in planning for centres.*
 - *Improve cultural and sporting event facilities*
 - *Enhance cultural life and tourism precincts.*
7. *Implementation and Governance*
- *Align subregional and local planning with strategy aims.*

Ku-ring-gai's share of Sydney's growth under the former Metropolitan Strategy has been established as a minimum of 10,000 achievable new dwellings plus employment capacity for 4500 new jobs under the *draft North Subregional Strategy* and Council's Statement of Commitments. The employment targets are discussed in more detail later in this report.

On 11 February 2011 the Minister issued an updated Direction under section 117 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The Ministerial Direction 7.1 "Implementation of the Metropolitan Strategy" was revised to reflect the new Metropolitan Plan for Sydney 2036 which superseded the 2005 Metropolitan Strategy.

The new Ministerial Direction 7.1 requires planning proposals to implement the vision, transport and land use strategy, policies, outcomes and actions of the Metropolitan Plan for Sydney 2036. The Direction applies to all local government areas in metropolitan Sydney which are affected by the Metropolitan Plan. The direction took effect from 1 February 2011 and will apply to all planning proposals prepared under the local plan making provisions of Part 3 of the EP&A Act.

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The Sydney North (Hornsby- Ku-ring-gai LGA) subregional implications are:

Employment

- Target of 15,000 new jobs between 2006 and 2036.
- This includes increasing employment capacity in Hornsby from 10,000 in 2006 to 12,000 by 2036.

Housing

- Target of 29,000 new homes between 2006 and 2036. This compares to the target of 21,000 new homes between 2004 and 2031, which was outlined in the 2005 Metropolitan Strategy.

To date the housing target split between the Council's for the additional 8,000 dwellings has not been determined. It is understood Hornsby Shire Council will be addressing their commitment to the additional housing yield during their 2016 Residential Strategy review.

This report outlines how the draft LEP addresses the above strategies, in line with the planning principles. The sub regional strategy objectives & actions of Economy and Employment, and Centres and Corridors, will be dealt with jointly, as there is significant overlap in the objectives and strategies.

2.3 CHALLENGES FACING KU-RING-GAI

The challenges facing Sydney are mirrored in Ku-ring-gai. It must be understood that even if there was zero population growth over the life of the Metropolitan Plan, Sydney would still require 190,000 new homes in to respond to demographic change. Part of this demographic shift includes increasing numbers of households with fewer residents. The ageing of the population, and the propensity of older people to live alone, creates a continuing demand for a larger number of smaller, manageable dwellings close to services, shops and public transport. Ku-ring-gai is as much a part of this trend in the reduction of dwelling occupancy as any other local government area.

Information from the five-yearly census indicates that, even during Ku-ring-gai's recent period of relatively stable population, the number of dwellings increased but occupancy rates began to fall.

Census Year	Total Dwellings	Occupied Dwellings	People at place of enumeration on Census Night	Persons / Occupied Dwelling
1991	33,809	31,796	99,147	3.1
1996	34,914	32,970	97,978	3.0
2001	35,537	33,679	100,152	3.0
2006	36,177	33,793	99,386	2.9

The table above illustrates that from 1991 to 2006, Ku-ring-gai required an additional 1997 occupied dwellings to accommodate an additional 239 people. The table also illustrates that, although higher density development began soon after the gazettal of *Ku-ring-gai Local Environmental Plan 194* in 2004, few of these new dwellings were fully completed and occupied by

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the time of the 2006 census. Data from the 2011 census commences release from June 2012 onwards.

Between census periods, the Australian Bureau of Statistics releases an estimated resident population. The figures for the inter-censal period of 2007 to 2010 (which is the most current) are preliminary estimates only based on a variety of data sources to which the ABS has access including (but not limited to) building activity. These will be backcast (corrected) following the release of 2011 census data. These inter-censal figures are as follows:

Year	Estimated Resident Population	Change
2006 (census)	105,103	--
2007	106,135	+1,032
2008	108,611	+2,476
2009	111,287	+2,676
2010	114,142	+2,855
		+9,039

This table clearly reflects Ku-ring-gai's change from a stable, even marginally declining population, to increasing rates of growth.

Note: In comparing this table with its predecessor, it is essential to recognise that the table above is an estimated resident population table whereas the first table uses place of enumeration. This means, in short, that more people actually reported that they lived in Ku-ring-gai than were actually counted here at home on census night. When Ku-ring-gai residents who were absent on Census Night are returned to Ku-ring-gai (and visitors taken out), then the resulting Estimated Resident Population provides a more accurate population picture, but a higher overall population figure, than place of enumeration. Not all statistics are available by ERP.

2.4 PLANNING FOR THE LOCAL CENTRES

Since 2005, there has been large number of comprehensive urban planning studies and additional research completed to support both Council's 2006 Plan and the former Ku-ring-gai Planning Panel's 2010 LEP, and the associated development control plans.

A range of studies to the support the centres planning process have included:

- traffic, parking and transport modelling
- comprehensive urban design analysis
- community facilities analysis
- heritage studies - both heritage conservation areas and individual items.
- interface planning analysis
- housing studies
- retail commercial lands analysis
- demographic review.
- open space planning and acquisition
- natural resource planning
- detailed planning, design feasibility work on major sites
- independent economic feasibility analysis/testing of proposed development scenarios

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- bushfire risk studies

See **Attachment A1**.

Council's adopted Statement of Commitments as amended provides the basis for the preparation of the Ku-ring-gai Local Centres draft local environmental plan. There is a need to recognise and address the both the strengths and weaknesses of the previous plans and address the following underlying planning issues facing Ku-ring-gai over the next 20-30 years:

- strengthen local heritage provisions in particular new HCAs and new items;
- support local/regional biodiversity and ecological processes;
- revitalise local centres to support population growth and demographic change and improve local amenity;
- cater for increased local employment opportunities;
- plan for population change as a stable ageing population profile begins the shift to cyclical renewal as younger families move back to the area and retirees downsize their large dwellings;
- take into account the significant escape of retail spending to adjoining areas such as Hornsby, Macquarie Centre and Chatswood resulting in increased vehicle kilometres travelled;
- improve the relatively limited choice of housing (with housing stock concentrated in single dwellings on large blocks or units within apartment complexes);
- make the best use of proximity to public transport (rail & bus) maintaining good levels of train use and addressing low access to bus transport; and
- provide appropriate planning and equitable solutions to address interface issues between high and lower scale development.

PART 3 - STATUTORY PLANNING CONTEXT

This part outlines the key statutory requirements, authorisations and delegations under the NSW Standard Instrument Order

3.1 THE LEP MAKING PROCESS

The proposed new Local Centres LEP will be made in a standard form prescribed in the Standard Instrument (Local Environmental Plans) Order 2006. The Standard Instrument provides for consistency in the appearance of LEPs and assist users interpreting planning controls across different local government areas. The process for making LEPs is known as the 'gateway' plan making process and includes following steps:

a. Planning proposal

The process of creating an LEP starts with the preparation of a planning proposal. In the planning proposal the relevant planning authority (i.e. Council) is to explain the effect of and justification for the plan. A planning proposal for the new local centres LEP is included as **Attachment A9**. This document includes the following:

- A statement of the objectives or intended outcomes of the proposed local environmental plan.

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- An explanation of the provisions that are to be included in the proposed local environmental plan. A draft LEP written instrument containing the detailed provisions and associated LEP maps identifying land use zones, applicable development standards, heritage items and conservation areas and areas with other environmental considerations are included as attachments to the planning proposal.
- Justification for those objectives, outcomes and provisions and the process for their implementation including:
 - the need for the planning proposal;
 - the relationship to strategic planning framework and consistency with the objectives and actions contained within the Metropolitan Plan for Sydney 2036, exhibited draft subregional strategies and Council's Community Strategic Plan;
 - consistency with applicable state environmental planning policies applicable Ministerial Directions under s.117 of the EP&A Act (Note: the issue of consistency with s117 directions is discussed in more detail below);
 - addressing of environmental, social and economic impact; and
 - adequacy of public infrastructure for the planning proposal and the views of State and Commonwealth Public Authorities (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal will be completed following consultation with those public authorities identified in the gateway determination).
- Details of the community consultation that is to be undertaken on the planning proposal.

b. Gateway Determination

Once a planning proposal is forwarded to the Department of Planning and Infrastructure it will be assessed by the Department, with the planning proposal and the recommendation of the Department then being forwarded to the LEP Review Panel. The LEP Review Panel will consider the planning proposal and the recommendation of the Department before providing their own recommended gateway determination to the Director General (or delegate) who in turn will consider the recommendation of the LEP Review and determine:

- whether the proposal will proceed, with or without variation, and whether it should be re-submitted;
- the level of community consultation required;
- the consultation required with State or Commonwealth public authorities;
- the necessity for a public hearing by the Planning Assessment Commission or other body; and
- the times within which the various stages of the procedure for the making of the proposed LEP are to be completed.

c. Community consultation

The gateway determination will specify the community consultation that must be undertaken on the planning proposal. A planning proposal of the nature of the proposed local centres LEP is likely require a public exhibition period of 28 days

d. Assessment

At the conclusion of the public exhibition period the Council must consider any submission made in respect of the planning proposal.

Council may, at any time, vary its proposals as a consequence of its consideration of submissions made during public exhibition, or for any other reason. Council can also request the Minister at this, or any other time, to discontinue the planning proposal. The Minister, however, is not obliged to discontinue the planning proposal. If Council does vary its proposal, it must forward a copy of the revised planning proposal to the Minister. Further community consultation is not required, unless directed in a revised gateway determination.

The next step towards implementing the planning proposal is legal drafting of the LEP by Parliamentary Counsel.

e. Making the LEP

At the completion of Council's assessment of submissions and after the legal instrument has been drafted, the Minister (or delegate) may make a LEP. If the Minister (or delegate) considers it appropriate, the proposals submitted by Council can be varied. The Minister (or delegate) can also decide not to make a proposed LEP, or to defer the inclusion of a matter in a proposed LEP.

Once a decision is made to make a LEP, the decision is given effect by publishing the LEP (including maps) on the NSW legislation website.

3.2 MINISTERIAL DIRECTIONS UNDER S.117 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

The Minister for Planning and Infrastructure issues directions under section 117(2) of the EP&A Act that Councils must follow when preparing planning proposals for new LEPs.

The directions cover the following broad categories:

1. employment and resources;
2. environment and heritage;
3. housing, infrastructure and urban development;
4. hazard and risk;
5. regional planning; and
6. local plan making.

The planning proposal for the Local Centres LEP identifies which section 117 Directions which are relevant to the proposal, and whether the proposal is consistent, or otherwise, with the Direction. The planning proposal identifies a number of areas where the draft LEP is inconsistent with relevant Directions. This is discussed later in this report.

3.3 RECLASSIFICATION OF COUNCIL LAND

Ku-ring-gai Council is the custodian of a significant portfolio of well located but significantly underutilised property assets within the all the local centres.

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Many Council owned sites have been identified in the centres planning process as significant catalyst sites. The manner in which they are utilised, and the timing of their development, is critical to the future development of the centres. In many instances these sites provide a significant opportunity for place making and the provision of new, updated and enhanced community facilities. They are central to the development of the public domain. In some cases, the redevelopment of these sites is so important that it is fundamental to whether the planning vision for the centres can be achieved.

The reclassification process is yet to be concluded, as the previous planning process of reclassifying 23 sites across the centres was terminated when the enabling LEP, the former Kuring-gai LEP (Town Centres) 2010, was declared invalid.

Normally, land can only be reclassified from community land to operational land via the Planning Proposal/LEP process. The procedures for making an LEP must be complied with, including public exhibition and holding a formal public hearing for the plan and consideration of submissions from members of the public.

On 20 March 2012 Councils adopted statement of commitments was amended to delete the following:

- *The LEP will address issues of reclassification of key Council owned sites with the TC LEP areas- to facilitate orderly and economic growth of the town centres.*

3.4 BEST PRACTICE GUIDELINES ON COUNCIL OWNED LAND

As the planning proposal for the for the Local Centres LEP includes a number of properties owned by Council there is a requirement to exhibit the planning proposal in accordance with the Best Practice Guidelines published by Department of Urban Affairs and Planning in January 1997 titled

LEPs and Council Owned Land – Guidelines for Councils using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council”.

The Best Practice Guideline sets out criteria to be followed for the presentation of information concerning any rezoning of Council owned land. This information is to include the nature of Council’s interest in the land, how the LEP will affect Council land and the financial implications.

This information will be prepared and placed on exhibition with the draft LEP.

PART 4: CONSULTATION - PLANNING SCENARIOS

LOCALITY WORKSHOPS AND COMMUNITY SUMMIT SCENARIOS

This part puts together the feedback from the locality workshops and the community summit into land use planning scenarios, which will inform the preparation of the land use strategies for each of the centres.

The locality workshops presented six areas to attendees. Each area had at least three development options ranging from a status quo or no change option to a more intensive

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development scenario. Attendees were asked to identify their most preferred option by a keypad voting process.

For example in Pymble the options for the six areas that had the highest percentage of support were as follows:

- Area 1 option 2 had 45.2% support;
- Area 2 option 1 had 56.2% support;
- Area 3 option 1 had 61.5% support;
- Area 4 option 1 had 45% support;
- Area 5 option 1 had 55.6% support; and
- Area 6 option 1 had 56.3% support

When these preferences are combined they become Pymble - Scenario 1 – most favoured.

It is important to note that the scenarios are only representations of respondents overall preference, as on some sites there was only minor percentage differences between most favoured and moderately favoured for example in Pymble - Area 4 option 1 had 45.2% and option 3 had 42.9% - a difference of 2.3% which is negligible. However the intent is to put together a scenario that as much as possible represents attendee's preferences.

4.1 PYMBLE LOCAL CENTRE PLANNING SCENARIO

Three planning scenarios have been developed in response to the voting patterns at the Pymble workshop, they are:

- Most favoured which was supported by between 41% and 61% of respondents.
- Moderately favoured which was supported by between 23% and 42% of respondents.
- Least favoured which was supported by between 8% and 29% of respondents.
- About 3-7% of respondents were unsure.

The discussion below is a brief description of each of the plans in **Attachment A4**.

Pymble - Scenario 1 – most favoured

This option represents what would be most favoured (overall) by the majority of attendees at the Pymble Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- an absence of new interface zones;
- down-zoning of land zoned 2(d3) on Park Crescent and Telegraph Road to low density housing (thereby addressing interface impacts);
- down zoning of land on Livingstone Avenue and Orinoco Street zoned 2(d3) to R4 allowing 3 storey apartment buildings (thereby addressing interface impacts on adjoining low density areas);
- down-zoning land between Avon Road and Beechworth Road to low density residential. This site is a former Minister's Targeted site and is now a Transitional Major Project which is currently being determined by the Department of Planning. The application with the Department has building heights up to 11 storeys; and

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- a 2-3 storey height limit in all commercial areas

Discussion

This scenario represents a significant reduction in the current extent of medium and high density zones. The scenario leaves a number of unresolved issues including interface. Development within the commercial centre will not be viable and therefore minimal revitalisation of the centre is likely.

The down-zoning of land between Avon Road and Beechworth Road may not be realistic given development of the site will be determined by the Department of Planning & Infrastructure (DoPI).

The dwelling yield for this scenario is 271 dwellings which is 276 dwellings less than what the current zones will allow for. The reduction is primarily a result of the proposed down-zoning on Avon Road/Beechworth in this scenario. A reduction of this scale will have an impact on the overall yield for the LEP and the loss of yield would need to be made up elsewhere.

A decrease in dwelling yield will result in a decrease in development contributions. This will result in no improvements to the public areas and facilities in Pymble funded from this source, and the possible sale of existing assets purchased from development contributions.

Pymble - Scenario 2 – moderately favoured

This option represents what would be moderately favoured overall by attendees at the Pymble Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- rezoning of interface zones to R3 or R4 allowing townhouses or 3 storey apartments;
- down-zoning of land zoned 2(d3) on Park Crescent and Telegraph Road to R3 townhouses ;
- up-zoning of land to the east of land on Livingstone Avenue and Orinocco Street zoned 2(d3) to R4 allowing 5 storey apartment buildings (thereby addressing interface impacts on adjoining low density areas);
- down-zoning land between Avon Road and Beechworth Road, the former Minister's Targeted site, to a combination of R3 and E4; and
- a 4-5 storey height limit in all commercial areas.

Discussion

This scenario represents a status quo option as it proposes a very low level of development. The option provides for interface zones and provides a small increase in building height in commercial areas, which may allow a small amount of redevelopment however it is unlikely to result in revitalisation of the centre.

The down-zoning of land between Avon Road and Beechworth Road may not be realistic given development of the site will be determined by the DoPI.

The dwelling yield for this scenario is 570 which is 23 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 and R4 interface zones around the centre.

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Such a small increase in dwelling yield will result in negligible additional development contributions which balance the loss of dwelling on Avon Road.

Pymble - Scenario 3 – least favoured

This option represents what would be the least favoured option overall by attendees at the Pymble Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- rezoning of interface zones to R3 or R4 allowing townhouses or 3 storey apartments;
- down-zoning of land zoned 2(d3) on Park Crescent and Telegraph Road to R4 3 storey apartments ;
- up-zoning of land to the east of land on Livingstone Avenue and Orinocco Street zoned 2(d3) to R3 allowing townhouses (thereby addressing interface impacts on adjoining low density areas);
- zoning land between Avon Road and Beechworth Road to be consistent with the former SEPP 53 controls for the site; and
- heights of 5-7 storeys in the commercial areas along Grandview Street.

Discussion

This scenario represents a higher level of development than that of scenario 1 or 2.

The option provides for interface zones and largely maintains current 2(d3) zones.

The option sets height limits of 5-7 storeys in the commercial areas, this represents a viable level for commercial areas development and some development could therefore be expected within the centre.

The dwelling yield for this scenario is 803 which is 256 more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones around the centre and new dwellings in the commercial areas in mixed use buildings and the retention of Avon Road for high density.

Such an increase in dwelling yield will result in an increase in development contributions of \$22,500,000 assuming an average of \$28,000 per dwelling. This will allow extensive improvements to the public areas and facilities in Pymble.

4.2 ROSEVILLE LOCAL CENTRE PLANNING SCENARIOS

Three planning scenarios have been developed in response to the voting patterns at the Roseville workshop, they are:

- Most favoured which was supported by between 45% and 74% of respondents.
- Moderately favoured which was supported by between 12% and 45% of respondents.
- Least favoured which was supported by between 5% and 18% of respondents.
- About 1-10% of respondents were unsure.

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The discussion below is a brief description of each of the plans in **Attachment A4**.

Roseville- Scenario 1 – most favoured

This option represents what would be most favoured (overall) by the majority of attendees at the Pymble Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- down-zoning of land zoned 2(d3) on Victoria Avenue and Boundary Road to R3 town houses to protect existing heritage items;
- zoning a large area of land between Shirley Road and Alexander Parade to Environmental Living (E4) to protect the intrinsic environmental values of the area; and
- maintaining a 2-3 storey height limit in all commercial areas.

Discussion

This scenario represents a status quo planning response.

Redevelopment within the commercial centre will not occur due to unviable height and FSR and therefore minimal revitalisation of the centre is likely.

The dwelling yield for this scenario is 540 which is 20 dwellings less than what the current zones will allow. The reduction is a result of proposed down-zoning. This will have an impact on the overall yield for the LEP and the loss would need to be made up elsewhere.

A decrease in dwelling yield will result in a loss of development contributions. This will result in no improvements to the public areas and facilities in Roseville.

Roseville - Scenario 2 – moderately favoured

This option represents what would be moderately favoured overall by attendees at the Roseville Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- maintaining the current zoning regime within the KPSO within Area 4 on Victoria Avenue and Boundary Road and relying on heritage provisions to protect existing heritage items during the development assessment process;
- retaining R2 low density zone in Area 6 (the large area of land between Shirley Road and Alexander Parade) with no additional protection for the environmental values of the area;
- providing some town house zones along Oliver Road, Lord Street and Victoria Avenue for housing choice; and
- up-zoning within all commercial areas to allow 4-5 storey height limit.

Discussion

This option provides a small increase in height in commercial areas, which may allow a small amount of redevelopment, however it is unlikely to result in revitalisation of the centre. The option maintains current 2(d3) zones.

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The dwelling yield for this scenario is 656 which is 93 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 zones on the eastern side of the centre.

An increase in dwelling yield will result in an increase in development contributions indicatively this will be in the order of \$15-20 million. This would result in significant improvements to the public areas and facilities in Roseville.

Roseville - Scenario 3 – least favoured

This option represents what would be the least favoured option overall by attendees at the Roseville Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- up-zoning the existing heritage items on Victoria Avenue and Boundary Road (Area 4) to R4 to match the surrounding 2(d3) zone. This would require specific DCP controls to protect the existing heritage items and allow redevelopment;
- retaining an R2 Low Density zone in Area 6 (the large area of land between Shirley Road and Alexander Parade) with no additional protection for the environmental values of the area;
- providing an extensive town house zone throughout Area 3 along Oliver Road, Roseville Avenue, Lord Street and Victoria Avenue for housing choice;
- providing a new 5 storey R4 zone on Victoria Avenue adjoining Roseville College (Area 5); and
- up-zoning within all commercial areas to allow 5-7 storey height limit

Discussion

This scenario represents a high level of development.

The option maintains and extends current zones 2(d3) zones.

The option sets height limits of 5-7 storeys in the commercial areas, this represents the minimum requirement for viable development and some development could therefore be expected within the centre.

The dwelling yield for this scenario is 931 which is 367 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones around the centre and new dwellings in the commercial areas in mixed use buildings.

An increase in dwelling yield will result in an increase in development contributions indicatively in the order of \$20-30 million. This would allow significant improvements to the public areas and facilities in Roseville.

4.3 ST IVES LOCAL CENTRE PLANNING SCENARIOS

Three planning scenarios have been developed in response to the voting patterns at the St Ives workshop, they are:

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- Most favoured which was supported by between 40% and 91% of respondents.
- Moderately favoured which was supported by between 6% and 46% of respondents.
- Least favoured which was supported by between 2% and 46% of respondents.

The St Ives workshop was notable for the results which showed very high support for some options (up to 91%) and a wide divergence of opinions (from 2% to 90%).

The discussion below is a brief description of each of the plans in **Attachment A4**.

St Ives - Scenario 1 – most favoured

This option represents what would be most favoured (overall) by the majority of attendees at the St Ives Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- some new interface zones on Shinfield Avenue (Areas 5 and 6);
- Eden Brae in Area 2 is proposed for an R3 zone which is effectively a translation of the KPSO provisions;
- down-zoning of land zoned 2(d3) On Rosedale Road (Area 5) to R3 townhouses (thereby addressing interface impacts);
- zoning of the former Commonwealth Bank Training Centre (Area 4 – B) on Link Road currently zoned Special Uses to R2 low density;
- up zoning land on Killeaton Street (Area 3) to R3 townhouses from low density housing.
- Retention of R2 Low Density zoning on Cowan Road (Area 7) in anticipation that Seniors Living type developments will continue to occur in the area; and
- a 2-3 storey height limit in all commercial areas.

Discussion

This scenario represents a low level of development. However it is noted that St Ives has experienced the greatest number of new developments of all the Ku-ring-gai centres, despite not being on a railway line.

The scenario leaves a few unresolved interface issues. Development within the commercial centre will not be viable and therefore minimal revitalisation of the centre is likely.

The dwelling yield for this scenario is 1630 which is 76 dwellings more than what the current zones will allow for. This represents a minor change, with negligible increases in development contributions.

St Ives - Scenario 2 - moderately favoured

This option represents what would be moderately favoured (overall) by the majority of attendees at the St Ives Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- some new interface zones on College Crescent (Area 4 – A);

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- Eden Brae in Area 2 is proposed for an R4 zone allowing 3 storey apartments (noting that the provisions in this scenario would be inadequate to allow redevelopment of the site);
- down-zoning of land zoned 2(d3) on Rosedale Road (Area 5) to R4 3 storey apartments (thereby addressing interface impacts);
- zoning of the former Commonwealth Bank Training Centre (Area 4 – B) on Link Road currently zoned Special Uses to R3 townhouses;
- up zoning land on Killeaton Street (Area 3) to R3 townhouses and R4 5 storey apartments from low density housing;
- up-zone R2 low density on Cowan Road (Area 7) to R3 townhouses;
- a 4-5 storey height limit on the St Ives Shopping Village; and
- a 4-6 height limit on the shops at Stanley Street.

Discussion

This scenario represents a moderate level of development.

The scenario leaves unresolved interface issues along Shinfield Avenue (Area 6). The option largely maintains current 2(d3) zones with the exception of two sites on Rosedale Road.

This option provides a significant increase in height in commercial areas particularly on Stanley Street which may allow a small amount of redevelopment.

A 4-5 storey height limit is adequate to allow the Shopping Village to expand its retail capacity to become a full 2 storey centre. There are, however, viability concerns for such a development given that this height is inadequate to allow apartment buildings on top of the centre.

The dwelling yield for this scenario is 1777 which is 223 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 zones on the eastern side of the centre.

An increase in dwelling yield will result in an increase in development contributions indicatively of in the order of \$6-8 million. This will result in some improvements to the public areas and facilities in St Ives.

St Ives - Scenario 3 – least favoured

This option represents what would be the least favoured option overall by attendees at the St Ives Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- interface zones on in all areas where there may be impacts plus additional R3 townhouse zones to provide housing choice (Areas 4, 5 and 6);
- Eden Brae in Area 2 is proposed for an R4 zone allowing 3 storey apartments (noting that the provisions in this scenario would be inadequate to allow redevelopment of the site);
- translation of land zoned 2(d3) on Rosedale Road (Area 5) to R4 5 storey apartments and up zoning of land on the corner of Rosedale and Shinfield to 5 storey apartments (thereby addressing interface impacts);

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- zoning of the former Commonwealth Bank Training Centre (Area 4 – B) on Link Road currently zoned Special Uses to R3 townhouses;
- up zoning land on Killeaton Street (Area 3) to R3 townhouses and R4 5 storey apartments from low density housing;
- up-zone R2 low density on Cowan Road (Area 7) to R3 townhouses;
- a 6-8 storey height limit on the St Ives Shopping Village; and
- a 4-6 height limit on the shops at Stanley Street.

Discussion

This scenario represents a high level of development.

The option maintains and extends current zones 2(d3) zones and responds to all interface issues by up-zoning (rather than down-zoning).

The option sets height limits of 6-8 storeys for the St Ives Shopping Village (Area 1), this represents the minimum requirement for viable development and redevelopment of the centre could therefore be expected including a new retail centre and apartment buildings on top of the centre.

This option provides a significant increase in height in commercial areas particularly on Stanley Street would allow a small redevelopment.

The dwelling yield for this scenario is 2094 which is 540 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones around the centre and new dwellings in the commercial areas in mixed use buildings.

An increase in dwelling yield will result in an increase in development contributions indicatively in the range of \$12-18 million. This will allow significant improvements to the public areas and facilities in St Ives.

4.4 GORDON LOCAL CENTRE WORKSHOP

Three planning scenarios have been developed in response to the voting patterns at the Gordon workshop, they are:

- Most favoured which was supported by between 35% and 59% of respondents.
- Moderately favoured which was supported by between 29% and 41% of respondents.
- Least favoured which was supported by between 13% and 21% of respondents.
- About 3-32% of respondents were unsure.

Gordon results are notable because a high level of additional development was most favoured, in contrast to a number of other centres where option 1 tends to be the status quo option was most favoured by attendees.

The discussion below is a brief description of each of the plans in **Attachment A4**.

Gordon - Scenario 1 – most favoured

This option represents the preference of the majority of attendees at the Gordon Local Centre workshop, the option comprises:

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- translation of existing zones from the KPSO and LEP 194;
- broad up-zoning of land in interface zones to R3 townhouses;
- down zoning of one site (Area 4 –B) on the corner of Khartoum Ave and Werona Ave from the current 2(d3) zone to R2 low density housing (thereby addressing interface issue);
- down zoning of a site on Moree St (Area 5 –B) currently zoned 2(d3) to R3 Townhouses (thereby addressing interface issue);
- a change to zoning provisions in Area 7 that would allow 8 storey apartment buildings; and
- a 6-9 storey height limit in all commercial areas.

Discussion

This scenario represents a high level of development.

The option largely maintains and current zones 2(d3) zones with some selective down-zoning to address interface issues.

The option sets height limits of 6-9 storeys for the shops along the Pacific Highway this represents a significant increase in height and some redevelopment of the strip shops could therefore be expected.

The dwelling yield for this scenario is approximately 1889 which is 530 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones around the centre; new dwellings in the commercial areas in mixed use buildings; and potential new dwellings in the Merriwa Street precinct (Area 7).

This scenario could result in an increase in development contributions in the order of \$12-17 million. This will allow significant improvements to the public areas and facilities in Gordon.

Gordon - Scenario 2 – moderately favoured

This option what was moderately favoured by attendees at the Gordon Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- a lack of interface zones;
- down zoning of one site (Area 4 –B) on the corner of Khartoum Ave and Werona Ave from the current 2(d3) zone to R4 3 storey apartments and the addition of a similar zone to the north (Area 4 – A), thereby addressing interface issue;
- down zoning of a site on Moree St (Area 5 –B) currently zoned 2(d3) to R2 low density (thereby addressing interface issue);
- up zoning the Wade Lane area (Area 2) with 4 storey height limit for retail and commercial uses only;
- a 6-9 storey height limit in the proposed commercial area between Moree Street and St Johns Avenue (Area 1 – B); and
- a new heritage conservation area on the eastern side of Gordon between Werona Ave and Rosedale Rd (Area 4).

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Discussion

This scenario represents a moderate level of development.

The option largely maintains and current zones 2(d3) zones with some selective down-zoning to address interface issues. However overall this option does not adequately address interface impacts particularly on the western side of the centre

The option sets height limits of 6-9 storeys for the some of the shops along the Pacific Highway this represents a significant increase in height and some redevelopment of the strip shops could therefore be expected.

The Wade Lane area in this scenario is unlikely to see redevelopment unless Council would be willing to significantly reduce parking requirements on the sites to enhance feasibility.

An 8-9 storey height limit for the Gordon Centre (Area 1 – A) represents a status quo option.

The dwelling yield for this scenario is approximately 1620 which is 262 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed new dwellings in the commercial areas in mixed use buildings, and potential new dwellings in the Merriwa Street precinct (Area 7).

This scenario could result in an increase in development contributions in the order of \$5-8 million. This will allow some improvements to the public areas and facilities in Gordon.

Gordon - Scenario 3 – least favoured

This option represents what would be the least favoured option overall by attendees at the Gordon Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- a lack of interface zones on the western side of the centre;
- a new 5 storey apartment zone (Area 4 –A) on the corner of Park Ave and Werona Ave, thereby addressing interface issue;
- up-zoning of a site on Moree St (Area 5 –A) to R3 townhouses (thereby addressing interface issue);
- a 6-9 storey height limit in the proposed commercial areas;
- a 12-15 storey height limit on the Gordon Centre building (Area 1 – A); and
- a large townhouse zone on the eastern side of Gordon (Area 4 – C) for housing choice.

Discussion

This scenario represents a high level of development, however it is more concentrated in the commercial centre and the eastern side of Gordon.

The option maintains current zones 2(d3) zones with no down-zoning. Overall this option does not adequately address interface impacts particularly on the western side of the centre.

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The option sets height limits of 6-9 storeys for the shops along the Pacific Highway this represents a significant increase in height and some redevelopment of the strip shops could therefore be expected.

A 12-15 storey height limit for the Gordon Centre (Area 1 – A) represents a viable proposition and is likely to facilitate redevelopment.

The dwelling yield for this scenario is approximately 1928 which is 570 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed new dwellings in the commercial areas in mixed use buildings; potential new dwellings in the Merriwa Street precinct (Area 7); and the new town house zone on the eastern side (Area 4).

This scenario could result in an increase in development contributions in the order of \$12-18 million. This will allow significant improvements to the public areas and facilities in Gordon.

Gordon - Community Summit

Results for Gordon from the Community Summit are as follows:

Gordon - Area 1 – Dumaresq Street to St Johns Avenue

- Majority of respondents supported option 3 (58% strongly support or support) option 3 which proposed the Gordon Centre height increased to 12-15 storeys. Site B 2-9 storey development consisting of 2 commercial levels and up to 7 residential levels. Building heights stepping down from highway.
- Majority of respondents did not support (57% of respondents strongly oppose or oppose) option 2 which proposed the Gordon Centre height increased to 12-15 storeys and Site B –status quo with a 3 storey height limit along the Pacific Highway and on the sites to the rear. No development potential.
- Majority of respondents did not support (58% of respondents strongly oppose or oppose) option 1 Site A - Gordon Centre 8 storey height limit equivalent to status quo, no additional development potential. Site B –status quo with a 3 storey height limit along the Pacific Highway and on the sites to the rear. No development potential.

Gordon - Area 2 – Pacific Highway and Wade Lane

- A majority of respondents (65% strongly support or support) option 3 which proposed a 6-9 storeys to encourage site amalgamation and redevelopment with shops facing rear lane. Commercial/retail 2-3 levels, residential above, basement parking.
- Majority of respondents did not support (52% of respondents strongly oppose or oppose) option 2 which proposed 4 storeys incl. ground 2-3 levels commercial and no residential. Likely developments similar to the Gordon post office site viability dependent on demand for commercial offices, parking rates may need to be reduced.
- Majority of respondents did not support (74% of respondents strongly oppose or oppose) maintaining the current 2 storey height controls (option 1) – i.e. the status quo option.

4.5 LINDFIELD LOCAL CENTRE WORKSHOP

Three planning scenarios have been developed in response to the voting patterns at the Lindfield workshop, they are:

- Most favoured which was supported by between 39% and 71% of respondents.
- Moderately favoured which was supported by between 18% and 46% of respondents.
- Least favoured which was supported by between 10% and 30% of respondents.

The discussion below is a brief description of each of the plans in **Attachment A4**.

Lindfield- Scenario 1 – most favoured

This option represents what would be most favoured (overall) by the majority of attendees at the Lindfield Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- an inconsistent approach to interface zones where some are up-zoned or down-zoned but others are left with no change;
- down-zoning of land zoned 2(d3) on Beaconsfield Parade and Drovers Way R3 town houses (thereby addressing interface impacts);
- down zoning of land in Area 6, between Beaconsfield Parade and Bent Street, which is currently zoned 2(d3) to R3 town houses (thereby addressing interface impacts on adjoining low density areas); and
- a 4-5 storey height limit in all commercial areas which while a significant uplift in height from the current zones which allow two storeys, will not result in redevelopment of the shops.

Discussion

This scenario represents a more or less status quo planning response.

The scenario leaves a number of unresolved issues including interface. Development within the commercial areas will not be viable and therefore minimal revitalisation of the centre is likely. The down-zoning of land within Beaconsfield Parade and Drovers Way may not be realistic given the recent court approval of a development application in the area.

The dwelling yield for this scenario is 840 which is 50 dwellings less than what the current zones will allow, this reduction is a result of proposed down-zoning of land in Areas 4, 5 and 6. This will have an impact on the overall yield for the LEP and the loss would need to be made up elsewhere.

A decrease in dwelling yield will result in a loss of potential development contributions. This will result in no improvements to the public areas and facilities in Lindfield.

Lindfield- Scenario 2 – moderately favoured

This option represents what would be most favoured (overall) by the majority of attendees at the Lindfield Local Centre workshop, the option comprises:

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- translation of existing zones from the KPSO and LEP 194;
- appropriate interface zones except for one location;
- down-zoning of land zoned 2(d3) in Area 5 - Beaconsfield Parade and Drovers Way to R2 low density (thereby addressing interface impacts);
- up-zoning land in Area 7 - Wolseley/Treatts Rd from low density housing to R4 5 storey apartments; and
- a 6-7 storey height limit in all commercial areas which allow redevelopment and revitalisation.

Discussion

This scenario represents a moderate-high level of development.

The option provides for interface zones except for in Area 3 – Havilah Ave and Woodside Rd and provides a large increase in height in commercial areas, which is likely to encourage redevelopment and revitalisation of the centre.

This scenario also considers 5 storey apartments in Area 7 which would result in an additional 200 dwellings.

The dwelling yield for this scenario is 1143 which is 254 dwellings more than what the current zones will allow for. The increase in dwellings is a result of a proposed R4 zone on Area 7 - Wolseley/Treatts Rd and dwellings in the commercial areas. The dwelling increase is moderated by a proposed down-zoning of Area 5 – Beaconsfield Parade/Drovers Way to low density housing which represents a loss of 170 dwellings.

This scenario could result in an increase in development contributions in the order of \$5-10 million. This will fund some improvements to the public areas of Lindfield.

Lindfield- Scenario 3 – least favoured

This option represents what would be least favoured (overall) by the majority of attendees at the Lindfield Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- significant interface zones except for one location on the western side of the centre;
- maintaining the 2(d3)/R4 zone in Area 5 - Beaconsfield Parade and Drovers Way with consideration of an increase in building heights to seven storeys on Drovers Way and stepping to 3 storeys on the western edge (thereby addressing interface impacts);
- up-zoning land in Area 7 - Wolseley/Treatts Rd from low density housing to a combination of R3 town houses and R4 5 storey apartments; and
- a 2 storey height limit in all commercial areas

Discussion

This scenario represents a similar level of development to that of option 2. It varies from Option 2 because most of the new dwellings arise from R3 town house and R4 apartment zones on the

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fringe of the centre. The option maintains the status quo in terms of building height in the commercial areas - redevelopment and revitalisation is unlikely.

The dwelling yield for this scenario is 1194 which is 304 dwellings more than what the current zones will allow for. The increase in dwellings is a result of a proposed town house zones on the fringe of the centre.

This scenario could result in a small increase in development contributions in the order of \$6-10 million. This will fund some improvements to the public areas of Lindfield.

Lindfield - Community Summit

Results from the Community Summit are as follows:

Lindfield - Area 1 – Pacific Highway shops

- A majority of respondents (54% strongly oppose or oppose) a 7 storey height control across the whole area (option 3).
- Balanced support (49% strongly support or support and 42% of respondents strongly oppose or oppose) option 2 which proposed heights of 7 storeys at the southern and northern end of the precinct and a 2 storey height limit for the shops in between.
- Majority of respondents (66% of respondents strongly oppose or oppose) did not support maintaining the current 2 storey height controls (option 1) – ie the status quo option.

4.6 TURRAMURRA LOCALITY WORKSHOP AND SUMMIT

Three planning scenarios have been developed in response to the voting patterns at the Turramurra locality workshop, they are:

- Most favoured which was supported by between 47% and 68% of respondents.
- Moderately favoured which was supported by between 14% and 46% of respondents.
- Least favoured which was supported by between 6% and 45% of respondents.

The discussion below is a brief description of each of the plans in **Attachment A4**.

Turramurra - Scenario 1 – most favoured

This option represents what would be most favoured (overall) by the majority of attendees at the Turramurra Local Centre workshop, the option comprises:

- translation of existing zones from the KPSO and LEP 194;
- an absence of interface zones;
- down zoning of two areas located on Lamond Drive currently zoned 2(d3) to 3 storey apartment zone;
- down zoning of part of the Hill View Estate from 2(d) to low density residential (R2); and
- a 2 storey height limit in all commercial areas.

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Discussion

This scenario represents a more or less status quo planning response, and leaves a number of unresolved issues including interface. Development within the commercial centre will not be viable and therefore minimal revitalisation of the centre is likely.

The dwelling yield for this scenario is 865 which is 22 dwellings less than what the current zones will allow.

This scenario could result in no additional development contributions and would likely result in no improvements to the public areas and facilities in Turramurra beyond open space acquisition.

Turramurra - Scenario 2 – moderately favoured

This option represents what would be moderately favoured overall by attendees at the Turramurra Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- rezoning of all interface zones to R3 medium density allowing townhouses;
- down zoning of two areas located on Lamond Drive currently zoned 2(d3) to 3 storey apartment zone;
- down zoning of part of the Hill View Estate from 2(d) to medium density residential (R3); and
- a 5 storey height limit in all commercial areas.

Discussion

This scenario represents a moderate level of development. The option provides for interface zones and provides a small increase in height in commercial areas, which may allow a small amount of redevelopment, however it is unlikely to result in revitalisation of the centre.

The option addresses issues in the Finlay/Lamond area through selective down-zoning and increases in building heights (thereby reducing building footprints in ecologically sensitive areas).

The dwelling yield for this scenario is 1024 which is 137 dwellings less than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones on the fringe of the centre.

This scenario could result in an increase in development contributions in the order of \$2-6 million. This will fund small improvements to the public areas of Turramurra.

Turramurra - Scenario 3 – least favoured

This option represents what would be the least favoured option overall by attendees at the Turramurra Local Centre workshop. The option comprises:

- translation of existing zones from the KPSO and LEP 194;
- rezoning of all interface zones to R3 medium density allowing townhouses;

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- up-zoning of part of the Hill View Estate High density residential (R4) and 3 storey apartments;
- a 6-8 storey height limit in most of the commercial areas; and
- protection of Rohini Street with a height limit of 2 storeys.

Discussion

This scenario represents a high level of development and provides for interface zones and largely maintains current zones 2(d3) zones.

The option sets height limits of 6-8 storeys in the commercial areas, this represents a viable level to trigger development and some development could therefore be expected on at least one the two main sites at Ray Street or Stonex Lane.

The dwelling yield for this scenario is 1321 which is 434 dwellings more than what the current zones will allow for. The additional yield is mainly a result of the proposed R3 interface zones around the centre and new dwellings in the commercial areas in mixed use buildings.

This scenario could result in an increase in development contributions in the order of \$10-15 million. This will allow significant improvements to the public areas and facilities in Turrumurra.

Turrumurra - Community Summit

Results from the Community Summit are as follows:

Turrumurra - Area 1 – Ray and William Street

- A majority of respondents (57% strongly support or support) a 3-8 storey height control across the whole area which would trigger an integrated redevelopment of the area.
- Majority of respondents did not support (53% of respondents strongly oppose or oppose) option 2 which proposed heights of 3-5 storeys which allows a small amount of development potential.
- Majority of respondents did not support (69% of respondents strongly oppose or oppose) maintaining the current 2 storey height controls (option 1) – ie the status quo option.

Turrumurra - Area 2 – Kissing Point Road and Stonex Lane

- A majority of respondents (60% strongly support or support) a 3-8 storey height control across the whole area which would trigger an integrated redevelopment of the area.
- Majority of respondents did not support (54% of respondents strongly oppose or oppose) option 2 which proposed heights of 3-5 storeys which allows a small amount of development potential.
- Majority of respondents did not support (60% of respondents strongly oppose or oppose) maintaining the current 2 storey height controls (option 1) – i.e. the status quo option.

4.7 IMPLICATIONS FOR DWELLING YIELDS

During the locality workshops and the Summit the presentations regularly made reference to the Local Centres LEP and the need to provide approximately 700 to 1400 additional dwellings on top of what has already been approved and on top of the potential remaining capacity within existing zones.

The table below shows the net dwelling yields for each of the scenarios, so for example the most popular scenario would result in an overall increase of 238 new dwellings which is less than the target noted above. The moderate scenario results in an increase of 991 new dwellings which is in the middle of the target and the least popular scenario is well above the target figures.

In simple terms this means that a preferred land use strategy will need to sit somewhere between the moderately popular option and the least popular option to achieve Council's dwelling target of 10,000 dwellings across the LGA.

This does not imply that the preferred scenario will not consider aspects of the most popular scenario but that this would need to be balanced with aspects from the least popular scenario.

The Part 7 of this report describes the development of a balanced scenario for each of the centres.

Locality workshop scenarios – net dwelling yields

LOCAL CENTRE	Most Popular Option approved and potential yield	Approximate yield increase or decrease from new zones (80% take-up)	Moderately Popular option approved and potential yield	Approximate yield increase or decrease from new zones (80% take-up)	Least Popular option approved and potential yield	Approximate yield increase or decrease from new zones (80% take-up)
Turramurra	865	-22	1024	137	1321	434
St Ives	1630	76	1777	223	2094	540
Pymble	271	-276	570	23	803	256
Gordon	1889	530	1620	262	1928	570
Lindfield	840	-50	1143	254	1194	304
Roseville	543	-20	656	93	931	367
TOTAL		+238		+991		+2470

PART 5 – KEY PLANNING THEMES & CONSIDERATIONS

This part provides an overview of the key planning issues and outcomes for a range of matters including heritage, open space, environmental values, interface, retail, economic feasibility.

5.1 HERITAGE

The tangible remnants of Ku-ring-gai's past form a strong base for the future of Ku-ring-gai both as housing stock and to house businesses in our local retail centres. The heritage of Ku-ring-gai plays a major role in defining the familiar and distinct character of our neighbourhoods. The retention and conservation of heritage buildings contributes to creating sustainable communities through recycling elements the community values and retaining the energy embodied in the materials and labour that created these valued heritage buildings.

The heritage of Ku-ring-gai extends beyond buildings to include Aboriginal sites, gardens, parks, streets, suburbs, bridges, monuments, railway stations and other places of cultural significance. The conservation of Ku-ring-gai's heritage is achieved through the identification, assessment and statutory recognition of places of cultural significance, through their inclusion on the heritage schedule of a Council's local environmental plan. The types of heritage on a heritage schedule can include:

- heritage items – places which have been identified as fulfilling at least one of the criteria for cultural significance. Criteria include aesthetic significance, historical significance, scientific significance and social significance;
- heritage conservation areas (HCAs) – are areas in which the history and attributes such as the pattern of subdivision, building style and siting, landscaping and streetscape, create a cohesive sense of place that is worth conserving;
- places of Aboriginal cultural significance – these are places of great significance and importance to the Aboriginal community. Tangible places of Aboriginal cultural significance include but are not limited to occupation sites, Aboriginal scarred trees and rock art; and
- archaeological sites – these are sites that contain one or more relics. A relic is an artefact, deposit or object that relates to the non-Aboriginal settlement of NSW and is of local or State heritage significance.

The Local Centres heritage schedule does not include places of Aboriginal cultural significance or archaeological sites. It has been the expressed wish of the Aboriginal communities consulted that Aboriginal heritage not be included in the heritage schedule of the Local Centres LEP. As such, schedule 5 only includes those places of non-Aboriginal cultural significance. While archaeological sites of potentially local and State significance are known to exist in Ku-ring-gai, these areas have not been formally surveyed or assessed. A future study of Ku-ring-gai's archaeology is recommended to further understand the significance of some of the earliest known sites of non-Aboriginal settlement in Ku-ring-gai.

5.2 ENVIRONMENTAL VALUES

Ku-ring-gai retains substantial vegetation in its national parks, nature reserves and Council reserves. Significant vegetation is also found within the urban matrix, including substantial fingers of vegetation that stretch almost to the central spine of the LGA. This vegetation plays a major role in community identity, through its contribution to the character of each locality.

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The vegetation also makes a significant contribution to the diversity of habitats that support a range of flora and fauna species and ecological communities. The following key vegetation communities have been identified within the centres:

- Blue Gum High Forest (BGHF), a critically endangered ecological community (CEEC) under the *Threatened Species Conservation Act 1995* (the TSC Act) and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act); and
- Sydney Turpentine Ironbark Forest (STIF), an endangered ecological community under the TSC Act and as a CEEC under the EPBC Act.

BGHF and STIF occurs in areas that are traditionally popular for development. This has resulted in reductions to the extent that the NSW scientific determinations recognise both good condition ecologically functioning remnants and urban remnant trees lacking vegetation structure as listed under these threatened ecological communities.

The local centre areas are located on the main ridgelines that divide the LGA into three catchment areas of Middle Harbour, Lane Cove River and the Hawkesbury Nepean River. STIF and BGHF occur on shale influenced soils, which occur on these ridgelines, creating a potential conflict between local centre development and biodiversity protection.

Due to the steep topography a large network of waterways traverse the LGA. The location of centres along the ridge lines coincides with the start of a number of urban streams. These are in varying health, due to the impacts of previous development, such as tree loss, piping and channelling of streams, altered flow regimes, and altered water quality. The health of these waterways affects the water quality and function of the larger receiving waters of Lane Cove and Hawkesbury Rivers and Middle Harbour. The presence of these waterways and associated riparian zones also contribute to biodiversity corridors and to the diversity of habitats for plants and animals. It is also noted that rehabilitation of creeks at the top of the catchment has beneficial effects on the whole downstream catchment.

Measures taken for the protection and remediation at the top of the catchment make the highest contribution to the health and function of the waterways downstream. However, it is acknowledged that total restoration of fully functioning waterways and riparian areas is impractical and that a practical strategic approach is required to protect or enhance the ecological processes within the LGAs urban catchments.

One of the keys to protecting ecological processes is to retain and restore connectivity within the landscape. Future climate change will make this even more important. It will be critical to increase the resilience of the existing remnants, watercourses and habitat. Linkages between these regional corridors, between remnants within the urban matrix and along riparian corridors will need to be protected and enhanced.

The *Ku-ring-gai Biodiversity and Riparian Lands Study - Public Exhibition Draft* considered the key values and threats to the natural values of Ku-ring-gai and provides a strategic assessment of the significance of the vegetation and role of riparian lands within the LGA. The background study will be included as supporting documentation with public exhibition of the draft Local Centres LEP.

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The biodiversity significance assessment has been used to identify classes of significance and categories within those classes. Allocation of vegetation to a particular class or category depends on the following:

- strategic location and connectivity;
- tenure and existing management regime;
- status as a key vegetation community (or not);
- fauna habitat value;
- location relative to a riparian zone; and
- vegetation condition.

The assessment of riparian lands included consideration of the role of the watercourse and adjoining lands in relation to the following:

- connectivity value;
- habitat value;
- channel stability;
- water quality; and
- potential for rehabilitation.

The background study provides a basis for the consideration of the environmental values of Kuring-gai from a strategic planning perspective.

5.3 INTERFACE PLANNING

5.3.1 Introduction

The gazettal of Local Environmental Plans No 194 and No 200 (LEP 194 and LEP 200) in 2004 made provisions which allowed residential development up to 5 storeys to occur on land zoned Residential 2(d3). This has created a situation where 4 and 5 storey apartment buildings can be developed immediately adjacent to or opposite land zoned for one and two storey single residential dwellings. These low density residential sites, located adjacent to or opposite, high density residential five storey apartment developments site are commonly referred to as *interface sites*.

It has always been expected that Council would address the planning issues created by LEP 194 and LEP 200. Interface sites located outside the town centre areas have already been addressed under the draft Principal LEP, (except where otherwise noted in the report in relation to the draft Principal LEP). This section considers all interface sites within the town centres boundary. To ensure consistency with the remainder of the LGA, assessment criteria and methodology used is the same as that utilised for the Principal LEP assessment and recommendations.

The issue of (2(d3) sites, Ministers sites, proposed R4 sites) being located adjacent to the low density residential sites is that the bulk and scale of these developments may create impacts on the amenity of the R2 interface sites. For example:

- the new high density development creates a scale impact, with the low density property looking out at the bulk of the neighbouring 5 storey development;
- overshadowing and reduction in sunlight access to the low density residential property due to orientation, size and proximity of the 5 storey development;

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- privacy impacts caused by the windows and balconies of the 5 storey development overlooking the low density property; and
- streetscape impact with sudden bulk and scale changes between adjacent five storey buildings and one/two storey buildings.

5.3.2 Housing Choice and Interface planning

The provision of a range of housing types within the local centres is a key objective of this draft LEP. The community have been critical of the fact that all developments approved under LEP 194 have been apartment buildings with large apartments aimed at “empty-nesters” who are selling the family home and down-sizing. While there is a sizeable market for this housing type it does not cater for everyone particularly single people, young people and young families. In response to this issue the draft LEP proposes to cater for a wider range of housing as listed below:

- *houses* – the plan retains single houses with gardens in close proximity to the centres;
- *residential apartments* – the plan retains current zoning and limits further extension of this zone;
- *“shop-top” apartments* – this is a new type of housing for Ku-ring-gai where apartments are located over shops in the middle of the shopping centres. These apartments will be smaller and include a higher proportion of studios and one bedroom units (around 50-70sqm in size). These apartments will be more affordable due to their size and location and will cater for younger people or people living alone for example; and
- *town houses* – the plan provides potential for a significant number of new town houses on the edge of the centres. This housing type would be two storeys with an attic and provide a small private courtyard and would cater for young couples or young families for example.

An important aspect of planning for housing choice is utilising housing types to address impacts created where past zoning has left single houses adjoining apartment buildings. It is proposed to do this by utilising the R3 town house zone in the draft LEP to step building heights from 5 storey apartment buildings to 3 storey town houses on suitable interface sites, this then creates a better transition to the two storey houses. This is the basis for interface planning.

5.3.3 History of Interface Planning

The “interface” site issue has been ongoing since 2005 when the *Habitation Study* considered potential impact of 2(d3) sites on neighbouring single dwelling sites.

The interface issue needs to be resolved to minimise the uncertainty it has created for all residents within the affected areas and to, as far as possible, improve the outcomes for the affected sites.

At the time Council recognised the possible impacts on adjoining residential dwelling house properties that would result from the gazettal of LEPs 194 and 200. Consequently, Council resolved to investigate the potential interface impacts with a view to providing solutions where interface sites were considered compromised. In 2005, urban design and architecture firm *Habitation* was engaged to undertake an assessment of interface issues with the view to prepare an amending LEP.

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The strategy utilised in the previous *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* (Town Centres LEP) took into account the *Habitation* study and made use of the R3 (medium density residential) zones to facilitate the development of townhouses on the interface of high density sites and low density residential sites, thereby ameliorating the impact of high density development on adjacent single dwellings.

This approach was used in considering all interface sites located outside the town centres in the Principal LEP and presented to Council on 6th March 2012.

In a similar manner to studies conducted for the Principal LEP, before zoning or other planning strategies could be developed to deal with interface issues within the town centres, it was necessary to undertake a full assessment of the impact of existing and potential future high density residential development on the identified interface sites within the six Centres. These studies were begun in 2008 (and informed the previous Town Centres LEP), and were resumed in 2011/2012 in preparation for the new *Centres LEP*.

The recent investigations have now confirmed and taken into account

- location of existing and potential heritage items
- location of proposed heritage conservation areas
- location of existing and proposed open space
- impact of existing developed high density sites
- likelihood of the future development of high density zoned sites
- location of proposed down zoning

The investigations were completed in March 2012 and have informed the proposals put forward in this section, see **Attachments A11 and A12**.

5.3.4 Methodology

Detailed analysis and assessment has been carried out on single dwelling properties, zoned 2(c) and 2 (c2) under the KPSO, which share a common boundary with, or are located directly across the street, from the high density zoned lands (2(d3) sites, R4 sites, Minister's sites) within the six Centres.

The analysis and assessment process was threefold:

- a. Impacts of amenity issues such as overshadowing, bulk, scale, and privacy were assessed. Assessment utilised a number of criteria to ensure a balanced assessment. The criteria include:
 - the likelihood of redevelopment on the high density zoned lands;
 - the location of the interface site in relation to the high density zoned land;
 - the contribution of the site to the existing streetscape;
 - the condition along the shared boundaries (presence of an adequate buffer between properties provided by existing screen planting and/or setbacks on the single dwelling site); and
 - the topographical conditions which potentially exacerbate the amenity impacts.
- b. Assessment of the suitability of the interface site for potential rezoning and redevelopment based on the existing physical conditions of the site. Consideration was

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given to the slope, vegetation, size and geometry of the interface site and the potential impact on remaining residential area of R3 zoning to the interface site.

- c. Special consideration was given to heritage items at interface locations, including their heritage status and their continued value within the future context.

Discussion and recommendations of all interface sites across the six Centres has been presented in Section 8 of this Report. In addition, those interface sites outside the town centre boundary at Lindfield (Gladstone Parade and Beaconsfield Parade), upon which recommendation in the Principal LEP was pending on a court decision for the adjacent 2(d3) site, have now been assessed in light of the court decision, and included in Section 8 of this report.

5.4 HIERARCHY OF CENTRES

The urban role and form of the centres including building heights and densities have been determined in a way that is consistent with the hierarchy of centres identified in the draft subregional plan and Council supporting studies. The hierarchy is as follows:

- Gordon – main centre;
- Turramurra, Lindfield and St Ives – medium sized centres; and
- Pymble and Roseville – smaller centres

Gordon is the main centre for Ku-ring-gai, being on a railway line and centrally located, primary economic focus for Ku-ring-gai's tallest buildings, the highest densities and the greatest commercial/ retail footprint of all the centres.

5.5 EMPLOYMENT, RETAIL AND COMMERCIAL USES

According to the 2006 Census results, there are approximately 27,000 jobs within Ku-ring-gai, compared to a resident labour force of approximately 47,000. Despite relatively high job self sufficiency (57.4%), only 26% of Ku-ring-gai's labour force (about 12,200 people) work locally while 74% are obliged to travel out of the local area to work.

The draft *North Subregional Strategy* requires planning for and additional 4500 jobs in Ku-ring-gai by 2031, while the *Metropolitan Plan 2036* requires Hornsby and Ku-ring-gai together, to provide for an additional 8,000 jobs. It is yet to be determined how this additional requirement will be split between the two LGAs.

It is the aim of the draft LEP to cater for future employment growth while also ensuring that there is adequate provision of retail and commercial services within centres to meet the needs of existing and future populations.

There are two key studies which have informed the planning for employment and retail and commercial services needs. These are the *Ku-ring-gai Retail Centres Study* and the *Ku-ring-gai and Hornsby Subregional Employment Study*.

5.5.1 Ku-ring-gai Retail Centres Study

The *Ku-ring-gai Retail Centres Study* was completed by Hill PDA in 2005. It included an analysis of existing provision of retail and shop front commercial services (i.e. banks, real estate agents, medical centres etc. operating in retail strips) currently operating in Ku-ring-gai and forecast demand for retail and commercial services space. The demand forecasts included in the study were based on the demand that would be generated from anticipated population growth as well as capturing a proportion of the current escape expenditure from the LGA.

The study also provided recommendations for establishing an appropriate retail centres hierarchy in Ku-ring-gai. The key recommendations from the study were as follows:

- adopting a retail hierarchy whereby Gordon is the principal centre as it is on the railway line and central in the LGA. St Ives should be the second ranked centre but should not detract from the role of Gordon. Turramurra and Lindfield would be the next ranked centres, with Pymble and Roseville further down the next scale;
- retail floor space in Gordon should expand by around 35,000 sqm;
- St Ives should be allowed to have retail expansion around 8,000sqm to 13,000sqm to meet demand and provide an incentive to address some of its current problems with redevelopment;
- some minor expansion in Turramurra should be allowed – particularly with the two existing supermarkets which are currently under sized;
- some expansion of Pymble and Roseville should be allowed to each accommodate a medium to large supermarket (1,500 to 3,000sqm); and
- Lindfield could be expanded. Alternatively if Roseville were to be expanded with a supermarket and associated specialty retail then only minor expansion in Lindfield should occur.

The retail centres study did not include an assessment or analysis of commercial office space or other non-shopfront commercial services in Ku-ring-gai nor did it undertake any assessment of the capacity of the existing commercial zonings and FSR allowances under the KPSO to cater for the growth projected by the study.

5.5.2 Ku-ring-gai and Hornsby Subregional Employment Study

The *Ku-ring-gai and Hornsby Subregional Employment Study* was completed by SGS Economics and Planning in 2008. It was a joint project by Ku-ring-gai and Hornsby Councils and the then Department of Planning to provide guidance on accommodating the subregional employment targets (4,500 at the time) in future planning for the two local government areas.

The objectives of the study are as follows:

- to ensure local employment land strategies facilitate opportunities for the subregional employment targets for the north subregion;
- to ensure that the distribution of additional jobs supports existing centres;
- to identify opportunities to provide employment lands in accordance with the strategic areas identified in the metropolitan strategy;
- to develop a strategy for zoning, land uses and controls for employment lands that is consistent with current strategic planning guidance;

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- to develop a strategy for the provision of employment lands to encourage economic growth to complement population growth; and
- to identify employment lands in strategic areas that are accessible to residents and workers and are linked into the transport network.

The study, among other things, examines the key economic trends and drivers for the Sydney Statistical Division and the north subregion, including consideration of:

- the appropriateness of the hierarchy of centres under the *Metropolitan Strategy* and the draft *North Subregional Strategy*;
- the employment targets under the above strategies;

The study assesses the 'supply side' of the subregion's employment lands. This includes the completion of a land-use audit of zoned employment land in the subregion (including Pymble Business Park) by industry and broad land-use categories and an analysis of existing centres. It also assesses potential supply under both the *Ku-ring-gai Planning Scheme Ordinance* and the then draft town centres LEP.

The study includes an assessment of the subregion's capacity to absorb future economic growth and meet the State Government's employment targets and identifies the gaps between forecast demand for floorspace and the available supply as determined through the land use audit. The conclusions of the analysis provide a strategic direction for the future role and function of employment lands, including the application of zones and zone objectives from the State Government's Standard LEP Template.

Findings and recommendations of the SGS study

The hierarchy of centres in respect of the Metropolitan Plan for Sydney and the draft *North Subregional Strategy*, is generally confirmed and consistent with the Hill PDA Retail Strategy.

Overall the 'supply-demand' analysis undertaken in the study identifies that there is a sufficient potential supply of floor space under existing planning instruments to meet future demand and the subregional employment targets, at the subregional and individual local government level. However, a supply shortfall is identified in respect of a small number of centres. For Ku-ring-gai the main centre identified as having a shortfall is Pymble Business Park. Pymble Business Park is not covered by the Local Centres planning proposal.

An excess supply of land zoned for employment purposes has also been identified for a few centres, where care needs to be taken to avoid compromising the achievement of employment growth in the larger centres. This includes Turramurra and Roseville. Much of this excess capacity comes from Council owned car parks, which are zoned for employment purposes, being included in potential supply calculations.

While there is sufficient existing capacity within Council's employment lands to meet the 4,500 employment target without the need to rezone additional lands, the study includes key recommendations to reinforce the role and function of existing employment centres.

For Ku-ring-gai, the key strategies and actions are outlined in the table below.

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Strategic direction	Actions
Consolidate the position of Gordon / Pymble Business Park as key employment centre, and Gordon as administrative centre.	• Increase FSRs in Pymble Business Park • Encourage the retention of office space in North Gordon • Improve connectivity between Gordon and Pymble Business Park • Discourage retail development at Pymble Business Park • Consider combined approach to Pymble/Gordon as a single centre.
Strengthen town centre roles with office and higher order retail	• Limit development capacity at centres with very high excess supply • Encourage centralised services for home based work and live-work developments in centres • Limit development capacity at St Ives.
Strengthen the local service role of Villages, Small Villages and Neighbourhood Centres through a reduction in higher order retail and employment uses.	• Limit development capacity at centres with very high excess supply • Encourage centralised services for home based work and live-work developments in centres.

5.6 ECONOMIC FEASIBILITY

5.6.1 Background & Methodology

This section of the report outlines the background to the approach to economic modelling over the past years. In addition information is provided on the methodologies used and some the key findings that are relevant to the current Local Centres planning proposal.

Over 20 detailed economic feasibility models were used during the preparation of the draft *Town Centres LEP 2006* and the invalidated Town Centres LEP 2010 (with additional economic reviews of sites where there were outstanding issues of feasibility). The full list of studies is included in **Attachment A1**.

Economic consultants were commissioned to undertake the review of the financial feasibility of the various sites across the local centres. The consultants, working according to industry standards, were provided with yield and floor space information, urban design parameters, background information and briefings from Council officers as the basis for their analysis.

The consultants have taken a commercial approach by assessing the various factors that would affect future redevelopment on a particular site rather than assume it was clear and unencumbered. By way of example of this approach, shopping centre sites usually maintain their value from continuing cash flow so that redevelopment plans need to be structured in a way that will reduce disruption to ongoing business.

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The assessment of financial feasibility and therefore the likelihood that redevelopment would be attractive to land owners and developers, was done with the use of financial models. The plans for each areas with their associated floor areas were analysed and costs calculated; other development costs were included and the totals were compared with the projected revenues from sale of the various types of floor space. Finally the key financial indicators were calculated to verify or otherwise the viability of the proposed project.

On some sites, several variants of initial plans were required in order to achieve satisfactory financial outcomes. The consultants were able to use the project models to determine any increases in type of floor area that would be required to reach commercial viability.

Preparation of inputs into financial models requires access to reliable data or the making of realistic assumptions. Common sources of data and assumptions include:

- costs of construction from quantity surveyors - and *"Rawlinson's Australian Construction Handbook"*;
- other development costs from official guides or historic data; and
- prices for all types of floor space from a market assessment and published pricing.

Costs and revenues used in the financial models were expressed in dollar terms without the application of price/revenue escalators. Accordingly, the "hurdle" levels of return were expressed in constant dollar terms.

5.6.3 Findings and implications for Local Centres Planning

Mixed use development key issues and economic feasibility

In the case of mixed use development (retail/ commercial with residential apartments) there are several key economic factors affecting feasibility.

Strip shops along the Pacific Highway or within the existing centres tend to be on small lots and include more improvements than housing lots, this makes amalgamation of sites for redevelopment difficult and usually requiring higher densities to be economically viable.

Small sites to be redeveloped with underground parking tend to be very inefficient and much more expensive than on grade parking, increasing costs and reducing feasibility.

Strata title developments are particularly difficult to amalgamate as 100% of all lot owners need to agree to a redevelopment.

With smaller lots to redevelop this often requires total demolition so there is no income during the demolition and construction phases, thus making redevelopment less attractive to the land owners of small sites.

In most cases within the core of the local centres if the proposed new mixed buildings are only 3 or 4 storeys (in some cases 5 storeys) it is expected that no redevelopment will occur as feasible development requires more density (increased FSR).

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On larger sites (if available) they often have significant improvements such as supermarkets and the capital value, due to high retail turnover, is very high. This means again that the redevelopment potential needs much higher densities to be feasible.

Other factors to consider are the time and risk taken to obtain approvals increases interest costs, and increases risks of market conditions changing and affecting returns. Site constraints such as heritage, contamination and geotechnical conditions all increase costs.

The pre-sales of apartments are required to obtain loans for construction typically as high as 70% of a development, delaying construction.

Finance has been hard to come by since the Global Financial Crisis and margins have increased, raising costs for the developer.

The amount of floor space per square metre of site area known floor space ratio or FSR dictates the volume of building and value of sales, thereby determining the value available for purchase of land. It is therefore important that the planning controls permit adequate development on land to ensure that the vacant land is worth more than its existing value including improvements. Otherwise there will be no incentive to sell on behalf of the landowner.

The challenge of achieving financial viability is faced by many Councils in Sydney, as they seek to renew centres, even though the actual values may be higher or lower than in Ku-ring-gai.

R3 Medium density Residential Zones

The R3 Medium Density Residential zones have been used as planning tool to provide increased housing choice in the medium -long term planning for the centres.

It is noted in some areas this type of development may not occur in the short – medium term due a range of factors, including to high capitalisation of the existing dwellings and need to amalgamate sites, however there is a need in strategic planning to provide this type housing choice and/or address the issues of interface identified in this report. Historically the alternative to not planning for this type of housing choice in Ku-ring-gai has been blanket suite of state government policies that override local controls-eg Senior living housing and SEPP no 53 Metropolitan residential development. Given the long term horizon of planning controls, it is not necessary that all redevelopment provided for in a plan is necessarily “feasible” from day one. In some cases, redevelopment may only be feasible as existing assets are run down and sufficiently depreciated to encourage redevelopment. Given the underlying land values in Ku-ring-gai, this is more likely in the case of proposed R3 zones.

The R3 Medium density zone is for town house style development and the standard controls applying are a maximum FSR of 0.8:1 and maximum height limit of 11.5 metres (3 storeys). There is no point in addressing viability through further increases in these parameters as the building form would be excessive in bulk and scale and in many cases the FSR could not be accommodated within the building envelopes.

5.7 IMPLICATIONS FOR DEVELOPMENT CONTRIBUTIONS

Ku-ring-gai Contributions Plan 2010 covers the whole of the Ku-ring-gai Local Government Area and is a consolidation of two predecessor contributions plans. It features distinct centre

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The present contributions plan in its draft form was exhibited in 2009-2010 concurrent with the development control plan that supported the 2010 town centres LEP. At that time, the medium range estimate for total potential dwelling yield in Ku-ring-gai was 12,069 dwellings over the life of the whole of the present development period from 2004 to 2031. These estimates included development in sites remote from the centres including the University of Technology site, the San Hospital site and some infill in the form of dual occupancies and small-scale residential.

Year
2004/2005
2005/2006
2006/2007
2007/2008
2008/2009
2009/2010
2010/2011
2011/2012
2012/2013
2013/2014
2014/2015
2015/2016
2016/2017
2017/2018
2018/2019
2019/2020
2020/2021
2021/2022
2022/2023
2023/2024
2024/2025
2025/2026
2026/2027
2027/2028
2028/2029
2029/2030
2030/2031

It should be noted if the final outcome is a significant reduction in anticipated yield overall or in any one centre this will necessitate a review of the works programme as not all works will be able to be funded within the limits of a reasonable contribution rate.

5.8 TRANSPORT PLANNING

Growth pressures, travel habits and car ownership rates contribute to vehicle traffic and associated issues of congestion, loss of amenity, safety concerns and parking issues. Vehicle traffic issues must be approached within an integrated transport and land use planning framework, recognising that behaviour, accessibility, availability of transport choices and parking policy have a role in addressing traffic issues.

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Increasing capacity on roads is not always an appropriate response to reducing traffic congestion. Infrastructure and policy associated with parking supply, public transport, walking and cycling, and land use all have the opportunity to make better use of available road capacity.

The key transport issues currently facing town centres in Ku-ring-gai include:

- arterial roads (Pacific Highway, Mona Vale Road/Ryde Road and Boundary Street) and rail corridor through local centres result in significant through-traffic volumes and limited pedestrian and vehicle access opportunities;
- some key intersections along arterial roads are currently operating close to or beyond their capacity during peak times and require upgrading. Examples include the intersection of Pacific Highway and Livingstone Avenue (Pymble) and Pacific Highway and St Johns Avenue (Gordon);
- large street blocks reduce local accessibility, circulation and pedestrian permeability;
- residential streets around rail centres are impacted by commuter parking, although the majority of commuters driving and parking at Ku-ring-gai railway stations are Ku-ring-gai residents;
- the quality and capacity of key bus interchanges is not conducive to mode transfer between bus and rail;
- lack of a quality pedestrian and cycling environment; and
- high retail parking demand in some local centres.

Also, the Roads and Maritime Services generally gives higher priority to traffic on arterial roads such as Pacific Highway, Mona Vale Road/Ryde Road and Boundary Street, at the expense of traffic on side roads, in order to maintain peak traffic flows on arterial roads.

In 2011, Ku-ring-gai Council adopted the Ku-ring-gai Integrated Transport Strategy (ITS). The ITS covers key issues through the Ku-ring-gai LGA in relation to:

- all forms of public transport;
- walking and cycling;
- roads, traffic and parking (including arterial/ regional road performance and key intersections);
- integration of land use and transport/ transport accessibility; and
- trip growth and travel demand management.

Ku-ring-gai ITS presents a vision for Ku-ring-gai's transport to 2020 and assigns plans and aims to short (5 years) and long term (10 years) time frames.

Key actions in the Ku-ring-gai ITS relate specifically to Ku-ring-gai's local centres, and managing the transport task as a result of additional growth in those centres. Proposed local centre improvements in the ITS were drawn from previous comprehensive traffic and transport studies, which were commissioned to assess the existing traffic and parking conditions, and to develop traffic flow schemes to best manage future traffic through the six local centres.

To maintain access and performance and accommodate growth, improvement measures would typically involve:

- additional capacity on side roads;

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- modifications to traffic flow patterns.
- localised additional capacity on arterial roads (such as widening from 2 lanes to 3 lanes around intersections), to maintain peak flows while accommodating local flows (although other constraints such as choke points at road/rail bridges limit the extent of improvements);
- new intersections (which also provide additional crossing points for pedestrians),
- new roads/pedestrian access ways, to improve pedestrian access and permeability; and
- improvements to bus access, bus interchange facilities and the public domain at key rail centres, to promote public transport usage.

Operation of the road network within Ku-ring-gai is, however, a partnership between the NSW Government and Council. Arterial roads that carry high traffic volumes are fully funded and managed by the Roads and Maritime Services. Major road projects may also receive Federal funding. Therefore, it is important to understand that management of the road network and wider Sydney transport task cannot always be directly addressed by Council.

Previous local centre studies considered full redevelopment scenarios and their associated traffic impacts. The scale of development being proposed in the Local Centres Planning Proposal is not as extensive and includes analysis of sites which are unlikely to redevelop. As such the previous local centre studies could be said to represent a worst case scenario which is unlikely to occur. However, less extensive redevelopment may impact on Council's development contributions towards transport infrastructure both in terms of the scope of the works programme (reduced traffic may reduce the need for some works) as well as the income anticipated from contributions, particularly on a centre by centre basis. These impacts can be considered as part of the review process for the Contributions Plan.

In the wider transport context, many of the major transport projects listed in the Ku-ring-gai ITS are consistent with key priorities in the Northern Sydney Region of Council's (NSROC) submission to the Metropolitan Transport Plan (2010). These major projects are expected to form the basis for the NSROC submission to the NSW Long Term Transport Masterplan, which is currently underway (the NSW Long Term Transport Masterplan will seek to address key transport challenges facing NSW over the next 20 years, and is expected to be co-ordinated, integrated and consultation-focused plan).

These include major transport infrastructure projects such as:

- North-West Rail link;
- Parramatta to Epping Rail link;
- second Harbour Bridge rail crossing and fast North Shore line;
- bus or light rail link from Chatswood to the Northern Beaches;
- transport strategies for Military – Spit Corridor, Victoria Road, Pennant Hills Road and Pacific Highway;
- completion of M2- F3 link into the Sydney Orbital; and
- improved regional rail services to the Central Coast and Newcastle.

5.9 BUSHFIRE RISK PLANNING

The extent of the bushland, its connectivity to other bushland areas in the Greater Sydney Metropolitan Area, and the steep, rugged topography of the area results in a significant bush fire

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risk for residents, and public and private assets. Further, while fire is an essential element for many Australian bush landscapes to ensure the viability of vegetation communities and native fauna, the frequency, intensity and timing can have adverse ecological consequences.

Bushfire events can have major impacts on the community, infrastructure, environment, and economy. At its meeting of 24 May 2011, Council adopted the principles, methodology and approach of the draft background study *Managing Bushfire Risk, Now and into the Future*, which uses a risk management approach to assess the management of bushfire risks, now and under future climate change situations. Land use planning can play a significant role in managing this risk into the future.

Bushfire prone land in the local centres is located within:

- the southern and eastern extremities of the St Ives town centre;
- lands around “Granny Springs” to the south of the Pacific Highway in Turramurra;
- the “Minister’s site” between Avon Road and Beechworth Parade Pymble and part of Pymble Ladies College;
- the area surrounding Hammond Reserve in Pymble, which includes part of the existing business park;
- the Shirley Road/Alexander Parade area in Roseville; and
- the north-western extremity of Lindfield town centre.

Key issues in relation to bushfire risk management in the bushfire prone lands within the local centres are:

- the need to avoid providing for increased density or new uses where the risk to life and property is unacceptable; and
- the potential conflict between bushfire risk management and biodiversity protection. Some of the areas identified in the biodiversity map will require measures to reduce bushfire risk, such as the creation of asset protection zones, which may impact on the ecological value of these lands.

5.10 URBAN DESIGN

Urban design is about putting people at the heart of the design for the centres. Focussing on the pedestrian experience means that people come to a centre not just for a particular purchase or service, but are encouraged to stroll through or linger to enjoy the experience. This in turn encourages more people to the centre to access its goods services, and makes it both a more pleasant and a safe experience.

Ku-ring-gai’s centres each have a number of aspects which detract from their role as an activity centre for people. Each centre is different, but designing for the following would result in improvements in each centre:

- good connectivity through the centre and surrounding streets for pedestrians, cars and cyclists;
- enabling people to “read” the centre – eg being able to easily find the way to the station, the library or a place to have lunch;
- footpaths that are comfortable to walk on and through;
- public domain areas with sun in winter and shade in summer;

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- places to sit, and places of interest;
- streets, laneways and facades that are visually engaging and free from detractors such as garbage bins; and
- civic spaces where people can come together for formal or informal activities.

5.11 OPEN SPACE PLANNING

There are a number of key planning documents and Council studies that have comprehensively assessed open space needs and demands in Ku-ring-gai into the future. The relevant studies are discussed below.

5.11.1 Draft North Subregional Strategy

The North Subregion Draft Subregional Strategy (NSS) prepared by the Department of Planning sets three key directions for open space planning in the Ku-ring-gai LGA:

- ensure equitable access to parks and public places for all residents in the subregion;
- ensure open space areas and facilities are managed in a sustainable manner to cater for residents and visitors to the subregion; and
- ensure opportunities exist for all residents to pursue cultural activities in the subregion.

To achieve these key directions the NSS identifies a number of objectives relevant for Council to consider and address as part of planning for the town centres:

- (F1) increase access to quality parks and public places;
- (F2) provide a diverse mix of parks and public places; and
- (F2.3) provide for urban civic space in planning for centres.

While the NSS notes that land acquisition in the subregion is difficult due to high land values, the Strategy clearly states that Council's should "*consider open space strategies to assess the amount, type, accessibility and distribution of local open space*" (F2.1) and "*continue to maintain or enhance the provision of local open space*" (F2.1.1) and that Council's "*investigate future options for open space provision...*" (F2.2).

The NSS also emphasises the importance of high quality and appropriately located civic spaces that provide a place for people to gather; attract shoppers to retail strips; and to provide a location for cultural activities such as markets and festivals.

The NSS (F2.3.1) indicates that "*...Councils should identify opportunities to.....provide new civic space*".

5.11.2 Open Space Planning and the Ku-ring-gai Contributions Plan 2010

Ku-ring-gai Council's consolidated development contributions plan provides for the acquisition and embellishment of recreation facilities and open space to meet the growth and demand of the new population. The plan addresses the objectives of the draft NSS and will facilitate a cohesive approach to the provision of both traditional parkland open space (local parks) and urban civic

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space in the town centres. Urban civic spaces are a key component of open space provision in urban settings.

To date, using funds collected from the 2004-2009 contributions plan and its predecessor the 2000-2003 contributions plan, Council has acquired the following land for future local parks and urban spaces:

- 3,465sqm of land in Dumaresq Street, Gordon
- 1,046sqm of land in Woonona Ave, Wahroonga
- 2120sqm in Duff Street, Turramurra
- 271sqm in William Street, Turramurra
- 2,650sqm in Bruce Avenue, Killara
- 929sqm in Stanley Street, St Ives
- 2620sqm in Gilroy Road, Turramurra

The total cost of these acquisitions has been almost \$30,000,000. The demolition of existing improvements, site preparation and embellishment of the new parks are part of Council's short to medium term rolling works programme.

5.11.3 Ku-ring-gai Council Open Space Acquisition Strategy (2006)

The *Ku-ring-gai Council Open Space Acquisition Strategy* (adopted October 2007) was prepared to establish a series of principles for acquisition of open space within Ku-ring-gai, from which open space provision opportunities and priorities for acquisition can be identified.

The need for an open space acquisition strategy as part of Council's open space program was formally identified in Council's *2004-2009 Section 94 Contributions Plan* following a number of studies including the *Open Space Distribution and Needs Study (2000)* and the *Open Space Strategy (2005)*. These studies demonstrated that Ku-ring-gai has a high demand for, but uneven distribution of, both local and district level open space.

The increase in population over the next 26 years as a result of the implementation of town centre development will further the need for public open space.

The *Open Space Acquisition Strategy* (OSAS) undertakes the following:

- provides an analysis of the Ku-ring-gai open space system;
- assesses the implications of development and population growth;
- identifies priority areas for acquisition of land for open space; and
- sets principles, objectives and criteria to guide Council's planning and decision making in relation to acquisition of land for open space.

In an analysis of the existing open space system the OSAS finds that the Ku-ring-gai LGA has nearly 4,300ha of open space comprising:

- about 4,000 hectares of bushland made up of 2,800 hectares of National Parks and 1,200 hectares in Council-managed reserves;
- 53 ha of parks; and
- 125 ha of sportsgrounds.

Conclusions in regard to open spaces provision are as follows:

- the LGA has a generous supply of environmentally significant open space including bushland reserves and National Parks;
- the provision of sports grounds is acceptable comparative to the traditional standard of 1.21 ha/thousand people although demand from sports clubs and current level of use indicate there is insufficient facilities to meet current needs;
- the provision of (non-sport) parks i.e. local parks at 0.49ha/thousand people is low according to the traditional standard of 1.62ha/thousand; and
- there is a requirement for more cycle and walking routes, more linkages and connections between parks.

5.11.4 Priority Area Assessment Reports

Following the adoption of the *Open Space Acquisition Strategy* by Council in 2007 more detailed assessments has been undertaken of the highest priority catchments areas. It is noted that these studies are generally confidential as they discuss privately owned lands.

The analysis of the catchments examined existing open space provision, future population growth and likely acquisition requirements. Council has completed the open space planning process for the centres of St Ives, Gordon and Turrumurra. As noted above acquisition of properties is well advanced and where Council has acquired land for local open space the draft Local Centres LEP 2010 proposes to zone that land for RE1 – Public Recreation. Where civic spaces are proposed the location and details of these are encapsulated in Council's *Town Centre Public Domain Plan 2010*. These sites are generally not identified on the Land Reservation Acquisition Map as Council currently owns these lands. The proposed Lindfield town square on Tryon Rd is one such example.

In some cases Council owns a number of properties but has not completed the acquisition process. Duff Street Turrumurra is an example, where Council owns three out of four properties. In this case the draft LEP proposes to zone these lands RE1 and identify only those properties still to be acquired on the Land Reservation Acquisition Map.

5.11.5 Acquisition process

The way in which Council intends to acquire land is set out in the *Ku-ring-gai Council Acquisition and Divestment Policy 2009*.

The former Department of Planning have indicated that this is their preferred approach whereby Council would appropriately zone land as "local open space" and have the land identified on a Land Reservation Map and listed within an appropriate Local Environmental Plan. It is not understood that this approach has changed. Land so identified is, at the request of the owner, required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991* (the owner initiated provisions)."

Council intends to minimise, if not avoid, the use of this approach in the future as it has generated significant community concern. To date all Council's open space acquisitions have been by way of negotiation with owners, often when a property is listed for sale on the open market. This is Council's preferred approach.

5.12 COMMUNITY FACILITIES

As part of the comprehensive planning for the local centres Ku-ring-gai Council has recognised the need to cater for new and expanded community facilities within the centres. This planning work has been based on detailed research undertaken by Council and includes the following studies:

- *Community Facilities Strategy* (June 2009), Elton Consulting;
- *Ku-ring-gai Development and Demographic Forecasts Final Report* by SGS Economics and Planning (May 2008);
- *Draft Childcare Needs Study* (2008) currently being completed internally by Community Services;
- *Sustainability Vision Report 2008-2033* (2008);
- *Draft Children's Hub Feasibility Study* (October 2006);
- *Ku-ring-gai Community Plan 2005/2009* (2005);
- *Cultural Facilities Plan 2004-2009* (2005);
- *Cultural Spatial Needs Analysis* (2005);
- *Library Facilities Study* (2004); and
- various community facilities condition audits as part of a comprehensive Asset Management Strategy (2007-2012 and on-going).

Planning for community facilities commenced as part of the planning for the original draft *Town Centres LEP* in 2006. Since that time the *Community Facilities Strategy* undertaken by Elton Consulting in 2008/09 has been completed and a strategy for future community facilities has been incorporated into *Ku-ring-gai Contributions Plan 2010* for future funding partially from development contributions and partially through a council co-contribution on behalf of the existing population.

PART 6 – STANDARD INSTRUMENT LEP FRAMEWORK

This part contains a user's guide to the draft LEP maps and written instrument, based on the NSW Government's Standard LEP template instrument.

The Local Centres LEP is being prepared in accordance with the *Standard Instrument (Local Environmental Plan) Order 2006* (Standard Instrument LEP) under Section 33A of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). The Standard Instrument LEP mandates provisions that are to be included in all future LEPs across NSW and substantially governs the content and operation of the LEP.

6.1 FORMAT OF THE LOCAL CENTRES LEP

The Planning Proposal includes a draft of the Local Centres LEP. The LEP consists of a written instrument and a series of maps. The written instrument and maps can be found at **Attachments A8 and A9**.

The written instrument contains the detailed planning provisions that will apply to land covered by the preliminary draft Local Centres LEP. This includes particulars such as aims, standard zone descriptions and zone objectives, permitted land uses and development standards, subdivision

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provisions and numerous miscellaneous provisions. The Standard Instrument LEP mandates provisions that are to be included in all future written instruments of LEPs.

The Standard Instrument LEP allows the inclusion of some standard clauses as optional. The draft Local Centres LEP includes a number of the optional clauses including those for minimum subdivision lot size, height of buildings, floor space ratio (FSR) and preservation of trees or vegetation.

The Standard Instrument also provides the opportunity for the inclusion of local provisions either as stand alone clauses, and/or as additions to the main clauses in the template. The preliminary draft Local Centres LEP has included a number of provisions within the written instrument to achieve desired local planning outcomes. These include local aims, additional zone objectives, certain permissible and prohibited land uses, development standards and other additional local provisions which are not inconsistent with the compulsory provisions. The local provisions are those coloured red in (the electronic version only of) the written instrument at **Attachment A8**. Further details on the proposed local provisions are discussed later in this report.

The maps that are included in the planning proposal for the draft Local Centres LEP are as follows:

- Land zoning map;
- Lot size and lot depth maps;
- Building height map;
- Floor space ratio map;
- Heritage map;
- Land reservation acquisition map;
- Natural resource – biodiversity map; and
- Natural resource – riparian lands maps.

These maps are **Attachment A7**.

6.1.1 Explanation of Zones under the Standard Instrument LEP

The Standard Instrument LEP provides a choice of a limited number of zones for the draft Local Centres LEP. The Planning Proposal at **Attachment A9** includes a table which outlines how the general effect of existing KPSO zones translates to equivalent standard zones. This translation will apply to most lands covered by the draft Local Centres LEP other than that land proposed for up zoning.

The land uses associated with each of the zones included in the Local Centres Planning Proposal were provided to the Department of Planning and Infrastructure in accordance with the Statement of Commitments of November 2011. The Department have agreed to the proposed land uses.

The zones proposed in the draft Local Centres LEP are as follows:

- **R2 – Low Density Residential:** - applies to land where primarily low density housing is to be established or maintained. The zone objectives also encourage the provision of facilities or services that meet the day-to-day needs of residents.

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- ***R3 – Medium Density Residential:*** - to provide for medium density housing generally in the form of townhouse development of up to 2 - 3 storeys. The zone provides for increased housing choice and is generally used as a transition area between low and high density areas.
- ***R4 – High Density Residential:*** - to provide for unit development (generally up to 5 storeys). These areas are typically located closer to rail/bus and centres of retail/commercial activity.
- ***B2 – Local Centre:*** - to apply to the core retail commercial areas. This zone, at the core of each centre, will permit developments with a mix of retail, commercial, residential and associated community facilities.
- ***B4 – Mixed Use:*** - intended to integrate a mixture of suitable uses such as business, office, residential, bulky good and other car based retail, which supports and not detracts from the retail functions and viability of the core of the Gordon centre. Residential flat buildings are also proposed to be permitted in this zone. This land is on the fringe of the commercial centre since it is less accessible to the railway station and subject to greater access by car.
- ***B5 – Business Development:*** - enables a mix of office, retail and warehouse uses in locations which are close to, and which support the viability of centres. The zone does not permit residential uses.
- ***SP1 – Special Activities:*** - for special land uses or sites with special characteristics that cannot be accommodated in other zones.
- ***SP2 – Infrastructure:*** - accommodates a wide range of human and physical infrastructure uses. The main application of this zone is for main roads and the railways as well as for proposed future local roads.
- ***RE1 – Public Recreation:*** - to provide for a wide range of public recreation areas and activities, including local open space. A range of land uses compatible with recreation uses of the land will be permitted.
- ***E2 – Environmental Conservation:*** - to protect land that has high conservation value. A number of land uses considered to be inappropriate for this zone, including dwelling houses will be prohibited. For the draft Local Centres LEP, the zone is applied only to Council owned lands categorised as Natural Areas under the *Local Government Act 1993*.
- ***E4 – Environmental Living:*** - for land with special environmental or scenic values where residential development can be accommodated. The zone has been applied where there are environmental factors, such as the presence of threatened ecological communities, riparian zones, scenic values or bushfire hazard that make the protection of the values of the land impractical under a standard residential zone. Some limited additional uses are proposed in the E4 zone, namely secondary dwellings and home businesses.

6.1.2 Local Provisions

The Standard Template LEP instrument provides the opportunity for the inclusion of local provisions, either as stand alone clauses, and/or as additions to the main clauses in the template. In addition, some clauses are optional.

The local provisions outlined in the Local Centres Planning Proposal were provided to the Department of Planning and Infrastructure in accordance with the Statement of Commitments of November 2011. The Department have provided feedback about changes sought. There are a few outstanding issues that may require further negotiation with the Department.

The Standard LEP Instrument includes development standards for minimum subdivision lot sizes, height of buildings, and FSR as optional clauses. The draft LEP has incorporated these optional clauses, including local objectives, and sets out the numerical standards for these development standards on the relevant maps to the particular clauses.

There are also a number of additional local provisions applying to these development standards. These include:

- requiring minimum lot areas and dimensions for residential zones, which are generally consistent with those which currently apply under the KPSO;
- establishing minimum lot areas and dimensions for the new E4 – Environmental Living zone;
- limiting building height on smaller lots in the R4 – High Density Residential zone to be consistent with those currently applying Residential 2(d3) zone under the KPSO;
- establishing floor space ratios for the Business zones and the E4 – Environmental Living zones; and
- requiring residential floor space ratios consistent with those which currently apply, including limiting FSR on smaller lots in the R4 – High Density Residential zone to be consistent with those currently applying Residential 2(d3) zone under the KPSO.

Clause 1.9A Suspension of covenants

The draft written instrument includes provisions that would suspend any private covenant, agreement or other similar instrument applying to land covered by the LEP. The suspensions would only be to the extent necessary to enable development consistent with the Plan.

The effect of the cause is to ensure that private covenant or agreements do not prevent the development of land to the full potential envisaged under the LEP. It will facilitate the effective implementation of the Local Centres LEP through removal of potential barriers created by existing private covenant, agreements or other similar instruments.

The full extent of covenants, agreements or other similar instruments in place on land covered by the Local Centres LEP is unknown.

Many of the known private covenants were put in place at times when few development controls were in place to protect neighbouring amenity. Today Ku-ring- gai Council has a robust system of development notification and assessment which results in any approved development proposal meeting controls often with further conditions to protect neighbouring amenity.

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It is considered that Council's process of development assessment and public submission will give a number of opportunities to negotiate changes to a development proposal to protect neighbouring amenity as well as ensure a fairness of development and amenity to the development site.

The drafting direction in the Standard Template Instrument relating to the model clause for the suspension of covenants, agreements and instruments suggests that the clause should not automatically be included, but should be considered by the Council and Department on a case by case basis- i.e. Plan by Plan basis. In the case of the Local Centres LEP this type of clause is necessary and justified as outlined above.

A suspension of covenants clause is a standard clause in all contemporary local environmental plans (LEPs). It is understood that all comprehensive standard instrument LEPs made for other Council areas across NSW to date have included this clause. Should Council choose to submit the planning proposal to the Department without a suspension of covenants clause, the Department do have the right to make the inclusion of the clause a condition of the gateway determination.

Optional provisions

Optional provisions incorporated include:

- Clause 2.8 - Temporary Use of Land – provides for the temporary use of land in circumstances where there are no detrimental economic, social, amenity or environmental effects; and
- Clause 5.3 - Development near zone boundaries –allows the uses of the adjoining zone within a portion of special purpose zones. This clause is required for inclusion where special purpose (SP) zones are included in the Plan.

Other local provisions and schedules

Other local provisions have been incorporated into Part 6 of the written instrument. These include the following:

- Clause 6.1 - Minimum lot size and street frontages for multi dwelling housing and residential flat buildings – establishes minimum street frontages for residential flat buildings and multi dwelling housing (town houses) consistent with those currently applying to the Residential 2(d3) zone under the KPSO.
- Clause 6.2 - Ground floor business, office and retail premises in Business zones – mandates active ground floors on buildings in business zones to ensure more vibrant street frontages and better urban design outcomes.
- Clause 6.3 - Minimum building street frontage in business zones- requires a minimum frontage to the primary street to enable good visual proportions, and vehicular access and parking.

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- Clause 6.4 - Location of sex services premises – places restrictions on sex services premises being located adjoining residential zones, community facilities, parks, schools and the like and requires consideration of the potential impact on children.
- Clause 6.5 - Biodiversity protection– sets out the matters of consideration in relation to lands identified on the Natural Resource – Biodiversity map. Clause 6.6 (4)(iii) requires the consent authority to be satisfied that “measures to achieve no net loss of significant vegetation or habitat have been considered. The ‘No net loss’ recognises the need for flexibility which may be achieved by the application of off-sets. Offsets are designed to make up for the loss of the natural values of a site, through improvements or protection. Offsets should only be used, where all other practical measures have been taken to prevent or mitigate environmental impacts. Any remaining adverse impacts are then offset by a range of management actions undertaken in such a manner that the actions maintain or improve biodiversity outcomes for the region.
- Clause 6.6 - Riparian land and waterways - sets out the matters of consideration in relation to lands identified on the Natural Resource – Riparian lands map.
- Clause 6.7 - Earthworks – sets out matters of consideration in relation to earthworks, while allowing minor earthworks without consent.
- Clause 6.8 - Stormwater and water sensitive urban design – outlines the principles of water sensitive urban design to be incorporated into the design of developments and sets out matters of consideration in relation to the management of stormwater.
- Schedule 1 Additional permitted uses - contains a table which identifies additional permitted uses that are permissible on particular parcels of land that would not otherwise be permitted on that land under the proposed zoning. The additional permitted uses identified in Schedule 1 principally seek to avoid potential complications arising from existing use rights on land where the zoning is changing from its current use.
- Schedule 2 Exempt Development - includes provisions for some development types to be exempt from the need for development consent if they meet certain standards. The provisions are designed to reduce the number of DAs that Council will need to assess, while providing adequate regulation for small scale development.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 includes a range of development types as exempt development. This is supplemented by *State Environmental Planning Policy (Infrastructure) 2007*, which exempts a range of development types, mostly, but not exclusively, carried out by or on behalf of public authorities. The inclusions in Schedule 2 are development types which have a minimal environmental impact, but are not included in these SEPPs.

- Schedule 3 Complying Development - *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* includes a range of development types as complying development, that development that can be approved through a fast track process if it meets certain standards. *State Environmental Planning Policy (Infrastructure) 2007* also provides for a range of development types to be complying

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development, mostly, but not exclusively, carried out by or on behalf of public authorities. No further development types are recommended for inclusion as complying development, and therefore this schedule is blank.

- Schedule 4 – Classification and reclassification of public land lists sites of Council owned land to be considered for reclassification from 'community land to 'operational land' as part of the LEP making process. This schedule is blank.
- Schedule 5 Environmental Heritage lists the Heritage Conservation Areas and individual sites of local heritage significance that are identified on the Heritage Map.

PART 7 – LAND USE STRATEGIES ACROSS CENTRES

Part 4 of this report described and discussed the planning scenarios developed from the Locality Workshops. Part 5 and 6 of this report have discussed the range of considerations for developing a final land use strategy and LEP.

Parts 7, 8 and 9 of the report will build on the previous discussions and put forward a land use strategy for each of the Local Centres. The objective is to achieve a balance between the community preferences expressed at the locality workshops and the community summit; the range of planning considerations; and at the same time meet Council's Consolidated Statement of Commitments as amended.

This part outlines how the key considerations are addressed for themes that apply generally across all centres.

7.1 HERITAGE

In line with the Statement of Commitments, the draft Local Centres LEP will include provisions to address issues of heritage protection.

Heritage conservation has been addressed within the planning proposal for the draft Local Centres LEP through a number of mechanisms:

- the incorporation of the heritage schedule, the heritage map and associated local provisions; and
- consideration of existing and proposed high density development and the location of buffers and interface sites to conserve the setting and cultural significance of heritage items and heritage conservation areas.

7.1.1 Heritage schedule, heritage map and associated provisions

The list of heritage items in the draft Local Centres LEP heritage schedule is based upon Schedule 7 of the Ku-ring-gai Planning Scheme Ordinance. New items on the schedule were identified in the following studies:

- Ku-ring-gai Heritage Study (Robert Moore, Penelope Pike, Helen Proudfoot, and Lester Tropman and Associates, 1987);

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- Review of potential items in the Ku-ring-gai area (Perumal Murphy Alessi, 2006);
- Turramurra Town Centre Masterplan (Urban Heritage, 2006)
- Town Centres Heritage Review (CityPlan, 2006)
- Ku-ring-gai Urban Conservation area Study – stages 2 and 2 (a) (Godden Mackay Logan, 2002)

The majority of new proposed items have been included in previous draft LEPs and have been publicly exhibited (**Attachment A10**). A rare exception is 23 Park Avenue Gordon. This property is the former residence of J.J. Bradfield, engineer and chief designer of the Sydney Harbour Bridge. The house has cultural significance due to its historical association as the home of this great man and mostly maintains its intactness from his time in residence.

Several properties have been removed from the heritage schedule. Many of these properties have been impacted by either actual or proposed increased residential density in their immediate vicinity. This loss of setting has impacted upon the cultural significance of these items. In several instances the loss of setting has been accompanied by unsympathetic additions and alterations which have further degraded the cultural significance of these places. Amendments to the heritage schedule are further explained in **Attachment A16**. The complete heritage schedule is Schedule 5 of the Written Instrument (**Attachment A8**).

The Heritage Conservation Areas included in the Local Centres heritage schedule are those areas which were identified in the Planning Proposal: *Amendments to the Ku-ring-gai Planning Scheme Ordinance to incorporate provisions for Biodiversity and Riparian land and Heritage Conservation Areas* and that are within the nominated area of the Ku-ring-gai LGA to which the Local Centres LEP applies.

Numerous studies have been conducted in Ku-ring-gai Council over many years to ascertain intactness and the cultural significance of heritage conservation areas. The studies Relevant to the Ku-ring-gai Local Centres HCAs are:

- Paul Davies Pty Ltd (2008) *Ku-ring-gai Town Centres Heritage Conservation Area Review*, and
- Godden Mackay Logan (2002) *Ku-ring-gai Urban Conservation area Study* – stages 2 and 2 (a)

As a result of the submissions received from the recent exhibition of the *Planning Proposal: Amendments to the Ku-ring-gai Planning Scheme Ordinance to incorporate provisions for Biodiversity and Riparian land and Heritage Conservation Areas*, as summarised in **Attachment A15**, a new proposed heritage conservation area is recommended for Roseville. This proposed HCA (C32B) is an extension of the Clanville Conservation Area. The area was assessed by Paul Davies Pty Ltd in 2008. The area is of high aesthetic quality with the majority of buildings being contributory and from the key Federation and Inter-war development periods. This area is consistent with the historic and aesthetic values of the Clanville Conservation Area.

The recent local centres community consultations identified two further proposed heritage conservation areas. The first is another extension of the Clanville Conservation Area to incorporate parts of Roseville Avenue, being proposed HCA (C32C). The street includes several actual and proposed heritage items. It was assessed by Godden Mackay Logan in 2002 as reaching the threshold for inclusion as a heritage conservation area. The majority of properties in the street are

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contributory and like HCA C32B, this area is consistent with the historic and aesthetic values of the Clanville Conservation Area.

The second conservation area that was supported by the recent community consultation is the Robert Street/Khartoum Avenue Conservation Area in Gordon (C39). This HCA was assessed and supported by Paul Davies Pty Ltd in the 2008 *Town Centres Heritage Conservation Area Review*.

The heritage conservation areas included in Schedule 5 of the Local Centres LEP are:

HCA No	Heritage conservation area name	Suburb
C5	Laurel Avenue/King Street Conservation Area	Turramurra
C6B	Ku-ring-gai Avenue Conservation Area	Turramurra
C7	Park Estate Conservation Area	Pymble
C8B	Pymble Heights Conservation Area	Pymble
C10B	Orinoco Street Conservation Area	Pymble
C16B	St Johns Avenue Conservation Area	Gordon
C17	Gordon Park Conservation Area	Gordon
C18	Yarabah Avenue Conservation Area	Gordon
C25B	Stanhope Road Conservation Area	Killara
C27	Bleinheim Road Conservation Area	Lindfield
C28	Wolseley Road Conservation Area	Lindfield
C29	Balfour Street/Highfield Road Conservation Area	Lindfield
C31	Trafalgar Avenue Conservation Area	Lindfield
C32B	Clanville Conservation Area	Roseville
C32C	Clanville Conservation Area	Roseville
C35	The Grove Conservation Area	Roseville
C36	Lord Street/Bancroft Avenue Conservation Area	Roseville
C39	Robert Street/Khartoum Avenue Conservation Area	Gordon

7.1.2 Comments on Planning Proposal to amend the KPSO in relation to biodiversity, riparian lands and heritage conservation areas

Comments from State agencies and submissions from the public have been received in relation to the heritage conservation areas for the LGA and associated provisions as exhibited in the proposed amendment to the KPSO. Public submissions which relate to specific local centre sites and agency comments are considered at **Attachment A13** and inform the local centres planning proposal.

Comments from State agencies

Aboriginal Heritage Office (AHO):

- Supports Council in not mapping Aboriginal sites or 'objects' in accordance with the revised NSW standard LEP provisions, as:
 - it maintains the confidentiality of sensitive sites; and
 - Council won't be in breach of its licence agreement which prohibits the providing site data to third parties.

Response

- AHO support for not mapping known sites is noted. This view is important given the recommendations of the Hawkesbury-Nepean Catchment Management Authority, as discussed below.

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Hawkesbury-Nepean Catchment Management Authority:

- As riparian areas often overlap with areas of Aboriginal cultural significance, the CMA draws attention to s.117 Direction No.9 on Conservation and Management of Environmental and Indigenous Heritage and the importance of mapping any identified areas of cultural significance.

Response

- It is acknowledged that riparian areas do sometimes overlap with areas of Aboriginal cultural significance. However it is noted that the draft Local Centres LEP is proposes provisions to facilitate the conservation of sites, objects and places of Aboriginal cultural significance.

The Standard LEP Instrument has been amended since the drafting of this 117 direction, to require the identification of such items, only where the relevant Aboriginal community has agreed to this.

Council has consulted with the relevant Aboriginal authority. The AHO has provided Council with information and mapping which identify sites or 'objects' of significance. As discussed above, the AHO does not support the mapping of these items or sites in the LEP.

Heritage Council of New South Wales

- Supports the resolution of Council to adopt the new HCAs.
- Advises to ensure that the existing Development Control Plan (DCP) and any future DCPs include development controls that are specific to the proposed HCAs to guide development both within and adjoining the HCAs.

Response

- The support of the Heritage Council of New South Wales and the acknowledgement of the comprehensive heritage reviews to identify Ku-ring-gai's heritage conservation areas are noted.
- Any new DCP drafted to support any gazetted HCAs will include development controls and management objectives and recommendations specific to the HCA to guide new development both within and in the vicinity of the HCA.

NSW Rural Fire Service

- RFS raises no concerns about the incorporation of natural resource and heritage conservation area overlays and provisions.
- Council should consider there may be conflicts between heritage conservation areas and bushfire protection.

Response

- It is recognised that conflicts will remain between the protection of heritage values and the minimisation of bushfire risk. Any proposal must consider all of the values in an

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integrated way, so that a proper merit assessment can be carried out. Accordingly it will be important that the DCP include controls relating to the integration of these values at the earliest stage in the design process. In some cases a compromise may need to be reached to balance the conflicting values.

7.1.3 Peer review of heritage conservation areas

The 13 December 2011 resolution of Council to undertake a further peer review of several potential conservation areas is still ongoing. Any changes to the draft Heritage Conservation Areas as a result of the peer review will be a matter for consideration and potential inclusion in the draft Local Centres LEP to be exhibited later this year, or will form the basis of a subsequent amendment to the Local Centres LEP after gazettal. As such, no changes or further consideration of issues to the heritage conservation areas under review is discussed in this report.

7.1.4 Recommendations

- That the consideration of public and agency submissions and resulting recommended amendments to the Planning Proposal: Amendments to the Ku-ring-gai Planning Scheme Ordinance to incorporate provisions for Biodiversity and Riparian land and Heritage Conservation Areas be incorporated within the planning proposal for the Local Centres LEP prior to public exhibition. This includes but is not limited to further assessment of 2A-10 Park Avenue Gordon and 738-744 Pacific Highway and 1A-5 Bushlands Avenue Gordon.
- That any changes recommended to the heritage conservation areas as a result of the peer review be included within the planning proposal for the Local Centres LEP prior to the public exhibition.
- That Council continue to utilise the Aboriginal heritage site and potential area mapping, supporting information, and training made available by the Aboriginal Heritage Office as recommended through state agency consultation.

7.2 ENVIRONMENTAL VALUES AND BUSHFIRE RISK STRATEGY

In line with the Statement of Commitments, the draft Local Centres LEP will include provisions to address issues of biodiversity and riparian lands values.

These environmental values have been addressed within the planning proposal for the draft Local Centres LEP through a number of mechanisms:

- consideration of the appropriate location for major future development;
- the incorporation of natural resource maps and associated local provisions; and
- the establishment of environmental zones and associated minimum lot sizes and floor space ratios.

7.2.1 Location of major future development

The lands identified in the draft LEP for major upzoning and/or significant increased development potential are within the existing commercial areas, where the sites are generally covered in impermeable surfaces and contain few environmental values or bushfire risks. Environmental values were also taken into account in the application of R3 zones, and in the consideration of

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interface sites. For a few sites provision has been made to allow 3 storey residential flat development rather than 3 storey townhouses, where environmental constraints, such as topography or the extent of significant vegetation, are not compatible with the greater site coverage required by townhouse developments.

There are also sites located within the areas covered by the planning proposal where the KPSO (under LEP 194) or the Transitional Major Projects (former Part 3A of the *Environmental Planning and Assessment Act 1979*) currently permit high density development on sites with high environmental values and where redevelopment has not been approved to date. The Statement of Commitments provides that Council can consider reducing the development potential of sites currently zoned 2(d3) under LEP 194, where there is good justification. The Pacific Highway/Lamond Avenue precinct in Turrumurra is one such area. The Minister's site between Avon Road and Beechworth Avenue Pymble, while not covered by LEP 194, is similarly constrained. These sites will be discussed in more detail below.

In planning for the centres the location of increased residential or commercial density in bushfire prone lands has been avoided where practical. However it is proposed to allow increased development in the B2 Local Centre zone to the south of the Pacific Highway in Turrumurra (the current Franklins site). This site is adjacent to "Granny Springs" reserve and is bushfire prone. The NSW Rural Fire Service has previously advised of requirements for this site. These requirements will need to be incorporated within the associated DCP.

7.2.2 Natural resource mapping and associated provisions

The recommendations related to mapping overlays outlined in *Ku-ring-gai Biodiversity and Riparian Lands Study -Public Exhibition Draft* were incorporated within the planning proposal to amend the KPSO to incorporate provisions for biodiversity, riparian land and heritage conservation areas. The *Natural Resource -Biodiversity Map* and *Natural Resource - Riparian Land Map* and related provisions outlined in the proposed amendment to the KPSO have been included in the draft Local Centres LEP.

Natural Resource - Biodiversity Map

The *Natural Resource - Biodiversity Map* identifies lands to which Clause 6.5 applies.

The areas identified on the draft LEP biodiversity map are based on the strategic assessment of significance at the local government area scale and work undertaken at a broader regional scale and beyond, as outlined in the biodiversity and riparian background study. Therefore not every tree or small clump of vegetation within BGHF or STIF is included within the maps included in the draft LEP. Nevertheless such sites will still need consideration at development application stage under the *NSW Threatened Species Conservation Act 1995*.

The map and associated provisions apply regardless of zoning. It is important to note that the provisions do not prevent development from occurring within the lands identified, rather, they provide matters of consideration for any development within these areas.

The background study recommended the inclusion of four biodiversity categories within Council's LEPs. These categories have been amalgamated as one layer for the purposes of the draft Local Centres LEP. Detailed provisions in relation to each of the categories should be included within the associated DCP.

Natural Resource – Riparian Lands Map

The Natural Resource – Riparian Lands Map identifies the lands to which Clause 6.6 applies.

The mapping identifies 3 strategic categories of riparian corridors which define the core functions of the riparian zone as well as the current and predicted environmental significance. Each category has a 'Core Riparian Zone' (CRZ) of set distance commensurate with the objectives of the category, as outlined in the below table. Note that Category 1 riparian lands do not occur in the Local Centres.

Category of riparian land	Core functions/ significance	Width of riparian land (metres) – includes waterway itself
Category 2	Terrestrial and aquatic habitat	20m from top of bank, plus 10m buffer
Category 3	Channel stability and water quality'	10m from top of bank
Category 3a	Discontinuous, poorly defined and piped channels where there is potential for restoration of some of the original functions of the watercourse	10m from centreline

The map and associated provisions apply regardless of the zoning. Again, the provisions do not prevent all development from occurring within the lands identified, rather, they provide matters of consideration for any development within these areas.

The DCP should provide more detailed provisions, including:

- allowing 'soft landscaping' including Asset Protection Zones as required for bushfire protection within the buffer to category 2; and
- how to assess the appropriateness of the given widths for rehabilitation where existing development is located within the riparian land.

7.2.3 Comments on Planning Proposal to amend the KPSO in relation to biodiversity, riparian lands and heritage conservation areas

Comments from state agencies and submissions from the public have been received in relation to the natural resource maps for the LGA and associated provisions as exhibited in the proposed amendment to the KPSO. Agency comments are considered in detail at **Attachment A13** and public submissions which relate to specific local centre sites in **Attachments A14 and A15**. These inform the Local Centres Planning Proposal.

State agency consultation

A discussion of key comments from state agencies in relation to natural resource mapping and provisions follows.

Office of Environment and Heritage:

- Supports the amended conservation significance assessment methodology resulting in 5 biodiversity categories with 4 categories included in the LEP.

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- Supports the consideration of Coastal Shale Sandstone Forest as regionally significant while the Scientific Committee has not yet considered this for listing.

Response

Noted.

Sydney Metropolitan Catchment Management Authority:

- Supports the intent and objectives of the planning proposal and provisions.
- There is a good correlation between Council's natural resource mapping and CMA mapping.
- Seeks the inclusion of definitions for "regionally significant species", "threatened species, population or ecological community", and "riparian land" in the LEP.
- Seeks an explicit inclusion in the definition of "riparian land" in the background study to the biological factors that form the basis of ecosystem services in the proposed clause and its respective map.
- Seeks to include trees located within golf courses in the biodiversity mapping.

Response

- Support for the intent, objectives and correlation with mapping and relevant legislation is noted.
- Regarding definitions sought, the Department of Planning and Infrastructure does not support the addition of definitions to the LEP dictionary and discourages definitions in local provisions. However, Council could define the terms in the DCP.
- Council acknowledges that a more holistic definition of riparian land would include the influence of the land and water on each other. However, the definition used in the background study has been developed to provide clear planning direction where these important areas are involved, rather than leaving it open to discussion on what "influenced by a body of water" means in a practical sense, given the limitations of the urban area.
- There are no golf courses in the area covered by the Local Centres LEP.

Hawkesbury-Nepean Catchment Management Authority:

- Supports the consideration of the Hawkesbury Nepean Catchment Action Plan environmental targets and objectives in the background study.
- Considers that riparian areas are appropriately mapped and categorised.

Response

- The first two points are noted.
- It is acknowledged that riparian areas do sometimes overlap with areas of Aboriginal cultural significance. However it is noted that the draft Local Centres LEP is proposes provisions to facilitate the conservation of sites, objects and places of Aboriginal cultural significance.

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The Standard LEP Instrument has been amended since the drafting of this 117 direction, to require the identification of such items, only where the relevant Aboriginal community has agreed to this.

Council has consulted with the relevant Aboriginal authority. The AHO has provided Council with information and mapping which identify sites or 'objects' of significance. As discussed above, the AHO does not support the mapping of these items or sites in the LEP.

NSW Rural Fire Service

- RFS raises no concerns about the incorporation of natural resource and heritage conservation area overlays and provisions.
- Council should consider there may be conflicts between biodiversity and riparian protection and bushfire management.

Response

- The first point is noted.
- The biodiversity mapping did consider bushfire risk in the categorisation of vegetation patches. However, it is recognised that conflicts will remain between the protection and enhancement of biodiversity and riparian values and the minimisation of bushfire risk. Any proposal must consider all of the values in an integrated way, so that a proper merit assessment can be carried out. Accordingly it will be important that the DCP include controls relating to the integration of these values at the earliest stage in the design process. In some cases a compromise may need to be reached to balance the conflicting values.

Office of Water (Department of Primary Industries):

- Seeks minor amendments to wording in the background study.
- Supports inclusion of riparian lands and waterways clause in draft LEP.
- Supports inclusion of rehabilitating existing piped or channelised waterways;
- Supports the inclusion of the stream classification map but recommends that the legend is amended to include the category width measurements.
- Recommends amendments to the wording of the riparian provisions in the draft LEP.

Response

- Suggested amendments from current and previous consultation will be incorporated as appropriate during further revision of the background study.
- Support for inclusion of provisions, including those related to rehabilitation, is appreciated.
- Including the category widths specifically in the legend is not supported. It is preferred that these be identified in the DCP to allow for the practical application of the provisions within the urban area, where setbacks to structures to the full width of the riparian lands will not always be feasible.
- It is noted that the Department of Planning and Infrastructure has already agreed to the wording of local provisions, sent in accordance with the Statement of Commitments of November 2011. However, it is recommended that the suggested amendments which clarify the purpose of this clause, simplify the text or make the

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wording closer the draft model clause for waterways and riparian lands, without impacting on the strength or meaning, are used to update the draft LEP provisions, as outlined in Clause 6.6 of the Written Instrument for the Local Centres LEP (**Attachment A8**).

Public submissions

For the purposes of the planning proposal for the Local Centres LEP only those submissions that deal specifically with sites in the land covered by this LEP are considered below. More general issues and sites outside the centres will be considered with the public exhibition of the draft Principal LEP and/or the final report on the *Amendments to the Ku-ring-gai Planning Scheme Ordinance to incorporate provisions for Biodiversity and Riparian land and Heritage Conservation Areas*.

Submissions were received for 4 sites/precincts within the local centres:

- a) 4-6, and 10a Drovers Way 14 -22 Beaconsfield Parade and 1 Averil Place Lindfield (the Drovers Way precinct);
- b) 14 Denman Street Turramurra and a nearby watercourse;
- c) 8 Pymble Avenue Pymble; and
- d) the triangle lands bounded by Treatts and Wolseley Roads (the Treatts Wolseley Road precinct).

a) Drovers Way precinct

A number of submissions support the biodiversity and riparian mapping in this precinct. The environmental values of the precinct were highlighted, and concerns were expressed that current DAs for the site and potential further piping of the creek would degrade these values and cause downstream impacts.

Concerns were also expressed that the width of Category 3 riparian land is 8 metres, but should be 10 metres, and that 3 significant trees have not been shown on the mapping.

Response

Support for the recognition of the environmental values of the site through the natural resource mapping and controls is appreciated. Note that Category 3 riparian lands are identified as 10 metres wide, not 8 metres.

The biodiversity mapping identifies patches of vegetation rather than individual trees. It is noted that only one small gum at the corner of 10a Drovers Way is not included in the biodiversity mapping, as it did not meet the criteria for inclusion within categories 1-4 of the conservation significance assessment methodology because of its lack of direct connectivity to the broader patch.

The biodiversity and riparian mapping and provisions identify areas of strategic environmental significance and outline the matters to be considered for any development within these areas. They do not prohibit development in these areas. Much of the comment on this precinct relates to DAs that have now been approved by the Land and Environment Court and is not relevant to the natural resource mapping or provisions.

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b) 14 Denman Street Turramurra and nearby watercourses

One submission was received objecting the categorisation of the watercourse as category 3, rather than 3a, and objecting to the extent of the biodiversity mapping across the site. The submission compares the watercourse to the category 3a watercourse running from 9 through 19 Duff Street, and considers that this area should not be included as a watercourse at all.

Response

Part of the vegetation identified on the biodiversity map is not part of a key vegetation community, but is located within a Category 3 riparian area, providing some foraging and potentially habitat for species that use these moister areas, as well as linkage through to the blue gum high forest at the rear of the site, and eventually through to Granny Springs Reserve. No change is recommended to this part of the biodiversity mapping.

An approval under the Tree Preservation Order for the removal of a large tree within the Blue Gum High Forest community was given in 2007. The tree appears to have been removed between 2007 and 2010, reducing the extent of the continuous canopy. The soil and ground cover in the area where the tree was removed also appears altered, with extensive fill present. It is recommended that the mapping be amended to exclude this area, however it is noted that the inclusion of the buffer, as per the methodology outlined in the background study, means that the change will be minor. It should also be noted that part of the biodiversity map on this site includes the buffer area [identified as category 4 in the background study]. The different requirements for the different categories will be outlined in the DCP.

14 Denman Street clearly contains an open watercourse. While the channel is poorly defined on some parts of the site due to degradation from weeds and stormwater, it has a valley form with some vegetation associated with a watercourse. There is no evidence of significant piping or culverts to indicate that the category 3a classification is more appropriate. The appropriate channel and setback to development will be assessed on merit as part of any DA application. Guidance as to the considerations for determining the appropriate setback will be provided in the DCP.

The nearby reach (from Duff St to Denman St) has been identified according to the contours and vegetation. It was categorised as a category 3 reach in the 2004 mapping and has already been revised to a category 3a reach, recognising that significant drainage alteration is likely to have occurred in its small contributing catchment. No change is recommended to the riparian mapping for this reach or for 14 Denman Street.

A watercourse, part category 3, part 3a was however identified through investigations for this submission, running from 36 Denman Street to 7 Lamond Avenue. It is recommended that this riparian area be added as shown on the *Natural Resource –Riparian Lands Map* for the draft Local Centres LEP.

c) 8 Pymble Avenue Pymble

One submission was received objecting to the inclusion of biodiversity and riparian mapping on this site.

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Response

The mapping of category 3a riparian land currently starts at this site and then runs through the rear of 7 and 9 Livingstone Avenue. A site assessment revealed that a creek could not realistically be reinstated in this location in a way that would provide benefits downstream due to the topography of the site. The area from 9 Livingstone Avenue is more feasible for remediation. It is recommended that the centreline of the Category 3A riparian land be amended to start from the boundary between 7 and 9 Livingstone Avenue.

The biodiversity mapping identifies the large *Eucalyptus saligna* trees (blue gums) at the rear of 9 Livingstone Avenue which overhang the rear boundary of 8 Pymble Avenue. No change to this mapping is recommended.

d) Treatts Wolseley Road precinct

Two submissions support the inclusion of vegetation as category 3 and therefore its inclusion on the *Natural Resource -Biodiversity Map* in this precinct, while one submission opposes it.

Response

Support noted.

The vegetation patches identified on the biodiversity map are more than 0.1 hectare in size and have therefore been included in category 3 in the background study consistent with the methodology.

Recommendations

- That the riparian provisions be amended as shown in the draft Local Centres Written Instrument.
- That the centreline of Category 3A riparian land on 8 Pymble Avenue and 7 Livingstone Avenue be amended to start from the boundary between 7 and 9 Livingstone Avenue.
- That the riparian lands running from 36 Denman Street to 7 Lamond Avenue be identified as part category 3, part 3a as shown on the *Natural Resource -Riparian Lands Map* for the draft Local Centres LEP.
- That the biodiversity mapping for 14 Denman Street be updated as shown on the *Natural Resource -Biodiversity Map* for the draft Local Centres LEP.

7.2.4 Environmental Zones

The draft Local Centres LEP proposes to establish two environmental zones:

- E2-Environmental Conservation for Council reserves of high biodiversity value; and
- E4 – Environmental Living, where a combination of ecological values and risks support a more environmentally focussed set of zoning objectives and land uses.

The E2 –Environmental Conservation zone allows very limited development and prohibits dwellings. It is applied to four Council owned land classified as community land and categorised as

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Natural Areas under *the Local Government Act 1993*. Two sites are in St Ives, one in Turramurra and one in Pymble (refer to **Attachment A7** Land Zoning Map).

The E4 Environmental Living zone is applied in three centres, Pymble, Roseville and Turramurra. The E4 zone is essentially a low density residential zone with environmental objectives, and more limited permitted land uses (see **Attachment A8** – Written Instrument). The main permitted uses are dwelling houses, group homes, secondary dwellings, bed and breakfast, community and environmental facilities, home business/ industry and recreation areas. The limited additional uses provided in the E4 zone, such as secondary dwellings and bed and breakfast accommodation, are intended to encourage some minor redevelopment to provide opportunities to encourage restoration of key ecological communities and habitat.

In determining whether an E4 zone should be applied to a particular site, at least the following aspects were considered, usually in combination:

- the biodiversity significance and extent of vegetation identified on the *Natural Resource – Biodiversity Map*;
- the location and category of riparian zone, (especially in the front setback);
- proximity to and connectivity with a formal reserve;
- the steepness of the site; and
- sites within the extreme bushfire risk area identified within the *Bushfire Risk Management Plan* (Ku-ring-gai and Hornsby Councils, 2010) and which contain bushfire prone vegetation category 1 or 2 as identified on Ku-ring-gai's *Bush Fire Prone Land Map*.

Standards related to floor space and minimum lot size are included to minimise the intrusion of development into sensitive areas of environmentally zoned sites, to minimise potential conflicts between bushfire management and ecological protection, and to avoid increasing density in areas of extreme bushfire risk.

The minimum lot size for subdivision of sites zoned E4 –Environmental Living is 1500m². The floor space ratio applying to E4 zoned sites retains the development potential under the KPSO for sites up to 1500m² while reducing the permissible FSR for larger sites, compared to the R2 Low Density Residential zone. This provides increased potential for appropriate setbacks to lands of ecological value, while recognising the higher existing constraints on smaller sites.

The DCP will include more detailed provisions regarding the integration of bushfire risk and ecological protection.

7.3 ZONING OF LAND FOR INFRASTRUCTURE

There is a number of sites which are currently zoned Special Uses 5(a) under the KPSO. These include schools, churches, Council owned land, Commonwealth owned land, and land used for the provision of electricity, water, sewerage and other infrastructure. The draft Local Centres LEP is required to apply appropriate zoning for these sites, giving consideration to the guidelines for zoning infrastructure.

State Environmental Planning Policy (Infrastructure) 2007 (the ISEPP) was introduced to facilitate the delivery of infrastructure across NSW by improving regulatory certainty and efficiency and contains specific planning provisions and development controls for various types of infrastructure.

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To complement the provisions of the ISEPP, the Department of Planning issued planning practice note PN 10-001 *'Zoning for infrastructure in LEPs'* which provides advice on zoning public infrastructure land when a council is preparing a standard local environmental plan (LEP).

Under PN 10-001, the following principles should be followed when zoning infrastructure land in new LEPs.

1. *Where the infrastructure type is permitted on all land in the Infrastructure SEPP:*
 - *future infrastructure may be placed in any zone.*
 - *existing 'special use' zones should be rezoned the same as the adjacent zone*
 - *roads must be zoned.*
2. *Where the infrastructure type is only permitted in certain prescribed zones in the Infrastructure SEPP:*
 - *provide for future infrastructure in prescribed zones rather than special use zones*
 - *existing 'special use' zones should be rezoned the same as the adjacent land (if a prescribed zone)*
 - *rezone land SP2 Infrastructure, if there is no adjacent prescribed zone.*
3. *If currently zoned 'special use', the following infrastructure land should remain zoned for a 'special purpose':*
 - *special purposes such as cemeteries, sewage treatment plants, waste disposal or*
 - *landfill sites (rezone as SP2 Infrastructure)*
 - *strategic sites (rezone as SP2 Infrastructure)*
 - *large complexes (rezone as SP1 Special Activities).*
4. *Where land is to be zoned SP1 Special Activities or SP2 Infrastructure:*
 - *include flexible zone boundary provisions where appropriate.*
 - *use generic land use map annotations.*
5. *Where surplus public land is currently zoned 'special use':*
 - *where a valid site compatibility certificate exists, the land is to be rezoned*
 - *consistent with the certificate, or*
 - *the land should be rezoned as a compatible land use, (e.g. to a prescribed zone).*
6. *When preparing an LEP, avoid duplicating provisions in the Infrastructure SEPP (including those to manage impacts on infrastructure corridors).*

The Planning Proposal for the draft Local Centres LEP proposes to zone the existing Special Uses 5(a) generally in accordance with these principles. However, there are a number of circumstances where it is considered necessary or appropriate to retain an infrastructure zone (ie. SP2) on particular sites or vary from a strict application PN 10-001 *'Zoning for infrastructure in LEPs'*.

7.3.1 Schools

It is proposed that all school sites be zoned SP2 rather than the predominant adjoining zoning, with the exception of the Masada College at Lindfield.

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Examples of recently made standard instrument LEPs to include schools in SP2 zones include the Lane Cove LEP 2008, Mosman LEP 2011, Marrickville LEP 2011 and Parramatta LEP 2011. It is also the approach adopted by Council for the Principal LEP.

This approach is favoured for a number of reasons. Firstly, education is the largest single employer in Ku-ring-gai and zoning the sites according to adjacent land use could be construed as encouraging education providers to relocate. This was reinforced in the Ku-ring-gai & Hornsby Subregional Employment Study. To zone the sites according to the prevailing adjoining land use may send the wrong signals to the education sector about reinvestment in the industry.

Secondly, given the strength and size of the education sector in Ku-ring-gai, even if large private education providers ceased operating, it would be preferable that their facilities be made available to other education providers in the first instance, rather than be made available for alternate development as would occur if they were zoned for high density residential development for example. The quantity and scale of the buildings on many of the school's sites in Ku-ring-gai would lend themselves to reuse for education purposes. There has been no indication that any of the school sites covered by the Principal LEP are likely to be used for alternate purposes in the foreseeable future.

In regard to the zoning of schools, PN 10-001 offers the following advice:

It is anticipated that only a minority of TAFEs and schools across NSW could be considered a 'strategic site', however, to assist in the initial assessment the following criteria should be used:

- *is it 20 hectares or more in size; and/or*
- *does it provide a wide range of facilities (meeting rooms, halls, pool, sports fields, tennis courts and the like) that can also be used by the surrounding community; and/or*
- *is it of regional significance (i.e. the only school servicing a large region).*

It is not an unreasonable argument to suggest that many of Ku-ring-gai's private schools covered by the planning proposal fall within the meaning of "large complexes or strategic sites", and that if they were ever to become "surplus", a comprehensive planning assessment would need to be undertaken prior to zoning the sites for alternate uses.

Specifically it is proposed to zone the following sites SP2:

- Masada College at St Ives;
- Corpus Christi at St Ives;
- PLC at Pymble;
- Ravenswood at Gordon;
- Roseville College at Roseville;
- Cromehurst School at Lindfield;

As Masada College at Lindfield has over a long period of time indicated a strong desire to vacate the site and co-locate with the Masada High School at St Ives, it is proposed to zone the site R2 to reflect the surplus nature of the site and the predominant adjoining zoning.

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7.3.2 Electricity substations

The planning proposal for the local centres LEP proposed to zone the major Energy Australia substations as SP2 rather than the predominant adjoining zoning. This applies to the following substations:

- 1225 Pacific Highway, Turramurra;
- 206 Mona Vale Road St Ives; and
- 402 Pacific Highway Lindfield.

The predominant adjoining zoning for the substation is either B2 (Turramurra and Lindfield) or R4 (St Ives). As both these zones permit residential development, it is contended in the Planning Proposal that it would be contrary to SEPP 55 to include the substation in these zones.

SEPP 55 requires a planning authority to give consideration to contamination issues when rezoning land which allows a change of use that may increase the risk to health or the environment from contamination and requires consideration of a report on a *preliminary investigation* where a rezoning allows a change of use that may increase the risk to health or the environment from contamination. All sub stations have been in place for considerable time and the extent of potential contamination on these sites is unknown. As there has been no preliminary contamination investigation undertaken on these sites, it would be contrary to SEPP 55 to zone them for residential purposes due to the unknown potential level of risk to health or the environment they may pose.

Previously, Energy Australia made strong submissions that all its sites should be zoned SP2 on the basis that an SP2 zoning provided clear guidance to existing and future neighbours that the substation sites were, and would always likely remain, energy infrastructure. They are actually likely to be the subject of more intensive use for the distribution of electricity, thereby further justifying an SP2 zoning.

7.5 PLANNING APPROACH FOR EMPLOYMENT TARGETS

In planning for employment lands in the preparation of the Local Centres LEP both *Ku-ring-gai Retail Centres Strategy* (Hill PDA 2005) and *Ku-ring-gai and Hornsby Subregional Employment Study* (SGS Economics & Planning 2008) have been taken into account and balanced against the need to create economically viable, functioning centres with improved retail, commercial and leisure activities to meet changing community needs. While the SGS study recommended some reductions in the capacity of employment zoned land, the capacity has generally been retained to a level consistent with *Ku-ring-gai Planning Scheme Ordinance*. This approach is consistent with the Ministerial Directions under section 117 of the EP& A Act requiring the retention of employment zoned lands.

The extent of commercial floor space will not be as high as that permissible under the invalidated Town Centres LEP. Roseville and Pymble will provide little additional commercial floor space, while Lindfield and Turramurra will not provide as much as under the 2010 plan. Gordon and St Ives will retain a similar level of commercial floor space as the 2010 plan.

Pymble Business Park is however expected to be able to provide for a significant increase in employment capacity in the LGA, and it is likely that the employment targets can be met. However,

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further work may be required in the future, when negotiations with Hornsby Council in relation to the sharing of the additional employment target are completed. The Pymble Business Park is not part of this Planning Proposal, and is progressing along similar lines to that proposed in the 2010 Town Centres LEP.

PART 8 INTERFACE STRATEGY

An explanation of the issues around interface planning and the resultant methodology utilised for the recommendations put forward in this section is given in Section 5.3 of this Report.

8.1 General

This part of the interface issues section outlines the strategies for sites where high density development, built or potential, impacts on single dwellings and surrounding areas.

In considering the interface sites across all six Centres, a range of options were explored to provide effective mechanisms to minimise the impact of high density development on single dwellings and surrounding areas. The strategies utilised in the recommendations put forward in this section are:

1. *Upzoning on interface site*

- utilise R3 (Medium Density Residential) zoning as a means of mitigating the impact of high density sites on the interface site;
- utilise R3 (Medium Density Residential) zoning on sites adjacent to interface sites whose size and shape is unlikely to result in a good standalone R3 (Medium Density Residential) design outcome, enabling a viable amalgamated development;
- utilise R3 (Medium Density Residential) rezoning to reflect the current status of interface sites that have already been developed as townhouses or similar; or
- utilise minor expansion of R4 (High Density Residential) zoning (capped at 3 storeys) to avoid potential isolated sites within areas of existing high density zones, this situation arises on constrained sites not suitable for town house development.

2. *Downzoning on interface site*

- Utilise downzoning on sites where it is not possible to adequately address the interface impacts under the current zones.
- Downzoning is subject to Section 117 Directions dealt with in this report.

3. *No change to zoning*

- Upon investigation it was concluded that a number of interface sites were not considered appropriate for redevelopment. This was based on the following issues and concerns:
 - the presence of significant environmental constraints, such as vegetation or waterways with high and special ecological value within and around the interface site; E4 zoning has been proposed for these sites to reflect their special character and is discussed elsewhere in this report;
 - potential conflict within proposed heritage conservation area that would compromise the quality of the HCA; R2 (Low Density Residential) zoning has been proposed for these

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sites to ensure the continued cohesion of the interface site within the surrounding heritage context; or

- some interface sites are currently occupied by strata development (up to 3-storey) or substantial other special development (churches, schools, parks etc) and are unlikely to be redeveloped to realise development potential permissible under any rezoning; these interface sites are not considered for rezoning and are not discussed in this section.

4. Zoning to reflect existing development

- Where R3 (Medium Density Residential) development has already occurred on 2c and 2c2 interface sites, these sites have been noted as interface sites; however, since they are no longer single dwelling sites they are not considered for any zoning changes as a result of interface issues. It is proposed to zone these sites R3 (Medium Density Residential) to reflect their current status. This is discussed elsewhere in this Report.

The detailed evaluation of the interface sites has been undertaken systematically across each of the Centres, and within each Centre the interface sites have been divided into Areas for ease of explanation. These delineations of the Areas can be seen in the Interface Site Maps for each Centre at **Attachment A11**.

The detailed evaluation of each interface site within the Areas may be found at **Attachment A12**. This Attachment provides discussion around the decisions proposed for each interface site (to upzone, downzone or no change to zoning). In addition, the explanation also provides reasoning where there is a departure, in terms of zoning, on the individual sites, from the 2010 Town Centres LEP.

A summary of the detailed evaluation zoning changes across all interface sites within the six Local Centres are presented in the tables below. These Tables indicate the Centre, followed by the Area within the Centre, and then the specific address of the interface site. In addition, it has included those properties adjacent to the interface site necessary to be included in the zoning change to ensure a comprehensive amalgamated development site that will enable a good design outcome that is able to mitigate the overlooking, overshadowing, scale and streetscape impacts of the 2(d3) development sites.

The broad residential development type within each zoning mentioned in this section are explained in the following table.

Zoning Category	General Housing Type
R2 (Low Density Residential)	Single houses 1-2 levels
R3 (Medium Density Residential)	Townhouses up to 3 levels
R4 (High Density Residential)	Apartments up to 5 levels
LEP 194: Residential 2(d3)	Apartments 5-6 levels

8.2 Summary Table of Recommended Interface Rezoning

UPZONING TO R3			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL)			
TURRAMURRA			
Area 1			
5 Cherry Street	7 Cherry Street	11 Cherry Street	
5A Cherry Street	9 Cherry Street	15 Cherry Street	
Area 2			
3 Wonga Wonga Street	7 Wonga Wonga Street	10 Nulla Nulla Street	
5 Wonga Wonga Street	8 Nulla Nulla Street	12 Nulla Nulla Street	
Area 3			
1 Nulla Nulla Street	5 Nulla Nulla Street	9 Nulla Nulla Street	4 Ku-ring-gai Avenue
3 Nulla Nulla Street	7 Nulla Nulla Street	2 Ku-ring-gai Avenue	6 Ku-ring-gai Avenue
Area 4			
2 Womerah Street	4 Womerah Street	6 Womerah Street	8 Womerah Street
Area 5			
4B Finlay Road	6 Finlay Road	5 Duff Street	7 Duff Street
PYMBLE			
Area 1			
1202 Pacific Highway			
Area 2			
16B Park Crescent	16A Park Crescent		
GORDON			
Area 1			
33 McIntyre Street	37 McIntyre Street	39 McIntyre Street	42 McIntyre Street
35 McIntyre Street	38 McIntyre Street	40 McIntyre Street	
Area 2			
34 Dumaresq Street	38 Dumaresq Street	45 Dumaresq Street	
36 Dumaresq Street	43 Dumaresq Street	47 Dumaresq Street	
Area 3			
6 Moree Street	16 Moree Street	26 Moree Street	35 Moree Street
8 Moree Street	18 Moree Street	28 Moree Street	37 Moree Street
10 Moree Street	20 Moree Street	30 Moree Street	39 Moree Street
12 Moree Street	22 Moree Street	32 Moree Street	
14 Moree Street	24 Moree Street	34 Moree Street	
Area 4			
4 Bushlands Avenue	5 Cecil Street	9 Cecil Street	25 Yarabah Avenue
6 Bushlands Avenue	7 Cecil Street	8 Bushlands Avenue	
Area 5			
8 Cecil Street	10 Cecil Street	12 Cecil Street	14 Cecil Street
Area 7			
3A Burgoyne Street	3B Burgoyne Street		
LINDFIELD			
Area 1			
11 Woodside Avenue	17 Woodside Avenue	A2 Havilah Road	
15 Woodside Avenue	2 Havilah Road		
Area 2			
12 Nelson Road	16 Nelson Road	20 Nelson Road	24 Nelson Road

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UPZONING TO R3			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL)			
14 Nelson Road	18 Nelson Road	22 Nelson Road	
Area 3			
24 Russell Avenue	4 Middle Harbour Road	8 Middle Harbour Road	
26 Russell Avenue	6 Middle Harbour Road		
Area 4			
5 Beaconsfield Pde	7 Beaconsfield Pde	20 Bent Street	24 Bent Street
5A Beaconsfield Pde	18 Bent Street	22 Bent Street	
Area 6			
8 Wolseley Road	10 Wolseley Road		
ST IVES			
Area 1			
4 Cowan Road	12 Cowan Road	14 Cowan Road	
Area 2			
1 Shinfield Avenue	7 Shinfield Avenue	14 Pildra Avenue	
3 Shinfield Avenue	9 Shinfield Avenue	7A Shinfield Avenue	
5 Shinfield Avenue	11 Shinfield Avenue	9A Shinfield Avenue	
Area 3			
161 Rosedale Road	163 Rosedale Road		
Area 5			
7 College Crescent	11 College Crescent	17 College Crescent	140 Killeaton Street
9 College Crescent	15 College Crescent	142 Killeaton Street	
Area 6			
238-240 Mona Vale Rd			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL) - TO REFLECT EXISTING USE			
TURRAMURRA			
Area 1			
1-3 Lowther Park Ave			
Area 2			
24-26 Gilroy Road / 19-21 Eastern Road			
PYMBLE			
Area 2			
9 Telegraph Road			
GORDON			
Area 1			
26-30 Merriwa Street			
Area 2			
19-21 Dumaresq Street			
Area 3			
21-27 Moree Street	7 Moree Street		
Area 7			
1 Pearson Avenue	3 Pearson Avenue		
ST IVES			
Area 2			
197 Mona Vale Road / 8 Shinfield Avenue			
Area 3			
28 Shinfield Avenue	28A Shinfield Avenue	30A Shinfield Avenue	30B Shinfield Avenue

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UPZONING TO R3			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL)			
Area 4			
12 Stanley Street	16 Stanley Street	18-22 Stanley Street	

UPZONING TO R4 – 3 STOREY			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R4 (HIGH DENSITY RESIDENTIAL) 3 storey			
TURRAMURRA			
Area 5			
1428 Pacific Highway			
PYMBLE			
Area 2			
10 Park Crescent	14A Park Crescent	14B Park Crescent	16 Park Crescent
Area 4			
1A Orinoco Street	1B Orinoco Street	1C Orinoco Street	1D Orinoco Street
Area 5			
6 Pymble Avenue	7 Livingstone Avenue	11 Livingstone Avenue	
10 Pymble Avenue	9 Livingstone Avenue	11A Livingstone Avenue	
GORDON			
Area 4			
1 Bushlands Avenue	1A Bushlands Avenue	742 Pacific Highway	
Area 6			
1 Park Avenue	2 Park Lane	3 Park Avenue	91 Werona Avenue
ROSEVILLE			
Area 1			
5 Victoria Street	3 Boundary Street		

UPZONING TO R4 – 4 STOREY			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R4 (HIGH DENSITY RESIDENTIAL) 4 storey			
PYMBLE			
Area 5			
8 Pymble Avenue			

UPZONING TO R4 – 5 STOREY			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R4 (HIGH DENSITY RESIDENTIAL) 5 storey			
TURRAMURRA			
Area 2			
2 Nulla Nulla Street	6 Nulla Nulla Street		
Area 5			
1458 Pacific Highway			
PYMBLE			
Area 1			
1190 Pacific Highway			
GORDON			
Area 5			
663 Pacific Highway			
Area 7			
8 Pearson Avenue			
ST IVES			
Area 2			
165 Mona Vale Road			

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DOWNZONING TO R2			
FROM LEP 194 RESIDENTIAL 2(D3) TO R2 (LOW DENSITY RESIDENTIAL)			
ST IVES			
Area 3			
30 Shinfield Avenue			

DOWNZONING TO R3			
FROM LEP 194 RESIDENTIAL 2(D3) TO RESIDENTIAL R3 (MEDIUM DENSITY RESIDENTIAL)			
TURRAMURRA			
Area 5			
5 Boyd Street	7 Boyd Street	11 Boyd Street	15 Boyd Street
GORDON			
Area 3			
29 Moree Street	29A Moree Street	31 Moree Street	
Area 5			
4 Cecil Street	6 Cecil Street		
ST IVES			
Area 2			
187-189 Mona Vale Rd	199 Mona Vale Rd	126 Rosedale Road	128 Rosedale Road
LINDFIELD			
Area 3			
1 Russell Avenue			

DOWNZONING TO R4 – 3 STOREY			
FROM LEP 194 RESIDENTIAL 2(D3) 5 storey TO R4 (HIGH DENSITY RESIDENTIAL) 3 storey			
TURRAMURRA			
Area 5			
3 Lamond Drive	7 Lamond Drive	11 Lamond Drive	
5 Lamond Drive	9 Lamond Drive	15 Lamond Drive	
GORDON			
Area 6			
89 Werona Avenue	2 Khartoum Avenue	4 Khartoum Avenue	
PYMBLE			
Area 2			
5 Telegraph Road	7 Telegraph Road		

DOWNZONING TO R4 – 4 STOREY			
FROM LEP 194 RESIDENTIAL 2(D3) 5 storey TO R4 (HIGH DENSITY RESIDENTIAL) 4 storey			
PYMBLE			
Area 2			
12 Park Crescent	12A Park Crescent	14 Park Crescent	

INTERFACE SITES OUTSIDE TOWN CENTRE BOUNDARY - LINDFIELD

UPZONING TO R3			
FROM R2 (LOW DENSITY RESIDENTIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL)			
LINDFIELD			
Area 7			
9B Gladstone Parade	15 Gladstone Parade	12 Beaconsfield Parade	
11 Gladstone Parade	17 Gladstone Parade	16 Beaconsfield Parade	

8.3 Summary of interface recommendations

A number of zoning changes are recommended across the interface sites to ameliorate the impact of adjacent high density developments on their amenity. In certain cases downzoning is proposed where it is considered that this solution is feasible and justifiable on grounds of location, isolation and integration into the surrounding built fabric. Recommendations have taken into account the existing and proposed heritage items and Heritage Conservation Areas and the impact that upzoning and downzoning will have on these.

Part 9 LOCAL CENTRE LAND USE STRATEGIES

This part puts forward a land use strategy for each of the local centres based on the analysis and findings of the preceding parts, and includes key sites within the centres.

9.1 PYMBLE LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Pymble is shown in **Attachment A5**. The proposed strategy represents a very low level of development. The additional net dwelling yield is 506 which is about 41 dwellings less than the existing zoning capacity which is approximately 547 dwellings. This is the result of a number of proposed down-zonings.

The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Pymble locality workshop (presented in Part 2 of this report).

The Strategy proposes:

- Translating of existing zones from the KPSO and LEP 194 over most of the LEP area
- Application for the Director General's approval for Section 117 inconsistencies including proposed downzonings.
- Two new Environmental Living Zones (E4) on Livingstone Ave and Pymble Ave
- Biodiversity and heritage provisions from the draft interim LEP 2012
- Down-zoning of land zoned 2(d3) on Telegraph Road from existing 5 storey (17.5 metres) apartments to 3 storey (11.5 metres) apartments to minimise the interface impacts of properties adjoining, below, and to the south
- Down-zoning of land on Park Crescent currently zoned 2(d3) 4 storey (17.5 metres) apartments to 3 storey (11.5 metres) apartment buildings to provide a more compatible building height with the adjoining heritage item (10A Park Crescent)
- New interface zones adjoining high density zones including:
- Up-zoning of land off Orinoco Street to medium density

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- Up-zoning land on Pymble Avenue and Livingstone Avenue to R4 high density
- Downzoning land between Avon Road and Beechworth Road, currently a DoP Transitional Major Project, to a combination of low and medium density and E4 Environmental Living .
- A 3 storey (11.5 metres) height limit on Grandview Street and the other commercial areas fronting the Pacific Highway.
- A five (17.5 metres) storey height in the area between Post Office Street and Alma Street fronting Park Crescent and Robert Pymble Park.
- Carry-forward of the KPSO listing of heritage items.
- A new local road proposal connecting Council's car park on Alma Street with Station St
- Deleting the proposed road linking Park Crescent with Post Office Lane (which was part of the Town Centres LEP). This will necessitate disposal of Council owned land at 12a Park Crescent, Pymble.

9.1.1 Review of Strategy against Council's Consolidated Statement of Commitments

The Strategy is substantially different to the Town Centres LEP. The main divergences are:

- the proposed 3 storey (11.5 metre) height limit for shops and commercial buildings along Grandview Street and the Pacific Highway (the Town Centres LEP had heights between 17.5 and 23.5 metres (5 and 7 storeys);
- potential for new small scale mixed use buildings fronting Robert Pymble Park with cafes and restaurants has been retained;
- proposed down-zoning of the DoP Transitional Major Project on Avon Road;
- reduced building heights on Telegraph Road and Park Crescent from what the current 2(d3) zone allows.

Statement of Commitments

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*
 - The dwelling yield is considered adequate to contribute to Council's overall target
 - Council owned sites currently classified community have not been included in the dwelling yield.
 - The main Council owned sites with potential dwelling yield under this Strategy are no.2 Alma Street (Council car park) and the Ku-ring-gai Town Hall.
2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*
 - All interface issues are addressed appropriately.
 - New E4 zones protecting the environmental values on private property on the western side of the highway.
 - There is likely to be minimal revitalisation of Grandview St and Pacific Highway due to the 11.5 metre (3 storey) cap on building heights .
 - A small catalyst site on Park Crescent may provide opportunity for new cafes and restaurants in the area.

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- Development Contributions are likely to be minimal and therefore Council is unlikely to be able to fund significant works to the public areas from this funding source.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
- A number of existing 2(d3) sites are proposed for downzoning on Telegraph Road and Park Crescent.
 - The downzoning of the Avon Road Transitional Major Project site will be subject to the Director General being satisfied with the proposed variations to the 117 Directions.
 - Even if downzoning is achieved it may not be effective as the development application with the DoPI remains "alive" as a Transitional Major Project.
4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*
- Reduced building heights on Telegraph Rd 3 storey (11.5 metres), from 5 storeys, to be more compatible with Telegraph Rd streetscape.
 - The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
 - Approved and potential 2(d3) and R4 developments are likely to fund a new local park for Pymble on the western side of the highway. No specific site has been finalised identified for Pymble. Preliminary assessment has identified a number of locations on the western side of the highway as suitable. This will be the subject of a separate report to Council in the near future.

9.2 ROSEVILLE LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Roseville is shown in **Attachment A5**. The proposed strategy represents a very low level of development. The net dwelling yield is 607 which is approximately 44 more dwellings than the current zones allow. The additional dwellings are a result of up-zoning in two locations in the commercial area on the Pacific Highway.

The proposed land use strategy for Roseville is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Roseville locality workshop (presented in Part 2 of this report).

The Strategy proposes:

- Translating of existing zones from the KPSO and LEP 194 over most of the LEP area
- Application for the Director General's approval for Section 117 inconsistencies including proposed downzonings.
- A new Environmental Living Zone (E4) to the south of Shirley Road extending south to Alexander Parade.
- Maintaining the existing character and scale of Hill Street and Pacific Highway by imposing a 3 storey (11.5 metres) height limit in all commercial areas, except for two key sites on the Pacific Highway.
- Proposed de-listing No.5 Victoria Avenue (refer detailed discussion elsewhere in this report) and up-zoning of the property to R4 to be consistent with adjoining zones.

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- Key site 1 – 71-83 Pacific Highway including heritage listed former Commonwealth Bank building to be zoned B2 mixed use with a 6 storey (20.5 metres) height limit.
- Key site 2 – 64-70 Pacific Highway including the Roseville Memorial Club to be zoned B2 mixed use with a 6 storey (20.5 metres) height limit.

9.2.1 Review of Strategy against Council's Consolidated Statement of Commitments

The Strategy departs significantly from what was proposed in the Town Centres LEP, the main areas of divergence are:

- proposed 3 storey (11.5 metre) height limit for shops and commercial buildings along Hill Street and the Pacific Highway (the Town Centres LEP had heights between 17.5 and 23.5 metres (5 and 7 storeys);
- removal of R3 (Medium Density Residential) town house zones between Oliver Rd, Roseville Ave, Lord St and Victoria Ave; and
- two new heritage conservation areas on Roseville Ave and Rawhiti Street.

Statement of Commitments

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*
 - The dwelling yield is considered adequate to contribute to Council's overall target.
 - Council owned sites currently classified community have not been included in the dwelling yield. None of Council's sites have potential for dwelling yield in Roseville.
2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*
 - All interface issues are addressed appropriately.
 - There is likely to be minimal revitalisation of the commercial centre due to 3 storey height limit.
 - Two key sites will provide some opportunity for new developments.
 - Development Contributions are minimal and therefore Council is unlikely to be able to fund significant works to the public areas from this funding source.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
 - Based on a thorough review of interface impacts no existing 2(d3) sites are proposed for down-zoning in Roseville, other than the proposed E4 zones.
4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*
 - Protection of the low scale character of the commercial areas on Hill St and the Pacific Hwy.

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- New E4 zones protecting the environmental values on private property on the western side of the highway.
- The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
- Approved and potential 2(d3) developments are likely to fund a new local park for Roseville. No specific site has been finalised however preliminary assessment has identified a number of locations. This will be the subject of a separate report to Council in the near future.

9.3 ST IVES LOCAL CENTRE – LAND USE STRATEGY

The Land Use Strategy for St Ives is shown in **Attachment A5**. The proposed Strategy represents a low level of development. The net dwelling yield is 1647 which is about 93 dwellings more than what the current zones will allow. The additional dwellings are primarily a result of interface zoning.

The Strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the St Ives Locality workshop (presented in Part 2 of this report).

The strategy proposes:

- Translating of existing zones from the KPSO and LEP 194 over most of the LEP area including the shops, on the corner of Stanley Street and Mona Vale Rd, and 'Eden Brae'
- Application for the Director General's approval for Section 117 inconsistencies including additional downzoning identified in this Strategy.
- Carry-forward of an RE1- Public Recreation zone, on the corner of Stanley Street and Yarrabung Road, proposed in the Town Centres LEP. The primary reason for this is that Council has acquired a property in this area and has adequate funds to continue acquisition in this area.
- Deletion of an RE1- Public Recreation zone, on the corner of Shinfield Avenue and Rosedale Road, proposed in the Town Centres LEP. The primary reason for this is that acquisition of properties in this area can no longer be justified based on the reduced dwelling yield proposed in this Strategy.
- New Environmental Protection Zone (E2) on three of Council's properties; including the Turpentine Forest and a lot at the rear of the Reserve; and Seven Wives Wood, on Richard Rd, reflecting the current use of the land as a Bushcare site
- Key site - a 14.5 metre (4 storey) height limit is proposed for the St Ives Shopping Village which may allow expansion and/or redevelopment of the centre. The proposed height would allow a two-three storey commercial centre (where each level is about 3.5 to 5 metres in height). This height limit would not allow residential on top of the centre.
- New interface zones adjoining high density zones including:
 - downzoning of land zoned 2(d3), in the block defined by Shinfield Ave, Mona Vale Rd and Rosedale Rd, from existing 5 storey (17.5 metres) apartments to 3 storey (11.5 metres) town houses (R3);
 - up-zoning of three areas of land to R3 medium density, they are: properties on the southern side of Shinfield Ave; land on Killeaton Street and College Crescent; and land on the corner of Rosedale Road and Shinfield Avenue; and

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- note down-zoning of land zoned 2(d3), on Rosedale Rd, from existing 5 storey (17.5 metres) apartments to R4 - 3 storey (11.5 metres) apartments is no longer possible due to a recent court approval.
- A new R3 medium density zone on the western side of Cowan Road reflecting the current development pattern in the area where single houses are being redeveloped for Seniors Housing.
- New R3 zones on the former Camellia Grove Nursery site and the former Commonwealth Bank Training site.

9.3.1 Review of Strategy against Council's Consolidated Statement of Commitments

The strategy primarily addresses interface issues, provides additional retail floor space to the St Ives Shopping Village and provides some additional town house zones for housing choice.

The strategy departs from what was proposed under the Town Centres LEP in a number of significant ways. The main divergences are:

- the Town Centres LEP proposed heights of up to 26.5 metres (8 storeys) and an FSR of 2.3:1 on the St Ives Shopping Village. This Strategy proposes a maximum height of 14.5 metres (4 storeys) and an FSR of 1.6:1;
- deletion of proposed open space on Shinfield Avenue. The main reason for this is the controversial nature of the site and Council's longstanding objection to acquisition of the site;
- the proposed height and floor space reduction on the shops on Stanley Street and Mona Vale Road. The town Centres LEP proposed heights of up to 20.5 metres (6 storeys). This Strategy proposes a maximum height of 11.5 metres (3 storeys); and
- a reduction in the extent of R3 zones.

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*

- St Ives has had the largest take-up of LEP 194 zones of all the 6 centres with current approvals at 948 new dwellings.
- In light of this the additional proposed dwelling yield is considered adequate to contribute to Council's overall target at this stage.
- Council owned sites classified community have not been included in the dwelling yield. The main sites with potential dwelling yield include The St Ives Occasional Care Centre on Mona Vale Road; and Council's carpark on Mona Vale Road.

2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*

- All interface issues are addressed appropriately.
- New E2 zones protecting the environmental values on Council reserves .
- New town house zones to provide more housing choice.
- Potential for expansion of the St Ives Shopping Village to a two-three storey retail centre.
- The proposed height and floor space controls for the St Ives Shopping Village may be inadequate incentive to trigger redevelopment of the site.

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- Additional development Contributions are minimal and therefore Council is unlikely to be able to fund significant works to the public areas.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
- A number of existing 2(d3) sites are proposed for downzoning to address interface impacts on Mona Vale Rd, Shinfield Ave and Rosedale Rd.
 - The proposed downzoning of land will be subject to the Director General being satisfied with the proposed variations to the 117 Directions.
4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*
- The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
 - A new local park is proposed on Stanley St which will expand Bedes Forest Reserve to make it more useable for passive recreation. Council has already acquired one site in this location.

9.4 GORDON LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Gordon is shown below and in **Attachment A5**. The proposed land use strategy for Gordon represents a high level of development. The net dwelling yield is 1732 which is approximately 374 dwellings more than the current zoning capacity (KPSO and LEP 194).

The strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Gordon locality workshop (presented in Part 2 of this report). The strategy is also consistent with the results from the Summit which found high levels of support for building heights of 9-15 storeys (47.5 metres) in Gordon and strong support for revitalisation of the shopping precinct.

The Strategy proposes:

- Translating existing zones from the KPSO and LEP 194 over most of the LEP area
- Application to the Director General for approval for Section 117 inconsistencies and including proposed down-zonings identified in this Strategy.
- Deletion of an RE1- Public Recreation zone, on the corner of Wade Lane and St Johns Avenue, proposed in the Town Centres LEP. The primary reason for this is that other more suitable locations for new parks have been identified in Council's Public Domain Plan. No acquisition has occurred to date.
- Keysite No.1 (Gordon Centre) - height increased to 12 storeys. Potential for up to 3 levels commercial/retail & 7 residential levels. New level of retail and additional parking.
- Key site No.2 (block bounded by Moree St, Pacific Hwy and St Johns Ave and a new street) - Proposed 6-7 storey development consisting of 1-2 commercial levels and up to 6 residential levels. Building heights stepping down from highway.

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- Key site No.3 (block bounded by rail line, Clipsham Lane, Pacific Hwy and Park Ave) - Proposed building heights of 6-9 storeys to encourage site amalgamation and redevelopment with shops facing rear lane. Commercial/retail 2-3 levels, residential above, basement parking.
- New heritage items and heritage conservation areas including a new heritage conservation area in the precinct defined by Khartoum Ave, Rosedale Rd and Robert Street (refer detailed discussion elsewhere in this report).
- New interface zones adjoining high density zones including:
 - downzoning land on the corner of Werona Avenue and Khartoum Ave. The site is currently zoned 2(d3) with a 17.5 metre (5 storey) building height, this Strategy proposes to reduce the building height to allow apartment buildings to 11.5 metres (3 storeys) to reduce interface impacts;
 - up-zoning of land to R3 townhouses with a building height of 11.5 metres (3 storeys), on the western edge of the high density zone between McIntyre Street and Moree Street;
 - up-zoning of land to R3 townhouses with a building height of 11.5 metres (3 storeys), around the intersection of Yarabah Ave and Bushlands Ave;
 - downzoning of land zoned 2(d3), on Cecil Street, from existing 5 storey (17.5 metres) apartments to R2 (Low Density Residential);
 - downzoning of land zoned 2(d3), on the corner of the Pacific Highway and Yarabah Ave, from existing 5 storey (17.5 metres) apartments to R2 low density;
 - up-zoning of properties on Cecil Street to the west of the highway to R3 (medium density); and
 - up-zoning of properties on the corner of Pearson Ave and Burgoyne to R3 (medium density)
- A new R3 medium density zone on the western side of Moree Street to provide greater housing choice close to the centre.
- A new R3 zone on Cecil Street, east of the highway, to allow multi-dwelling housing and possible strata subdivision of the existing heritage items.
- An extension of the B4 – mixed use zone (when compared to the Town Centres LEP) in the area bounded by Merriwa Street, Vale Street, Ryde Rd and the Pacific Hwy. The zone would include provisions in the LEP to permit residential flat buildings, this will provide potential for additional dwelling yield in a precinct with declining commercial viability.

9.4.1 Review of Strategy against Council's Consolidated Statement of Commitments

The Gordon Land Use Strategy primarily addresses the object of commercial revitalisation and delivery of additional retail floor space to meet the current and future demand. In addition the Strategy addresses interface issues; provides some additional town house zones for housing choice; and creates four new heritage conservation areas.

The strategy departs from the Town Centres LEP in a number of significant respects:

- translation of existing KPSO height and FSR provisions;
- down-zoning 2(d3) lands;
- deletion of proposed open space zone on St Johns Avenue;
- a large reduction in the extent of R3 zones on the eastern side of Gordon between Park Ave and Robert Street;

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- inclusion of a new heritage conservation area previously recommended by council's heritage consultant between Park Ave and Robert Street;
- extension of the B4 zone (zoned as B7 under the Town Centres LEP) and provisions allowing apartment buildings; and
- increased height allowance on the Gordon Centre to encourage redevelopment

Statement of Commitments

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*
 - The proposed dwelling yield for Gordon is the highest of all the centres reflecting its primary role.
 - High dwelling yield may reduce the demand on other centres in the future to provide additional dwellings.
 - the additional dwelling yield is considered adequate to contribute to Council's overall target at this stage.
 - Council owned sites classified community have not been included in the dwelling yield, the main sites are on Moree Street; the corner of Park Crescent and Pearson Avenue; Dumaresq Street; and Wade Lane.
2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*
 - All interface issues are addressed appropriately.
 - New town house zones provide more housing choice.
 - Potential redevelopment of the Gordon Centre could provide a contemporary retail development which could establish Gordon as the principal centre.
 - The proposed height and floor space controls for Gordon represent feasible development opportunities.
 - Redevelopment of the key sites will provide a wide range of improvements to public and private domains including possible partial or full closure of Moree Street (Pacific Highway end) and a new terraced public space.
 - shops and cafes facing Wade lane; new public access ways.
 - Upgrade to surrounding streetscape, improvements to Wade Lane including footpaths and on-street parking; modifications to traffic flows.
 - New parks are planned on Wade Lane and on Dumaresq Street.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
 - A number of existing 2(d3) sites are proposed for downzoning to address interface impacts including Moree St, Cecil St, Yarabah Ave and Werona Ave
 - The proposed downzoning of land will be subject to the Director General being satisfied with the proposed variations to the 117 Directions.
4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*

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- The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
- A new public park on Wade Lane which would replace the existing car park structure (new parking located underground Council car park as demand for shopper parking reduced by private on-site parking).
- A new HCA in the area between Robert St and Khartoum Ave.

9.5 LINDFIELD LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Lindfield is shown below and in **Attachment A5**. The proposed strategy represents a moderate level of development. The net dwelling yield is 1056 which is approximately 166 more than the existing zone capacity (i.e. KPS0 and LEP 194). The additional yield is mainly a result of interface zoning and some up-zoning in the B2 zone.

The strategy is consistent with the results from the Summit which found high levels of support for building heights of 17.5 to 23.5 metres (5-7 storeys) in the Lindfield commercial areas. Attendees also showed strong support for revitalisation of the shopping precinct.

The strategy is generally consistent with the most favoured scenario, with some elements of the moderately favoured scenario, from the Lindfield Locality Workshop (presented in Part 2 of this report). One exception to this is the area of land on Beaconsfield Parade and Drovers Way (identified as Area 5 at the workshops).

The Strategy proposes:

- Translating existing zones from the KPS0 and LEP 194 over most of the LEP area including the strip shops on the Pacific Highway between Beaconsfield Pde and Balfour St.
- Application to the Director General for approval for Section 117 inconsistencies including proposed down-zonings identified in this Strategy.
- Deletion of an RE1- Public Recreation zone, on the corner of Havilah Road and Nelson Road, proposed in the Town Centres LEP. The primary reason for this is that Council has attempted to acquire land in this precinct and has been unsuccessful, and a preferred location has been identified on the western side of the centre.
- A new RE1 Public Recreation zone on Bent Street and Woodford Lane adjoining Council's car park. This location is on land currently zoned 2(d3) so it represents a downzoning of land. The proposed park location adjoins a site identified in the Town Centres LEP for a new road also to be acquired by Council.
- Key site No.1 (corner Tryon Place) - height increased to 23.5 metres (7 storeys) to allow redevelopment of existing shops for new mixed use buildings with new laneway and public square. Potential for 2 level of commercial & 5 residential levels.
- New heritage items and heritage conservation areas.
- New interface zones adjoining high density zones including:
 - up-zoning of land to R3 townhouses with a building height of 11.5 metres (3 storeys) on Wolseley Road, Havilah Road Woodside Ave, Nelson Road, Beaconsfield Parade and Bent Street

9.5.1 Review of Strategy against Council's Consolidated Statement of Commitments

The Lindfield Land Use Strategy primarily addresses the object of commercial revitalisation and delivery of additional retail floor space. Two catalyst sites are identified on the western side of the rail line to complement the recently approved mixed use development on Lindfield Avenue.

In addition the Strategy addresses interface issues and creates an new local park.

The Strategy departs significantly from the Town Centres LEP. The main divergences are:

- deletion of proposed open space on the corner of Havilah Road and Nelson Street
- a reduction in the extent of R3 zones on the eastern side of Lindfield
- deletion of an R4 zone allowing 5 storey buildings in the area bounded by Wolseley Rd and Treatts Rd
- reduced building heights on the Pacific Highway between Beaconsfield Pde and Bent St. For this area the town centres LEP proposed building heights of 20.5 to 23.5 metres (6-7 storeys) this Strategy proposes 3 storeys. The justification for this is to maintain the character and scale.

Statement of Commitments

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*
 - the additional dwelling yield is considered adequate to contribute to Council's overall target at this stage.
 - Council owned sites classified community have not been included in the dwelling yield.
2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*
 - All interface issues are addressed appropriately.
 - New town house zones to provide more housing choice.
 - Potential redevelopment of the site on Balfour St could provide a contemporary retail development with a new supermarket and mix of speciality shops.
 - Redevelopment of the key sites will provide a range of improvements to public and private domains .
 - The proposed height and floor space controls for Lindfield represent feasible development opportunities.
 - Significant development contributions for streetscape improvements.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
 - A review of interface issues has found that there is no necessity to down-zone any sites in Lindfield to address interface impacts.

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- Downzoning of the land between Beaconsfield Parade and Drivers Way (identified as Area 5 at the workshops) has been considered and options were presented to the attendees at the Lindfield Locality workshop. This Strategy proposes to maintain the R4 zone with a 17.5 metre (5 storey) height limit. The reason for this is that the Land and Environment Court handed down a determination on the 13th March, in relation to the development applications in Beaconsfield Parade, which upheld the developer's appeals. Down-zoning land in this area is no longer a realistic planning option.
- The option of 3-7 stories to deal with the interface issues within the precinct was also tested however it was found that this would not be effective in reducing interface impacts given the current land ownership patterns.

4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*

- The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
- A new heritage conservation area in Treatts Road.
- The Strategy proposes a new public park on Bent Street adjoining Council's car park.

9.6 TURRAMURRA LOCAL CENTRE – LAND USE STRATEGY

The land use strategy for Turramurra is shown in **Attachment A5**. The proposed strategy represents a moderate level of development. The net dwelling yield is 1179 which is approximately 291 more than what the current zones (LEP194 and KPSO) will allow. The additional yield is mainly a result of interface zoning and some up-zoning in the B2 zone.

The strategy is consistent with the results from the Summit which found high levels of support for building heights of 17.5 to 23.5 metres (5-8 storeys) in the Turramurra commercial areas. Attendees also showed strong support for revitalisation of the shopping precinct.

The strategy is a combination of components from the most, moderately and least favoured scenarios from the Turramurra Locality Workshop (presented in Part 2 of this report).

The Strategy proposes:

- Translating existing zones from the KPSO and LEP 194 over most of the LEP area including the strip shops on Rohini Street.
- Application to the Director General for approval for Section 117 inconsistencies including down-zonings identified in this Strategy.
- A new RE1 Public Recreation zone on Gilroy Road where Council has recently purchased four lots using development contributions.
- Carry-forward of the road proposal from the Town Centres LEP between Gilroy Road and Turramurra Ave. Council recently acquired one of these properties.
- Key site No.1 (Ray Street) - height increased to 23.5 metres (7 storeys) to allow redevelopment of existing supermarket and Council car park for new mixed use buildings with public square and other community infrastructure. Potential for 1-2 level of retail up to 6 residential levels.

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- Key site No.2 (Kissing Point Road) - height increased to 26.5 metres (8 storeys) to allow redevelopment of existing supermarket, shops and Council car park for new mixed use buildings with new public road and public square and other community infrastructure. Potential for 1-2 level of commercial & up to 7 residential levels.
- Listing of heritage items and heritage conservation areas.
- New Environmental Living Zone (E4), to the south and west of the Pacific Highway.
- New Environmental Protection Zone (E2) on Council's bushland reserves.
- New interface zones adjoining high density zones including:
 - down-zoning land on Lamond Drive. The sites are currently zoned 2(d3) with a 17.5 metre (5 storey) building height. This strategy proposes to reduce the building height to allow apartment buildings to 11.5 metres (3 storeys) to reduce interface impacts on residents to the south-west and west;
 - up-zoning of land to R3 townhouses with a building height of 11.5 metres (3 storeys) on Wonga Wonga St, Nulla Nulla St, Womerah St, Cherry St, Finlay Rd and Duff St; and
 - up-zoning of land to R4 apartment buildings with a building height of 17.5 metres (5 storeys) on the corner of Nulla Nulla St and Turramurra Ave.

9.6.1 Review of Strategy against Council's Consolidated Statement of Commitments

The Turramurra Land Use Strategy primarily addresses the object of commercial revitalisation and delivery of additional retail floor space. Two key sites are identified to provide a catalyst for revitalisation of the centre.

In addition the Strategy addresses interface issues, creates an new local park and creates new environmental living (E4) and Environmental Protection Zone (E2) zones

The Strategy departs from the Town Centres LEP in a number of significant ways. The main divergences are:

- addition of a proposed open space zone (RE1) on Gilroy Road. Council has already purchased this land;
- a reduction in the extent of R3 zones on the eastern side of Turramurra near Ku-ring-gai Ave
- reduced building height on Rohini Street. For this area the town centres LEP proposed building heights of 11.5 to 20.5 metres (3-7 storeys) this Strategy proposes 11.5 metres (3 storeys). The justification for this is to maintain the character and scale of this important street;
- down-zoning off land on Lamond Drive; and
- down-zoning Hill View Estate to R2 low density.

Statement of Commitments

1. *The number of new dwellings from all planning instruments to be approximately 10,000 commencing from 27 May 2004.*

- The additional dwelling yield is considered adequate to contribute to Council's overall target at this stage.
- Council owned sites classified community have not been included in the dwelling yield, This includes the properties on Ray St, Forbes Lane and Kissing Point Rd.

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2. *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalisation, community infrastructure and housing choice.*
 - All interface issues are addressed appropriately.
 - New town house zones to provide more housing choice.
 - Potential redevelopment of two key sites could provide contemporary retail developments with new supermarkets and mix of speciality shops.
 - Redevelopment of the key sites will provide a range of improvements to public and private domains.
 - The proposed height and floor space controls for Turrumurra represent feasible development opportunities.
 - Significant development contributions for streetscape improvements.
3. *Council will not seek the repeal of LEP 194. However, Council will review individual sites of concern in the town centres LEP with specific regard given to interface issues.*
 - A review of interface issues has found that there is limited need to down-zone sites in Turrumurra to address interface impacts in most cases new R3 zones are a better solution.
 - Down-zoning of existing 2(d3) land is proposed on Lamond Drive, Boyd Street and the Pacific Highway.
4. *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*
 - The Strategy includes the biodiversity and heritage provisions from the draft interim LEP 2012.
 - The Strategy proposes three new public parks on Gilroy Road, William Street, Duff Street.

9.7 SUMMARY

In summary the following is noted in relation to the land use strategies for each of the local centres:

Community Consultation

- Overall the proposed land use strategies for each centre represent aspects of the most preferred or moderately preferred options from the Locality Workshops.
- The strategies adopt limited aspects of the least preferred options.
- The strategies for Gordon, Lindfield, and Turrumurra are consistent with the supported or strongly supported options from the Community Summit.

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- The strategies depart significantly from the invalidated Town Centres LEP.
- Overall the additional dwelling yield is adequate to meet Council's target of 10,000 dwellings when taking into account appropriate take-up rates and community classified land.

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- The strategies for Gordon, Lindfield and Turramurra address a range of issues economic viability, employment growth, centre revitalisation, community infrastructure and housing choice. In each of the larger centres at least one major key site is identified as a catalyst for commercial revitalisation.
- The strategies for Pymble, Roseville and St Ives are generally minimum change options that address issue of interface. In each of these centres at least one key site has been identified to encourage commercial revitalisation as appropriate.
- The strategies for all centres have explored opportunities for down-zoning LEP 194 lands and in most cases recommends as such.
- The strategies include provisions for heritage protection, biodiversity and riparian lands based on the draft Interim LEP 2012.
- Roseville and Pymble are the two remaining centres where a location for new local park is still required.

9.8 COMMUNITY FACILITIES

The community facilities strategy for each of the centres is as follows:

9.8.1 Community facilities in St Ives

- Provide a new library of approximately 1500m² in area. The library will be centrally located adjoining the new town square.
- Provide a new multi-purpose community, including facilities for youth, facility co-located with the new library.
- Consolidate existing child care into a children's hub in or near the retail core in the vicinity of Cowan Road.
- Relocate and consolidate community services at new locations within close proximity to the retail core and the Village Green.
- Relocate the existing Scout Hall and Girl Guides building on the Village Green to more appropriate locations following consultation.
- Retain the existing Ku-ring-gai Community Groups Centre building and refit to meet current access standards.

9.8.2 Community facilities in Turramurra:

- Provide a new consolidated multi-purpose community facility to be accessed off the proposed new William Square.
- Provide a new public library (with a minimum area of 1,500sqm) integrated with other community services at William Street.
- Orientate the new facility towards the proposed William Square and have a visible 'shop front' presence. The architecture is intended to integrate with the surrounding retail but provide a strong public presence.
- Relocate and consolidate the existing community services from Gilroy Lane including Home and Community Care Centre (HACC), Senior Citizens Centre, Meals on Wheels, and Lifestart.
- The facilities are to be located in a new centrally accessible position overlooking the proposed new town square on William Street within an integrated development;

9.8.3 Community facilities in Pymble:

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- Investigate the changing needs of the community and revise the provision of, and access to, community facilities within Pymble accordingly.

9.8.4 Community facilities in Gordon:

- Develop and enhance the role and prominence of the area around Council Chambers and Park Avenue as a civic hub for Ku-ring-gai.
- Develop a multi-purpose community facility on the site of the Council Chambers building.
- Provide a range of facilities within a multi-purpose facility to serve the needs of the community.
- Co-locate facilities within close proximity to rail station and Council Chambers.
- Enhance the role and prominence of the civic precinct.
- Investigate scope for Old School building to accommodate increased community uses following the provision of the multi-purpose facility.
- Retain Council Chambers heritage building for community purposes.
- Support and encourage retention of Police Station in Gordon.

9.8.5 Community facilities in Lindfield

- Relocate and consolidate existing and new community services to central locations close to the rail station and adjoining new public spaces.
- Provide a larger, centrally located public library adjoining the proposed town square in Tryon Road.
- Provide a new multi-purpose community centre integrated with residential and commercial uses.

9.8.6 Community facilities in Roseville

- Co-ordinate provision of Roseville's community facilities with other centre strategies particularly Lindfield and Gordon.
- Investigate the changing needs of the community and revise the provision of, and access to, community facilities within Roseville accordingly.

PART 10 – MINISTERIAL DIRECTIONS

This part provides a response to NSW State Government directions and consultation with State agencies and authorities.

As previously outlined, the planning proposal contains a number of inconsistencies with the ministerial directions under s.117(2) of the EP&A Act. Details of and justification for these inconsistencies are detailed in **Attachment A9** to the planning proposal.

The inconsistencies relate to the following areas:

Direction 1.1 Business and Industrial Zones

Under Direction 1.1 Business and Industrial Zones, a planning proposal must retain the areas and locations of existing business and industrial zones, and not reduce the total potential floor space area for employment uses and related public services in business zones.

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The proposed draft Local Centres LEP seeks to rezone certain sites currently zoned for business to residential zones. In all cases, these sites have already been developed for strata title residential flat buildings. The inconsistency is justified on the basis that it is of minor significance as such sites would never realise the existing business floor space potential in the future and as such the new zoning will not lead to a reduction business floor space potential.

In a small number of cases, land currently zoned for business and that contain existing businesses have been zoned for residential. In these cases, the business floor space potential of the sites has been retained through its listing under Schedule 1 as an additional permitted use on the site.

Direction 3.1 Residential Zones

Direction 3.1- Residential Zones applies when a planning proposal will affect land within an existing or proposed residential zone or other zone in which significant residential development is permitted or proposed to be permitted. Under this direction:

- (4) *A planning proposal must include provisions that encourage the provision of housing that will:*
 - (a) *broaden the choice of building types and locations available in the housing market, and*
 - (b) *make more efficient use of existing infrastructure and services, and*
 -
 - (d) *be of good design.*

In addition, the direction states:

- (5) *A planning proposal must, in relation to land to which this direction applies:*
 -
 - (b) *not contain provisions which will reduce the permissible residential density of land.*

While the planning proposal is considered to be consistent with clause (4) of the direction, it is proposed that a number of sites be down zoned or have there existing permissible residential density reduced. These sites are identified in the table below:

The majority of these down zonings are being proposed to address existing zone interface issues or as a result of land being reserved for future parks or local roads. There is also a minor reduction in potential residential density on those sites proposed to be zoned E4 – Environmental Living which will have a slightly reduced FSR and larger minimum lot size for subdivision.

The justification of these inconsistencies with Direction 3.1 is being based on the fact that all down zonings are more than compensated with up-zoning elsewhere in the proposed LEP. As such, the Planning Proposal, in association with existing planning instruments, will achieve the 10,000 additional dwellings for Ku-ring-gai which is in accordance with the relevant Subregional Strategy and the requirements of the Minister. Also many of the proposed zonings are intended “*to minimise the impact of residential development on the environment and resource lands*”, consistent with objective (1)(c) of the Direction.

Site proposed for reduced residential density

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<i>Property Address</i>	<i>Current Zoning/FSR</i>	<i>Proposed Zoning</i>
1334 Pacific Highway, Turrumurra	Residential 2(d)	R2 Low Density Residential
187-189, 199 Mona Vale Road St Ives	Residential 2(d3)	R3 Medium Density
126, 128 Rosedale Road	Residential 2(d3)	R3 Medium Density
1, 3 & 5 Yarabah Avenue	Residential 2(d3)	R2 Low Density
4 & 6 Cecil Street, Gordon	Residential 2(d3)	R2 Low Density
2 & 4 Khartoum Avenue & 89 Werona Avenue, Gordon	Residential 2(d3)	R4 High Density Residential/ 0.85:1/ 11.5 metres.
29 – 31 Moree Street, Gordon	Residential 2(d3)	R4 High Density Residential/ 0.85:1/ 11.5 metres.
3-15 Lamond Drive, Turrumurra	Residential 2(d3)	R4 High Density Residential/ 0.85:1/ 11.5 metres.
2, 4, 17B Lamond Drive and 1426 Pacific Highway, Turrumurra	Residential 2(d3)	R4 High Density Residential/ 0.85:1/ 11.5 metres.
5, 7, 11, 15 Boyd Street Turrumurra	Residential 2(d3)	R3 Medium Density Residential
2, 4 and 8 Lamond Drive and 1426 Pacific Highway	Residential 2(d3)	R3 Medium Density residential
6 to 22 Duff Street Turrumurra	Residential 2(c2)	E4 Environmental Living
11A, 13, 13A, 13B, 13C, 15, 15A, 15B, 15C, 15D Kissing Point Road Turrumurra	Residential 2(c2)	E4 Environmental Living
15 to 29 Livingstone Avenue Pymble	Residential 2(c2)	E4 Environmental Living
26, 28A, 30A, 32, 34, 36, 38A, 40A, 42A Shirley Road; 21 Pockley Avenue; 2, 4, 6 Kings Avenue, & 9-29 Alexander Parade, Roseville	Residential 2(c1)	E4 Environmental Living
8 Finlay Rd Turrumurra	Residential 2(c2)	E4 Environmental Living
14, 16A, 20, 22, 28, 34 Denman St Turrumurra	Residential 2(c2)	E4 Environmental Living
21 -29 Duff St Turrumurra	Residential 2(c2)	E4 Environmental Living
15-27 Pymble Avenue Pymble	Residential 2(c2)	E4 Environmental Living
1A Avon Road, 8 Beechworth Rd, 1 Arilla Road, &	Residential 2(c)	E4 Environmental Living

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<i>Property Address</i>	<i>Current Zoning/FSR</i>	<i>Proposed Zoning</i>
12 Mayfield Road, Pymble		
27 Duff Street Turramurra	Residential 2(c2)	RE1 Public Recreation
56, 58 & 60 Stanley Street, St Ives	Residential 2(c)	RE1 Public Recreation
259 Mona Vale Road, St Ives	Residential 2(c)	RE1 Public Recreation
1042 and 1032 Pacific Highway Pymble	Residential 2(e)	RE1 Public Recreation
2, 4, 6 , 8 Gilroy Road, Turramurra	Residential 2(d3)	RE1 Public Recreation
2, 4, 6, 8,10 Bent Street, Lindfield.	Residential 2(d3)	RE1 Public Recreation
16A Stanley Street, St Ives	Residential 2(c)	E2 Environmental Conservation

Direction 6.2 - Reserving Land for Public Purposes

Under Direction 6.2 - Reserving Land for Public Purposes, a planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning and Infrastructure.

The Planning Proposal for The Local Centres LEP seeks to reserve land for local open space, local roads and classified road widening. These proposed reservations are identified on the Land Reservation Acquisition Map and the relevant acquisition authority is identified in clause 5.1 of the LEP. The relevant acquisition authority will either be Council (for local open space and roads) or Department of Roads and Maritime Services (RMS) (for the classified road reservations).

The Direction requires consultation to take place with RMS and the Director-General of the Department of Planning and Infrastructure. This has been identified in the planning proposal, however, consultation should not take place until an initial gateway determination is issued, confirming the public authorities to be consulted on the planning proposal.

PART 11 – ALIGNED PROJECTS

This part provides a discussion of other projects that are aligned, but not included within the draft LEP, includes the Development Control Plan, in the Public Domain Manual and development contributions planning.

11.1 RECLASSIFICATION OF COUNCIL LAND

As previously outlined, Council will need to address issues of reclassification of key Council owned sites. This process can commence either under the Ku-ring-gai Planning Scheme Ordinance, or as an amendment to the LEP.

11.2 DEVELOPMENT CONTROL PLAN

The Local Centres DCP will provide more detailed provisions with respect to development to achieve the stated aims and purpose of Ku-ring-gai Local Centres LEP 2012.

The planning framework contained in the DCP will adopt a place-based planning approach by defining appropriate building types and developing place-specific building envelopes, supported by detailed design and environmental controls aimed at achieving a high quality built environment, landscape setting and community spaces.

It is intended that the DCP be finalised after the gazettal of the Local Centres LEP. At this stage it is anticipated the draft DCP will be and exhibited for public comment in late 2012.

11.3 PUBLIC DOMAIN PLAN

Council adopted the Ku-ring-gai Town Centres Public Domain Plan in November 2010.

The Public Domain Plan is a Council policy document that applies to public spaces and streetscapes of the six local centres. The plan sets out a palette of materials colours, finishes and furnishings to ensure consistent and distinctive character and quality of the public areas. The document provides Council and developers with guidelines for future public domain work including the planning, design, implementation, and maintenance/management of public domain components.

There are three parts to the KPDP:

Part 1: General Objectives and Principles

This part sets out general objectives and principles to guide planning and design of the public domain across all six town centres.

Part 2: Town Centre Public Domain Plans

This part provides strategic planning guidance in the form of concept plans, strategies, and guidelines for use in the initial planning and design phase of a project. Information includes”:

- Illustrative Concept Plan - For each town centre a concept plan has been prepared that illustrates the vision for the public domain areas in the future. The plan brings together all concepts and strategies into one diagram for ease of reference.
- Planning Strategies - Centre-specific strategies are proposed for improving the conditions for cyclists and pedestrians; protecting important views; traffic

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management and parking measures; upgrading existing parks and improving the cultural life of the centres among others. The strategies will ensure community infrastructure such as pedestrian access ways, cycle ways and the like are provided in the correct location and meet broader planning objectives.

- *Implementation Strategies* - The implementation strategies provide diagrams that indicate the extent of specific works including: Footpath and street treatments; Street and pedestrian lighting; Underground powerlines; Street tree planting; Stormwater management
- *Detail Plans and Sections* - For each of the important streets and public spaces within the town centres the KPDP presents a set of detail plans, sections and guidelines that define the desired character of these areas. The concept plans provide the basis for a design brief for use when Council is at the stage of developing detail design drawings.

Part 3: Technical Manual

The third part of the Plan provides construction details and specifications for the implementation of the strategies identified in *Part 2*.

The public domain works for the local centres will largely be funded by the *Ku-ring-gai Development Contributions Plan 2010*. This contributions plan identifies the estimated cost and development contributions for proposed streetscape and public domain facilities for each street within each local centre.

11.4 INTEGRATED TRANSPORT STRATEGY

Through the Integrated Transport Strategy (ITS), Ku-ring-gai Council, in partnership with all levels of government, community and other stakeholders, aims to put in place and facilitate good practice transport planning by setting out:

- desired outcomes that provide a consistent framework to focus planning on achieving good outcomes for the community and the transport system; and
- directions and principles that provide guidance on how to achieve the desired outcomes.

The Ku-ring-gai ITS acts as a guide for transport planning in the Ku-ring-gai local government area (LGA). It sets out a collaborative, consistent and sustainable approach to transport. Council adopted the ITS on 28 June 2011.

The outcomes of the ITS is to seek to address the transport needs of Ku-ring-gai's residents and its visitors. However, Council cannot solve all transport issues, as other levels of government are often involved (particularly for mass transport modes such as arterial roads, buses, trains and other matters such as policy etc). The ITS is an effective tool for Council to lobby to other levels of government for improvements to mass transport modes, as well as for lobbying for policy changes as well as increased funding opportunities based on demonstrated and future transport needs.

Actions are strategic in nature, and intend to be the basis in which Council would move forward on transport issues. During the process of identifying actions, there was the need to balance different needs and objectives of the various transport demands, which are sometimes conflicting. Some actions require further investigation, and may or may not result in an outcome.

11.5 PARKING MANAGEMENT PLAN

As part of previous local centres planning processes, Council conducted a series of public hearings into the reclassification of Council owned land and resolved that a Parking Management Plan for the Ku-ring-gai Town Centres be prepared.

One of the key findings in the study was that the parking needs of the redeveloped town centres would be met if redeveloped sites provided for their own parking needs on-site. An appropriate and sustainable level of parking is balanced by the need to encourage alternative modes of transport and access to public transport.

The Plan has examined parking issues with respect to the provision in various land uses, travel modes and user/key stakeholders' needs. It recommends policy positions on overall management of parking including the need for an analysis of future quantity, layout and location of car parking in town centres, taking into account future redevelopment as well as modifications to roads, new roads and car parks, and improvements to access to public transport. It proposes strategies to manage temporary impacts resulting from redevelopment of Council car parks, if they are redeveloped at some stage in the future.

Council adopted the Parking Management Plan on 21 September 2010.

11.6 UPDATED BICYCLE PLAN

Communities and local centres with cycling at the forefront of design provide attractive, liveable areas with high levels of street activity, improved safety and a high quality of environment. Cycleable environments facilitate greater public transport use and also contribute to healthy communities through the encouragement of physical activity.

Encouraging cycling has potential to make significant changes to transport patterns by shifting the high number of short trips (under 5km) that are currently undertaken by car to cycling modes. This has implications for accessibility to local centres and other key attractors in Ku-ring-gai.

When the Ku-ring-gai Bicycle Plan was adopted in 1995, facilities for cyclists consisted of less than 4 kilometres of sealed bikeway at Council's Bicentennial Park West Pymble and Golden Jubilee Field Wahroonga for recreation cycling purposes only. Since then Council has constructed over 17 km of on road cycleways, 11 km of shared footway cycleways and 2 km of rideable fire trails.

However, demand for cycling and better bicycle support facilities is increasing such that a new bicycle plan is now being prepared to meet the needs of current and future cyclists. A new Bicycle Plan will:

- enable safe and convenient cycling to take place in the Ku-ring-gai Council area on both on-road and off road cycleways, on formal cycleways and informal (suggested) routes;
- identify the needs of all cyclists including, recreational, commuters, racing, touring cyclists, trail/national park users and in particular school aged children;
- encompass the whole Council area, including the developed area, open space and bushland;
- identify regional routes and linkages within the Council area and across Council boundaries;
- integrate with existing routes or develops new routes;
- consider planned routes to local centres or develops new routes;

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- complement existing or proposed bicycle routes in adjoining local government areas including land administered by the NSW National Parks;
- identify and incorporate bicycle support facilities such as bicycle storage lockers/racks, water points, toilets, route signposting etc.;
- be realistically implemented with priorities and costs staged over a 10 year period;
- identify sources of funding;
- set out a promotion strategy; and
- incorporate the Roads and Maritime Services Bike Plan 2010 and current program.

Community and key stakeholder consultation has recently been completed and route development is underway. It is expected that a draft Bicycle Plan would be available for exhibition mid-year.

11.7 PEDESTRIAN ACCESS AND MOBILITY PLAN

The road network and built environment must cater to the needs of all pedestrians including older persons, pedestrians with mobility and vision impairments, residents, school children, tourists and recreational pedestrians.

The rationale for Pedestrian Access and Mobility Plans (PAMPs) is focused on State and Local Government investment in safe, convenient and coherent pedestrian infrastructure on key pedestrian routes, which have a high probability of attracting people to walk rather than use their cars. Additionally, PAMPs provide a strategic and coordinated framework for investment in pedestrian infrastructure on routes that have been identified by the community as important to sustainable and enhanced safety, convenience and mobility for walkers.

Actions in the Ku-ring-gai Integrated Transport Strategy (2011) also recognise the importance of walking, and the potential that increased walking has to make significant changes to transport patterns by shifting car trips to walking trips. Walkable environments also facilitate greater public transport use and contribute to healthy communities through the encouragement of physical activity. Pedestrian facilities and routes in local centres would be a key area of focus.

Objectives of the Ku-ring-gai PAMP are:

- to facilitate improvements in the level of pedestrian access and priority, particularly in areas of pedestrian concentration;
- to reduce pedestrian access severance and enhance safe and convenient crossing opportunities on major roads;
- Identify and resolve pedestrian crash clusters;
- to facilitate improvements in the level of personal mobility and safety for pedestrians with disabilities and older persons through the provision of pedestrian infrastructure and facilities which cater to the needs of all pedestrians;
- to provide links with other transport services to achieve an integrated land use and transport network of facilities that comply with best technical standards;
- to ensure pedestrian facilities are employed in a consistent and appropriate manner throughout NSW;
- link existing vulnerable road user plans in a coordinated manner (e.g.: Bike Plans, Safer Routes to Schools Plan, Footpath Maintenance Programs, and associated issues to accessible public transport etc);

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- to ensure that pedestrian facilities remain appropriate and relevant to the surrounding land use and pedestrian user groups;
- to accommodate special event needs of pedestrians; and
- to further Council's obligations under the Commonwealth Disability Discrimination Act (1996).

Work is expected to commence on the Ku-ring-gai PAMP in April 2012.

PART 12 - RESIDENTIAL DWELLING YIELDS

Over the past decade since planning for more intensive future residential development first began, Ku-ring-gai Council, of all Councils in NSW, has been most involved in calculating, monitoring and justifying potential residential yields. Over that time the on-going process of refinement and adjustment of residential yields has consumed a significant amount of Council resources, and has generated significant debate between the NSW Government and a small number of stakeholder groups.

This debate has occurred in an environment in which there are no universal NSW State definitions, assumptions or methodology for estimating dwelling yields. Nor has there been any real recognition that yield estimates are subject to on-going refinement as development progresses and as long term future needs for new dwellings – and new types of dwellings – to accommodate Ku-ring-gai's share of Sydney's future growth, emerge. Urban planning focussed on yields as a primary driver alone does not result in good planning outcomes like active, liveable, economically-viable centres with building heights stepping down gently to low density suburban homes. Too intensive a focus on absolute dwelling numbers can be at the expense of other, more important, planning outcomes such as the design of the built environment in which people spend a significant proportion of their lives.

Part 12 – Residential Dwelling Yields provides an overview of dwelling yield calculations, the assumptions behind these estimates and responses to public feedback to date.

12.1 INTRODUCTION

One of the key objectives of the draft LEP is to facilitate an increase in residential dwellings within the local centres and to provide for a variety of housing to facilitate housing choice.

This section attempts to provide adequate detail to aid in the understanding of this complex issue and address some of the key issues and questions raised during the forums and direct to Council. It is clear that, within the public arena, there is remains a great deal of confusion and controversy about this phase of development in Ku-ring-gai.

12.2 HOW IS A DWELLING DEFINED?

The Standard LEP Template defines a dwelling as:

“a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile”.

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For the purposes of this draft Local Environmental Plan (DLEP) the main types of dwellings are:

- Dwelling house
- Attached dwelling
- Dual occupancy
- Multi-dwelling housing
- Residential flat building
- Shop top housing
- Seniors Housing

The definition of each of these can be found in the attached DLEP Written Instrument.

12.3 WHAT IS THE AREA FOR WHICH COUNCIL IS CALCULATING DWELLING YIELD?

The tables associated with this section (see individual attachments listed) provide a summary of the estimated yields for nett residential dwelling numbers across the whole of the Local Government Area of Ku-ring-gai. The tables are divided into sections reflecting the different planning instruments currently in force in Ku-ring-gai. There are three main parts.

Approved dwelling yield under existing zones or State policies

- KPSO/LEP 194 / 200 sites (i.e. 2(d3) zone)
- Former Ministers sites / Part 3A (includes the UTS and the SAN concept approvals)
- KPSO 2(d), 2(e) or 2(h) zones
- SEPP (Seniors) Housing
- SEPP 53 Dual Occupancy
- KPSO 2(c) i.e. single dwellings or subdivisions

Potential dwelling yield under existing zones or State policies

- KPSO/LEP 194 & LEP 200 sites (i.e. 2(d3) zone)
- Former Ministers site / Part 3A (the only remaining site without a formal approval is Avon Road in Pymble); and
- KPSO 2(d), 2(e) or 2(h) zones

It should be noted that, for the purposes of the present proposals, there are no estimates for potential dwellings arising from the 2(c2) and 2(c1) zone as this zone will no longer exist under the draft planning instruments. There are also no estimates for potential dwellings arising from future dual occupancy approvals as SEPP 53 is longer applicable to the Ku-ring-gai LGA.

Additionally, there are no estimates for potential dwellings arising from new single dwellings or subdivisions are given as there is no method available to forecast such figures; the propensity for existing owners of large blocks to subdivide these existing allotments cannot be foreseen with any accuracy. There are limited vacant allotments which do not already have a single dwelling approval.

With respect to SEPP (Seniors) Housing, past approval rates cannot provide reasonably accurate future prediction as approvals for this type of restricted housing have reduced significantly since LEP 194 was gazetted in 2004. Unit development, without the additional requirements and

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limitations of seniors housing, provides much greater flexibility for the developer. It is assumed the future townhouses and unit development will take place in areas zoned for this purpose and that this housing will not be restricted to seniors housing.

Potential dwelling yield under the draft Local Centres LEP

These areas are the primary, though not exclusive, focus of the analysis. They include any additional dwellings in the proposed R4, R3, B2 or B4 zones. Care has been taken to ensure there is no double-counting or undercounting and, in this context, it is important to note that there is considerable overlapping between current and future planning instruments; many 2(d3) zones under LEP 194 were included in both the former Town Centres LEP and the new Local Centres draft LEP. This adds a degree of complexity when comparing potential yields from existing LEP 194 zones with future local centre yields as they are not mutually exclusive; many properties are both current LEP 194 properties and included in the draft Local Centres LEP.

Yield implications of interface zoning

The prospective dwelling yield from the recommended interface zonings under the Principal Local Environmental Plan (PLEP) has not been overlooked. Should all recommended R3 sites be fully developed to their maximum capacity it would result in a nett increase of 83 dwellings. The recommended down-zonings of some existing 2(d3) land will result in an estimated reduction in potential nett yield of 181 dwellings. The collective nett result of all recommended zoning changes will be a reduction of approximately 98 dwellings.

With respect to the yield tables attached to this report, however, it should be noted that yield estimates for all R3 zones, including the interface zones, are included in the dwelling yields. This is necessary as the potential yields for all proposed down-zonings have also been reduced to zero.

12.4 HOW HAS COUNCIL CALCULATED APPROVED DWELLING YIELD?

Council has been providing updated figures approved dwelling numbers in reports on its website over several years. The current approved dwelling number is 5,941 as of February 2012. It must be emphasised that these are approved dwelling figures, not dwellings delivered. Not all developments proceed, consents lapse, and new designs are approved for sites with existing approvals. These factors, in addition to new approvals, result in on-going adjustment to these figures. As previously outlined, these figures include approvals under all existing zones. In the interests of consistent reporting, approvals under LEP 194 have been separated from approvals under all other zones and other mechanisms.

Council cannot provide an accurate estimation of nett additional constructed dwellings as it does not have access to a complete set of necessary data due to changing regulatory regimes for dwelling construction and occupation approvals; Councils are no longer the sole certifying authority. Constructed dwellings for all LGAs, are tracked via Sydney Water's Growth Servicing Plan. The **July 2011 to June 2016** report states that 4,177 nett additional dwellings were connected to Sydney Water services in Ku-ring-gai LGA between 2005 and 2011.

12.5 HOW HAS COUNCIL CALCULATED POTENTIAL DWELLING YIELD?

Attachment A2 contains complete tables for each centre showing lot by lot calculations for potential dwelling yield based on the site area and proposed or existing floor space ratio. The summary table (**Attachment A2**) sets out the total dwelling yield across the whole of the Ku-ring-gai LGA under all categories and areas of potential development.

The estimated potential net dwelling yields for the LGA are as follows:

- 2(d3) (to be zoned R4) – 2,678
- New R4 zones - 346
- New B2 zones - 474
- New R3 - 501
- New B4 – 239

The total potential net yield across the LGA is 4,323

At this stage Council has not resolved to commence the process of reclassification of any lands, hence exclusion from dwelling yield calculations. The estimated dwelling yield for all Council sites under the draft Local Centres LEP is 346 dwellings.

Disclaimer

This yield information has been prepared as a summary of residential development in Ku-ring-gai. For detailed information regarding individual residential developments, reference should be made to the original development approval documentation.

While every effort has been made to ensure this information is correct at the time of publishing, Ku-ring-gai Council, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this information.

Note the approved dwelling numbers may fluctuate due to lapsed consents, or modifications to existing consents. Council is continuing to audit and update the base information.

Calculating potential yield requires a number of assumptions to be made, these are outlined below.

12.5.1 Assumed average dwelling size

Council has reduced the average unit size assumption from 125sqm to 120sqm (rounded to the nearest 5sqm). Both the original and the current figure were calculated based on cumulative approvals in Ku-ring-gai and is regularly compared with more recent approvals on an on-going basis. The current approximate gross average unit size from recent approvals has reduced only marginally from 125sqm to 119.3sqm. This represents a difference of about 3-4%, which equates to approximately 120-125 potential multi-unit dwellings. It is expected that this figure will continue to fluctuate over time depending on market conditions.

Attachment A3 provides a listing of all apartment building approvals since 2004 for which complete and current data is available on which these assumptions are based.

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The assumed dwelling size flows through the estimated future dwelling yields. Estimated dwelling yields are based on yields from actual approvals for new development in Ku-ring-gai. This figure is derived from dividing the total proposed floor space (m²) of a site by the total number of proposed dwellings incorporated within that floorspace. It is important to note that this produces a gross average unit size for the building as a whole and includes areas outside the internal space of the individual units, not just the sum of the areas of individual units themselves.

For the purposes of providing for adequate floor space potential to yield a range of dwelling sizes in good quality, well-designed multi-unit buildings, utilising the average prevailing unit size is appropriate. Actual unit size and mix may vary considerably both within and between developments depending on the developer and the targeted market of each individual development. Most unit developments feature a mix of unit sizes to take advantage of individual site characteristics and to appeal to a broader range of buyers.

Prevailing unit mix was benchmarked after five years of consistent data. As at 2009, the following unit mix prevailed from all multi-unit developments for which complete data was available:

- one bedroom units - 9.7%;
- two bedroom units - 48.4%; and
- three+ bedroom units - 41.9%

It should be noted that averaged sized, two and three bedroom units account for over 90% of units built in Ku-ring-gai. Unit mix is a valid design issue for the supporting Development Control Plan for the draft Centres LEP. While a number of one-bedroom and studio apartments are needed, a range of dwelling sizes will best provide greater housing options for Ku-ring-gai. Ku-ring-gai Council will continue to monitor unit mix and address planning outcomes as needed in supporting documents such as the Development Control Plan.

12.5.2 Development take-up rate

The estimated total development take-up rate is an estimate of what proportion of the total area of land that is zoned, for each type of development, will actually result in approved and constructed development over the life of the present development phase to 2036. The rates that have been estimated are as follows:

- R4 High Density (apartment buildings) - 80%.
- R3 Medium Density (town houses) – 50%
- B2 Local Centre (shop top housing) – 50%
- B4 Mixed Use (shop top housing) – 50%

The take-up rate by zone is an estimated average total take-up over the life of that development phase from start to finish; it is not a constant. It incorporates higher and lower rates of take-up over the life of the development phase. In practice, take-up will be more rapid towards the start of the life of a development period when the easier sites to develop are cherry-picked and, conversely, much reduced (below the average) in the second half of the development phase when the only sites remaining are those that are not so well located, are more challenging to amalgamate into a cohesive development site, and/or have individually challenging site characteristics. Development typically slows significantly towards the later years of a development phase.

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With respect to the R4 High Density (apartment buildings) zoned areas, it must be assumed that some sites will not develop for a variety of reasons including, but not limited to:

- reluctance of owners to on-sell to a developer;
- difficulty in putting together a large enough site to make development economic;
- isolation of sites by other development;
- small, linear or unusually shaped individual allotments;
- changing global economic circumstances;
- poor site location relative to other competing developments;
- distance from transport; and
- individual site characteristics that provide significant design challenges; and the like.

The estimated average total take-up rate for B2 and B4 (commercial) zoned areas is lower than for residential lands due to a number of additional factors including:

- fragmented ownership patterns as individual shops fronting the Pacific Highway and other main commercial streets appeal to owner-operators;
- anecdotally some individual properties in rows of shops have been bought as investments on the basis of future development speculation;
- single shops cannot be redeveloped on their own without amalgamation with adjoining properties; and
- the higher land values in commercial areas which makes it additionally challenging to put together an economically viable development.

The estimated average total take-up rate for R3 zones is also lower than R4 for a number of additional reasons including:

- unrestricted 2-3 storey (i.e. non-SEPP5 seniors) townhouses are relatively rare in the Ku-ring-gai market providing limited trend data;
- the lower floor space ratio (FSR) will not provide as great a dwelling yield and, therefore, as great an investment return on the initial outlay of acquiring the land parcels and, as such, will not be as attractive to the development industry – such townhouses will need to cost a great deal more to provide an economic return and this premium price may not be achievable in real terms; and
- given the marginal investment return, where these any of these existing properties are highly capitalised, the initial cost of putting together a development site, may render the development as a whole uneconomic in the short to medium term at least.

For these reasons a more conservative average total take-up rate has been adopted for R3 sites as compared to R4 sites.

All of the above assumptions are consistent in principle with those used throughout the planning phases for town centres LEPs, notwithstanding the on-going refinement as more Ku-ring-gai-specific data becomes available as this redevelopment phase progresses. The estimated yields produced using this methodology were independently peer reviewed in the report *Review of estimated dwelling yields in Ku-ring-gai, 2009* by the Treadstone Company Pty. Ltd for the Department of Planning.

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Finally, in addition to applying an average total take-up rate to the area as a whole, specific sites have been identified for which it can be assumed with reasonably certainty are unlikely to redevelop. These sites have been excluded from the total yield calculations. It must be emphasised that without these specific exclusions, the estimated average total take-up rate, would have needed to be much lower than 80%. The identified sites include:

- all existing strata title and community title properties whether commercial or residential;
- all Council owned sites that are currently classified community land;
- Isolated sites (a result of past planning approvals) where the site is less than 1200sqm in area;
- land zoned for open space, land proposed for open space/urban space, or land recently purchased by Council for open space;
- churches, schools and cemeteries;
- specific use sites such as substation sites and petrol stations;
- sites currently identified as heritage items under State or local plans; and
- sites where relatively new retail/commercial buildings (with extensive remaining economic life) are present on the site and/or where substantial buildings (currently developed to near the full floor space potential allowable under DLEP) are located.

Attachment A6 contains a series of maps, one for each centre, that identify the sites which are considered to be unlikely to redevelop within the present redevelopment period to 2031. All sites where development is identified as potentially feasible are also included within the estimated total yields.

12.6 RESPONSE TO QUESTIONS FROM THE COMMUNITY

A number of specific questions have been asked by members of the community that have not been addressed in the sections above that outline the methodology for calculating unit sizes and development take-up rates.

Question 1: A fundamental error has been made and represented at the consultation sessions stating that with an 80% take up rate to achieve the 10,000 dwellings in Ku-ring-gai, 12,000 dwellings need to be planned for/zoned.

Two statements were made by council during the consultation process which seem to have given rise to some confusion.

The first statement was that Council needs to plan for more than 10,000 dwellings to achieve the target due to the fact that not all sites will redevelop in the life of the plan. The figure of 12,000 was quoted as being the indicative number assuming an 80% take-up. It must be emphasised that this is a rounded total to give people a numeric concept of the likely take-up rates. The generic nature of this figure is underlined as 80% of 12,000 is actually 9,600 rather than precisely 10,000. This is an indicative total figure and not a rigid target and applies over the total life of the redevelopment phase from 2004 to 2036. This assumption was not applied to the figures provided in the tables given out at the workshops.

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The second statement was that we need to be planning for between 700 (assuming 100% take-up) and 1400 (assuming 80% take-up) new dwellings to achieve the target of 10,000 dwellings.

The second range of figures was an updated assumption assuming future take-up rates, therefore the dwelling range of 700-1400 additional dwellings is accurate.

*Question 2: The Daily Telegraph yesterday 3 March 2012, page 7 states that the average area of 2 bedroom units in Sydney is now down to **82sqm**. Some are as small as 62-69sqm. Could you please advise why an average unit size of **125sqm** was used in your figures (see fine print in your attached doc marked Dwelling yield 80%) to determine the excess capacity left in LEP 194. Your assumption of 125sqm would grossly distort the yield indicating a far lower yield of units in a 5 storey block than with many smaller sized units.*

Firstly, as identified above in the discussion of average unit sizes, the figure of 125sqm is a gross average unit size per development not the internal space within the unit. The figures quoted are not directly comparable.

It is noted that there is some evidence that average internal unit sizes are decreasing across the Sydney Metropolitan area and that there is also a growing trend towards smaller one-bedroom and studio apartments further reducing the average internal unit size. As such, the question of what weight Metropolitan-wide trends should be given in Ku-ring-gai must be considered.

In this context, it should be noted that Sydney average figures for unit development are inevitably reflective of the characteristics of inner-city unit redevelopment due to the sheer volume of examples from these locations and the relative length of the development phase in those locations commencing from the late 1980s and early 1990s.

The city and inner-city is a very distinct unit sub-market. Ku-ring-gai is another. In Ku-ring-gai, redevelopment is not occurring on large, single-ownership, vacant brownfield inner-city industrial sites. In Ku-ring-gai, land parcels are smaller, occupied by private homes, and, per square metre, expensive to package into a development site. The product, and its target market, is key to the economic viability of the development. The number of concurrent developments also provides some imperative for developers to compete for sales by distinguishing their development within their targeted market. There are many other points of difference in the location, site characteristics and development characteristics in Ku-ring-gai from the wider Metropolitan area in general and the inner-city in particular.

It is considered logical and reasonable that Ku-ring-gai's own prevailing trends should be utilised in planning for Ku-ring-gai. Neither the Sydney average (which is far more representative of inner city-type redevelopment), nor the Sydney-wide newspapers, nor any one particular developer is considered to be a benchmark for Ku-ring-gai. As noted above Council utilised the average of all approved apartment developments in Ku-ring-gai since 2004 to arrive at the figure of 125sqm utilised in the recent past. On-going monitoring and refinement has reduced that figure to 120sqm gross average unit size for future development.

Unit mix and unit design has been, and will continue to be, a valid concern for Ku-ring-gai's future planning instruments and development assessment. In this context, it should be noted that large concentrations of one type of unit, including one-bedroom units, are not considered appropriate. Ku-ring-gai has also gone to unprecedented lengths to encourage local developers to consider the quality of their developments by producing *Thinking Outside 'The Box': Key design elements for*

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apartments in Ku-ring-gai. This document was produced to promote awareness of well-designed buildings that are responsive to community expectations and local character. It aims to improve the standard of residential flat design by showcasing a range of better quality local buildings.

Ku-ring-gai Council will continue to monitor prevailing trends in unit design and respond accordingly.

Question 3: We have not yet received a response to the email below dated 1 February, 2012. Could you confirm that the document on the Local centres website attached marked (dwelling yield 80% take Nov 11) is incorrect. Some dwellings were left out of the 'Local Centres area' and incorrectly placed in the 'outside Local centres area' (I have marked up (attached doc CD Dwelling yield)). Eg Sepp5 and Dual Occ figures.

The area demarcations for the reporting of dwelling yields are complex. The data for the reporting of the yields continues, in the interests of consistent reporting, to relate to the arbitrary centre boundaries originally gazetted for the Ku-ring-gai Planning Panel in 2008. This adds an element of complexity.

By way of example, there is a small area between Roseville and Lindfield that is located on either side of a short length along the Pacific Highway, on land zoned under LEP 194, was excluded from both Roseville and Lindfield Town Centres under the Ku-ring-gai Planning Panel map. As these sites have a zoning that gives potential for higher density development, however, this area is included in all analyses of dwelling yield, but continues to be separately identified. For so long as these boundaries continue to have practical relevance for the Local Centres, this separate identification will continue. There is no impact on overall yield calculation totals as the tables are based on the yields for the whole LGA.

The Ku-ring-gai Principal LEP is considered to be yield neutral as discussed in the sections above, and, therefore, it is the draft Local Centres LEP that will need to provide the additional dwellings required to meet the 10,000 target across the LGA. For the purposes of the tables, however, dwelling yields from all sources is excluded and former estimated dwelling yield from sites now proposed to be down-zoned has been reduced to zero.

Question 6: In 27 June 2006 Council produced a table which stated in particular for Lindfield, 1589 dwellings for LEP 194/200 and Minister's sites, in December 2006 that calculation had increased to 1814 for LEP 194/200 and Minister sites for Lindfield. These figures you will note are just for LEP 194/200 and Minister's sites. The current Council dwelling yield table in 2012 for Lindfield states for all instruments, inside TC boundaries for 100% take – up is 889 (I have included the 91 dwellings for Minister's site just approved) and 80% take- up is 784 (including the 91 dwellings for Minister site just approved.).....Approximately 850 dwellings have just disappeared from Council's calculations from Lindfield since 2006 when the base figures were set out for each of the suburbs.

The latter tables referred to in the question were produced by Council in January 2012 as information for the Locality workshops. The tables were produced as a result of community questions. These tables show approved and potential dwellings under existing zones across the whole LGA.

The 2006 figures referred to in this question cannot be compared to the current 2012 tables for a number of reasons:

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- it is inevitable that estimated total and progressive yields for each centre will vary over time from the inception of yield estimates in 2006 to the present due to a number of variables. The current yield estimates are a product of six years of refinements. As such, original 2006 estimates, which pre-dated delivery of all but the first unit developments under LEP 194, and with limited analysis of sites that are very unlikely to redevelop, are of little assistance to the present analysis;
- the 2006 yield tables did not separate LEP 194 yields from proposed yields arising from the draft LEP. It must be remembered that many sites are both currently zoned under LEP 194 and proposed to be zoned under the Draft Local Centres LEP and, therefore, comparisons between tables produced for specific purposes at various times may appear misleading;
- the 2012 figures presented at the Locality Workshops did not include estimated potential yield from shop-top housing as this potential zoning was a matter for discussion with the community and its scope was not determined; and
- the 2012 figures did not include estimated potential yield from interface zones and other additional zones because these have been analysed as yield neutral taken in context with proposed down-zonings in the context of tables produced for those forums.

The “missing” 850 dwellings, referred to in the question, are the additional dwellings proposed at the time, i.e. the new zones R4, R3 and B2, over and above the approved/potential dwellings from LEP 194. These yield estimates have changed because the future proposed instruments have changed.

GOVERNANCE MATTERS

On 24 May 2010 the *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* was gazetted.

On July 28 2011, the *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* was declared invalid by the NSW Land & Environment Court. The planning controls for the Ku-ring-gai town centres have reverted back to the provisions of the *Ku-ring-gai Planning Scheme Ordinance 1971*.

On 8 November 2011 Council endorsed a process to prepare a new Local Centres Plan for the six local centres in Ku-ring-gai. Council endorsed a statement of commitments, time line and consultation for the process for the preparation of formal planning proposal. This Statement of Commitments was subsequently amended on two occasions.

This report now delivers to Council for endorsement the next step in the process which is submitting a planning proposal with new updated and relevant planning controls for the Ku-ring-gai local centre areas to the NSW DOPI seeking a formal gateway determination for public exhibition.

The planning process will be governed by the provisions of the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993* (where relevant).

RISK MANAGEMENT

It is now in Ku-ring-gai Council's domain to provide new updated and relevant planning controls for the Ku-ring-gai local centres areas and this report sets out the initial step in the process.

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Inaction or delay could result in poor development outcomes in the local centres, for example further erosion of local heritage values, biodiversity values and local urban decline within the commercial areas.

More delay will result in the previous studies and research becoming outdated which will then require additional time, resources and funding from Council to complete.

Inaction could also result in poor planning outcomes created by a series of further ad hoc planning amendments to the outdated *Ku-ring-gai Planning Scheme Ordinance 1971*.

Ku-ring-gai Council's reputation will be at the forefront across all sectors of the community, with the risk of further unwanted State Government intervention on local planning matters.

FINANCIAL CONSIDERATIONS

The costs towards the preparation, exhibition and assessment of submissions for the new Local Centres LEP process was considered by Council on 8 November 2011 Council resolved (in part)

- F. Council allocate up to \$250,000 towards cost of preparing and processing the new LEP, including consultation.*
- G. That the source of additional funds be identified in the second quarter review.*
- H. That the Minister for Planning and Infrastructure and the NSW Department of Planning and Infrastructure be advised of Council's decision and a request for funding of \$125,000 be made to assist Council in completing the planning work for the new LEP.*

On 19 February 2012, Council received a letter from the Hon Brad Hazzard, Minister for Planning & Infrastructure advising of funding from DOPI of up to \$125,000 for dedicated planning and GIS mapping services to support the finalisation of Council new LEP by 31 August 2012. It is anticipated this offer of funding will assist in offsetting the costs of preparing the new LEP, subject to Council meeting the requisite milestones.

Development Contributions

Changes to the estimated total dwelling yield in individual centres and over the whole of Ku-ring-gai will need to be incorporated in a review of the Contributions Plan concurrent with the release of data from the 2011 census commencing from June 2012. The main implications of reduced dwelling estimates affect highly apportioned works such as community facilities as the estimated new population will be a smaller proportion of the overall total end population than presently anticipated. This may result in a higher co-contribution for Council or a reduced scope of works in some centres. Given the likely need for ongoing review of Ku-ring-gai's planning controls to accommodate the need for continued population growth, it is expected that overall the *Ku-ring-gai Contributions Plan 2010* will be fully subscribed in the life of the plan.

SOCIAL CONSIDERATIONS

In developing the new Local Centres Plan, Council will be able to effect, with more certainty, the planning and delivery on a range of community facilities identified in *Ku-ring-gai Contribution Plan 2010*. The new LEP also addresses (where possible) the social considerations for local employment growth, centre revitalisation, community infrastructure and improved local housing choice.

ENVIRONMENTAL CONSIDERATIONS

The new planning process will further build on the existing local environmental and heritage studies and planning policies for the town centres areas. Council, in adopting this process and completing the work in a timely manner, will provide for the required growth and change within the town centres, whilst bringing in planning policies to identify and protect the local ecological values of the area.

COMMUNITY CONSULTATION

At the Ordinary Meeting of Council on 8 November 2011, Council endorsed a Statement of Commitments and a revised timing and community consultation program for a new Ku-ring-gai Local Centres LEP. Since that time Council's consultants Straight Talk, in accordance with Council's adopted consultation process, have conducted the non statutory preliminary community consultation to inform the preparation of the new Local Centres LEP.

Straight Talk's consultation aimed to assist Council to make robust and informed decisions about how to best manage development within Ku-ring-gai's centres to balance competing stakeholder interests and secure sustainable long term outcomes.

Straight Talk therefore developed a methodology based on international best practice which sought to consult the:

- informed and highly motivated – primarily active stakeholders and community groups;
- interested and engaged – mainly local residents and business owners concerned about development in their particular street or suburb; and
- uninvolved and disengaged – those community members that had not previously participated in planning discussions or had disengaged from the debate.

The process sought to bring together a broad cross section of the community to consider all sides of the planning debate. In doing so, the process included a range of accessible engagement activities to maximise the reach and breadth of both participants and their contributions.

The consultation process included:

- seventeen meetings with stakeholder groups;
- regular email updates to stakeholders keeping them advised of the process and answering questions;
- six locality workshops involving 758 participants, where stakeholder groups from all perspectives provided presentations and participants identified issues and priorities for 40 sites across the six centres;

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- a community summit which included 199 participants, including randomly selected participants, self nominated participants, stakeholder representatives and Councillors which looked in detail at five specific sites across three of the local centres; and
- an online forum with background information, all presentations from each of the workshops and the opportunity for online comment, dialogue and ideas which was visited by 1,600 people.

Locality workshops

These workshops provided an opportunity to identify and understand community values and views about development across the centre.

The purpose of the locality workshops was to:

- provide everyone who had an interest in the project with the opportunity to express their views;
- provide the context for the development of the new LEP, in terms of current planning legislation and requirements; and
- identify the range of views regarding future development on 40 sites with potential for change across the local centres.

Six locality specific community workshops were held as follows:

- Pymble workshop – Monday 30 January 2012 at Pymble Golf Club in St Ives ;
- Lindfield workshop – Tuesday 31 January 2012 at Killara Golf Club in Killara;
- Roseville workshop – Wednesday 1 February 2012 at Roseville Golf Club in Roseville;
- St Ives workshop – Thursday 2 February 2012 at Pymble Golf Club in St Ives;
- Turramurra workshop – Monday 6 February 2012 at Pymble Golf Club in St Ives; and
- Gordon workshop – Wednesday 8 February 2012 at Killara Golf Club in Killara.

As the workshops were open to anyone who wished to participate they were not intended to necessarily be representative and participation was skewed towards those people who were interested and engaged. The workshops were over represented by an older demographic with nearly 60 percent of participants being over 61 years of age and a further 30 percent being between 45 and 60 years of age. This is significant because only 22 percent of Ku-ring-gai's population are over 60 years of age and new planning controls will have most impact on younger people who have more to gain or lose as a result of change across the area.

Community Summit

On 27 February 2012 a large community summit was held at the Roseville College in Roseville. The purpose of the summit was to:

- provide an opportunity for a more representative cross section of the community to express their views; and
- identify the range of views regarding development on five select sites with potential for change within the local centres in the context of renewal.

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It aimed to enable participants to explore in greater depth the merits of development to fund renewal and the consequences of no development, both in terms of housing targets but more importantly rejuvenation of the centres. The focus aimed to shift discussion away from focussing entirely on height and density to explore the tradeoffs needed if new and upgraded community facilities and public domain works were to be delivered.

There were four types of participants at the summit:

1. randomly selected Ku-ring-gai residents;
2. self selected participants that nominated to attend;
3. stakeholder representatives; and
4. councillors

Consultation activities were designed to maximise participation by those most interested, most affected and to gauge the wider communities views and input to the planning process. In all, nearly a thousand people participated in face to face activities, albeit with some attending multiple events.

The Straight talk Report was reported to the Ordinary meeting of Council on 20 March 2012 wherein Council resolved:

- A. *That Council notes the submission of the final report from Straight Talk for the non-statutory consultation for the Local Centres LEP.*
- B. *That Council amends the Statement of Commitment adopted on 8 November and amended 22 November, 2011. That statement becomes:*
 - * *Council will complete and submit a new Town Centres LEP applying to the land covered by the former Ku-ring-gai Local Environment Plan (Town Centres) 2010 to the Department by the August 2010 "caretaker phase" of Council prior to the elections in September 2012. The studies prepared for the 2010 LEP and those subsequently commissioned by the present Council should inform the LEP.*
 - * *The number of new dwellings from all planning instruments will be approximately 10,000 commencing from 27 May 2004, with the take up rates of 80% not applying to any dwellings approved before 20 March, 2012.*
 - * *The LEP will not only focus on dwelling numbers but will also address issues of economic viability, employment growth, centre revitalization, community infrastructure and housing choice.*
 - * *Council will not seek repeal of LEP 194. However, Council will review individual sites of concern in the Town Centres LEP with specific regard given to interface issues.*
 - * *The LEP will include provisions to address issues of heritage protection, biodiversity and riparian lands considerations and the provision of new open space.*

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The consultation for the formal statutory planning phase will be conducted in accordance with the Planning Proposal Gateway determination and the requirements of the NSW *Environmental Planning & Assessment Act 1979* and Regulations.

Notification of this report going to Council has been provided to the groups and individuals on the databases that were generated during the preliminary consultation process.

INTERNAL CONSULTATION

Input from other Departments has been sought where relevant in the preparation of this report.

To ensure Councillors were fully aware of the consultation process and related issues they were regularly briefed throughout the preliminary consultation process by the consultants Straight Talk and Council staff.

Briefings with Councillors were on 22 November 2011, 24 January, 21 February, 6 March and 12 March 2012.

SUMMARY

Planning for the local centres has been aligned to be consistent with regional and metropolitan planning as agreed with the Minister for Planning and adopted by Council in the statement of commitments on 8 November 2011 and amended on 22 November and 20 March 2012. This report outlines how these commitments are to be met through the Local Centres LEP and its aligned projects.

The planning proposal for the draft Ku-ring-gai Local Centres LEP will guide development for the local centres over the medium term. The plan will deliver a range of significant planning outcomes for Ku-ring-gai including the protection of heritage and ecological values, increased housing stock and new housing types. Importantly it plans for revitalisation of the centres through new shopping, commercial space and local employment opportunities as well as new places for local recreation, improved opportunities for cultural and community facilities and transport management.

The planning proposal seeks to ensure a balanced level of development for new retail and commercial activity, recreation, community and housing accommodation, not only for the existing community but new residents over the next 20-30 year period. It has been developed with sustainability, place making and economic feasibility as key considerations.

The draft Local Centres LEP provides an updated set of contemporary planning documentation and controls under the NSW Standard Local Environmental Plan. The new plan replaces antiquated planning approaches and documentation from more than 40 years ago.

In preparing the planning proposal, Council has taken into consideration a wide range of stakeholders' views, expressed over time, with a particular focus on the outcomes of the recent community consultation undertaken by Straight Talk. An appreciation of the key issues from local residents, developers, community groups, state agencies, NSW Department of Planning and Infrastructure and Councillors has guided the preparation of the draft plans. Further consultation with the Department of Planning and Infrastructure and state agencies will occur as part of, and

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following, the gateway process. This will in turn guide the development of the draft LEP for formal exhibition in April/May 2012.

RECOMMENDATION:

- A. That the Planning Proposal for the new Local Centres LEP be endorsed and submitted to the Department of Planning and Infrastructure for a gateway determination in accordance with section 56 of the *Environmental Planning and Assessment Act, 1979*.
- B. That delegation be granted to the General Manager to make all necessary corrections and amendments to the draft Local Centres LEP and Planning Proposal for drafting inconsistencies, or minor amendments as necessary to ensure consistency with NSW Standard Order Template and Department of Planning & Infrastructure policy.
- C. That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979* and with the Gateway Determination requirements.
- D. That Council's draft Planning Proposal for the draft Principal Local Environmental Plan be amended to assign a R3 Medium Density Residential zone for the following properties 12 & 16 Beaconsfield Parade, Lindfield and 9B, 11 15 and 17 Gladstone Parade, Lindfield.
- E. That 9B, 11, 15, 17 Gladstone Parade and 12, 16 Beaconsfield Parade be removed from the proposed draft HCA in the Principal LEP – Planning Proposal.
- F. That a report be brought back to Council at the conclusion of the exhibition period.

Craig Wyse
Team Leader Urban Planning

Bill Royal
Team Leader Urban Design

Terri Southwell
Senior Urban Planner

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments: A1 List of local centres studies
A2 Yields tables

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A3	Average dwelling size calculations	2012/071913
A4	Local Centres scenarios	2012/067791
A5	Local centres land use strategies	2012/078517
A6	Yield maps	2012/074260
A7	LEP maps	2012/077063
A8	Written instrument	2012/052805
A9	Planning Proposal	2012/076751
A10	Heritage Inventory forms for potential items	2012/067719
A11	Local centres interface site maps	2012/074875
A12	Interface sites assessment	2012/075698
A13	Comments from State Agency Consultation	2012/062677
A14	Summary of public submissions for Interim LEP - riparian and biodiversity	2012/064705
A15	Summary of public submissions for Interim LEP - heritage conservation areas	2012/068200
A16	Local Centres Planning Proposal Report - Table of Amendment to Schedule 5 - Heritage Schedule	2012/067597