

All communications to be addressed to:

Head Office
NSW Rural Fire Service
Locked Mail Bag 17
Granville NSW 2142

Head Office
NSW Rural Fire Service
15 Carter Street
Homebush Bay NSW 2127

Telephone: (02) 8741 5555
e-mail: csc@rfs.nsw.gov.au

Facsimile: (02) 8741 5550



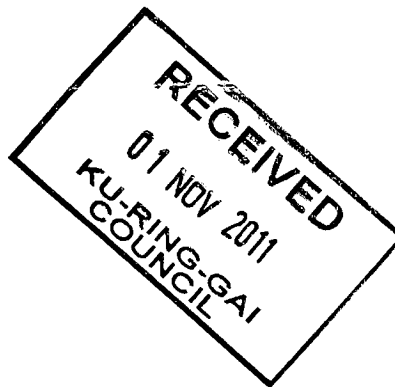
The General Manager
Ku-ring-gai Council
Locked Bag 1056
Pymble NSW 2073

Your Ref: S02846

Our Ref: LEP/0072
DA11100480170 WS

Attention: Antony Fabbro

25 October 2011



Dear Sir/ Madam,

Planning Instrument for Planning Proposal to Rezone and Reclassify Land At South Turramurra, Ku-ring-gai LGA Exhibition

I refer to your letter dated 27 September 2011 seeking advice for the above Planning Instrument, in accordance with the *'Environmental Planning and Assessment Act 1979'*.

The Service provides the following advice:

The NSW Rural Fire Service (RFS) notes that the subject area is identified as bush fire prone on the Ku-ring-gai Bush Fire Prone Land map and that a significant portion of bush fire prone vegetation would be removed if developed.

Any future development on land identified as bush fire prone will be required to comply with section 100B of the *Rural Fires Act 1997* and either section 79BA of the *'Environmental Planning and Assessment Act 1979'*.

As such the requirements of *Planning for Bush Fire Protection 2006* should be considered in the planning stages of future development in bush fire prone areas. This includes the provision of the following bush fire protection measures:

- Asset protection zones in accordance with Appendix 2 of *'Planning for Bush Fire Protection 2006'*.
- Property access in accordance with section 4.1.3 of *'Planning for Bush Fire Protection 2006'*. This includes the provision of perimeter roads.

- Water supply for fire fighting purposes in accordance with section 4.1.3 of *'Planning for Bush Fire Protection 2006'*.
- Construction of future dwellings in accordance with Appendix 3 of *'Planning for Bush Fire Protection 2006'* and *'AS3959 – Construction of Buildings in Bush Fire Prone Areas'*.
- Landscaping in accordance with Appendix 5 of *'Planning for Bush Fire Protection 2006'*.
- Emergency evacuation measures in accordance with section 4.2.7 of *'Planning for Bush Fire Protection 2006'*.

For any queries regarding this correspondence please contact Wayne Sketchley on 8741 5175.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Nika Fomin', followed by a horizontal line.

Nika Fomin
Team Leader, Development Assessment

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.



Office of Environment & Heritage

Our reference: DOC11/45177
Your reference: S02846
Contact: Marnie Stewart 9995 6861



Mr Antony Fabbro
Manager Urban & Heritage Planning
Ku-ring-gai Council
Locked Bag 1056
Pymble NSW 2073

Dear Mr Fabbro

I refer to your letter received by the Office of Environment and Heritage (OEH) on 29 September 2011 seeking comments on a Planning Proposal to zone the currently unzoned and unformed portions of Hall Street and Warner Avenue, South Turramurra to Residential 2c and to reclassify six parcels of Council land from community land to operational land.

It is understood that the Planning Proposal is being re-exhibited as the Department of Planning and Infrastructure have recommended that the proposal be re-exhibited to clarify to the public Council's intention to fully discharge the interests on both lots of Council's land at 21 Chisholm Street, South Turramurra.

As Council is aware, OEH previously provided advice on 3 November 2010 to assist Council in its consideration of the Planning Proposal. Given that no new studies or assessments have been prepared for the Planning Proposal, OEH's previous advice remains relevant to the re-exhibited proposal.

If you have any queries please do not hesitate to contact Marnie Stewart, Conservation Planning Officer on 9995 6861.

Yours sincerely

S. Harrison 17/10/11

SUSAN HARRISON
Unit Head, Strategic Land Use and Catchments
Planning and Aboriginal Heritage
Environment Protection and Regulation
Office of Environment and Heritage
Department of Premier and Cabinet

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet

From: ROTGANS, AINSLEY [AINSLEY.ROTGANS@sydneywater.com.au]
Sent: Friday, 14 October 2011 10:34 AM
To: KMC
Subject: Att: Antony Fabbro - S02846

Dear Antony,

Thank you for your letter of 27 September 2011 requesting comment on the proposed rezoning and reclassification of land at South Turramurra, Ku-Ring-Gai LGA re-exhibition.

Sydney Water has no objection to the rezoning. Sydney Water will assess the impact of future development on the site when Council exhibits development applications or the proponents apply for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess if amplification and/or changes to the system are applicable. The proponent must fund any adjustments needed to Sydney Water infrastructure as a result of any development.

If you require any further information, please contact the Urban Growth Branch on 02 8849 4004 or e-mail urbangrowth@sydneywater.com.au

Yours sincerely,

Ainsley Rotgans | Student Town Planner
Urban Growth Strategy | Sydney Water
Level 6, 1 Smith Street Parramatta NSW 2150
PO Box 399 Parramatta NSW 2124
T 8849 4004
ainsley.rotgans@sydneywater.com.au | sydneywater.com.au

Don't forget your Water Wise Rules, visit <http://www.sydneywater.com.au> to find out more. -----
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----- Original Message -----

Subject:Public Hearing re Horse Paddock Lands in South Turrumurra Ref No S08403

Date:Wed, 30 Nov 2011 12:45:26 +1100

From:Dierk Mohr <dierktrautemohr@optus.net>

To:submissions@kmc.nsw.gov.au, Antony Fabbro

<afabbro@kmc.nsw.gov.au>, Elaine Malicki <emalicki@kmc.nsw.gov.au>

Dear Mr Chairman,

last year you recommended that Council agrees to ensure that a walkway would be provided between Barwon Ave and Chisholm Street to continue to allow access for residents of various streets on the National Park side of Barwon Ave. Council agreed in its February 2011 meeting to implement your recommendation.

Due to the unfortunate circumstances necessitating another public hearing this December it is concerning that the papers referred to do not state that such access will be maintained. We therefore request that you again highlight this need in your recommendations particularly as our bus service 571 is not running between 8 AM until 2.30 pm each weekday which means that residents have to now walk to Kissing Point Road to access the bus 575 during this timeframe. We also suggest that this walkway be reasonably close to the existing Hall Street corridor.

In view of the proposed development which will result in approximately 30 new dwellings the future provision of footpaths in Barwon Ave, Chisholm Street, Vernon Street (from the corner Chisholm to Kissing Point Road) and Auluba Rd should be prioritised not least because of the substantial traffic generated during the sports season for the Netball Courts at the end of Canoon Rd and the sports oval on Auluba Rd.

Finally we restate our regret that the proposed development does not increase housing choice - as stated in the papers. What we will be getting is more of the same. Council has missed a chance to develop something which would have made a difference in South Turrumurra and could have served as a sign that "sustainable" development was achievable.

Yours faithfully

Dierk Mohr

President

Kissing Point Progress Association

Davinia Jones & Massud Zhouand
7 Lyon Ave
South Turrumurra 2074
Email: email@davinia.com.au
Mob: 0408 075 424

The General Manager
Ku-ring-gai Council
Locked Bag 1056
Pymble 2073
Email: kmc@kmc.nsw.gov.au

17th November 2011

Dear Sir,

Reference number S08403 2011/224646

We are writing in response to the Re-exhibition of the Planning Proposal to rezone and reclassify Council land in South Turrumurra, most specifically the property known as 21 Chisholm St.

In the 6 years we have lived here, we have heard in various circles, conversations about the potential viability of the horse paddocks as a community garden. Doubtless, similar conversations have occurred for many more years, with many more people.

Therefore, we propose that 21 Chisholm St, previously gazetted as community land, be retained for community use. Further, we propose that the use of the land as a community garden/fruit tree grove be considered.

South Turrumurra has very strong community relationships, and the area of question for this entire rezoning and reclassification is used regularly. As you would be aware, there is also 'the secret garden' (the bush behind and westwards from the horse paddocks) which a number of people have a strong attachment to. This land has been lovingly cared for by a sole guerrilla gardener for over 40 years. Council staff have pointed out on several occasions that the flora there is not native, somehow suggesting that reduces the heartfelt value of the area. Regardless of the non-indigenous plant-life there, it is indisputable that it is a lovely environment which has provided countless hours of enjoyment for many people over the years.

With this in mind, given the opportunity of this further submission, we propose that 21 Chisholm St be designated as a community space, planted with edible fruits and vegetables, that require care from the local community.

As a reminder of our previous submission in relation to this proposal, our earlier submission is attached.

Yours sincerely,

Davinia Jones and Massud Zhouand.

Davinia Jones & Massud Zhouand
7 Lyon Ave
South Turrumurra 2074
Email: email@davinia.com.au
Mob: 0408 075 424

The General Manager
Ku-ring-gai Council
Locked Bag 1056
Pymble 2073
Email: kmc@kmc.nsw.gov.au

8th November 2010

Dear Sir,

Re: Submission regarding Planning Proposal
to rezone and reclassify Council land in South Turrumurra
Reference number S08403

Thank you for advising us of the opportunity to submit comment to this Planning Proposal.

Our comments relate more to the development of this site, which will occur as a result of the rezoning, rather than the rezoning itself.

Since moving to this area 4½ years ago we have made good use of the lands contained within this proposal and are very sad to see it being redeveloped. We acknowledge that there are broader needs influencing decisions affecting this site. We are also direct neighbours to the new development on the corner of Barwon Ave and Canoon Rd. Our submission reflects both these experiences.

We note that council plans to develop this site as a model sustainable village (your Appendix 3 – meeting minutes) which includes design, building and selling of the housing. The provision of services and infrastructure and the development of individual blocks causes immense disruption to existing residents in the area, for approximately a 70m radius, but most directly, close neighbours. Each development involves a great deal of earthmoving and jack-hammering, which becomes unbearable. For example, each home requires an average of 4 days jack-hammering through sandstone to prepare for water tanks and foundations – more if there is a pool.

Additionally, the dust and wildlife that invades our homes is inconvenient and upsetting. The development of the 8 blocks behind our own home has been unbearable. The earthmoving and disruption to our peaceful, leafy surrounds to accommodate 29 new dwellings is inconceivable! This is on top of the other houses being demolished and rebuilt in our local area.

Thus, we request that council consider the effect of this development on the existing residents and demonstrate sensitivity to our experience. Our suggestions include:

- advising local residents through direct communication of each individual earthmoving/major works being undertaken, prior to the date so that alternate daily plans may be made
- provide local residents with pest-control services to alleviate the impact of the relocating wildlife (with rats being the major problem)

This planning proposal includes land that is used by many local residents in a variety of ways, such as gardening, walking dogs, playing and simply enjoying the sanctuary and peacefulness. We request that any development and works on this site are carried out in a manner which respects current local use and attachment to this area. Council might meet this local community need by:

- ensuring that minimal destruction of flora occurs during ALL stages of development
- completing a thorough tree survey prior to any development works, to ensure that all trees are accounted for and not randomly cleared
- advising local residents of pending tree clearing activities (to help reduce anxiety about necessity and approvals)
- ensuring all rubbish (eg food and drink containers, cement bags, wrappers) are removed on a daily basis

These requests are made after the total destruction of the Barwon Ave/Canoon Rd development was witnessed from our own backyard. In some yards, even once homes were built, fruit trees and other significant flora were cleared when owners did not even know they existed.

In summary, we are saddened that this site is to be developed, as we enjoy it in its current form. We request that council respect our experience of loss of this community land.

We are concerned that the existing bushland is at risk of random and unnecessary destruction, as witnessed at the nearby recent development at Barwon Ave/Canoon Rd.

Additionally, we are nervous about the disruption to community life while earthmoving and other building works are being carried out.

Our specific requests are included in the body of this letter.

Yours sincerely,

Davinia Jones and Massud Zhouand.

From: Grahame Abbott [grahameabbott@aapt.net.au]

Sent: Sunday, 13 November 2011 9:48 AM

To: KMC

Subject: Submission to Council ref no S08403

From: Grahame Abbott [mailto:grahameabbott@aapt.net.au]

Sent: Sunday, 13 November 2011 9:39 AM

To: 'submission@kmc.nsw.gov.au'

Subject: ref no S08403

To Antony Fabbro
Kuring gai Council

RE classification of council lands Sth Turramurra

I am a resident in Barwon Avenue and wish to suggest several that could be pit on as conditions of development.

1. Barwon Ave and Chisholm St should have concrete kerb and guttering completely around , both sides of the road up to Canoon Road.
2. A footpath should allow residents access to the shops and bus stop from Barwon Ave to Chisholm Street as is currently the case with a bush trail (unformed road in Hall Street.)
3. This should have a wide easement and have lighting as there has been attempted sexual assaults in the pathway before See <http://www.smh.com.au/news/national/girl-sexually-assaulted-in-turramurra/2007/12/05/1196812813972.html>
4. Comprehensive planning for water easements as the area is prone to flooding and poor planning control lead to flooding of new properties at the corner of Barwon and Canoon Road.
5. Consideration of laying footpaths to allow access to the shops and bus stop on kissing point road
6. Increased the width of Chisholm street between Barwon and Auluba Street which is currently narrow.

Thankyou for considering these points

Grahame Abbott
53 Barwon Ave
Sth Turramurra NSW 2074

2/12/2011

From: Antony Fabbro
Sent: Thursday, 10 November 2011 12:13 PM
To: 'Dierk Mohr'
Cc: Jennifer Anderson; Elaine Malicki; Vanessa Duval; Andrew Watson
Subject: RE: Submission for Ref. no S08403

Attachments: rptomc20Sept2011GB.10[1].pdf; attomc20Sept2011GB.10-01[1].pdf



rptomc20Se attomc20Se
'011GB.10[1].11GB.10-01[1]

Dear Mr Mohr

Thank you for your submission as outlined below. I wish to bring to your attention that the public exhibition material includes the Officers Report dated 20 September 2011 (see attached) which provides the relevant information about the existing trust that affect lots 1 & 2 in D.P. 840228, including the letter from the Department of Planning & the Draft Local Environmental Plan (see attached).

In relation to the land ownership (as previously advised) - In round figures, Council owns 2 hectares and OSL owns 1.7 hectares. This now makes the percentages 54% and 46% respectively.

The figures have changed since the original planning proposal documentation was prepared as portion of the Barwon Avenue Road Reserve has been included and lot 2 in D.P 840228 there is a split in revenue between both parties.
The Barwon Road reserve land is not subject to reclassification process.

In relation to the Public hearing - notification about the date and time of the Public hearing will be sent out this week along with an advertisement in the local press.

If you wish to discuss this matter further, please call me on 9424-0854

your interest in this matter is appreciated.

Regards

Antony Fabbro | Manager Urban Planning| Ku-ring-gai Council
P: 9424 0854| M: 0438170423 | F: 9424 0001
E: afabbro@kmc.nsw.gov.au | www.kmc.nsw.gov.au
Ku-ring-gai: Sydney's green heart

-----Original Message-----

From: Dierk Mohr [mailto:dierktrautemohr@optus.net]
Sent: Thursday, 10 November 2011 11:47 AM
To: Antony Fabbro; Elaine Malicki; Jennifer Anderson
Subject: Submission for Ref. no S08403

Dear Mr Fabbro,

the Kissing Point Progress Association wishes to make the following points concerning the rezoning and reclassification of Council Land in South Turrumurra.
We have previously made a submission to the Chair Person Public Hearing on South Turrumurra Land Reclassification on 2.12.2010.

We understand the reason for the need to repeat the process but want to express our frustration over the inordinate delay in this matter due to Council's inability to get all facts together in a timely fashion.

In this context I wonder why our request for clarification and confirmation of the correct

ownership of the land (made in our previous submission and again by email on 31st October 2011 remains open, i.e. how the ownership continues to be described as 19352 sqm for council and 7561 sqm for Dept. of Planning yet in percentage terms ownership is shown as 54/46. Surely one or the other is not correct.

The Trust in relation to DP840228 is not discussed at all, but merely referenced in the last two dot points of Section 2.2 of the revised Council Planning Proposal. There is no indication of any detriment to the local community as a result of the discharge of the Trust.

The letter from Land and Property Management Authority of 19.8.2010 seems to be the basis for extinguishing the Trust, but no consideration has been given whether this would be detrimental or beneficial to the local community - it is merely a way of making it possible for Council to sell the land.

In section 2.3.1 (c) Is there a community benefit we take issue with the following statements:

"reflects the broader community interest in options for the site" - this is very general and also in contradiction to Council's previous resolutions to develop a "sustainable village concept" until the Council Resolution of 23.2.2010 superseded these aims

"provides employment opportunities during the development phase" - it remains to be seen to what extent local people will be employed

"contributes to a wider variety of housing choice" - no it does not as it proposes the exact same property size as everywhere else in South Turramurra

Now as before we restate our wish to have an access path through the proposed subdivision between Barwon Avenue and Chisholm Street which point was taken up by the Chairperson in his recommendation to Council on 20.12.2010.

We would be more comfortable if this could have been documented by now given that Council adopted the reclassification report on 1.2.2011.

If indeed Council goes ahead with extinguishing the Trust without considering its aim there may be community concern.

In our opinion there is a need to bring forward plans to construct foot paths in Barwon Avenue, Chisholm, Auluba and Vernon Streets for safety and comfort reasons not only for existing residents but the anticipated influx due to the development proposal.

Yours sincerely

Dierk Mohr

President

Kissing Point Progress Association
increase

Chulani Yasantne
10 Warner Avenue,
South Turramurra NSW 2074

October 31, 2011

The General Manager,
Ku-ring-gai Council,
Locked Bag 1056,
Pymble NSW 2073

Dear Sir,

**Re: Written Submission for Planning Proposal to rezone and
Reclassify council land in South Turramurra**

Reference: S08403

We recently received a letter that disclosed the condition of transfer Lots 1 & 2 in DP840228 known as 21 Chisholm Street, South Turramurra. The condition of transfer from Cumberland County from Ku-ring-gai council required that the land would not be used for any purpose other than as open space. It is disappointing that the council withheld information about this condition of transfer when seeking public comments on the planning proposal in relation to this land.

The locals believe that this land (Lots 1 & 2 in DP840228) should remain open space as stipulated by the condition of transfer. The council's plan to rezone and reclassify is not an adequate reason for the council to seek to extinguish this trust.

Following the Flora and Fauna Survey & Constraints Assessment conducted as part of the Planning Proposal, we would like to see *all recommendations* implemented including following.

- **Categorise the creek** (channel 1 creek in Figure 4 in page 12 of Fauna and Flora Survey & Assessment) **as a category 2 watercourse**
- **Recreate and protect a core riparian zone that extends at least 20-metres in width from the top of each bank and an additional 10 metre-wide buffer around the core riparian zone** as stated in Ku-ring-gai Riparian Policy 2004
- **Recreation and management of the riparian zone must follow a Riparian Management Plan, which must be developed and implemented at the subdivision stage and approved by Ku-ring-gai Council.**
This Plan must prescribe an appropriate weed removal and ongoing weed control program within the riparian zone, a suitable means of recreating a fully structured native riparian zone, and propose an ongoing program for monitoring the condition of the riparian zone and aquatic habitats over the long-term
- **Conduct additional assessment of impacts on the creek and its riparian zone at the subdivision and individual residential development stages in accordance with the Ku-**

ring-gai Council Riparian Policy 2004. This will help in the development of measures that identified in the Policy for avoiding or minimising impacts on the creek and its riparian zone

- **Conduct Seven-part Tests of Significance under Part 5A of the EP&A Act** for each threatened species and population identified in Tables 3.3 and 3.4 of Fauna and Flora Survey & Assessment
- **Conduct an Assessment of Significance under the EPBC Act** for each nationally-listed species that could potentially occur in Areas A and B, once the subdivision proposal has been finalised
- **Retain as much native bushland**, especially canopy trees, within each subdivision allotment as possible.
- Proponents of individual developments within each allotment should be encouraged by Kuring-gai Council to:
 - (a) retain as many canopy trees as possible outside their development footprints to help retain some ecological value to the local wildlife corridor; and
 - (b) engage in ongoing weed control of retained bushland remnants on individual allotments

It is also imperative to **provide public access to the above mentioned riparian zone.**

Sincerely,

Residents of South Turramurra

residentsofsouthturramurra@gmail.com

	Name	Address
1	SAMPATH KARIYAKASAM	10 WARNER AVE, SOUTH TURRAMURRA
2	CHULANI YASARATNE	- DO -
3	Danna Jones	7 Lyon Ave South Turramurra
4	Charles Butler	6 Lyon Ave South Turramurra
5	Mark Goodwin	9 Lyon Ave South Turramurra
6	MADELINE THOMPSON	3 WARNER AVE STH TURRAMURRA
7	BILL MESSER	6 WARNER AVE STH TURRAMURRA
8	Margy Gank	11 Chisholm RD RD Turramurra
9	SHANTHA DEVI SIVASIVAN	2 Warner Ave, Turramurra
10	AIMEE ANG	10 CHISHOLM ST, TURRAMURRA
11	NICHOLAS WONG	10 CHISHOLM ST, SOUTH TURRAMURRA.
12	Jenny Shipley	7 CHISHOLM ST TURRAMURRA
13	JOAN BAIL	5 CHISHOLM ST. TURRAMURRA
14	JOHN OLLIFFE	8 CHISHOLM ST TURRAMURRA
15	KEITH SHANNON	3 CHISHOLM ST SOUTH TURRAMURRA
16	WINTON ADRIANA MCKAY	4 CHISHOLM ST SOUTH TURRAMURRA
17	YVONNE LANGSHAW	26 CHISHOLM ST SOUTH TURRAMURRA
18	FRED LANGSHAW	26 CHISHOLM ST TURRAMURRA 2070
19	ERMA LIE	32 CHISHOLM ST, TURRAMURRA
20	LOUISE BROMLEY	42 BARROW AVE TURRAMURRA -
21	PETER EAGLE	32 Barrow Ave Turramurra
22	KATHLEEN TOWNBEE	30 BARROW AVE TURRAMURRA
23	MATTHEW GENTLE	23 BARROW AVE TURRAMURRA

Page 3

24	CHRIS NORTON	26 BARROW AVE
25	J. Hepelag	15 CHISHOLM ST
26	A. Stubby	6 Warner Ave
27	V. Stubby	8 WARNER AVE
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General Manager
Kee-ming-gai Council
Lockhart Bay 1056
Pyralite NSW 2073

12 Tambourne Av
Turramurra 2074
19/10/11

Ref: 508403 Rezone/reclassify South Turramurra

Dear Sir,

I refer to the above rezoning & reclassification of land between Basman Rd and Chisholm St in South Turramurra.

This would seem an opportune time to remind Council of the long-standing agreement that a walkway would always be maintained between Basman Rd and Chisholm St, roughly on the alignment of "Hall St". This is for public access, 24 hours a day.

Yours faithfully,

12 Tamboon Ave
Turramurra NSW 2074

17 October 2011

The General Manager
Ku-ring-gai Council
Locked Bag 1056
Pymble NSW 2073

Dear Sir,

Re: Proposal to rezone and reclassify Council land in South Turramurra.

Reference Number S08403

I wish to remind you that when this land was first proposed for reclassification and for use as housing, Council **guaranteed** to the community that there would always be provision for at the very least **pedestrian access** across this parcel of land.

The Hall St easement has been used for pedestrians and cyclists, ever since the area was subdivided for housing. When we lived in Cove St Turramurra, our children walked across "The Horse Paddock" to school and pre-school, adults walked across to catch the bus, to go to the shops and the local doctor, and everyone walked to the oval.

It is a very important pedestrian link for the residents of Barwon Ave, Cove St, Kingsford Ave, Ulm Ave and Hinkler Ave.

I call on you to honour that guarantee and to make sure that in any subsequent subdivision of this parcel of land, a **pedestrian walkway is provided for, built and maintained by Council.**

