

12 June 2012

Panel Secretariat  
Joint Regional Planning Panels  
GPO Box 39  
SYDNEY NSW 2001

**ATTN: MS ANGELA KENNA, PROJECT OFFICER**



TOWN PLANNING  
AND URBAN DESIGN

**RE: SYDNEY EAST REGION JOINT REGIONAL PLANNING PANEL**

**2011SYE118 – WOOLLAHRA – DA531/2011/1 – KIAORA LANDS  
REDEVELOPMENT**

Dear Sir/Madam,

To further assist with the consideration of the Development Application (DA) for the Kiaora Lands Redevelopment, as detailed above, this letter has been prepared by the applicant TPG on behalf of Woolworths Limited and Fabcot Pty Ltd (being a wholly owned subsidiary of Woolworths).

The applicant supports the recommendation in the officer's report to the Joint Regional Planning Panel (JRPP) for approval subject to conditions, however has some concerns with conditions as recommended in the Council officer's report, as follows:

1. Condition C1(n) – Council claims that the volume of traffic which will result from the proposed development in Kiaora Road, will require the need for two entry lanes/two boom gates. Council is responsible for the design and installation of any future ticketing system. The applicant considers that a well designed and optimally operating ticketing system which uses technology which dispenses tickets prior to arrival will not necessitate the need for two entry lanes/boom gates as there is sufficient queuing available on-site and in the right-turn bay as demonstrated by Halcrow in the information submitted with the DA.

The condition relates to a controlled parking/ticketing system for which the DA as submitted does not propose. The car parking area when completed will be in Council's ownership and management, and should Council wish to operate the car park based on a controlled ticketing system then a separate DA should be submitted by Council for the same. The applicant seeks the deletion of the condition.

2. Condition C4 – The condition requires the reconstruction of a footpath in Manning Road which the proposed development has no frontage, the reconstruction of all of Anderson Street, the reconstruction of the entire length of Kiaora Lane and the reconstruction of all of Patterson Street. The nature of these works involves frontages for which the proposed development does not front all of the length of these roads and therefore there is no nexus for the entire reconstruction of the nominated roads or provision of a new footpath. Fabcot is prepared to make good the bitumen roads with new bitumen sheeting post the construction phase and construct kerbs and roads as per the civil and landscape drawing information submitted with the DA. The applicant seeks the amendment of the condition and that the drawings associated with civil and landscape works prevail.

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3. Condition F22 – This condition relates to the containment of noise within the car park so as to minimise noise from cars circulating. The applicant has fully enclosed the ground floor level of the car park to mitigate noise impacts and as such there is no need for a system as required by the DCP. It is also noted that the condition relates to a controlled parking/ticketing system for which the DA does not propose.

The car parking area when completed will be in Council's ownership and management, and should Council wish to operate the car park based on a controlled ticketing system then a separate DA should be submitted by Council for the same. The applicant seeks the deletion of the condition.

4. Condition F33 – The applicant requests that the condition be clarified with an amendment as follows in red and highlighted as follows:

*The applicant is to pay all costs associated with the design and installation of a roundabout at the intersection of Manning Road and Patterson Street. **The roundabout is to be of a mountable type designed to fit within the existing road carriageway**, to incorporate pedestrian access at the splitter islands on the three legs of the intersection. The design of the roundabout is to be undertaken in consultation with the community and submitted and approved by the Woollahra Local Traffic Committee and Council. The installation of the roundabout is to be completed prior to the issue of the occupation certificate.*

5. Condition F40 – It is understood that Council and the Roads and Maritime Service are responsible for existing street lighting and to ensure these are maintained in accordance with the Australian Standard. The applicant has proposed new street lighting to Kiaora Lane as part of the improvements to Kiaora Lane, however considers the request for upgraded street lighting in New South Head Road, Kiaora Road, Patterson Street and Anderson Street fails to provide a nexus with the proposed development and should ordinarily have been provided by the relevant authorities to ensure lighting is in accordance with the Australian Standard. It is requested that the condition be amended to reflect only new lighting in Kiaora Lane.

As a result of Council's recent meeting a number of additional conditions have been recommended for imposition to the JRPP, and the applicant raises a number of concerns in relation to conditions I30 and I32, as follows:

6. Condition I30 – Seeks to limit the use of the roof-top car parking area until 10pm on noise grounds. It is noted that numerous conditions are proposed to mitigate noise from the rooftop car parking area, including F19, F20, F21, F23, I12, I13, I14, I15, I17, I18, I19, I20 and I21. The proposed supermarket seeks to trade until midnight and this has been supported by the officer's report, subject to all the noise conditions as listed, therefore should the ground level car park be full, parking at the roof-top level will be required to be utilised between 10pm and midnight. It is considered that the provisions of condition F23 which relate to a "Carparking Plan of Management" can be utilised to the same effect as condition I30, as such it is requested condition I30 not be imposed.
7. Condition I32 - Seeks to make Anderson Street a one-way street, where at the moment it is a two-way street which services the existing off-street car parking located at the rear of the properties at 10 and 12 Court Road. The imposition of the proposed condition will in effect mean that access to these off-street parking/garage facilities can only be attained through the car park and when the exit is closed at 9pm this access cannot be provided. As such, it is requested that condition I32 not be imposed.



Should you have any queries or require clarification on any matters please do not hesitate to contact Richard Armitage, Regional Development Manager from Woolworths on 8885 1148 or the undersigned on 0488 221082.

Yours sincerely

THE PLANNING GROUP NSW PTY LTD



Marian Higgins

(Director)

**Cc: Peter Kauter, Woollahra Council**

