

Memorandum



To: May Li

From: Wayne Rylands
Executive Manager, Open Space & Urban Services

Date: 30 August 2012

Subject: 316-322 Burns Bay Road

CC:

Ref No: DA39/12

May

I refer to your request for comments on the revised development application for the demolition of existing structures and construction of 226 apartments with associated infrastructure at the above address.

As you are aware, I attended the meeting of the RMS SRDAC on Wednesday, 15 August 2012. This meeting was also attended by RMS Officers, Peter Crosby, Owen Hodgson and Dianne Rees, and the applicant's traffic consultant, Tim Rogers from Colston Budd Hunt & Kafes.

I refer to my letter to the RMS, dated 18 July 2012, that objects to their alteration to the advice provided at the SRDAC meeting of 15 May 2012. I have attached my letter for your information and referral. The RMS officers did not adequately address Council's concerns at the SRDAC meeting of 15 August 2012, nor have they have responded officially to Council's letter, as promised at that meeting.

I reaffirm my view that the proposed left in/left out arrangement onto Burns Bay Road proposed by the applicant is unacceptable for the reasons outlined in my letter. In the main, my concerns centre on road safety issues that will be created at the intersection of Burns Bay Road and View Street. The proposed conditions to address this, as suggested by the applicant and the RMS, are considered to be completely ineffective and unenforceable. A review of the accident history at the Burns Bay Road/View Street intersection identifies that 13 reported accidents occurred between March 2005 and December 2009. This does not include any unreported accidents that would most likely have occurred at this intersection. It is anticipated that intensification in the use

of View Street at the intersection with Burns Bay Road by residents/visitors from 316-322 Burns Bay Road as a turning area will likely result in an increase in accidents.

In identifying this issue with the applicant, he has subsequently indicated a willingness to financially contribute to the Council proposed access road across 304-314 Burns Bay Road that will link to 316-322 Burns Bay Road. This access road will address the road safety issue at View Street by providing an alternative route that residents/visitors can take to/from the north.

As such, it is suggested that provision of the access road (RMS comments 9, 10 & 11, provided in their letter, reference SYD12/00447), should be considered with any approval. This may require a Voluntary Planning Agreement, Deed or the like prior to any approval being provided for the application. The applicant should be requested to place their proposed financial contribution in a letter to Council to allow this matter to be satisfactorily resolved

I also note that the application now shows the parking required for Carisbrook House on land not owned by the applicant. The applicant has provided a letter to Council that indicates the subject land is owned by Council. They have now requested landowner's consent to provide the parking on this land. Subject to granting of landowner's consent, I raise no objection to the proposed location. However, the Executive Manager-Human Services, Ms Jane Gornall, has indicated that the Carisbrook House garage on the property boundary with 316-322 Burns Bay Road is in use and requires unrestricted vehicular access to it. As such, the car parking and proposed bus layover area shown on MPA Plan No 11048 AP07, Issue C will require alteration. The Executive Manager-Human Services has also indicated that additional car spaces for Carisbrook House would be advantageous. As the applicant is requesting use of Council's land, it is considered that Council should have a greater say in the number of car spaces provided for Carisbrook House and the suggested car park layout.

This matter should be reconsidered by the applicant prior to Council providing traffic related conditions for the proposal. I would be happy for myself and the Executive Manager-Human Services, Ms Jane Gornall, to discuss this matter with the applicant and/or their relevant consultants.

WAYNE RYLANDS
EXECUTIVE MANAGER
OPEN SPACE & URBAN SERVICES



Lane Cove Council

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Date: 18 July 2012
Doc Ref: DA39/12

Mr Peter Crosby
Regional Manager, Sydney
Network Management
Roads & Maritime Services
PO Box 973
Parramatta NSW 2150

Dear Peter,

Re: Proposed Demolition of Three Buildings and Construction of Five Residential Flat Buildings containing 249 units at 316-322 Burns Bay Road, Lane Cove

I refer to the Roads & Maritime Service's (RMS) letter dated 11 July 2012, in respect of the proposed development at 316-322 Burns Bay Road. Reference is also made to a letter dated 4 June 2012 from Colston Budd Hunt and Kafes (CBHK) to the RMS.

This matter was considered by the SRDAC at its meeting on 9 May 2012 in which a range of concerns were raised by Council and your officers in regard to traffic implications associated with the development. It was as a result of those deliberations that the Committee required additional information as set out in the SRDAC letter dated 15 May 2012.

It is not clear from the RMS letter authored by Mr Owen Hodgson if this matter was reconsidered by the SRDAC or whether Mr Hodgson administratively overturned the recommendations of the SRDAC. It is also not clear if the three (3) requirements in Mr Hodgson's letter are to supersede the RMS conditions in the development consent, supplement them or are in addition to the previous conditions determined by the SRDAC.

Even if the matter was dealt with administratively, as amended plans have now been referred to the RMS, Council requests that the matter be referred back to the SRDAC for consideration with all parties present.

Council rejects the assertions by CBHK that all northbound traffic emanating from the proposed development would proceed southbound past the signalized intersection at View Street and travel an extra 600m (a round trip of 1.25km) to use the loop road under Burns Bay Road at Fig Tree Bridge. Firstly, the loop road is not an obvious choice and second, driver behaviour, already observed in View Street confirms that drivers will attempt to use this very narrow street to perform a U turn. The regular damage to the No U turn sign already present also justifies Council's objection to an increase in

northbound residential traffic arising from the development. The NSW Police also generally object to signage restrictions which result in additional burden to their already stretched Highway Patrol resources.

In addition, requiring use of the loop road for northbound residents of this development, which adds an estimated 800,000 km of travel annually, is contrary to sustainable development principles.

Council rejects as utterly impractical the proposition of an information brochure being provided to new residents as a traffic management measure. This would be a meaningless, unenforceable condition that would be required to be undertaken for the lifetime of the development.

It appears from Council's review of the information provided that Mr Hodgson in making his new assessment has relied on the traffic analysis report submitted by CBHK in the application. The traffic volumes provided at the G-Turn by CBHK were questioned at the SRDAC as being unrealistic. It can only be assumed, despite the SRDAC's issues, that Mr Hodgson was persuaded by CBHK that somehow the development would make no change in the operation of the G turn based on their SIDRA analysis. Further to this point, Council rejects the appropriateness of the SIDRA results for this type of traffic analysis and its inputs in this instance for the following reasons:

- a) The western leg is actually fed from a north bound slip lane of limited length. Any increase in queue length of vehicles has the potential to adversely impact on the operation of Burns Bay Road, particularly in the peak periods; and
- b) The inputs do not include the total development potential using this intersection included in the Lane Cove LEP 2009. Council's analysis that was presented at the SRDAC did this and verified that there would be traffic impacts. The SRDAC agreed with this analysis as evidenced by the conditions imposed on the development.

The SIDRA traffic software does not have the capability to model this type of road link anomaly, where one road joins back onto another road that is being analysed. Real-time modeling, with a package such as PARAMICS, would be required to analyse the queuing impacts of the G-Turn on northbound Burns Bay Road traffic. This has not been undertaken by the applicant's consultants.

Also, CBHK use the argument that Council and the RMS have permitted other developments to have left in/left out arrangements on Burns Bay Road (i.e. 288 & 290 Burns Bay Road). This argument actually supports Council's stance that the traffic signalised G-Turn provides the necessary controlled facility to allow northbound traffic movements from the Burns Bay Rd Precinct, including 316-322 Burns Bay Road. Traffic emanating from both 288 & 290 Burns Bay Road can utilize the G-Turn to proceed northbound. This is also the case for all existing and proposed developments from 292 Burns Bay Road to 314 Burns Bay Road. It is Council's view that this should also apply to 316-322 Burns Bay Road.

Council questions whether Mr Hodgson's delegations should allow him to overturn the SRDAC determinations without further assessment being undertaken by the SRDAC, and without a further meeting of the SRDAC.

In preparing the Lane Cove LEP 2009, Council engaged Traffic & Transport Planning (Mr Ross Nettle) to consider the traffic implications which result from an upzoning of a number of sites in the Burns Bay Road area which impact on the signalized intersection at 300 Burns Bay Road (G-Turn), including 316-322 Burns Bay Road. The proposed development on this site was the largest anticipated in the precinct. For this reason, it was recommended that the access road across 304-314 Burns Bay Road be provided and that a reconfiguration of the G-Turn intersection would be required. Specifically, this required the developer of 316-322 Burns Bay Road to provide the access road. It also meant that Council would acquire either by negotiation or by compulsory acquisition the commercial building at 296 Burns Bay Road. On the basis that an alternate access across Council's land would provide for north bound traffic from this development, the Council, Department of Planning and the community supported upzoning the site at 316-322 Burns Bay Road from 1.7:1 to 2:1.

While the north south road is not in the ownership of the developer, as detailed at the SRDAC meeting it is in the ownership of Council and its construction would only be required to the boundary of the developer's site to provide appropriate access for northbound movements from that development. The RMS should note that Council **will not be funding at its cost** a road which we insist is required by this applicant for their major development.

Attached is an extract from Council's Zoning map identifying each of the sites capable of being redeveloped for high density residential (R4 zone) which will all have a contributory and cumulative impact on the G Turn intersection. Council estimates that an additional 580 units will be constructed in this precinct, including the proposed 249 units on 316-322 Burns Bay Road. This will be in addition to the already existing 333 units in the precinct.

In concluding, even if the matter was dealt with administratively by Mr Hodgson, as amended plans have now been referred to the RMS, Council requests that the matter be referred back to the SRDAC with all parties present.

Should you wish to discuss this further, please contact me on 9911-3560.

Yours sincerely

WAYNE RYLANDS
EXECUTIVE MANAGER
OPEN SPACE & URBAN SERVICES



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Date: 18 September 2012
Doc Ref: DA39/12

Mr Owen Hodgson
Chairman, Sydney Regional Development
Committee
Roads & Maritime Services of NSW
PO Box 973
Parramatta CBD NSW 2150

Dear Mr Hodgson,

**Re: Proposed Residential Flat Development at 316-322 Burns Bay Rd,
Lane Cove**

I refer to your letter of 12 September 2012, regarding the Sydney Regional Development Advisory Committee (SRDAC) reconsideration of the traffic impacts of the above proposal at its' meeting of 15 August 2012.

On your first comment, I advise that Council has provided landowner's consent to the applicant to include a portion of the car park for Carisbrook House on the adjacent road reserve.

On your second comment, I note that the Committee is awaiting Council's advice on the proposed link road. As advised by Council's Executive Manager-Open Space & Urban Services, Mr Wayne Rylands, at the SRDAC meeting of 15 August 2012, it has always been Council's stance that this road should be constructed to accommodate traffic associated with the proposed development at 316-322 Burns Bay Road as outlined in Council's DCP. Accordingly, Council provides landowner's consent for assessment purposes for the construction of the link road over 304-314 Burns Bay Road. Discussions are ongoing around the commercial arrangements between Council and the proponent for the construction of the link road.

Council requests the RMS to provide final conditions regarding access to the site, such that Council's report can include this in the draft conditions of the report to the JRPP. The JRPP will consider this matter on 17 October 2012. Council is required to finalise its' report by 21 September 2012. It would be appreciated if you could respond prior to 21 September 2012.

Should you wish to discuss this matter or require any further information, please do not hesitate to contact Mr Rylands on 9911-3560.

Yours sincerely

CRAIG WRIGHTSON
GENERAL MANAGER