

## REFERRAL RESPONSE – TECH. SERVICES

**FILE NO:** DA 531/2011/2

**ADDRESS:** 1 Kiaora Road DOUBLE BAY 2028

**PROPOSAL:** Modify conditions A3 Approved plans & supporting documentation (carparking circulation, weather protection, roof level travelator/lift lobby, supermarket layout, additional trolley bays, ESD measures, relocation of sub-stations, amended landscaping and security); A5(h) Traffic generating development; B1 Prior to demolition of any building or construction; C Conditions which must be satisfied prior to the issue of any construction certificate (heading); C1 Modification of details of the development (s80(1)(g) of the Act); C3 Certification of gross floor area; C4 Roads and public domain works; C6 Utility services generally; C7 Provision of energy supplies; C17 Parking facilities; C18 Relocation or reconstruction of Council's stormwater drainage system; C26 Amended stormwater drainage plan; C28 Detail for office plant space, gas heating ventilation and air conditioning (delete condition); D9 Construction management plan; E7 Hours of work-amenity of neighbourhood; E17 Filling of site; F20 Acoustic treatment -vehicle ramp between carparking levels (delete condition); F22 Electronic vacant car parking space identification (delete condition); F33 Traffic calming device - Manning Road/Patterson Street intersection (delete condition); F34 Intersection treatment- Kiaora Road/car park and loading dock entrances; F37 Installation of dynamic/live smart signage (delete condition); F40 Street lighting; F42 Roof top car parking - acoustic treatment (delete condition); and, I14 Noise from mechanical plant and equipment (delete condition)

**FROM:** N Tomkins

**TO:** Mr P Kauter

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I refer to the following documents received for this report:

- Architectural plans by Nettleton Tribe Partnership P/L Dwg No's all dated 26.09.12:  
3109\_DA\_002-F, 003-E, 004-D, 005-E, 006-F,  
011-E, 012-E, 013-E, 014-G, 015-C  
021-E, (no 022) 023-C, 024E, 025-D  
041-E, 042-C  
054-E, 055-B
- Statement of Environmental Effects by TPG NSW P/L Ref: 213.041 dated September 2012

Comments have been prepared on the following. **Where Approval is recommended, Conditions of Consent follow at the end of the comments.**

## Site Drainage comments

### Requested Change 13

*The applicant's Requested Change 13 proposes to amend C18 to remove the need for approval of drainage design plans before issue of the CC.*

*I do not agree with this change as some of the works are to be built on Councils road reserve and Council needs to approve the plans before construction under the Roads Act 1993.*

*The argument given for the change is to avoid delays, but there would still appear to be adequate time to submit plans for approval before construction.*

### Requested Change 14

*Change 14 proposes to amend C26 to remove the need for approval of stormwater drainage plans (comment above applies) and remove the need for bio retention/rain gardens.*

*The applicant states that "Water Sensitive Urban Design (WSUD)" elements such as permeable areas, bio retention, rain gardens and garden beds are "not achievable" but provides no evidence for this statement. I can see no reason to amend this condition as it is important that nutrient flows from the site be mitigated to protect the downstream environment.*

## Traffic, Vehicle Access & Impacts on Council Infrastructure comments

*Council's Manager Engineering Services has made comments on the requested S96 changes as set out in the attached Memo dated 29 October 2012:*

### Summary of Council's Engineering Services responses

Item No	Condition of Consent	Engineering Services Comments
7	C.1 n) Carpark entrance modifications	<b>CONDITION AMENDED, NEW CONDITION I.33 ADDED</b>
9	C.4 Road & Public Domain Works	
	a) Road & Drainage	
	Kiaora Lane - Dot Point 1	Section of road from the site to Manning Road is an integral part of the development – <b>NO CHANGE</b>
	Kiaora Lane - Dot Point 3	Drainage - changes to wording – <b>AGREED - CLAUSE AMENDED</b>
	Patterson Street - Dot Point 1	Section of road and K&G on north side from the site to Manning Road is an integral part of the development - <b>CLAUSE AMENDED</b>
	Anderson St - Dot Point 1	Section of road from the site to Court Road is an integral part of the development - <b>NO CHANGE</b>
	Anderson St - Dot Point 2	Pipe drainage construction and assessment of drainage capacity in Court Road to be provided - <b>NO CHANGE</b>
	Manning Rd - Dot Point 1	<b>AGREED TO DELETION</b>
12	C.17 Parking Facilities	<b>NO CHANGE</b> – may be impacted by Condition C.1 n)
13	C.18 Relocation Council's stormwater drainage	<b>NO CHANGE</b>
14	C.26 Amended stormwater drainage plan	<b>NO CHANGE</b>

18	F.33 Traffic Calming device - Manning Rd	<b>NO CHANGE</b>
19	F.34 Intersection Treatment - Kiaora Road / Entrance Loading Dock	<b>CONDITION AMENDED</b>
20	F.37 Installation of Smart Signage	<b>CONDITION AMENDED</b>
21	F.40 Street Lighting	<b>AGREED - CONDITION AMENDED</b>
26	D.9 Construction Management Plan	<b>NO CHANGE</b>

## RECOMMENDATION

Council's Development Engineer has determined that the following additional and amended conditions are recommended.

### C. Conditions which must be satisfied prior to the issue of any construction certificate

#### Condition C.1 n) Amended as follows

##### C.1 Modification of details of the development (s80A(1)(g) of the Act)

n) The Kiaora Road car park entrance must have the operating capacity to admit a minimum of 600 vehicles per hour. The applicant may be able to meet this condition through the installation of one or two boom gates, subject to the equipment specifications. The applicant must demonstrate to the satisfaction of Council's Technical Services Division, that the specifications for the boom gate/s and associated equipment meet this requirement prior to the issue of the Construction Certificate.

#### Condition C.4 - Amended as follows

##### C.4 Road and Public Domain Works

A separate application under Section 138 of the *Roads Act* 1993 is to be made to, and be approved by, Council for the following infrastructure works prior to the issuing of any Construction Certificate. The infrastructure works must be carried out at the applicant's expense:

##### a) Road and Drainage Works

###### Kiaora Lane

- Roadworks – Full width road reconstruction, kerb & gutter and/or dish footpath and level adjustment for the length of the development from about the eastern boundary of No 11 Patterson Street to Kiaora Road.  
Full width road reconstruction, replacement kerb & gutter and footpath pavers from the development to Manning Road.
- Plaza – construction of all public domain assets.
- Drainage- Construction of drainage and pits and connections to the existing drainage line. Box culvert construction for the full frontage of the development to Kiaora Lane.

#### Kiaora Road

- Roadworks - road shoulder reconstruction, Replacement of kerb & gutter and footpath for the length of the development, long section for driveways.
- Drainage – new pipe connections and pipeline upgrades across Kiaora Road.

#### Patterson Street

- Roadworks – full width road pavement, new realigned kerb & gutter on, driveways and new footpath on northern side.
- Drainage – new 375mm diameter Reinforced Concrete Pipe and pits.

#### Anderson Street

- Roadworks -Kerb & gutter and driveways and road pavement.
- Drainage – new 375mm diameter Reinforced Concrete Pipe and pits. Drainage impacts on the existing system in Court Road to be detailed.

#### Other

- There is conflict between the Flooding, Stormwater Report by Worley Parson, the Stormwater Drainage Concept Design by Warren Smith & Partners and the Kiaora Lane Concept Plan (Civil) by BG&E. Revised plans prepared by Brown Consulting Dwg No's C4-00, C4-01, C4-30, C4-40, C4-41, C4-60, C4-80, C4-90, C4-91 Rev B dated 28.09.2012 have been submitted to Council.
- The amended plans are to be certified by the authors of the flood report that they satisfy their requirements for flood management.
- Dilapidation reports will be required on the adjoining road network that will be affected by construction equipment.
- All the above works will be subject to the submission and approval by Council of a S138 Roads Act application.
- All new footpaths and kerb returns are to incorporate pram ramps which comply with Council's Specification for Roadworks, Drainage and Miscellaneous Works.

#### b) General

Detailed engineering plans (plan, sections and elevation views) and specifications of all works for the footpath, driveways, kerb & gutter, drainage long sections new gully pit showing clearly the connection point of site outlet pipe(s) of the works required by this Condition must accompany the S138 Application form. The plans must also clearly show the following:

- Full width vehicular crossings to be constructed in accordance with Council's standard driveway drawing RF2C
- A design longitudinal surface profile for the proposed driveway must be submitted for assessment.
- Removal and replacement of the existing footpath for the full width of the property in accordance with Council's standard drawing RF3.
- Removal of all driveway crossings and kerb laybacks which will be no longer required.
- Full footpath, kerb and gutter details.
- Full new pavement details.
- Where a grass verge exists, the balance of the area between the footpath and the kerb over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of Couch turf.

- Engineering drawings of the new drainage line to be constructed joining the new and existing drainage pits including services.

**Note:** To ensure that this work is completed to Council's satisfaction, this consent by separate condition, may impose one or more Infrastructure Works Bonds.

**Note:** *Road* has the same meaning as in the *Roads Act 1993*.

**Note:** The intent of this condition is that the design of the road, footpaths, driveway crossings and public stormwater drainage works must be detailed and approved prior to the issue of any *Construction Certificate*. Changes in levels may arise from the detailed design of buildings, road, footpath, driveway crossing grades and stormwater. Changes required under *Roads Act 1993* approvals may necessitate design and levels changes under this consent. This may in turn require the applicant to seek to amend this consent.

**Note:** See condition K24 in *Section K. Advising* of this Consent titled *Roads Act Application*.  
Standard Condition: C13 (Autotext CC13)

#### **Condition C.17 – No Change**

#### **Condition C.18 – No Change**

#### **Condition C.26 – No Change**

### **D. Conditions which must be satisfied prior to the commencement of any development work**

#### **Condition D.9 – No Change**

### **F. Conditions which must be satisfied prior to any occupation or use of the building (Part 4A of the Act and Part 8 Division 3 of the Regulation)**

#### **Condition F33 – No Change**

#### **Condition F.34 – Amended as follows**

##### **F.34 Intersection treatment – Kiaora Road/car park and loading dock entrances**

The applicant is to pay all costs associated with the design and installation of an “intersection” treatment on Kiaora Road, at the proposed car park and loading dock entrances utilising line marking in Kiaora Road. The treatment is to include a right turn lane for southbound vehicles on Kiaora Road to allow them to turn into the car park and to allow heavy vehicles to turn into the loading dock. The treatment is to include a marked pedestrian crossing across the car park and loading dock driveway, with concrete pedestrian refuges between the entrance to the car park/ exit to the car park and the exit to the car park/ entrance to the loading dock. Appropriate linemarking will need to be installed to accommodate the two left turning lanes from the Kiaora Road exit. This may require the removal of parking on the eastern side of Kiaora Road. The design of the intersection treatment 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 intersection treatment is to be completed prior to the issue of the occupation certificate.

## **Condition F.37 – Amend3ed as follows**

### **F37 Installation of dynamic/ live smart signage**

The applicant is to install dynamic/ live smart signage which indicates when the car park is full. These dynamic/ live smart signs are to be installed at the two proposed car park entrances. Details are to be submitted for approval by Council's Technical Services Division.

This condition is imposed with regard to traffic related impacts of the proposed development.

## **Condition F.40 – Amended as follows**

### **F.40 Street lighting**

The applicant is to upgrade the street lighting in Kiaora Lane, Kiaora Road, Patterson Street and Anderson Street, adjacent to the site, to the Australian Standard. The lighting is to be upgraded prior to the issue of the occupation certificate. Details of lighting are to be submitted for approval by Council's Technical Services Division.

## **I. Conditions which must be satisfied during the ongoing use of the development**

### **New Condition I.33**

#### **I.33 Car park entrance capacity**

The Kiaora Road car park entrance must have the operating capacity to admit a minimum of 600 vehicles per hour.

#### **I.34 Dynamic/ live smart signage**

The car park control system installed in the car park shall be configured in a way that could readily transmit car park occupancy survey information to a centralised Double Bay car parking information system at such time as such a system is installed.

# Memorandum

A. Error! Objects  
cannot be created  
from editing field  
codes.

Date 29 October 2012

File No. DA531/2011/2

To Nick Tomkins

CC

From Cathy Edwards-Davis

**Subject** KIAORA LANDS REDEVELOPMENT S96 SEPTEMBER 2012

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I refer to the following documents:

- Statement of Environmental Effects prepared by The Planning Group Pty Ltd dated September 2012

## **Requested Change 7**

The initial traffic report had a service rate of 400 vehicles per hour for the Kiaora Road entrance boom gate. The applicant is now suggesting that there may be technology that allows a service rate of 600 vehicles per hour. I have undertaken a queuing analysis based on the new service rate and I am satisfied that this will satisfy the 98<sup>th</sup> percentile queue length. I therefore do not object to the intent of the requested change. However, I recommend that the condition be worded as follows:

C1 n) The Kiaora Road car park entrance must have the operating capacity to admit a minimum of 600 vehicles per hour. The applicant may be able to meet this condition through the installation of one or two boom gates, subject to the equipment specifications. The applicant must demonstrate to the satisfaction of Council's Technical Services Division, that the specifications for the boom gate/s and associated equipment meet this requirement prior to the issue of the Construction Certificate.

This condition is imposed to prevent inbound vehicles to the car park queuing across the Kiaora Road footpath and to ensure that vehicles queuing in Kiaora Road do not adversely impact on the efficient operation of the Kiaora Road/ New South Head Road intersection.

In order to ensure that this condition is satisfied during the ongoing use of the development, it is also recommended that a new "I" Condition be imposed as follows:

The Kiaora Road car park entrance must have the operating capacity to admit a minimum of 600 vehicles per hour.

This condition is imposed to prevent inbound vehicles to the car park queuing across the Kiaora Road footpath and to ensure that vehicles queuing in Kiaora Road do not adversely impact on the efficient operation of the Kiaora Road/ New South Head Road intersection.

### **Requested Change 9**

In general, I am opposed to the requested changes to Condition C4.

With regard to Kiaora Lane, a Shared Zone is being created in the bulk of the laneway. This recognises that the development will attract a significant number of pedestrian movements. These pedestrians will travel from the car park. These pedestrians will also travel on the section of Kiaora Road, near Manning Road, from surrounding streets and public transport on New South Head Road. Given this, it is important to provide appropriate facilities to meet the access needs of the development.

Further, from a road safety perspective, it is important that pedestrians and motorists utilising Kiaora Lane to reach the development, have a clear understanding regarding where the Shared Zone is in operation and where it is not. It is therefore essential, that in the section of Kiaora Road that will not be a Shared Zone, that the footpath, roadway and kerb & gutter are clearly delineated in appropriate materials.

With regard to Patterson Street, as with Kiaora Lane, pedestrians will travel to the development from surrounding streets. The current footpath on the northern side of Patterson Street does not provide level pedestrian access. There is currently no footpath on the southern side of Patterson Street. It is essential that appropriate access facilities are provided in Patterson Street. Kerb realignment is required in order to provide the appropriate footpath access.

With regard to Anderson Street, as with Kiaora Lane, pedestrians will travel to the development from surrounding streets. The current footpaths do not provide level pedestrian access. It is essential that appropriate access facilities are provided in Anderson Street.

With regard to Manning Road, it is noted that the development does not front Manning Road and therefore these works may be considered excessive. It is therefore recommended that the Manning Road works be removed.

I therefore recommend that the Manning Road works be removed, but the remainder of condition C4 be retained.

I note in relation to Condition C4, that when this matter was considered by the JRPP at their meeting on the 27 June 2012 the minutes note, “The Panel has considered also the applicant’s request to amend Condition C4 in order to reduce the amount of reconstruction required. Given the cost of the project relative to the cost of the disputed reconstruction works, the Panel resolves to leave the condition unchanged.”

Given the scale of the development, the works requested are reasonable and directly relate to the future increased vehicle and pedestrian movements which will be associated with the new development. The applicant has provided no reasonable justification to make changes to this condition.



## **Requested Change 12**

I note that Condition C1n may require modifications to the layout of the car park, which may result in a loss of parking spaces.

## **Requested Change 18**

I am opposed to the removal of Condition F33 which reads:

### **F33 Traffic calming device – Manning Road/ Patterson Street intersection**

The application is to pay all costs associated with the design and installation of a traffic calming device at the intersection of Manning Road and Patterson Street. The design of the traffic calming device 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 traffic calming device is to be completed prior to the issue of the occupation certificate.

This condition is imposed with regard to traffic related impacts of the proposed development.

As per my comments in relation to the original development application, Manning Road already experiences vehicle volumes that exceed the environmental capacity of the roadway. The additional traffic generated as a result of this development will therefore further erode the amenity of this street for residents.

This significant increase in traffic volumes and subsequent impact on resident amenity is considered unacceptable, unless steps are taken to ameliorate the impact. One of the means to reduce the impact of increasing vehicle volumes is to slow their speed. This can be done through traffic calming.

My original recommendation was to install a roundabout at the intersection of Manning Road and Patterson Street. The JRPP, following feedback from nearby residents, removed the specific reference to a roundabout and instead resolved that traffic calming be installed, in consultation with the community.

This section 96 application does not seek to reduce vehicle volumes on Manning Road and therefore it is still felt that the proposed development will impact negatively on Manning Road unless means are taken to slow the vehicle speeds. The applicant has provided no reasonable justification to remove this condition. I am therefore opposed to the removal of Condition F33.

## **Requested Change 19**

I have no objections to include reference to linemarking in Condition F34, as this was the intention of the condition. The removal of parking is subject to Traffic Committee and Council approval. It is therefore recommended that the condition be worded as follows:

### **F34 Intersection treatment – Kiaora Road/ car park and loading dock entrances**

The applicant is to pay all costs associated with the design and installation of an “intersection” treatment on Kiaora Road, at the proposed car park and loading dock entrances utilising line marking in Kiaora Road. The treatment is to include a right turn lane for southbound vehicles on Kiaora Road to allow them to turn into the car park and to allow heavy vehicles to turn into the loading dock. The treatment is to include a marked pedestrian crossing across the car park and loading dock driveway, with concrete pedestrian refuges between the entrance to the car park/ exit to the car park and the exit to the car park/ entrance to the loading dock. Appropriate linemarking will need to be installed to accommodate the two left turning lanes from the Kiaora Road exit. This may require the removal of parking on the eastern side of Kiaora Road. The design of the intersection treatment 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 intersection treatment is to be completed prior to the issue of the occupation certificate.

This condition is imposed with regard to traffic related impacts of the proposed development.

#### **Requested Change 20**

See attached additional Memo dated 2 November 2012

#### **Requested Change 21**

In relation to Condition F40, I did originally mistakenly refer to New South Head Road, which has newly installed multi-function poles and street lighting. New street lighting is therefore not required on New South Head Road. I am opposed to the removal of any other streets in Condition F40.

Street lighting is required to help ensure safety for motorists and pedestrians in the public roadway. The proposed development will significantly increase vehicle volumes and pedestrian volumes on all of the surrounding streets, including Kiaora Lane, Kiaora Road, Patterson Street and Anderson Street. There is therefore a need to improve road safety for these new vehicles and pedestrians, through an upgrade in the street lighting. The recommended condition only requires the lighting to be upgraded *adjacent* to the Kiaora Lands site.

The applicant has provided no reasonable justification to remove Kiaora Road, Patterson Street and Anderson Street from this condition.

It is therefore recommended that Condition F40 be worded as follows:

#### **F40 Street lighting**

The applicant is to upgrade the street lighting in Kiaora Lane, Kiaora Road, Patterson Street and Anderson Street, adjacent to the site, to the Australian Standard. The lighting is to be upgraded prior to the issue of the occupation certificate. Details of lighting are to be submitted for approval by Council’s Technical Services Division.

#### **Requested Change 26**

With regard to Condition D9, the need for a construction management is essential for all phases of the development. I am opposed to the request that this condition not apply during demolition, piling, the installation of in-ground services within the site and the ground floor slab construction. The preliminary construction management plan submitted with the development application was sufficient for the initial assessment and an “in principle” approval. However, this preliminary plan lacked detail to fully assess and manage construction impacts, particularly as a builder had not been appointed to the project.

This development will be one of the largest undertaken in Double Bay for many years. The local community near the Kiaora Lands site will be greatly impacted by this development during construction. It is essential that the applicant introduce appropriate and reasonable means to mitigate the impacts of construction as far as possible. These mitigation measures will need to be implemented during all phases of construction.

The applicant has provided no reasonable justification to remove this condition.

### **Other Comments**

I note that the plans still show Anderson Street having an entrance and exit to the proposed car park. The JRPP approval was contingent on Anderson Street having only an exit from the car park.

I note that the driveways shown on the plans still do not comply with Council’s standard driveway drawing RF2C. Condition C4 specifies that driveways must comply with Council’s standard drawing.

Yours sincerely

Cathy Edwards-Davis  
Manager Engineering Services

# Memorandum

**B. Error! Objects  
cannot be created  
from editing field  
codes.**

Date 26 October 2012

File No. DA531/2011/2

To Nick Tomkins

CC

From Cathy Edwards-Davis

**Subject** KIAORA LANDS REDEVELOPMENT S96 SEPTEMBER 2012

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Further to my earlier memo dated 29 October 2012, additional traffic information has now been received.

I refer to the following documents:

- Statement of Environmental Effects prepared by The Planning Group Pty Ltd dated September 2012
- Letter from GTA Consultants dated 31 October 2012

## **Requested Change 20**

Requested chance 20 relates to Condition 37 which reads:

### **F37 Installation of dynamic/ live smart signage**

The applicant is to install dynamic/ live smart signage which indicates when the car park is full. These dynamic/ live smart signs are to be installed at the two proposed car park entrances and at the intersections of New South Head Road/ Kiaora Road and New South Head Road/ Manning Road. Details are to be submitted for approval by Council's Technical Services Division.

This condition is imposed with regard to traffic related impacts of the proposed development.

One of the major impacts associated with this development is traffic generation. Dynamic car park signage can help to reduce circulating traffic and help to maintain resident amenity.

I accept the comments put forward by GTA Consultants. That is, the dynamic smart signage on New South Head Road should refer to all of the major car parks in Double Bay.

However, I believe there is still benefit in having dynamic signage at the two car park entrances, indicating when the car park is full. This prevents unnecessary circulation in the car park and/ or vehicles being queued in the public roadway or across the footpath whilst waiting to determine if the car park is full or not.

It is therefore recommended that this condition be modified as follows:

**F37 Installation of dynamic/ live smart signage**

The applicant is to install dynamic/ live smart signage which indicates when the car park is full. These dynamic/ live smart signs are to be installed at the two proposed car park entrances. Details are to be submitted for approval by Council's Technical Services Division.

This condition is imposed with regard to traffic related impacts of the proposed development.

It is recommended that a further "I" condition be added as follows:

The car park control system installed in the car park shall be configured in a way that could readily transmit car park occupancy survey information to a centralised Double Bay car parking information system at such time as such a system is installed.

Yours sincerely

Cathy Edwards-Davis  
Manager Engineering Services