

Summary of Submissions

Planning Proposal to amend the Ku-ring-gai Local Environmental Plan 2015 for the rezoning of 21 Lorne Avenue, Killara from R2 Low Density Residential to R4 High Density Residential

No	Issue/Concern	Comment
1	<p>Does not support rezoning as it will result in further worsening in already overcrowded street, especially the following:</p> <ul style="list-style-type: none"> • Water pressure • Telecommunication infrastructure • Parking and street access • Shadowing to neighbouring properties • Tree preservation <p>Do not make this street even worse.</p>	<p>The Planning Proposal was sent to Telstra and to Sydney Water under S56 of the EP&A Act 1979 for comment. No response has been received from these agencies.</p> <p>The majority of the northern side of Lorne Avenue has 2hr kerbside parking restrictions (Monday-Saturday) which reduces street crowding and provides turnover.</p> <p>This is a planning proposal for the rezoning of the site – it is not a development application and does not give approval for the construction of any building. Matters such as tree removal and overshadowing would be assessed as part of the Development Application process for any DA lodged for development on the site.</p>
2	<ul style="list-style-type: none"> • Strongly against the development on 21 and 25 Lorne Avenue, Killara. • The water pressure is already low. • A new building will over shadow the west side of 3-7 Lorne Avenue, it will be too dark and no sun for the residents on the west side. 	<p>The planning proposal was sent to Sydney Water for comment under s56 of the EP&A Act 1979. No response has been received.</p> <p>This is a planning proposal for the rezoning and amendments to the development standards applying to the site – not a Development Application for the construction of a building.</p> <p>The matters raised regarding water and overshadowing are a matter for consideration during the assessment of any Development Application on the site.</p>
3	<ul style="list-style-type: none"> • More people will bring more noise. • More dog and pet waste to the playground and Regimental Park. • More dirty rubbish to the footpath. • More crowded in traffic peak time. • More car spots. • More students to primary school and high school. 	<p><i>The Protection of the Environment (Noise Control) Regulation 2008</i> covers neighbourhood noise laws. There are time restrictions on when noise from residential premises should not be heard inside a neighbours residence. The noise sources include power tools, swimming pool and spa pumps, music, air conditioning, water heaters and motor vehicles.</p> <p><i>The Companion Animals Act 1998</i> sets out the duties and responsibilities of pet owners. Failure to comply with the Act can result in fines.</p> <p>Assuming a conservative traffic generation rate of 0.3 trips per dwelling (2-way) during the peak hour, the potential peak hour traffic generation of 79 high density dwellings would be</p>

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		<p>approximately 24 trips, or roughly 1 trip every 2 minutes. Additional 24 trips in the peak hour is unlikely to have significant additional impact on the surrounding road network.</p> <p>The majority of the northern side of Lorne Avenue has 2hr kerbside parking restrictions (Monday-Saturday) which limits all-day parking and provides turnover.</p> <p>The Department of Education is the authority in regards to maximum student numbers in the local primary and high schools. The rezoning of one site - 21 Lorne Avenue to R4 in itself is unlikely to result in large increase in demand on the local schools.</p>
4	<ul style="list-style-type: none"> • 21 Lorne Avenue shouldn't have been delisted – it is a Federation Arts and Craft dwelling in good conditions and of local historical significance and represents early 20th century development in the area. • House was designed by Carlyle Greenwell and one of the few remaining houses in Killara designed by Carlyle Greenwell. Carlyle Greenwell houses are often heritage listed (e.g. Killara Uniting Church, "Harrison House" in Toowoomba and "Norman House" in Vacluse.) • Recommendation to delist house in context of 2(d3) development surrounding site makes no sense • 21 Lorne Avenue meets more than one criteria for listing on the State Heritage Register and should be relisted. Heritage value of house is more than it was 10yrs ago given the excessive amount of development and lost other examples of the history of Killara • Rezoning to R4 should not occur and heritage listing should be reinstated. 	<p>The house was delisted as part of the planning proposal for the KLEP 2015.</p> <p>The site is surrounded by R4 zoning which on these sites allows for a potential maximum building height of 17.5m or approximately 5 storeys.</p> <p>The arguments for delisting of the site were the impact of development on curtilage and setting. The original boundary of the lot on which the house was built was subdivided in 1958 to create 4 lots. This significantly reduced the curtilage and resulted in visual encroachment on the site with very narrow setback, particularly on the western side. Following the subdivision, the house did retain significance as a garden setting was still in place and the neighbouring properties did not exceed two storeys.</p> <p>Where a significant curtilage can be retained or significant site lines are still visible such as a corner site, a heritage building can retain its significance and be retained as a single site or be zoned through. Zoning through allows for the retention of the item while also allowing for redevelopment of some of the lot as long as an acceptable curtilage is retained, and in the case of large houses may enable strata subdivision.</p>

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		<p>The opinion of the consultants and the Council interface assessment concluded the curtilage would be impacted by future (and now some existing) R4 development. The reduced curtilage as a result of the 1958 subdivision would potentially result in 5 storey neighbours on the upzoned sites, surrounding the house on 3 sides. Consequently, zoning through is not considered to be a viable option in this case. As a result of the lost setting and diminished curtilage the house was removed from Council's heritage list.</p> <p>With regards to meeting the criteria for inclusion on the State Heritage Register, 21 Lorne Avenue was previously a locally listed item. It does not have state significance. The house was previously independently assessed by PMA and the outcome was a recommendation for the delisting.</p>
5	<ul style="list-style-type: none"> Does not agree with rezoning from R2 Low Density to R4 High Density as it is already too crowded in this region and proposal will make it worse. Killara is usually a low density residential area in history 	<p>Killara – like most of the Ku-ring-gai Local Government Area – was historically low density residential in character. In order to provide for Sydney's growing population and the State Government dwelling targets – areas in Ku-ring-gai have been rezoned to allow for medium and high density housing. These areas are generally located along the railway line and Pacific Highway – close to public transport and existing infrastructure.</p> <p>The northern side of Lorne Avenue (except for 21 Lorne Avenue) is already zoned R4 High Density Residential – and sites have been redeveloped into 5 storey apartment blocks. The southern side of Lorne Avenue is a Heritage Conservation Area, and contains a number of heritage items – it is unlikely that the southern side of Lorne Avenue will be redeveloped.</p>
6	<ul style="list-style-type: none"> Need to create more housing in Sydney Metropolitan Areas to accommodate growing population has been established and areas close to transport, services and infrastructure are ideal for higher density housing. The section of Killara adjacent to the railway station and bounded by Pacific Highway, Stanhope Rd, Culworth Ave and Powell St is ideal for higher density housing and has already been accomplished while retaining ambience of area. Object to rezoning of 21 Lorne Avenue – allowing previously heritage listed house to be rezoned would destroy an opportunity to enhance amenity of the area. Rezoning would destroy opportunity to retain significant historic building whilst not addressing 	<p>Noted. Areas in Ku-ring-gai that have been rezoned to allow for medium and high density housing are generally located along the railway line and Pacific Highway – close to public transport and existing infrastructure.</p> <p>The proposed R4 High Density Residential zone permits the following land uses which may support the development and use of 'small business':</p>

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	<p>serious shortage of local businesses in the area. The area currently only contains 4 business and no suitable premises to any increase. Last 10 years there has been huge increase in population without any increase of local shopping or small businesses.</p> <ul style="list-style-type: none"> 21 Lorne Avenue should be rezoned to a zoning to allow the house to be remodeled for a small business (convenience store, café, hairdresser, doctor, dentist) – this would be a positive outcome. 	<ul style="list-style-type: none"> child care centres neighbourhood shops shop top housing Home businesses <p>It is up to the land owner to put forward a development application to Council. Each zone specifies a number of uses permitted within that zone. Council cannot force a landowner to develop their site for a certain purpose.</p>
7	<ul style="list-style-type: none"> 21 Lorne Avenue was previously on the heritage conservation listing – identified as historically significant in the heritage study report in 1987 by Robert Moore, Penelope Pike, Helen Proudfoot and Lester Tropman & Associates PMA report – considered to be of local significance as a Federation Arts and Craft building that is in good condition. Building dates to pre 1900 and is representative of the architecture of early development in the area following subdivisions and development around Killara station. Building designed by Carlyle Greenwell 21 Lorne Avenue is one a the few historically significant properties in the heritage preservation area around Killara Station – including 6, 8, 10 and 14 Lorne Avenue and the HCA on Marian Street. 21 Lorne should not have been delisted – property should be relisted Argument that the site should be rezoned to R4 because if it is not, it will result in an isolated single dwelling surrounded by 5-6 storey residential development is not a valid argument. In Sydney there are many single heritage properties surrounded by multi storey buildings. Should not be rezoned to R4 Council didn't notify residents about the delisting Council should impose moratorium on demolition of dwelling 	<p>Please refer to comments under submission 4.</p> <p>21 Lorne Avenue is not within the Marian Street Conservation Area. The upzoning of the sites on the northern side of Lorne Avenue resulted in this are not being included in a conservation area. The boundary includes the buildings on the southern side, which represent a row of mostly intact Federation and Inter-war period houses within garden settings.</p> <p>The delisting of the house at 21 Lorne Avenue occurred as part planning proposal process for the Ku-ring-gai Local Environmental Plan 2015. This plan was public exhibited, notifications (in the form of letters) were sent to all affected home owners, including the neighbours of 21 Lorne Avenue, who were invited to review the planning documents and make comment.</p> <p>The Exempt and Complying SEPP which is a State Environmental Planning Policy under the authority of the state government permits demolition as complying development when the conditions and the development standards specified in the SEPP are met as they have been for 21 Lorne Avenue.</p>
8	<p>Oppose rezoning for the following reasons:</p> <ul style="list-style-type: none"> Neighbouring site 3-7 Lorne Avenue is zoned 2(d3) medium density housing – questions why Council is permitted the proposal for R4 High Density Housing Noise impacts from the number of residents and tenants Water pressure at 3-7 Lorne Avenue is very low – questions what is being done to improve this 	<p>Neighbouring site 3-7 Lorne Avenue is currently zoned R4 High Density Residential (the same as what is proposed for 21 Lorne Avenue). 3-7 Lorne Avenue has recently been redevelopment as a 5 storey apartment building. The zoning and development standards proposed for 21 Lorne Avenue are the same as the surrounding sites</p>

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	<p>and what will happen when new high density developments are built</p> <ul style="list-style-type: none"> • Concerns regarding adequate stormwater and sewage • Telecommunications infrastructure is woeful despite Telstra exchange at end of the street – slow internet speeds • Lorne Avenue is already full of parked cars during weekdays – questions what is being done to improve this. New developments and existing developments don't adequately cover the parking needs of residents forcing them to park on street and compete with commuters • Notes the weekday traffic volumes stated in the Council report are from 2015 – since then there have been numerous high density developments in Killara which would have an impact on the numbers and questions if a more recent study has been conducted? • Additional housing and cars cause congestion and accidents • Notes the Council report states that the subject site is located 300m from Killara station – however the number of train services during peak times have not increased even though hundreds of new residents have moved into the area and questions what Council has planned to rectify this. • Increase in littering and illegal dumping in Lorne Avenue • Concern that the building of high density apartments in area may cause a fall or slower growth in housing prices due to increased supply <p>If the development goes ahead there are the following questions:</p> <ul style="list-style-type: none"> • Mature pines and camellia trees on western side of 3-7 Lorne Ave provide screening and privacy. Questions what has been planned for these trees? The submitted plans don't address tree preservation. • Concern regarding privacy to and from proposed buildings • Height of buildings of 17.5m is higher than existing building at 3-7 Lorne Avenue – concern regarding loss of sunlight and sight lines. No shadow diagrams provided. • Planning proposal states that it is for 21 Lorne Avenue – however architectural and other drawings show plans that also include the adjacent property of 9 Lorne Avenue. Confusing. • Construction noise 	<p>and development.</p> <p>The <i>Protection of the Environment (Noise Control) Regulation 2008</i> covers neighbourhood noise laws. There are time restrictions on when noise from residential premises should not be heard inside a neighbour's residence. The noise sources include power tools, swimming pool and spa pumps, music, air conditioning, water heaters and motor vehicles.</p> <p>The Planning Proposal was sent to Sydney Water for comment under S56 of the EP&A Act 1979. No response has been received. Water pressure and sewage is a matter for Sydney Water – not Council. Sydney Water may require adjustments to their assets to accommodate new development.</p> <p>The Planning Proposal was sent to Telstra for comment under S56 of the EP&A Act 1979. No response has been received.</p> <p>As part of any future development application on the site the impacts on stormwater would be assessed and ensure compliance with Part 24 – Water Management of Council's DCP.</p> <p>The Ku-ring-gai DCP parking requirements for high density residential developments within 400m of railway stations is deemed to be adequate, and residents who choose to own more cars than car spaces allocated to them and park on street would have to compete with commuters or risk an infringement if parking in a time restricted zone.</p> <p>Council staff are also developing a car share vehicle policy. Car share provide alternatives to residents owning more vehicles than they have allocated parking spaces on site, and therefore reduce demand for on-street parking spaces.</p> <p>The expected traffic generation rate of 0.3 trips per dwelling (2-way) during the peak hour is equal to approximately 24 trips, or roughly 1</p>

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		<p>trip every 2 minutes. Additional 24 trips in the peak hour is unlikely to have significant additional impact on the surrounding road network. Council is monitoring traffic volumes in Lorne Avenue to assess any effects from more recent high density residential developments.</p> <p>The crash history for Lorne Avenue and Culworth Avenue was checked and revealed that there have been no recorded crashes in the most recent 5 years of available crash data. This may indicate motorists are driving on these roads with due care.</p> <p>The majority of the northern side of Lorne Avenue has 2hr kerbside parking restrictions (Monday-Saturday) which limits all-day parking and provides turnover. On local roads near railway stations, Council accepts that residents in surrounding areas will park in unrestricted areas to access train stations.</p> <p>Council has no control over the number of train services. This is a matter for Transport for NSW and Sydney Trains.</p> <p>Illegal dumping of items can be reported to Council, who can investigate illegally dumped waste and take action against the offender. Council also has a Litter Free Ku-ring-gai initiative.</p> <p>This planning proposal is for the rezoning of a single site – it is unlikely that the rezoning and any future development on the site would be a catalyst for a fall or slow in property prices.</p> <p>This is a planning proposal and considers the proposed amendments to the KLEP 2015 only – it is not a Development Application and does not give approval for the construction of any buildings. The plans contained in the planning proposal are indicative only – and any future development on the site is not tied to these plans. The issues raised such as impacts to trees, privacy, overshadowing would be considered and assessed during the Development Application process for any future development on the site.</p>

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		<p>The planning proposal only applies to the rezoning of 21 Lorne Avenue, Killara. It is the intention of the owners to develop this site in conjunction with 9 Lorne Avenue. However, this would be a matter for consideration under any future Development Application.</p> <p>Should a Development Application be approved – conditions would be included in the consent regarding hours of work in order to limit construction noise.</p>
9	<ul style="list-style-type: none"> • Already enough high density in the neighbourhood and the parking in the street and near train station is full every day. • If there is another R4 building there will be a bad impact in the community 	<p>The majority of the northern side of Lorne Avenue has 2hr kerbside parking restrictions (Monday-Saturday) which reduces street crowding and provides turnover.</p> <p>The rezoning of 21 Lorne Avenue to R4 High Density Residential is consistent with the zoning of the surrounding properties. Within Ku-ring-gai, medium and high density zonings are predominantly located along the rail line and Pacific Highway – close to existing public transport and infrastructure.</p>
10	<p>Concern regarding the planning proposal and development of 25 Lorne Avenue, Killara:</p> <ul style="list-style-type: none"> • Owner of 3-7 Lorne Avenue - Impact to daily lives, loss of beautiful environment and heritage. Enjoyable to have fresh air and small wild animals. Concern that if the area changes to R4 High Density animals will disappear and fresh air will be lost. Will have to wait many years for trees to grow. Loss for Lorne Avenue and Ku-ring-gai. • Lorne Avenue is extremely busy in the mornings. Full of cars from people parking to access the station. Residents fought to save carpark on Lorne Avenue to reduce the parking pressure for local residents. • Rezoning will bring more people and results from saving car park will be removed – increasing stress on Lorne Avenue. Will also be hard to find seats on train. Current peak time train is full. The more people the worse this will be. • Impacts to personal lives – rezoning will result in 5 level apartments. Building will block sun to 3-7 Lorne Avenue. Impacts to water pressure and telecommunication infrastructure. 	<p>This is a planning proposal and considers the rezoning and amendments to the KLEP 2015 only – it is not a Development Application and does not give approval for construction. As part of a Development Application, the impacts to flora, fauna and their habitats would be assessed. It is noted that the site is not mapped as Biodiversity Significance under the KLEP 2015.</p> <p>The expected traffic generation rate of 0.3 trips per dwelling (2-way) during the peak hour is equal to approximately 24 trips, or roughly 1 trip every 2 minutes. Additional 24 trips in the peak hour is unlikely to have significant additional impact on the surrounding road network. Council is monitoring traffic volumes in Lorne Avenue to assess any effects from more recent high density residential developments.</p> <p>The Ku-ring-gai DCP parking requirements for high density residential developments within 400m of railway stations is deemed</p>

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		<p>to be adequate, and residents who choose to own more cars than car spaces allocated to them and park on street would have to compete with commuters or risk an infringement if parking in a time restricted zone.</p> <p>Council staff are also developing a car share vehicle policy. Car share provide alternatives to residents owning more vehicles than they have allocated parking spaces on site, and therefore reduce demand for on-street parking spaces.</p> <p>The frequency of trains is a matter for Sydney Trains and Transport for NSW. Council has no input into this matter.</p> <p>The impacts of a future development for a 5 storey apartment building would be considered and assessed as part of a Development Application.</p> <p>The Planning Proposal was sent to Sydney Water and Telstra for comment under s56 of the EP&A Act 1979, and no response has been received.</p>
11	<ul style="list-style-type: none"> • Lack of infrastructure and amenities which are failing to serve the greatly increased population in this area by Council and State Government. • Hundreds of units have being built in the area and congestion on the roads leading to and from the station is quite dangerous. No upgrades to Culworth Avenue • The quoted traffic movements in Lorne Avenue from 2015 – the speed limit is 50km/hr and 85% average speed was 54km/hr indicates cars speeding. Since the survey a new block of units has been built with more than 100 units and at least 100 more from 25-9 Lorne Avenue in the future. Traffic is major concern to residents. • No safe places for pedestrians to cross the road. Lights at Pacific Highway do not have a pedestrian light to cross Lorne Avenue. Crossing anywhere between Culworth and Pacific Highway is dangerous, especially on weekends with childrens sport at park. • Thought that moving near to public transport would reduce need for cars – however most people have 1-2 cars adding to parking problems as most units only have 1 parking space and no share car facilities. • Incidences of mains water pressure dropping – with two more unit blocks proposed in the street this will add to problem 	<p>As part of any future Development Application for the redevelopment of the site, Council would require the Developer to pay a levy towards the cost of providing and augmenting local services and facilities that are required because of their development.</p> <p>The crash history for Lorne Avenue and Culworth Avenue was checked and revealed that there have been no recorded crashes in the most recent 5 years of available crash data. This may indicate motorists are driving on these roads with due care.</p> <p>The expected traffic generation rate of 0.3 trips per dwelling (2-way) during the peak hour is equal to approximately 24 trips, or roughly 1 trip every 2 minutes. Additional 24 trips in the peak hour is unlikely to have significant additional impact on the surrounding road network. Council is monitoring traffic volumes in Lorne Avenue to</p>

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	<ul style="list-style-type: none"> • No upgrades of Killara Railway Station – when will lift be installed for disabled/elderly and families? • New park at Bruce street has no toilet facilities 	<p>assess any effects from more recent high density residential developments.</p> <p>Narrow sections of Culworth Avenue have weekday am restrictions to minimize commuter parking and improve traffic flow during the morning peak.</p> <p>New kerb ramps and a pedestrian refuge is being constructed in Culworth Avenue at the intersection with Lorne Avenue, to improve pedestrian access to/from Killara railway station. There is merit in the provision of pedestrian crossing facilities on Lorne Avenue at the intersection of Pacific Highway, but this is a matter for Roads and Maritime Services.</p> <p>The recorded 85% speed in Lorne Avenue (54km/h average, 2-way indicates the majority of vehicles travelling in Lorne Avenue travel at around (or below) the signposted speed limit of 50km/h. This is a relatively good result for a straight length of local road.</p> <p>The Ku-ring-gai DCP parking requirements for high density residential developments within 400m of railway stations is deemed to be adequate, and residents who choose to own more cars than car spaces allocated to them and park on street would have to compete with commuters or risk an infringement if parking in a time restricted zone.</p> <p>Council staff are also developing a car share vehicle policy. Car share provide alternatives to residents owning more vehicles than they have allocated parking spaces on site, and therefore reduce demand for on-street parking spaces.</p> <p>The Planning Proposal was sent to Sydney Water for comment under S56 of the EP&A Act 1979. No response has been received. Sydney Water may require adjustment to their assets to accommodate new developments.</p>

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		<p>Transport for NSW and Sydney Trains are responsible for the upgrade of Killara Railway Station – questions regarding when a lift is to be installed should be directed to these agencies.</p>
12	<ul style="list-style-type: none"> • Oppose plan • Lorne Avenue is small street and has become overcrowded street – doesn't need more high density buildings • Traffic is very heavy and street has already had too many developments 	<p>In order to provide for Sydney's growing population and the State Government dwelling targets – areas in Ku-ring-gai have been rezoned to allow for medium and high density housing. These areas are generally located along the railway line and Pacific Highway – close to public transport and existing infrastructure. The rezoning of 21 Lorne Avenue to R4 High Density Residential is consistent with the zoning of the surrounding properties.</p> <p>The northern side of Lorne Avenue (except for 21 Lorne Avenue) is already zoned R4 High Density Residential – and sites have been redeveloped into 5 storey apartment blocks. The southern side of Lorne Avenue is a Heritage Conservation Area, and contains a number of heritage items – it is unlikely that the southern side of Lorne Avenue will be redeveloped.</p> <p>The expected traffic generation rate of 0.3 trips per dwelling (2-way) during the peak hour is equal to approximately 24 trips, or roughly 1 trip every 2 minutes. Additional 24 trips in the peak hour is unlikely to have significant additional impact on the surrounding road network.</p>