

SJB Planning

Planning Proposal

45-47 Tennyson Avenue and 105 Eastern Road, Turrumurra

Amended by Ku-ring-gai Council March 2020 in accordance with Gateway
Determination conditions 1(a) and 1(b)

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Executive Summary

The Planning Proposal seeks to amend the Ku-ring-gai Local Environmental Plan (KLEP) 2015 to achieve:

- The rezoning of land to B1 – Neighbourhood Centre and to extend the B1 zoning across Tennyson Avenue towards the existing Eastern Road shops; and
- Amend the Minimum Lot Size Map, sheet LSZ_006, to delete the 940m² minimum lot size to ensure consistency with the existing B1 zoned Eastern Road Neighbourhood Centre shops.

The outcome of the amendments to the planning provisions applying to the site would facilitate redevelopment of the site for low scale commercial premises that will comply with the existing floor space ratio (FSR) and height of buildings development standards of KLEP 2015.

The Planning Proposal is considered to demonstrate strong strategic merit for the following reasons:

- It responds to the historic use of the site for retail premises (noting the existing site contains a garden centre and service station);
- It will economically support surrounding development, namely the neighbourhood retail centre immediately to the south;
- It will be compatible with the surrounding development, namely the surrounding low density residential development, as well as the neighbourhood retail centre immediately to the south;
- It will provide the opportunity to expand and upgrade local employment opportunities for the site in a well serviced location;
- It will achieve urban design integration and renewal of the locality;
- Development consistent with the Planning Proposal will facilitate remediation of land contamination from present uses on the site;
- It will protect and enhance existing native vegetation on the site;
- The proposal can be accommodated utilising the existing road network, which has been assessed as being capable of accommodating the additional traffic generation; and
- It is consistent with the local and regional strategic planning framework.

Land to Which the Planning Proposal Applies

The properties making up the subject site of this Planning Proposal are:

- 45-47 Tennyson Avenue, Turramurra (Lot 1 DP 4323 and Lot 2 DP 515147); and
- 105 Eastern Road, Turramurra (Lot 1 DP 515147).

The site is largely square and regular in configuration, with frontages to Eastern Road (71.19m), Tennyson Avenue (71.81m), and Alice Street (72.54m), with a combined area of approximately 5,129m².

The site is currently occupied by Honeysuckle Garden Nursery (at 45-47 Tennyson Ave) and the GHD Automotive Services Service Station (at 105 Eastern Road).

Additional maps, including zoning maps and development controls are located within the Supplementary Planning Statement in Attachment 2, and in Part 4 – Mapping of this document.

Existing Planning Controls

Ku-ring-gai Local Environmental Plan (KLEP) 2015

The table below details the applicable provisions of KLEP 2015.

Ku-ring-gai Local Environmental Plan (KLEP) 2015	
Land Use Zone	R2 Low Density Residential
Maximum Building Height	9.5m
Floor Space Ratio	0.3:1
Acid Sulfate Soils	Class 5
Natural Resources Biodiversity	The site is identified as requiring potential biodiversity protection

Table 1: Applicable provisions of KLEP 2015

Map extracts from KLEP 2015 identifying the relevant zoning and development standards applying to the site are contained in Attachment 2, and Part 4 – Mapping of this document.

Part 1 – Objectives and Intended Outcomes

Objectives

The objective of this Planning Proposal is to amend KLEP 2015 to achieve:

- The rezoning of land to B1 – Neighbourhood Centre and to extend the B1 zoning across Tennyson Avenue towards the existing Eastern Road shops; and
- Delete 940m² minimum lot size standard.

Intended Outcomes

The proposed amendment will facilitate a redevelopment that:

- Responds to the historic use of the site for retail premises (existing garden centre and service station) in that any future development can form part of the established Neighbourhood Centre zone on Eastern Road;
- Provides for future commercial premises in a well serviced location including onsite car parking whilst retaining the environmental character of the site.
- Deletion of the 940m² minimum lot size standard will provide consistency with the existing B1 zoned Eastern Road Neighbourhood Centre shops.

Part 2 – Explanations of Provisions

This Planning Proposal seeks to amend KLEP 2015 in the following manner:

- Amend the Land Zoning Map, sheet LZN_006, to apply the B1 – Neighbourhood zone to the land and to extend the B1 zoning across Tennyson Avenue towards the existing Eastern Road shops; and
- Amend the Minimum Lot Size Map, sheet LSZ_006, to delete the 940m² minimum lot size to ensure consistency with the existing B1 zoned Eastern Road Neighbourhood Centre shops.

Having regard to the above points, the Planning Proposal seeks to rezone the subject site to B1 – Neighbourhood Centre, in which a shop is permissible with Council's consent under KLEP 2015. The B1 Neighbourhood Centre zone has an allowable 1,000m² of gross floor area (GFA) under Clause 6.9(2) of KLEP 2015. Of relevance to the Planning Proposal is the introduction of the neighbourhood shop (maximum retail floor area 100m²), neighbourhood supermarket (maximum GFA 1000m²) and garden centre land uses within the B1 – Neighbourhood Centre zone resultant from changes to the standard instrument in August 2018. The introduction of the new land use definitions will ensure that any future neighbourhood supermarket on the subject site is limited to 1,000m² of floor space. Accordingly, no changes to the maximum GFA under Clause 6.9(2) of the KLEP 2015 is sought by way of this amended Planning Proposal.

Clause 4.4 of KLEP 2015 specifies that the permissible FSR of the site is 0.3:1 within the existing R2 – Low Density Residential zone. The proposed FSR of the retail development is 0.3:1. This Planning Proposal seeks to maintain the current applicable FSR to ensure that any future development is compatible in terms of built form and scale with the existing locality. By comparison, the existing B1 Neighbourhood Centre opposite the site has a maximum permissible FSR of 0.75:1.

This Planning Proposal does not propose to amend the current 9.5m maximum height limit for the site under Clause 4.3 of KLEP 2015. The 9.5m maximum height limit is the predominant applicable height limit in the locality, including the applicable height limit for the existing B1 – Neighbourhood Centre opposite the site.

A site-specific DCP has been prepared in order to provide additional detailed planning controls for the site which align with the amendments sought by the Planning Proposal. The site-specific DCP controls provide consideration of key issues such future character, public domain, pedestrian and vehicle access, building setbacks and built form. The controls contained with the DCP provide greater assurance of future development outcomes on the site.

Part 3 – Justification

Section A – Need for the Planning Proposal

Q1. *Is the planning proposal a result of any strategic study or report?*

The Planning Proposal is not directly the result of any local or state government study or report, however, the Planning Proposal request is supported by:

- Survey Plan prepared by SurDevel;
- Planning Framework Summary;
- Amended Architectural Plans prepared by Tandem Design Studio;
- Amended Economic Impact Assessment prepared by Deep End Services;
- Amended Traffic Impact Report prepared by Colston Budd Rogers & Kafes;
- Amended Urban Design Statement prepared by Oculus;
- Amended Landscape Report prepared by Oculus;
- Amended Arboricultural Impact Assessment prepared by Tree IQ;
- Amended Ecological Report prepared by GIS Environmental Consultants;
- Combined Phase 1 & Phase 2 Environmental Site Assessment prepared by CSTS; and
- Engagement (Community) Report prepared by Straight Talk.

It is noted that amended indicative Architectural plans and supporting documentation have been provided in response to Council Officer comments. In particular, the indicative Architectural plans feature a modified basement footprint and the deletion of hard stand areas/paving relative to the tree protection zones (TPZs) for tree 19 (Blackbutt) and tree 20 (Sydney Blue Gum). Accordingly, the originally submitted Urban Design Statement, Landscape Report, Arboricultural Impact Assessment, and Ecological Report have been updated in support of the amended proposal.

Overall, the Planning Proposal has been prepared having regard to Council's underlying desire to protect the viability of existing retail centres and to maintain the commercial hierarchy of Kur-ring-gai established under KLEP 2015. In this regard, an Amended Economic Impact Assessment has been undertaken to study these aspects and determine any impacts, if any, that are attributable to the proposal, including the Turramurra Community Hub.

The Amended Economic Impact Assessment, prepared by Deep End Services, concludes that the proposal will not result in adverse economic impacts but will deliver positive economic and community benefits to Turramurra, for the reasons outlined in the following sections.

Existing Centres

Existing retail centres in the Ku-ring-gai local government area (LGA) are predominately characterised by local and neighbourhood centres. It is noted that the subject proposal would effectively act as an extension to the existing neighbourhood centre at Eastern Road.

An analysis of the existing centres identified that:

“Despite the structural issues at some centres and the relatively poor aspect and external environment of some centres (e.g. highway noise, limited parking etc.), vacancy levels are extremely low indicating an under supply of retail floorspace in the area.

There has been little or no change to the overall supply and quality of retail floorspace in the surveyed centres for many years. The constraints imposed by existing land use, heritage buildings, topography and road and rail infrastructure and a review of Local Centre Domain Plans suggest the larger local centres have very limited capacity or opportunity for meaningful expansion.”

The size of the Eastern Road neighbourhood centre as a result of this proposed development will increase the floor area from approximately 2,336m² (824m² for existing service station and nursery, plus 1,512m² for existing Eastern Road shops) to 3,052m². This is considered to be within the range and expectations of a neighbourhood centre. This would result in the centre being only slightly larger than the North Turramurra neighbourhood centre at 2,290m².

At the next level in the retail hierarchy, the local centres in Ku-ring-gai range in size from 6,572m² (Pymble) to 22,453m² (St Ives). Accordingly, the expanded Eastern Road centre would not in any way challenge the role or size of local centres in the area and would remain firmly entrenched in its neighbourhood function.

In addition, the Economic Impact Assessment also specifically addresses the impact of the Planning Proposal on the proposed Turramurra Community Hub Masterplan, that was adopted by Council in 2017. In this regard, the Economic Impact Assessment provided the following assessment:

“In our view, the proposed Eastern Road development will have little or no effect on the commercial viability or otherwise, the ability of Council and third parties to deliver the Turramurra Community Hub for the following reasons:

- Coles has had a long-standing desire to extend its small and dated supermarket at Turramurra. The planned increase to 3,500 sqm will make it the largest supermarket between Hornsby and Gordon. This increase and its vastly improved parking and supporting shops and services will ensure that it serves an extended catchment along the Pacific Highway corridor. In contrast, the proposed retail premises are less than 30% of the size of Coles and has a more localised catchment north of the highway. Coles' view of its increased sales potential from the expanded store and its capacity to pay a commercial rent for its new store should not be affected by the Eastern Road development.*
- The Community Hub will have approximately 2,860 sqm of shops, cafes and other small commercial tenancies situated around Coles and the proposed public areas. This is a much larger provision than the additional 540 sqm of shops with the proposed retail premises at Eastern Road. The proposed shops at Turramurra will be marketed to a range of retail, hospitality and service tenants that would not be suited to Eastern Road.*
- The Community Hub has a proposed mixed-use building, upper floor residential uses, a new community centre and public areas. There is no duplication of these uses or amenities at Eastern Road.*

The Turramurra Community Hub is a stand-alone project which will deliver urgently needed renewal and improved services for the Turramurra Centre. The new Coles supermarket is the catalyst for the project and will generate foot traffic to support the associated retail elements. The Eastern Road proposal has less than 25% of the retail floorspace proposed at Turramurra and none of the other associated community and residential uses and public spaces. The two projects are likely to be highly differentiated by the types of tenants that each location can support.

In the context of existing retail floorspace supply levels, the level of new floorspace added to both centres is relatively small. Within the affluent suburbs of central Ku-ring-gai there is ample scope for both centres to be improved and for each project to be easily supported by their local catchments.”

In addition to the above findings, Council Officers Report to the Local Planning Panel on 18 March 2019 sought further clarification on the impact of the Planning Proposal following the opening of the Turramurra Community Hub. In response, the Amended Economic Impact Assessment provided the following:

“The Turramurra Community Hub Master Plan proposes to increase the size of Coles from 1,650sqm to 3,500sqm with an additional 2,860sqm of small shops – a net increase of 4,710sqm.

Assuming 400sqm of the new shops are leased to non-retail tenants, the net additional floor space assessed for impact purposes (+4,310sqm) is assumed to generate a gross sales level of \$27.4 million. Of this, \$7.6 million is assumed to be a redistribution from existing retailers in the centre (e.g. IGA & other shops) with \$19.8m from other centres.

By 2023, 2-3 years after The Farm is development there will be low real growth rates at all centres. Table 7 shows the sales reallocations to the new floorspace at the Community Hub from other centres. The highest dollar impacts are on those centres with large competing supermarkets such as St Ives and Hornsby. The highest percentage impact is Wahroonga at -5.0%.

Given the relatively small increase in Turramurra’s floorspace, the sales and percentage impacts are, like the Farm , relatively small.

The cumulatively impacts of both developments can be seen by comparing the sales levels in 2020 (pre The Farm) to sales levels in 2023, post Turramurra Community Hub.

After allowing for both developments, 8 of the 9 centres will have sales levels (at constant \$2017) in 2023 at the same or slightly higher levels to 2020. Wahroonga is the only centre with a slight decline, where sales are -2% below the 2020 level – although most of its effects are from the Community Hub rather than The Farm.”

Therefore, noting the above, the Planning Proposal is unlikely to have any negative or adverse impact upon the existing local retail hierarchy or any particular centre.

Retail Spending

The Economic Impact Assessment found that per capita spending levels for the Turramurra trade area on food, liquor and groceries to be 9.9% higher than the Sydney average. Furthermore, based on a demographic analysis, the retail spend on food, liquor and groceries is forecast to continue increasing by some \$25.9m by 2026. Therefore, the Turramurra area presents itself as an area that can accommodate additional trade from the existing and forecast spend patterns.

Employment

Future development consistent with the Planning Proposal is expected to generate approximately 80 full and part time jobs. These new employment opportunities will benefit the local economy and the majority of them are likely to be filled by local residents.

The construction phase will also generate short term employment opportunities and benefit the local economy.

Existing Businesses

The Economic Impact Assessment found that trading impacts on existing centres would be proportionally small. More importantly, the Economic Impact Assessment concluded that new development would benefit existing retailers via the increased activity levels within the precinct.

Consumer Benefits

The Planning Proposal will result in an extension to the range of businesses that serve the needs of people living and working in the neighbourhood, thereby reducing the need to travel further to larger centres. As such, the proposal will improve the quality, choice and convenience in the local area, as well as the accessibility of services.

The Amended Traffic Impact Assessment has modelled the traffic generation of the proposal and its potential impacts upon the surrounding transport network.

The Amended Traffic Impact Assessment also examined the adequacy of the off-street parking and loading facilities for the proposal.

In summary, the Amended Traffic Impact Assessment found that appropriate parking will be provided and that the road network will be able to accommodate the additional traffic.

Site Specific DCP

A site-specific DCP has been prepared for the site to support the amendments sought by this Planning Proposal. The site-specific DCP sets out generic key principles for future development of the site under the proposed B1 Neighbourhood Centre zoning. Key considerations include:

- Ensuring the retention of significant trees and vegetation on site, including the Blue Gum High Forest Critically Endangered Ecological Community
- Ensuring new development is cohesive to the streetscape character and is appropriately designed and sited to minimise any visual or amenity impacts
- Ensuring the provision of active street frontages to both Eastern Road and Tennyson Avenue
- Protecting the scale, character and local function of the Eastern Road Neighbourhood Centre
- Providing pedestrian connectivity between the site and the existing Eastern Road Neighbourhood Centre.

The controls contained within the DCP provide greater assurance of future development outcomes on the site.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is considered the best option as it will allow the redevelopment of the site consistent with the Planning Proposal. Given the site contains existing retail uses within an R2 Residential zone, the Planning Proposal approach provides a mechanism to regularise retail uses and provide for future commercial development. The site has no history of residential use.

Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional strategy, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan – ‘A Metropolis of Three Cities’

The subject site is located north of the Eastern Economic Corridor and the strategic centre of Macquarie Park, within the Eastern Harbour City, as identified in the Greater Sydney Region Plan – ‘A Metropolis of Three Cities’ (see Figure 5 overleaf).

The proposal is consistent with the broad directions of ‘A Metropolis of Three Cities’ through:

- Encouraging and fostering healthy and socially connected communities by providing additional and improved commercial premises within walking distance of the surrounding residential area;

- Facilitating development of a site which is highly accessible by public transport;
- Improving resident access to jobs and services; and
- Protecting biodiversity and preserving vital urban tree canopy via the retention, protection and embellishment of remnant vegetation on-site.

The pursuit of a zoning change and increased commercial GFA at the site is consistent with the following relevant Directions and Objectives of the plan:

Direction 1 – A city supported by infrastructure
“Infrastructure supporting new developments”

Objective 4: Infrastructure use is optimised

The subject site is located adjacent to regular and frequent bus services which operate along Eastern Road and connecting centres such as Hornsby, Turramurra, Pymble, and Macquarie Park, where significant infrastructure investment exists. In this regard, the Planning Proposal would provide employment opportunities and retail facilities close to existing and well connected public transport services, thereby strengthening demand for these services, as well as optimising the use of other existing infrastructure in the region.

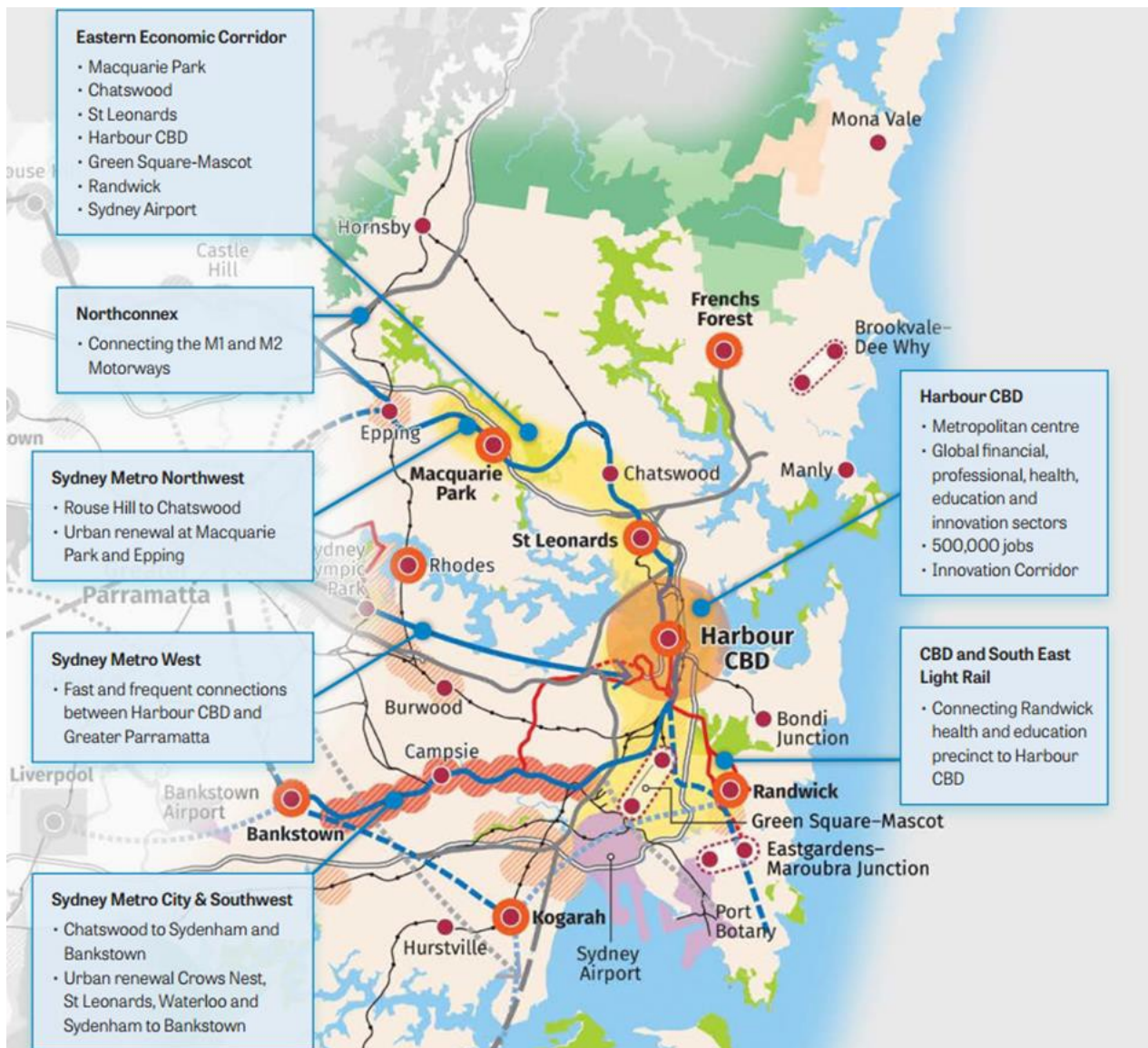


Figure 1: Extract from Eastern Harbour City Vision A Metropolis of Three Cities

Direction 3 – A city for people

“Celebrating diversity and putting people at the heart of planning”

Objective 7: Communities are healthy, resilient and socially connected

The proposal will deliver an extension to the range of services that serve the needs of people who live or work in the surrounding neighbourhood, thereby increasing opportunities for people to walk or cycle to access these services. Furthermore, the Amended Traffic Report accompanying this Planning Proposal indicates that the vast majority of employees of the proposed development would live close-by, with many employees being able to walk to work.

Direction 6 – A well-connected city

“Developing a more accessible and walkable city”

Objective 14: Integrated land use and transport creates walkable and 30-minute cities

The site is highly accessible to public transport, namely bus services with bus stops on both sides of the road adjacent to the site. Bus route 575 that services the site connects Macquarie University with Hornsby, with services every 30 minutes in each direction, and more frequent services during weekday peak periods. It is noted that Macquarie University is located within the Eastern Economic Corridor.

The Amended Traffic Report at Attachment 6 indicates that it is likely that the majority of employees of future development consistent with the Planning Proposal will live close to the site, and many are likely to walk to work.

Public transport accessibility to the site, in conjunction with readily walkable access to the site from the surrounding residential neighbourhood, supports ‘walkable and 30-minute cities’. Furthermore, it is noted that the public transport access provides connectivity to the Eastern Economic Corridor in an easy 30 minutes travel time.

Direction 7 - Jobs and skill for the city

“Creating the conditions for a stronger economy”

Objective 22: Investment and business activity in centres

The Amended Economic Impact Assessment, prepared by Deep End Services, concludes that the proposal will improve and revitalise the existing Eastern Road neighbourhood shopping centre while minimising the impacts to existing businesses in the centre and to other surrounding centres in the Ku-ring-gai commercial centres hierarchy. In this regard, the report concludes that the proposal will not only preserve the centre’s hierarchy but will also enhance it through the addition of a relatively small amount of floor space at Eastern Road.

In addition to the protection and enhancement of the Kur-ring-gai commercial centres hierarchy, the proposal will also generate an increase in employment opportunities at the site. That is, the existing commercial uses at the site are relatively low employment generating, whereas future development consistent with the Planning Proposal is expected to create 80 full and part-time jobs.

The new employment opportunities at the site will benefit the local economy and are likely to be filled by local residents, as noted in both the Economic Impact Assessment and Traffic Impact Assessment accompanying the Planning Proposal.

The site-specific DCP that has been prepared to support the proposed B1 Neighbourhood Centre zoning on the site includes consideration of the public domain of the wider Eastern Road Neighbourhood Centre, to ensure the provision of a high quality streetscape that engages and activates the Neighbourhood Centre, and contributes to its vitality and economic viability. The public domain works include a new pedestrian crossing on Tennyson Avenue to link the site and to existing centre ensure pedestrian connectivity, provision of wider footpaths, street tree planting and the creation of a small plaza on the corner of Tennyson Avenue and Eastern Road.

Direction 8 - A city in its landscape

“Valuing green spaces and landscape”

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

An Amended Arboricultural Impact Assessment Report, prepared by Tree IQ, and an Amended Ecological Report, prepared by GIS Environmental Consultants, accompany the Planning Proposal at Attachments 8 and 10, respectively. The respective reports have been updated to review the amended indicative building footprint relative to significant trees. In particular, it is noted that the indicative Architectural plans feature a modified basement footprint and the deletion of hard stand areas/paving relative to the tree protection zones (TPZs) for tree 19 (Blackbutt) and tree 20 (Sydney Blue Gum).

A total of 31 trees were assessed by the Arborist, comprised of 20 on-site: one (1) tree straddling the eastern property boundary, nine (9) street trees, and one (1) tree on an adjoining property. The proposal includes the retention of 26 of these trees, and removal of five (5) trees from the subject site.

Three (3) of the five (5) trees earmarked for removal were identified as having low landscape significance and/or being of poor health/structural condition. All three (3) trees are non-native. The other two (2) trees earmarked for removal are native trees.

“The supplied plans show that twenty-six (26) trees are to be retained as part of the proposed development. These are 3-10, 13-29 and 31. Works are proposed within the TPZ areas of Trees 13, 14, 16-20, 27 and 31 however the encroachment is limited to Minor Encroachments as defined by AS-4970. Minor Encroachments are considered acceptable by AS-4970 when compensated for elsewhere and contiguous within the TPZ. The encroachments into TPZ areas should be compensated for by extending the TPZ in areas not subject to encroachment. The trees to be retained should be protected in accordance with the Tree Protection Specification (Appendix 6).”

Overall, the Amended Arboricultural Impact Assessment Report notes that future development consistent with the Planning Proposal and the concept provided will deliver new plantings across the site. This is detailed in the Amended Landscape Report (at Attachment 9) accompanying the Planning Proposal. The Landscape Report details that remnant vegetation will be enhanced together with a range of new plantings across the site.

In terms of protecting biodiversity, the Amended Ecological Report accompanying the Planning Proposal identifies that part of the site is mapped and contains Blue Gum High Forest (BGHF), which is listed as a Critically Endangered Ecological Community (CEEC) in schedule 2 of the *Biodiversity Conservation Act 2016*.

The BGHF on site is comprised of the canopy of a clump of 11 remnant trees, generally contained to the south eastern corner of the site. Based on the concept development provided with the Planning Proposal, only one (1) tree is proposed to be removed, which is relatively small and located between existing buildings in the centre of the site, away from the other trees. Five (5) of the BGHF trees will require some canopy pruning. Notwithstanding, the Amended Ecological Report concludes that the proposed rezoning and indicative construction footprint is not likely to have a significant effect on the BGHF CEEC on site, and satisfactorily addresses the legislative requirements of the *Biodiversity Conservation Act 2016*. The Report also concluded that the proposal meets the requirements of Clause 6.3 (Biodiversity Protection) of KLEP 2015. The Ecological Report also recommended a number of ameliorative measures to further reduce the impact on the biodiversity/ecological values of the site, including planting of BGHF trees and ground cover species within nominated offset areas on-site which has been increased from 737m² to 904m².

In terms of potential impacts on wildlife corridors, the Amended Ecological Report concludes that the site is not part of any identified corridor, therefore, the site is deemed to have a low wildlife corridor value. Furthermore, the report notes that the proposed removal of trees and canopy trimming on-site is unlikely to affect corridor values in the locality.

The site-specific DCP that has been prepared to support the amendments sought by this Planning Proposal includes detailed objectives and controls relating to the retention and protection of native vegetation on the site, including Blue Gum High Forest, Critically Endangered Ecological Community (CEEC).

Objective 30: Urban tree canopy cover is increased

As outlined in the accompanying Landscape Report (Attachment 9), it is proposed to increase the amount of planting and tree canopy through the site, including the planting of BGHF CEEC species.

North District Plan

The Ku-ring-gai LGA is located within the North District identified under the District Plans prepared by the Greater Sydney Commission. The draft plans include a number of Planning Priorities that are to be considered by planning authorities in making strategic planning decisions.

The relevant Planning Priorities to the proposal are addressed in the following sections.

Planning Priority N1 – Planning for a city supported by infrastructure

The subject site is located adjacent to regular and frequent bus services which operate along Eastern Road and connecting centres such as Hornsby, Turramurra, Pymble, and Macquarie Park, where significant infrastructure investment exists. In this regard, the Planning Proposal would provide employment opportunities and retail facilities close to existing and well connected public transport services, thereby strengthening demand for these services, as well as optimising the use of other existing infrastructure in the region.

Planning Priority N4 - Fostering healthy, creative, culturally rich and socially connected communities

The proposal will deliver the opportunity for the extension to the range of retail services that serve the needs of people who live or work in the surrounding neighbourhood, thereby increasing opportunities for people to walk or cycle to access these services. Furthermore, the Traffic Report accompanying this Planning Proposal indicates that the majority of employees would live nearby, with many employees being able to walk or cycle to work.

Planning Priority N10 – Growing Investment, business opportunities and jobs in strategic centres

The Amended Economic Impact Assessment of the proposal (see Attachment 7) indicates that the relatively small increase in commercial floor space at Eastern Road will not undermine the established centres hierarchy thereby not jeopardising growing investment, business opportunities and jobs in strategic centres.

Planning Priority N16 - Protecting and enhancing bushland and biodiversity

Refer to discussion above relating to biodiversity urban bushland regarding the Greater Sydney Region Plan.

Planning Priority N19 - Increasing urban tree canopy cover and delivering Green Grid connections

Refer to discussion above relating to biodiversity urban bushland regarding the Greater Sydney Region Plan.

Overall, the request is considered to have strategic merit as:

- The request has been demonstrated to be consistent 'A Metropolis of Three Cities' and with the 'North District Plan';
- It will expand and upgrade local employment opportunities on the site;
- It will provide the opportunity for future commercial and retail services that will enhance choice and serve the needs of people living and/or working in the surrounding neighbourhood;
- It will support (economically) surrounding development, namely the neighbourhood retail centre;
- It will be compatible with surrounding development, namely the surrounding low density residential development, as well as the neighbourhood retail centre to the south;
- It will achieve urban design integration and renewal of the locality;

- It will facilitate future development that will remediate the site from past, potentially contaminating land uses to make the land compatible with the surrounding residential land uses; and
- It will protect and enhance existing native vegetation on the site.

Q4. Is the planning proposal consistent a local council's Local Strategy, or other local strategic plan?

Ku-ring-gai Council Community Strategic Plan 2038

This Planning Proposal satisfactorily addresses the relevant objectives of the Ku-ring-gai Council Community Strategic Plan 2038 (Strategic Plan 2038). The Strategic Plan 2038 includes six (6) key themes which comprise of the following:

- Community, People and Culture;
- Natural Environment;
- Places, Spaces and Infrastructure;
- Access, Traffic and Transport;
- Local Economy and Employment; and
- Leadership and Governance.

The relevant and/or applicable themes/objectives of the Strategic Plan 2038, are discussed below.

Theme 1: Community, People and Culture

Objective: C3.1 - A community where opportunities are provided for all voices to be heard and where community stewardship, participation and engagement is supported and promoted.

To better inform the Planning Proposal process, as well as to provide the community with an opportunity to provide feedback on the proposal prior to its finalisation and lodgement, an information evening was facilitated to provide the wider community with details of the proposal.

The outcomes of this community engagement are provided in the Engagement Report prepared by Straight Talk at Attachment 12.

Objective C5.1 - A community where residents feel safe and enjoy good health.

The Planning Proposal provides an opportunity for future commercial development on the site, that has been used for the purposes of potentially contaminating uses (e.g. service station, bus depot, garden centre, etc.), that will facilitate remediation to make it more compatible with surrounding residential uses.

Theme 2: Natural Environment

Objective: N2.1 - Our bushland is rich with native flora and fauna

The Planning Proposal has appropriately addressed and responded to the biodiversity constraints on-site. Specifically, the Planning Proposal, and the site specific DCP controls ensures that the existing CEEC of BGHF is adequately retained and protected.

Objective: N.4.1 - A community addressing and responding to the impacts of climate change and extreme weather conditions

The Planning Proposal seeks to facilitate the redevelopment of the subject site for retail purposes which proposes to incorporate a photovoltaic solar panel system on the roof of the main building. The installation of a solar panel system will greatly reduce the development's reliance upon electricity generated from non-renewable resources and methods contributing to the impacts of climate change.

Objective: N5.1 – A community progressively reducing its consumption of resources and leading in recycling

and reuse

In addition to alternative energy sources (i.e. photovoltaic solar panels), the proposed retail development would also seek to introduce water harvesting for reuse (e.g. irrigation) on-site.

Theme 3: Places, Spaces and Infrastructure

Objective: P1.1 – Ku-ring-gai’s unique visual character and identity is maintained

In addition to new plantings and landscaping, the Planning Proposal, and site-specific DCP will also facilitate the retention and protection of existing significant trees and vegetation on-site to maintain the landscape character that is prevalent in the locality and throughout the Ku-ring-gai area. It is noted that the indicative Architectural Plans have been amended to provide additional setback from existing significant trees. The revised footprint has been supported by amended Arborist and Ecology Reports.

New development consistent with the existing maximum FSR and building height controls will maintain the residential village character and neighbourhood scale of the area. Furthermore, the proposed built form will maintain a single storey built form to surrounding street frontages to provide a human scale relative to the public domain and adjoining residential properties.

Objective: P2.1 – A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai

The Planning Proposal does not seek to impact on the existing robust planning framework that delivers quality design outcomes for the site and otherwise maintains the identity and character of the local area. Specifically, the Planning Proposal proposes to maintain the existing FSR and height of building controls, reflective of the controls that currently exist on adjoining residential properties.

Objective: P3.1 - The built environment delivers attractive, interactive and sustainable living and working environments

The Planning Proposal will provide an opportunity to regenerate the current existing uses on the site into a more attractive and well integrated retail precinct that better serves the needs of the local community.

Furthermore, in terms of a more interactive living and working environment, the Amended Urban Design Statement (Attachment 5) accompanying this Planning Proposal, concludes:

“The proposed massing layout of the site, including the Barn’s placement in the south-west corner, offers a fluid transition from the neighbouring Eastern Road retail strip to the south. The Farm engages with the footpath along Eastern Road and improves walkability, maintains a pedestrian scale and extends the active streetfront from the south to best enable a microeconomy to flourish, while also limiting impact to the surrounding residences and existing streetscape typology.

The proposed streetscape along Eastern Road is consistent with the retail strip to the south, as well as the landscape character of the local area. Existing and new trees continue the canopy line, and arbours further contribute to the existing green qualities of Turramurra. Towards the middle of the site’s Eastern Road boundary, the landscaped forecourt provides a spill out area for the existing bus stop and is an adaptable space for weekend markets and events. The Homestead’s retail use attracts pedestrian traffic along the ground floor street frontage of Eastern Road from the Eastern Road shops and surrounding residential properties, being the objective of Clause 6.7 of the KLEP 2015.”

Objective: P4.1 - Our centres offer a broad range of shops and services and contain lively urban village spaces and places where people can live, work, shop, meet and spend leisure time.

As noted in the conclusions of the Amended Economic Impact Assessment (Attachment 7) prepared by Deep End Services “the proposal will improve and revitalise the existing centre at Eastern Road with a small extension to the range and choice of retailers available to residents while minimising the impacts to existing businesses in the centre and to other centres”.

The site-specific DCP that has been prepared to support the proposed B1 Neighbourhood Centre zoning
SJB Planning

on these sites, includes detailed controls relating to the scale, setbacks, built form of any future development. These controls are to ensure that future development is cohesive with the character and streetscape of the surrounding area and seeks to ensure that:

- Buildings are sited and designed to interact and engage with pedestrians at street level
- Outdoor dining and display of goods is encouraged within the front setback area
- Facades of building are articulated, and respond to the streetscape character
- Site layout is to minimise impact on significant trees and vegetation
- Roof form relates sympathetically to the surrounding buildings
- Provision of landscape buffer areas to the north and east of the site

The site-specific DCP also includes public domain works to the streetscape and surrounding area which are to be delivered through a Voluntary Planning Agreement (VPA) or other delivery mechanism. The public domain works seek to:

- Improve pedestrian connectivity and access around the centre, by providing a link in the form of a pedestrian crossing from the site across Tennyson Avenue to the existing shops on Eastern Road.
- Provide pedestrian amenity and continuity in the streetscape through the provision of street tree planting and wider footpaths
- Provide a high quality streetscape that engages and activates the Neighbourhood Centre through the creation of a small plaza with trees on the corner of Tennyson Avenue and Eastern Road
- To service the public parking demands for the Neighbourhood Centre through the provision of 45° angled parking on the south side of Tennyson Avenue, and parallel parking on the north side of Tennyson Avenue.

Theme 4: Access, Traffic and Transport

Objective T1.1 A range of integrated transport choices are available to enable effective movement to, from and around Ku-ring-gai.

The subject site is serviced by a range of integrated transport options, ensuring that the proposal will be able to facilitate the effective movement to and from the site, as well as around the Ku-ring-gai LGA.

The integrated transport options include:

- The site is approximately 1.3km north of Turramurra railway station. The railway station is on the T1 North Shore line that has frequent direct services to the Sydney CBD. The subject site is connected to the station via bus services with stops directly in front of the site;
- The site is approximately 1.5km north of the Pacific Highway, which is a main arterial link, with other direct linkages to main roads in the Sydney road network;
- The subject site is located along Eastern Road, with frontages to Tennyson Avenue and Alice Street. Eastern Road is used as a main thoroughfare for vehicles travelling between the Pacific Highway at Turramurra (south of the site) and Junction Road in Wahroonga (north of the site). Junction Road links Wahroonga to Hornsby;
- In addition to the road and rail network links, the site is also serviced by local bus services. Services operate along Eastern Road, past the site – with bus stops on both sides of the road, adjacent to the site. Route 575 connects Macquarie University with Hornsby via West Pymble, Turramurra, Wahroonga East and Waitara. Services are every 30 minutes in each direction, with more frequent services during weekday peak periods; and
- The other bus route servicing the site is the 576T which operates between Wahroonga and North Wahroonga. Four (4) services are provided on weekdays.

Other than the integrated transport options, and noting the accessible location of the subject site in relation to SJB Planning

its customer and worker base, the Traffic Report accompanying this proposal indicates that many customers and employees are likely to walk to shop and/or work at the site.

Objective: T2.1 – The local road network is managed to achieve a safe and effective local road network

The Amended Traffic Report accompanying the proposal concludes that the road network will be able to accommodate the additional traffic from the proposed development and that appropriate parking can be facilitated on-site to service the development.

Theme 5: Local Economy and Employment

Objective: E1.1 – Ku-ring-gai is an attractive location for business investment

Development consistent with the Planning Proposal will service the local community and Ku-ring-gai area and will increase activity to the B1 Neighbourhood Centre currently located on Eastern Road. New commercial development will provide new retail employment opportunities and greater business investment in the Ku-ring-gai area, thereby resulting in a positive impact on the local economy.

The proposed redevelopment consistent with the Planning Proposal is expected to generate approximately 80 full and part-time jobs. These new employment opportunities will benefit the local economy and many jobs are likely to be filled by local residents who could commute a relatively short distance to the site by walking, cycling or through public transport.

The proposed development consistent with the Planning Proposal will improve street activation by facilitating interactive retail uses which will provide flow-on benefits to the other retailers and services currently in this centre.

The site-specific DCP that has been prepared to support the proposed B1 Neighbourhood Centre zoning on the sites includes detailed controls which seek to ensure that new development provides active street frontages to both Eastern Road and Tennyson Avenue, and that buildings are designed to interact and engage with pedestrians at street level. The public domain works proposed for the Neighbourhood Centre have the objective to provide a high quality streetscape which engages and activates the Centre and in turn contributes to its economic viability.

Ku-ring-gai Integrated Transport Strategy

The relevant and/or applicable themes/objectives of the Integrated Transport Strategy, are discussed below.

Land Use Planning Action Plan

The strategy seeks to strengthen village centres by providing greater variety and availability of services. It is considered that the Planning Proposal which seeks to enlarge the adjoining B1 – Neighbourhood Centre will enable a great variety of services to the local community.

Council Policies and Travel Demand Management Action Plan

It is considered that the proposal will generate employment for the local economy with many likely to be filled by local residents. This accords with intent specified in the Council Policies and Traffic Demand Management Action plan which seeks to increase information and education about alternatives to car use. Local resident employees would have the opportunity to commute a short distance to the site by way of walking, cycling or public transport.

Walking and Cycling Action Plan

Other than the integrated transport options, and noting the accessible location of the subject site in relation to its customer and worker base, as previously stated, the Traffic Report accompanying this proposal indicates that many customers and employees are likely to walk to shop and/or work at the site.

Public Transport Action Plan

With regard to public transport, the site is serviced by local bus services along Eastern Road. Route 575 connects Macquarie University with Hornsby via West Pymble, Turramurra, Wahroonga East and Waitara. Services are every 30 minutes in each direction, with more frequent services during weekday peak periods. In addition, the site is serviced by the 576T which operates between Wahroonga and North Wahroonga. Four (4) services are provided on weekdays.

Vehicular Traffic Management Action Plan

The Traffic Report accompanying the proposal concludes that the road network will be able to accommodate the additional traffic from the proposed development and that appropriate parking can be facilitated on-site to service the development.

Parking Management Action Plan

The Traffic Report accompanying the proposal identifies the proposal meets RMS requirements in terms of off-street car parking. The parking identified in the concept plans is provided by way of a mix of both on-grade (along the Eastern Road frontage) and basement parking, most of which is provided in the basement to enhance streetscape outcomes.

It is noted that the strategy identifies that car parking rates within the LGA should be reviewed with consideration of identifying rates as maximum rather than minimum rates. However, it is noted that final details of on-site parking will be subject to compliance with any future Development Applications.

Implementation and Monitoring Plan

The strategy identifies that monitoring data will be undertaken in consultation with numerous State agencies including Australian Bureau of Statistics, Department of Transport, City Rail, Roads and Maritime Services, Council and local bus operators. Any data obtained would be utilised to inform any variation to Council's transport control guidelines. As such any future Development Applications may be subject to new monitoring data undertaken.

Ku-ring-gai Sustainability Vision 2008-2033

The Ku-ring-gai Sustainability Vision statement addresses the themes of social, environmental, economic, and governance.

These four (4) themes are addressed below.

Creative and Liveable

The Planning Proposal the creative and liveable vision through:

- Providing a business land use accessible to all;
- Facilitating business and local employment opportunities to service the needs of residents; and
- Contributing to a strong and stable local economy and assisting in reinforcing the viability of the existing commercial centre.

Healthy

The Planning Proposal is consistent with the healthy vision through:

- Minimising impacts on the environmental values of Ku-ring-gai;
- Providing accessible services for residents that can also encourage access by walking or cycling; and
- Minimising the need to travel outside the municipality for day to day needs.

Respect

The Planning Proposal does not conflict with the vision for respect.

Magnificent Environment

The Planning Proposal does not conflict with the magnificent environment vision as:

- Existing urban land is to be rezoned, and site specific DCP controls have been prepared to ensure that future development will avoid impacts upon bushland and native flora and fauna;
- Reduction in the consumption of resources is supported through reducing the need and reliance on private vehicle travel to access services; and
- Incorporation of a native garden, orchard, and nursery on the site.

Q5. *Is the planning proposal consistent with applicable state environmental planning policies?*

Consideration of the applicable State Environmental Planning Policies (SEPPs) and deemed SEPPs has identified that the Planning Proposal does not conflict with any of these policies:

SEPP Title	Consistency	Comment
SEPP No. 55 – Remediation of Land	Yes	<p>A Combined Phase 1 and 2 Environmental Site Assessment has been undertaken by CSTS and accompanies the proposal at Attachment 11.</p> <p>The Environmental Site Assessment found the soil and ground water at the site to be contaminated as a result of the current and past uses of the site. Notwithstanding, the Environmental Site Assessment concluded that the subject site <i>“is of a suitable condition, from a contamination perspective, for the proposed use, and does not pose an unacceptable risk to human health or the surrounding environment.”</i> The Environmental Site Assessment does identify the need for minor remediation works. Specifically, the report requires minor excavation of the north western corner of the site (proposed for an orchard) and replacement with a suitable growing medium.</p> <p>It is considered that the proposal is able to achieve compliance with SEPP 55.</p>
SEPP (Infrastructure) 2007	Yes	<p>The site is located adjacent to a classified road (Eastern Road, road number 7351) and pursuant to Clause 100 of the SEPP (Infrastructure) 2007 the proposed development will be referred to Roads and Maritime Services for concurrence assessment. It is considered that future development consistent with the Planning Proposal will be able to achieve compliance with the requirements of SEPP (Infrastructure) 2007.</p>

Table 2: Consistency of the Planning Proposal with applicable SEPPs

SREP Title	Consistency	Comment
SREP 20 – Hawkesbury-Nepean River	Yes	This Planning Proposal is consistent with the SREP as it aims to protect and enhance environmentally sensitive lands. Future development will be required to address the SREP and Council's Biodiversity and water management controls.

Table 3: Consistency of the Planning Proposal with applicable SREPs

Q6. Is the planning proposal consistent with applicable Ministerial Directions (S117 Directions)?

The Planning Proposal would be consistent with all relevant and/or applicable Directions as detailed below:

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	<p>In terms of encouraging employment growth, the concept development consistent with the Planning Proposal is expected to generate approximately 80 full and part-time jobs. These new employment opportunities will benefit the local economy and many of them are likely to be filled by local residents.</p> <p>The Amended Economic Impact Assessment (Attachment 6) that accompanies this application identifies that trading impacts on existing centres would be proportionally small. Indeed, the Amended Economic Impact Assessment concluded that development consistent with the Planning Proposal is likely to benefit existing retailers in the existing Eastern Road shopping centre via the increased activity levels on the site. Furthermore, the Amended Economic Impact Assessment concluded that future development is unlikely to have any negative or adverse impact upon the existing local retail hierarchy or any other centre in the Ku-ring-gai LGA.</p>
1.2 Rural Zones	Not applicable	
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable	
1.4 Oyster Aquaculture	Not applicable	
1.5 Rural Lands	Not applicable	

S117 Direction Title	Consistency	Comment
2.0 Environment and Heritage		
2.1 Environment Protection Zones	Yes	The Planning Proposal has appropriately addressed and responded to the biodiversity constraints on-site. Specifically, the Planning Proposal and site specific DCP controls seek to ensure that the existing CEEC of BGHF is adequately retained and protected.
2.2 Coastal Protection	Not applicable	
2.3 Heritage Conservation	Not applicable	
2.4 Recreation Vehicle Areas	Not applicable	
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	<p>The Planning Proposal is seeking, in part, to rezone the subject site from R2 Low Density Residential to B1 Neighbourhood Centre under KLEP 2015 to reflect the current and historical use of the property.</p> <p>While the intent of the proposal is to facilitate future commercial development, the option for housing on-site is still maintained within the proposed B1 zoning via the permissibility of shop top housing, which broadens choice of housing in an area predominately comprised of detached dwelling houses.</p> <p>Whist the option for housing on-site is maintained with the proposed rezoning, the intent of the rezoning is to redevelop the site for commercial premises, consistent with the existing commercial premises on-site (i.e. service station and garden centre). There is no reduction in housing in the area, given that the subject site has never been used for residential purposes.</p> <p>The site-specific DCP includes controls which seek to ensure that any future commercial development on the sites will not result in adverse amenity or visual impacts to the adjoining residential zoned properties in Eastern Road and Alice Street.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable	
3.3 Home Occupations	Not applicable	
3.4 Integrating Land Use and Transport	Yes	Development consistent with the Planning Proposal will provide the opportunity for a greater variety in local commercial/retail offering in the local area, within close proximity to residents and workers, many of whom will be able to walk and/or cycle to the site.

S117 Direction Title	Consistency	Comment
		<p>A detailed assessment of the traffic impacts of the concept development arising from the Planning Proposal is provided in the Amended Traffic Report prepared by Colston Budd Rogers & Kafes at Attachment 6. The Traffic Report concludes that the road network will be able to accommodate the additional traffic predicted, and that appropriate parking can be facilitated on-site. The site-specific DCP requires that all parking be located within the basement of new development.</p> <p>The site is directly adjacent to bus services which operate along Eastern Road. This bus service provides an alternative mode of travel to the site. The proposal will provide employment opportunities and retail facilities close to public transport services and strengthen demand for these services.</p>
3.5 Development Near Licensed Aerodromes	Not applicable	
3.6 Shooting Ranges	Not applicable	
4.0 Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	The site is identified as being potentially affected by acid sulfate soils – “Class 5” (refer to section 3.5.5 of Supplementary Planning Statement at Attachment 2). Appropriate site management, if applicable, will be considered with any forthcoming development application for the site.
4.2 Mine Subsidence and Unstable Land	Not applicable	
4.3 Flood Prone Land	Not applicable	
4.4 Planning for Bushfire Protection	Not applicable	
5.0 Housing, Infrastructure and Urban Development		
5.1 Implementation of Regional Strategies	Yes	This Planning Proposal is consistent with key strategic goals and directions within the Greater Sydney Region Plan and District as outlined above.
5.2 Sydney Drinking Water	Not applicable	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	
5.8 Second Sydney Airport, Badgerys Creek	Not applicable	
5.9 North West Rail Link Corridor Strategy	Not applicable	
5.10 Implementation of Regional Plans	Yes	See comments above.

S117 Direction Title	Consistency	Comment
6.0 Local Plan Making		
6.1 Approval and Referral Requirements	Yes	This Planning Proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designed development.
6.2 Reserving Land for Public Purposes	Not applicable	
6.3 Site Specific Provisions	Yes	<p>The Planning Proposal seeks to rezone the site to facilitate future commercial development of the site. The current B1 Neighbourhood Centre zone has an allowable 1,000m² floor space under Clause 6.9 (2) of KLEP 2015.</p> <p>Of relevance to the Planning Proposal is the introduction of the neighbourhood shop (maximum retail floor area 100m²), neighbourhood supermarket (maximum GFA 1000m²) and garden centre land uses within the B1 (Neighbourhood Centre) zone resultant from changes to the standard instrument in August 2018.</p> <p>The introduction of the new land uses will ensure that any future neighbourhood supermarket on the subject site is limited to 1,000m² of floor space. Accordingly, no changes to the maximum GFA under Clause 6.9(2) of the KLEP 2015 is sought by way of this amended Planning Proposal.</p> <p>Notwithstanding this, the proposal will maintain the existing FSR and height of building development standards applicable to the site under KLEP 2015.</p> <p>The subject site is currently used for commercial purposes and the KLEP 2015 amendments are justified in Section 4.4 of this Planning Proposal. The proposed KLEP 2015 amendments will not result in unnecessarily restrictive site specific planning controls and will not amend the provisions of any other parcel of land in the Ku-ring-gai LGA.</p>
7.0 Metropolitan Plan Making		
7.1 Implementation of the Metropolitan Strategy	Yes	The Planning Proposal is consistent with the relevant provisions of the Greater Sydney Region Plan – ‘A Metropolis of Three Cities’ and the North District Plan as detailed within this submission.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable	
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable	
7.4 Implementation of North West Priority Growth Area	Not applicable	

S117 Direction Title	Consistency	Comment
Land Use and Infrastructure Implementation Plan		
7.5 Implementation of Greater Parramatta Priority Growth	Not applicable	

Table 4: Consistency of the Planning Proposal with Ministerial Directions

Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

11 trees on the site are identified as being part of the BGHF ecological community. BGHF is listed as a CEEC under the *Biodiversity Conservation Act (2016)*. The community on-site is made up of the species of Turpentine (x 7), Blackbutt (x 2) and Sydney Blue Gum (x 2) trees.

One of the Sydney Blue Gum trees is identified for removal based on the concept development, consistent with the Planning Proposal. In addition, selected pruning works will be required to five (5) of the other BGHF trees, as a result of the indicative redevelopment of the site. As discussed in Attachment 8, the tree earmarked for removal is a relatively small, semi mature specimen with low amenity value. The tree's life expectancy is also considered to be diminished due to its location.

The Amended Ecological Report accompanying the Planning Proposal concludes that the proposed rezoning and indicative construction footprint is unlikely to have a significant effect on the BGHF CEEC on site and satisfactorily addresses the legislative requirements of the *Biodiversity Conservation Act 2016*. The Report also concluded that the proposal meets the requirements of Clause 6.3 (Biodiversity Protection) of KLEP 2015.

The Amended Ecological Report also recommends a number of ameliorative measures to further reduce the impact of the proposal on the biodiversity/ecological values of the site, including planting of BGHF trees and ground cover species within nominated offset areas on-site.

In terms of potential impacts on wildlife corridors, the Ecological Report concludes that the site is not part of any identified corridor. Accordingly, the site is deemed to have a low wildlife corridor value. Furthermore, the Report notes that the proposed removal of trees and canopy trimming on-site, is unlikely to affect corridor values in the locality.

The site-specific Development Control Plan prepared to support the proposed rezoning of the site to B1 Neighbourhood Centre includes detailed objectives and controls to ensure the retention and protection of native vegetation on the site, including Blue Gum High Forest Critically Endangered Ecological Community. This is through ensuring the site layout minimises impacts on the trees, requiring buildings and basements to be setback from the trees in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites, and consideration of any potential hydrological impacts to the trees.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Potential environmental effects as they relate to the natural and built environments have been considered having regard to the subject Planning Proposal and are discussed below.

Natural Environment

As noted above, the proposal is not envisaged to have any adverse impact upon the remnant BGHF CEEC on the site. In fact, the proposal and the site specific DCP controls will provide for the retention and protection of existing trees on-site and on the street, that in conjunction with the proposed landscaping throughout the site, will enhance and extend the urban tree canopy in the locality.

The Amended Landscape Report (Attachment 9) accompanying this Planning Proposal details the proposed landscaping on-site, including substantive areas devoted to the 'Native Garden'.

In relation to the 'Native Garden', the Landscape Report notes:

"The Native Garden is an opportunity to enhance the understory of the existing native remnant tree species we are protecting by reintroducing plants from this vegetation community that would have once occupied this area. The Native Garden will be planted out in two distinct areas. The areas immediately outlooking the active building frontage will consist of low growing groundcovers and strappy plantings in ornamental displays to create interest while maintaining viewlines and passive surveillance. The space along the eastern boundary of the site will not be accessible to the public, and the planting in this space will introduce layers of mid storey shrubs as well as groundcover planting, utilising species of the Blue Gum High Forest Ecological Community."

There are no other identified adverse effects on the natural environment as a result of the proposal.

Built Environment

In terms of traffic and transport, the Amended Traffic Report accompanying the proposal concludes that the road network will be able to accommodate the additional traffic from the scale of future development consistent with the Planning Proposal, and that appropriate parking can be facilitated on-site. The site specific DCP outlines that all car parking is to be provided within the basement of new development, with vehicle access to be provided from Eastern Road.

Adequate provision can also be made for on-site loading facilities within the basement, and the site specific DCP includes a control requiring service and loading areas are to be located in the basement to minimise any conflict between pedestrians and vehicles, and minimise amenity impacts to the adjoining residential properties. Based on the indicative concept development, delivery trucks will be able to enter and leave the site in a forward direction via the use of a turntable. Provision of loading facilities in a basement also ensures that amenity (e.g. acoustic privacy) of adjoining and nearby properties is protected.

In terms of site planning, any future development consistent with the Planning Proposal will be required to be designed in accordance with the site-specific DCP controls. These controls seek to maximise side/rear setbacks to adjoining properties (i.e. to the east) as well as provide landscape buffer areas. Based on the anticipated scale of development consistent with the Planning Proposal, the built form is required to retain and protect key vegetation on the site, corresponding with the biodiversity significance identified on the site.

Visual and acoustic privacy to surrounding and nearby properties is addressed in the site specific DCP by maximising side/rear setbacks to adjoining residential properties, requiring service and loading areas to be located in the basement to minimise amenity impacts on adjoining residential properties, and requiring any plant and services to be integrated into the built form and/or roof.

It is noted that the concept plans forming part of the Planning Proposal are indicative only. The proposed B1 Neighbourhood Zone has a wide range of permissible uses ranging from shop-top housing to retail. As such, any future development would be required to respond to the existing characteristics of the site and locality including biodiversity and vehicular access, and the site-specific DCP controls which have been prepared to set out generic key principles for future development of any permissible land use on the sites under the proposed B1 Neighbourhood Centre zoning.

Q9. How has the planning proposal adequately addressed any social and economic effects?

Social Effects

The proposal will generate positive social effects for the community by facilitating future commercial premises that will improve the quality, choice and convenience of fresh services in the local area and within close proximity to residents and workers, many of whom will be able to walk and/or cycle to the site.

The Planning Proposal will provide future employment in a location that is well serviced. Furthermore, the
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proposal will not have any adverse impacts upon the natural and built environments and aims to complement the character of the local area.

Economic Effects

The proposal will service the local community and Ku-ring-gai area and will increase activity to the B1 Neighbourhood Centre currently located on Eastern Road. Development consistent with the Planning Proposal will provide new employment opportunities and greater business investment in the Ku-ring-gai area and will have a positive impact on the local economy.

Future development is expected to generate approximately 80 full and part-time jobs. These new employment opportunities will benefit the local economy and many of them are likely to be filled by local residents who could commute a relatively short distance to the site by walking, cycling or even catching public transport.

The Amended Economic Impact Assessment prepared by Deep End Services that accompanies this application concluded that trading impacts on existing centres would be proportionally small. This report also concluded that new development should benefit existing retailers at the Eastern Road Shopping Centre via the increased activity levels on the site.

Q10. Is there adequate public infrastructure for the planning proposal?

In terms of services, the subject site is located in an urbanised area that is well serviced by sewer, water, stormwater, electricity and telecommunications. In this regard, the site is already connected to these services which will be adequate for the proposed development.

In relation to transport infrastructure, the site is well serviced and adequate for the proposal, noting:

- The site is approximately 1.3km north of Turramurra railway station. The railway station is on the T1 North Shore line that has frequent direct services to the Sydney CBD;
- The site is approximately 1.5km north of the Pacific Highway, which is a main arterial road serving as the main road link between Sydney and Brisbane, with other direct linkages to main roads in the Sydney road network;
- The subject site is located along Eastern Road, with frontages to Tennyson Avenue and Alice Street, as well. Eastern Road is used as a main thoroughfare for vehicles travelling between the Pacific Highway at Turramurra (south of the site) and Junction Road in Wahroonga (north of the site). Junction Road links Wahroonga to Hornsby;
- In addition to the road and rail network links, the site is also serviced by local bus services. Services operate along Eastern Road, past the site – with bus stops on both sides of the road, adjacent to the site. Route 575 connects Macquarie University with Hornsby via West Pymble, Turramurra, Wahroonga East and Waitara. Services are every 30 minutes in each direction, with more frequent services during weekday peak periods; and
- The other bus route servicing the site is the 576T which operates between Wahroonga and North Wahroonga. Four (4) services are provided on weekdays.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

At this point in time, consultation with any State and Commonwealth public authorities has not occurred as Gateway Determination has yet to be issued by the Minister for Planning and Environment.

Notwithstanding, consultation with the following public authorities regarding this Planning Proposal are proposed to include:

- Roads and Maritime Services NSW;
- Transport for NSW;
- Ausgrid; and
- Sydney Water.

This list will be confirmed or amended by the Department of Planning and Environment as part of the Gateway Determination.

Part 4 – Mapping

Ku-ring-gai Local Environmental Plan (KLEP) 2015

The proposed amendment to the KLEP 2015 Zoning Map is identified in Figures 2 and 3 below:

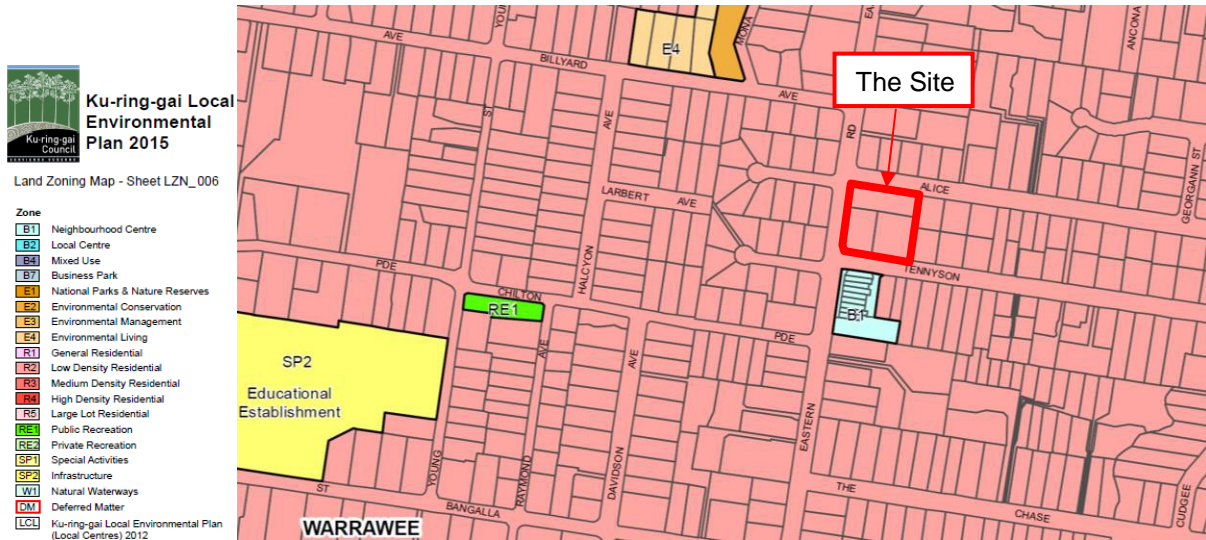


Figure 2: Extract of current KLEP 2015 Land Zoning Map

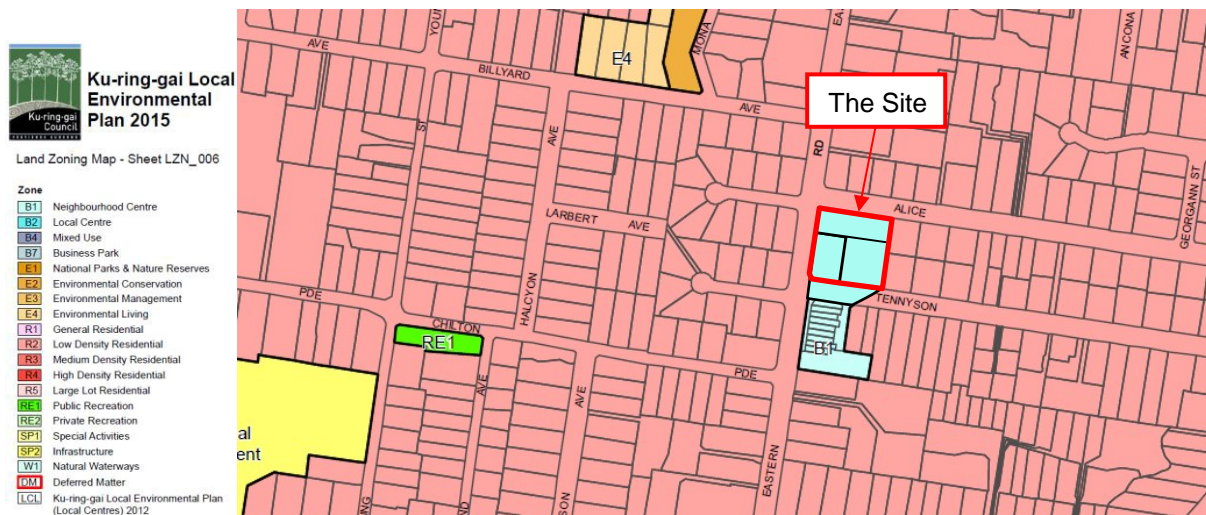


Figure 3: Proposed amended KLEP 2015 Land Zoning Map

The proposed amendment to the KLEP 2015 Minimum Lot Size Map is identified in Figures 4 and 5 overleaf:



Ku-ring-gai Local Environmental Plan 2015

Lot Size Map - Sheet LSZ_006

Minimum Lot Size (sq m)	
Q	790
S	840
T	930
U1	1200
U2	1500
Y	10000

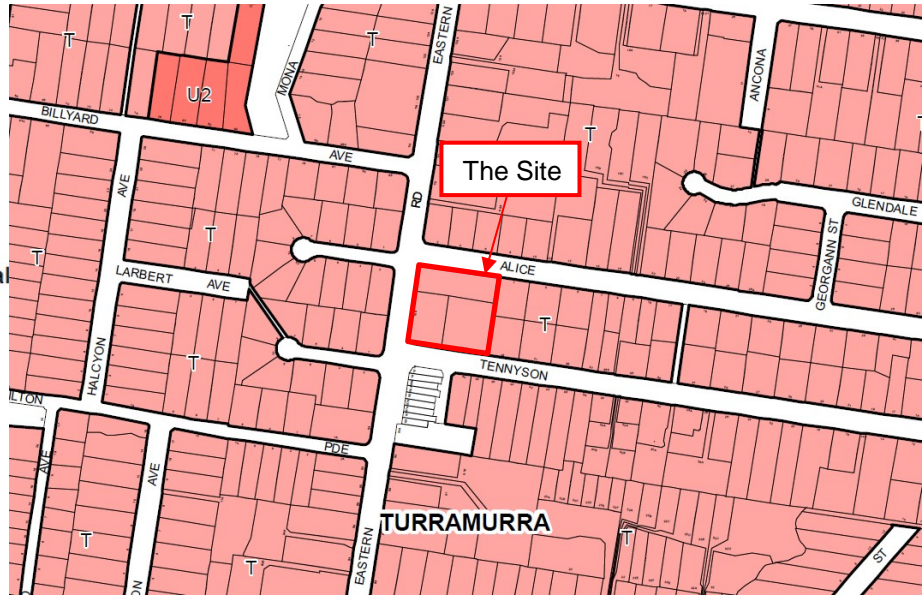


Figure 4: Extract of current KLEP 2015 Minimum Lot Size Map



Ku-ring-gai Local Environmental Plan 2015

Lot Size Map - Sheet LSZ_006

Minimum Lot Size (sq m)	
Q	790
S	840
T	930
U1	1200
U2	1500
Y	10000

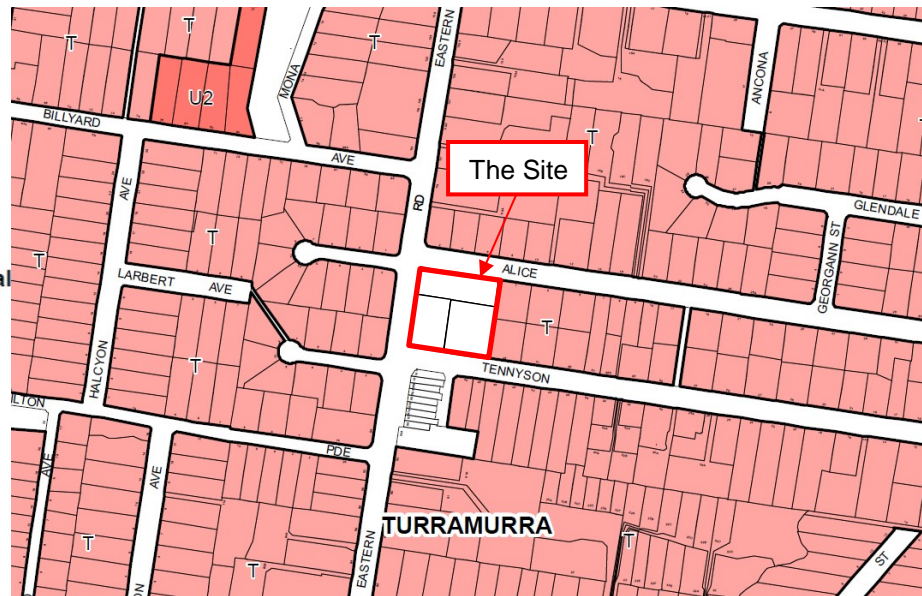


Figure 5: Proposed Amended KLEP 2015 Minimum Lot Size Map

The subject Planning Proposal does not require any amendments to any other maps forming part of KLEP 2015, given that the existing maximum building heights and FSR are not proposed to be changed.

Part 5 – Community Consultation

Formal community consultation will be undertaken by Council in accordance with the relevant statutory requirements including:

- Notification to surrounding land owners;
- Public notification in local newspapers; and
- Notification on Council's website.

It is expected that the formal consultation period for this planning proposal will be 28 days.

In addition to the formal community consultation post lodgement, the Planning Proposal has been prepared having regard to views of the local community prior to finalisation. In this regard, the applicant conducted a community information session to gather the views of the community with a view to the results of this session being submitted to Council with the Planning Proposal.

The applicant appointed community engagement consultancy Straight Talk to facilitate an information session on the proposal which was held 14 March 2018 at the subject site between 5:30pm and 8:00pm. Invitation to the session was undertaken via door knocking (local businesses and immediate neighbours), public notices in local newspapers, and a letterbox drop of 1,420 invitations to residences in the local area.

The information session was well attended, with approximately 180 people (140 of which 'signed-in') attending. Feedback forms were provided to attendees, containing these three (3) questions:

1. *What, if anything, do you like about the proposal? Why?*
2. *What, if anything, would you change about the proposal? Why?*
3. *Any other comments?"*

A full summary of the outcomes of this community engagement is provided in the Engagement Report prepared by Straight Talk at Attachment 12. The report concluded, in part, as follows:

"At the information session, participants were invited to provide nuanced feedback. Some participants expressed that they either liked or didn't like the proposal, whereas the majority of participants elaborated on their views.

Some participants were supportive of the proposal. They particularly liked the design, the development's compatibility with the area, its community focus and provision of greenspace. Participants liked the thought that had gone into the concept plans addressing parking and a delivery schedule.

A significant number of community members who generally supported the proposal, were concerned about traffic implications. Traffic was also the main concern raised by those who were explicitly not supportive of the development. Of specific concern were further congestion on Eastern Road, delivery trucks causing safety issues, and additional noise and pollution in the area. Community members sought confidence that a thorough traffic study would be undertaken. A number of participants disapproved of the location, and some were concerned about the impact of the proposal on local businesses."

The above concerns raised by participants, such as traffic impacts and the impacts on existing local businesses, have been addressed in the preceding sections of this report.

Part 6 – Project Timeline

The project timeline will be guided by the Planning Authority/Council should they resolve to proceed to Gateway Determination. The landowner/applicant is however, committed to pursuing the Planning Proposal, and completing any required studies that may arise from a Gateway Determination.

Stage	Timing
Anticipated commencement date (date of Gateway determination)	13 November 2019
Anticipated timeframe for the completion of required technical information	February 2020 (DCP)
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	March 2020
Commencement and completion dates for public exhibition period	5 March 2020 – 3 April 2020
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	April – May 2020
Timeframe for the consideration of a proposal post exhibition	June 2020
Date of submission to the department to finalise the LEP	N/A – Council is local plan making authority
Anticipated date RPA will make the plan (if delegated)	June 2020
Anticipated date RPA will forward to the department for notification	July 2020

Table 5: Project Timeline

Attachments

Attachment 1: Survey Plan prepared by SurDevel

Attachment 2: Supplementary Planning Statement

Attachment 3: Pre Planning Proposal Meeting Report prepared by Kuring-gai Council

Attachment 4: Amended Architectural Plans prepared by Tandem Design Studio

Attachment 5: Amended Urban Design Statement prepared by Oculus

Attachment 6: Amended Traffic Report prepared by Colston Budd
Rogers & Kafes

Attachment 7: Amended Economic Impact Assessment prepared by
Deep End Services

Attachment 8: Amended Arboricultural Impact Statement prepared by
Tree IQ

Attachment 9: Amended Landscape Report prepared by Oculus

Attachment 10: Amended Ecological Report prepared by GIS
Environmental Consultants

Attachment 11: Combined Phase 1 & 2 Environmental Site Assessment
prepared by Compaction & Soil Testing Services

Attachment 12: Engagement (Community) Report prepared by Straight
Talk