

ENVIRONMENTAL ASSESSMENT REPORT

132-138 KILLEATON STREET, ST IVES



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AUGUST 2010



STATEMENT OF VALIDITY

Submission of Environmental Assessment

Prepared under Part 3A of the Environmental Planning and Assessment Act 1979.

Environmental Assessment prepared by

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In respect of	132-138 Killeaton Street, St Ives

Applicant & Land Details

Applicant	Meriton Apartments Pty Ltd Level 11, 528 Kent Street SYDNEY NSW 2000
Subject Site	132-138 Killeaton Street, St Ives
Lot & DP	Lot 2, DP 748682
Project Summary	Development of five new residential flat buildings with basement car parking, adaptive reuse of an existing building for communal facilities, strata subdivision, staged occupation and onsite management.

Environmental Assessment

An Environmental Assessment is attached.

Declaration

I certify that I have prepared the contents of the Environmental Assessment in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulation and that, to the best of my knowledge, the information contained in this report is not false or misleading.

Signature
Name	Walter Gordon
Date	6 August 2010



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EXECUTIVE SUMMARY

This Environmental Assessment report accompanies a Project Application under Part 3A of the Environmental Planning and Assessment Act, 1979. The report addresses the Director General's Requirements issued in relation to the site.

Subject Site

The subject site is located at 132-138 Killeaton Street, St Ives. The total site area is 22,970 sqm. Currently on the site is a former monastery building and a stables building.

The area surrounding the site is mixed with dwelling houses and educational facilities. Much of the surrounding land is occupied by detached dwelling houses that characterise a low-density environment. However, the new Ku-ring-gai Town Centres LEP has rezoned land in the area for higher density residential development.

Proposal

This development application proposes the erection of five apartment buildings containing 298 residential apartments, basement parking for 367 vehicles and landscaped open space. Strata subdivision and staged occupation of the proposal is also proposed as part of this application. Details of staged occupation will be submitted with the construction certificate for the development.

Key Issues

The assessment concludes that the proposal is generally consistent with the relevant controls. Where a variation is sought, it is concluded that the variation is acceptable. The development is consistent with the objects of the EP&A Act.

It is concluded that the proposal relates well to its approved future surroundings and will have an appropriate scale. No impact will result on views or overshadowing.

The development has been designed with extensive articulation and modulation to provide an interesting architectural form and will have a positive contribution to the streetscape. It is concluded that the proposal will have good acoustic and visual privacy. The apartments have good internal floor layouts and will provide a high level of amenity.

The subject site is located within close proximity to bus services to the CBD. During construction, the site will be secured to ensure that no conflicts occur with pedestrians. A construction management plan is submitted with the application and the draft Statement of Commitments contains methods to ameliorate impacts during construction.

A BASIX Certificate accompanies the application, which ensures that the development will be built to appropriate ESD standards.

The subject site has no heritage significance. Notwithstanding, a heritage impact assessment is included that considers the proposed retention of the monastery building and stables. The Environmental Assessment concludes that the proposal will be acceptable with respect to any heritage impacts.

Potential Impacts

The buildings will form a group that has been designed in accordance with the relevant planning controls. There will be no adverse impacts on surrounding properties.

The proposed development is well separated from existing surrounding dwelling houses and will not have any adverse impact on those surrounding properties.

Draft Statement of Commitments

The draft Statement of Commitments contains all the necessary identification of issues and mitigation measures to be implemented during the construction phase. This has been prepared as a requirement by the Director General but also in recognition that such considerations need to be made to minimise any adverse impacts associated or arising from construction activities on the site.

Conclusion

This Environmental Assessment concludes that the proposed development is well designed and is generally consistent with the requirements of the relevant planning controls. The report addresses all the Director General's Requirements. The proposed development should receive endorsement from the Department of Planning in the form of an approval.

1 INTRODUCTION

1.1 BACKGROUND

On 16 April 2010, the Department of Planning provided written confirmation that the proposed development is to be considered under Part 3A of the Environmental Planning and Assessment Act, 1979 (the Act).

On 14 May 2010, the Department of Planning provided a copy of the Director Generals Environmental Assessment Requirements under Part 3A of the Act.

This Environmental Assessment Report accompanies a Project Application in accordance with the Act. The Project Application is accompanied with the relevant documentation listed under Stage 1 of the *"Draft Guidelines – Major Infrastructure and Other Projects under Part 3A of the Environmental Planning and Assessment Act"*, as detailed below.

Application Requirement	Documentation
(a) A written graphical description of the project and any ancillary components, including relevant preliminary plans.	Written description - Section 3. Graphical plans - Annexure 4, 5 and 6.
(b) The location(s) and a map identifying the site(s) / alignment / corridor.	Section 2
(c) The capital investment value and other relevant information in relation to parameters set out in the major project SEPP for determining whether Part 3A applies to the project.	Section 1.2
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPI.	Section 5.1
(e) The views of other agencies, local Council or the community if known.	Section 5.12
(f) List any other approvals required in particular if a licence from the Dept Environment and Conservation under the Protection of the Environment Operations Act is required.	Section 1.2
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A taking into consideration the relevant criteria.	Section 1.2
(h) Preliminary assessment to identify the likely environmental issues.	Section 5
(i) Completed application form.	Lodged with documentation.
(j) The prescribed application fee.	Lodged with the application.
(k) Number of copies.	Noted.
(l) Any other matters required by the director-general, following consultation with the Department.	Noted. Will be provided where required.

1.2 STATUTORY CONTEXT

Clause 6(1)(a) of SEPP (Major Projects) states that in the opinion of the Minister development described in Schedule 1 is declared to be a project to which Part 3A of the Act applies.

Item 13(1) of Schedule 1 states as follows:

Development for the purpose of residential, commercial or retail projects with a capital investment of more than \$100 million.

For the purpose of the above requirements, the proposed development has a capital investment value of \$ 107,087,620.

Pursuant to clause 6(1)(a) of SEPP (Major Projects), the Minister declared the development a Major Project on 16 April 2010.

In accordance with Item (f) of the draft guidelines for major projects the following approvals or licenses are required for the proposed development:

- (i) License / approval under the Protection of the Environment Operations Act 1997.
- (ii) Part 3 permit under the Water Management Act, 2000.

1.3 PROPOSED DEVELOPMENT

This development application proposes the erection of five apartment buildings containing 298 residential apartments, basement parking for 367 vehicles and landscaped open space. Strata subdivision and staged occupation of the proposal is also proposed as part of this application. Details of staged occupation will be submitted with the construction certificate for the development.

1.4 DIRECTOR GENERAL REQUIREMENTS

Section 4 of this Environmental Assessment report contains a summary of how the General Environmental Assessment Requirements have been addressed.

2 SITE AND SURROUNDINGS

2.1 SITE DESCRIPTION

The subject site, being 132-138 Killeaton Street, St Ives, is situated on the southern side of Killeaton Street between Mona Vale Road and Yarrabung Road. The general location of the site is shown in **Figure 1** and the extent of the site is shown in the aerial photograph at **Figure 2**.

The site's legal description is Lot 2, DP 748682 (see **Annexure 2**). It has a 145.5 metre frontage to Killeaton Street; a 77.0 metre rear boundary; a 209.9 metre eastern boundary; and two western boundaries of 80.2 and 121.9 metres. The total site area is 22,970 sqm. The site is essentially flat.

Currently on the site is a former monastery building and a stables building. These buildings do not have any statutory heritage significance. The site also contains a number of trees. The existing buildings and the trees are all shown on the site survey plan at **Annexure 3**.

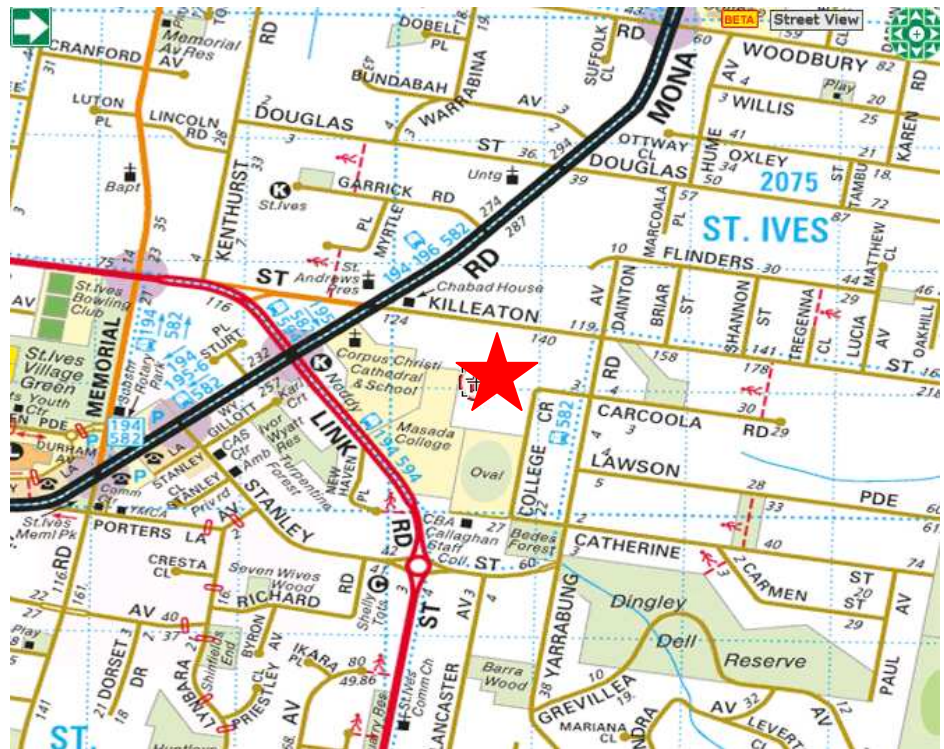


Figure 1: Location of subject site (shown marked with star)

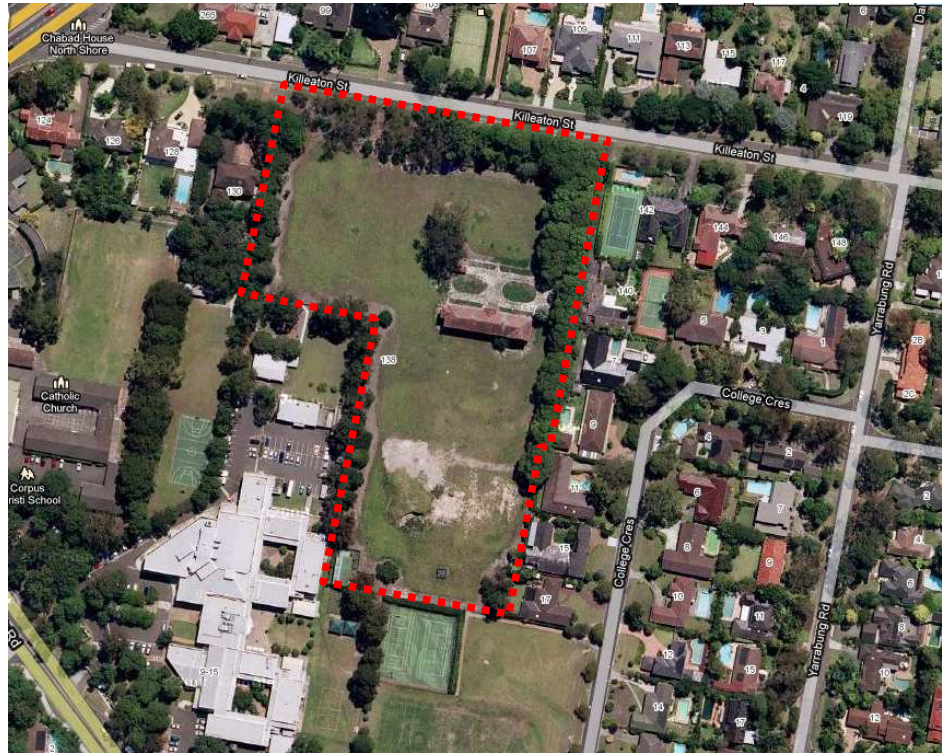


Figure 2: Aerial view of site showing approximate boundary location

2.2 SURROUNDING DEVELOPMENT

The area surrounding the site is mixed with dwelling houses and educational facilities. The surrounding development can be seen in **Figure 2**.

Adjoining the south and part of the west of the site is Masada College. The College oval is located to the south and the College buildings are located to the west. Also adjoining to the west of the subject site is a detached dwelling house.

To the east of the subject site are properties occupied with detached dwelling houses. Those properties front onto either Killeaton Street or College Crescent.

Although much of the surrounding land is occupied by detached dwelling houses that characterise a low-density environment, the new Town Centres LEP (see later in this Statement) has rezoned land in the area for higher density development. There are other areas of land in the vicinity that have been subject to these higher zonings. Therefore, the character of the area will be undergoing change in coming years as the densities under the new Town Centres LEP are realised.

3 DESCRIPTION OF DEVELOPMENT PROPOSAL

3.1 OVERVIEW

This development application proposes the erection of five apartment buildings containing 298 residential apartments, adaptive reuse of an existing building for communal facilities, basement parking for 367 vehicles and landscaped open space. Strata subdivision and staged occupation of the proposal is also proposed as part of this application. Details of staged occupation will be submitted with the construction certificate for the development.

The proposed development incorporates the elements contained in the following table.

ELEMENT	PROPOSED DEVELOPMENT
Site Area	22,970 m ²
Unit Mix	Studio 3 One Bed 27 Two Bed 235 Three Bed 33 Total 298
Gross Floor Area	29,861 m ²
Car Parking	Resident 336 Visitor 31 Total 367
Deep Soil Landscaping	6,923 m ² See Deep Soil diagram at Annexure 4 and the landscape plan at Annexure 6 .
Building Height (storeys)	5 storeys

The proposed development is shown on a reduced copy of the drawings that can be found at **Annexure 4**. The perspectives at **Annexure 5** show how the completed development will appear from a pedestrian point of view.

3.2 DETAILED DESCRIPTION

3.2.1 Basement Carpark

The proposed development includes a single level of below-ground, basement car parking. The basement has been designed to comply with the required setbacks and provide deep soil around the site.

The basement provides for a total of 367 car parking spaces. Also located in the basement are plant rooms, storage cages for residents, 'satellite' garbage and recycling collection rooms and a central garbage and recycling collection room. A loading dock is proposed adjacent to the central garbage and recycling collection room.

Vehicular access to the basement is via the single, dual-carriage driveway that connects directly to Killeaton Street. Pedestrian access to and from the basement is via stairs of lifts into each building.

3.2.2 Building A

Building A is located in the northwestern corner of the site and has frontage to Killeaton Street. The building is 5 storeys in height with the penthouse (top) level being set back in accordance with the requirements of the planning controls.

Building A contains a total of 58 apartments as shown in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	1	2	9	1	13
Level 1	0	2	10	1	13
Level 2	0	2	10	1	13
Level 3	0	2	10	1	13
Level 4	0	0	2	4	6
TOTAL	1	8	41	8	58

All ground level apartments are provided with a private courtyard space that will have access to the surrounding communal open space. The apartments in the levels above will be provided with a generously sized balcony to meet the needs of the residents. The penthouse apartments will have large terrace areas.

3.2.3 Building B

Building B is centrally located at the front of the site with frontage to Killeaton Street. The building is 5 storeys in height with the penthouse (top) level being set back in accordance with the requirements of the planning controls.

Building B contains a total of 59 apartments as shown in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	0	2	10	1	13
Level 1	0	1	11	1	13
Level 2	0	1	11	1	13
Level 3	0	1	11	1	13
Level 4	0	0	7	0	7
TOTAL	0	5	50	4	59

All ground level apartments are provided with a private courtyard space that will have access to the surrounding communal open space. The apartments in the levels above will be provided with a generously sized balcony to meet the needs of the residents. The penthouse apartments will have large terrace areas.

3.2.4 Building C

Building C is located in the northeastern corner of the site and has frontage to Killeaton Street. The building is 5 storeys in height with the penthouse (top) level being set back in accordance with the requirements of the planning controls.

Building C contains a total of 36 apartments as shown in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	1	1	6	0	8
Level 1	0	2	6	0	8
Level 2	0	2	6	0	8
Level 3	0	2	6	0	8
Level 4	0	0	3	1	4
TOTAL	1	7	27	1	36

All ground level apartments are provided with a private courtyard space that will have access to the surrounding communal open space. The apartments in the levels above will be provided with a generously sized balcony to meet the needs of the residents. The penthouse apartments will have large terrace areas.

3.2.5 Building D

Building D is located in the middle of the site behind the former monastery building. The building is 5 storeys in height with the penthouse (top) level being set back in accordance with the requirements of the planning controls.

Building D contains a total of 77 apartments as shown in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	0	0	17	0	17
Level 1	0	0	16	1	17
Level 2	0	0	16	1	17
Level 3	0	0	16	1	17
Level 4	0	0	7	2	9
TOTAL	0	0	72	5	77

All ground level apartments are provided with a private courtyard space that will have access to the surrounding communal open space. The apartments in the levels above will be provided with a generously sized balcony to meet the needs of the residents. The penthouse apartments will have large terrace areas.

3.2.6 Building E

Building E is located at the rear of the site. The building is 5 storeys in height with the penthouse (top) level being set back in accordance with the requirements of the planning controls.

Building E contains a total of 68 apartments as shown in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	1	1	10	3	15
Level 1	0	2	10	3	15
Level 2	0	2	10	3	15
Level 3	0	2	10	3	15
Level 4	0	0	5	3	8
TOTAL	1	7	45	15	68

All ground level apartments are provided with a private courtyard space that will have access to the surrounding communal open space. The apartments in the levels above will be provided with a generously sized balcony to meet the needs of the residents. The penthouse apartments will have large terrace areas.

3.2.7 Former Monastery Building

The former monastery building is located in the middle of the site. An adaptive reuse of the building is proposed. The building will be internally altered to provide for a swimming pool, gymnasium, spa, sauna, communal lounge area and manager's office. A lift is to be installed inside the building to provide for disabled access. The exterior of the building will remain essentially unchanged. A disabled ramp is to be installed at its entrance to provide for disabled access into the building.

3.2.8 Stables Building

The existing stables on the site are to be restored / made good. Plans of the stables are included at **Annexure 4**. The ground level inside the stables will be finished in composite granite to match the surroundings indicated on the submitted landscape plan (see **Annexure 6**). An interpretive plaque will be installed that explains the history of the building, and the internal area of the stables will form part of the communal open space facilities on the site. Further reference regarding the stables is included in the heritage report at **Annexure 14**.

3.3 LANDSCAPING AND OPEN SPACE

It is proposed to landscape that site to provide for communal open space. All private courtyard spaces are to be paved as shown on the architectural drawings.

The landscape plan shows that the site is to contain three formal spaces – between Buildings A and B; B and C; and D and E. These formal spaces will provide for communal gathering spaces for residents. BBQ facilities are proposed alongside the monastery building.

The proposed landscape design incorporates extensive stands of mature trees, particularly along the eastern and western side boundaries and along the Killeaton Street frontage. New vegetation will be planted to augment and complement the existing trees.

Areas of turf are to be provided on the site in addition to garden beds. These areas will provide a setting for the pedestrian network on the site that will provide connection between all buildings and the Killeaton Street frontage.

The landscape plan is at **Annexure 6**.

3.4 EXTERNAL FINISHES AND MATERIALS

The buildings will contain a mix of materials and finishes to express articulation and interest. The use of painted masonry will express verticality and the glass balustrades will provide horizontal emphasis. The colours have been selected by picking up on the neutral hues and tones within the locality. Highlight colours are used to distinguish the building's features.

A schedule of the proposed colours and materials accompanies the application to the Department.

3.5 ACCESSIBILITY

The development has been designed to meet the objectives of the Disability Discrimination Act and other relevant considerations. The buildings have been designed with appropriate access for disabled persons. An access report, prepared by Morris Goding, is at **Annexure 7**.

3.6 FLORA AND FAUNA

A flora and fauna report has been prepared by Total Earth Care. The report addresses biodiversity issues relating to the site, particularly along the Killeaton Street frontage. The flora and fauna report is at **Annexure 12**.

3.7 HERITAGE AND ARCHAEOLOGY

A heritage report has been prepared by NBRS. The report gives consideration to the proposed retention of the existing stables and monastery building that are located on the site. The proposal involves retaining the stables on the site and an adaptive reuse of the monastery building as described above in 3.2.7. The heritage report is at **Annexure 14**.

3.8 WASTE MANAGEMENT

The development has been designed to include garbage chutes in each building and waste collection facilities in the basement level. The development has also been designed to enable waste collection, by Council and/or contractor, to occur fully entirely within the basement area. A Waste Management Plan, prepared by Wastech, provides details and is at **Annexure 8**.

3.9 ENERGY EFFICIENCY

The buildings have been designed to ensure that all apartments achieve maximum energy efficiency. The development complies with the requirements of BASIX. A BASIX Certificate, issued by Efficient Living, is at **Annexure 9**.

3.10 TRAFFIC, ACCESS AND PARKING

Vehicular access to the basement parking area is via a ramp that is located on Killeaton Street. All vehicle parking, unloading/loading and associated manoeuvring of vehicles will be contained within the underground basement levels of the development. A Traffic Report, prepared by TTPA, is at **Annexure 10**.

3.11 SOLAR ACCESS

The buildings have been designed to maximise solar access to apartments and to minimise overshadowing of other apartments within the site and on adjoining sites. A Solar Access Analysis, prepared by Heggies, is at **Annexure 11** and shadow diagrams, prepared by Meriton, are at **Annexure 4**.

3.12 ACOUSTIC QUALITIES

The development has been designed with consideration to relevant acoustic standards. An Acoustic Report, prepared by Acoustic Logic Consultancy, is at **Annexure 13**. The Report provides recommendations on acoustic treatments that are necessary to the buildings.

4 THE DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The table below addresses the General Requirements of the Director General.

REQUIREMENT	COMMENT / REFERENCE
1. An Executive Summary;	An Executive Summary is at the beginning of this report, at page i (before the Introduction).
2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment;	Various site analysis drawings are included at Annexure 4. Aerial photographs and a description of the site and its surroundings are at section 2 of this report.
3. A thorough description of the proposed development;	A detailed description of the proposed development is at section 3 of this report.
4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed;	The key issues are addressed in section 5 of this report.
5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;	An assessment of potential impacts is incorporated into section 5 of this report. The Statement of Commitments is at section 5.13 of this report.
6. The plans and documents outlined below;	The required documents are listed in the Annexure at the beginning of this report. A physical model and a colours and materials sample board accompany the Major Project application
7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;	Provided immediately before the Contents pages of this report.
8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP); and	The quantity surveyors certificate is at Annexure 23.
9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	The conclusion to the Environmental Assessment is at section 6.

The table below addresses the plans and documents Requirements of the Director General.

REQUIREMENT	COMMENT / REFERENCE
1. An existing site survey.	Refer Annexure 3.
2. A Site Analysis Plan.	Refer Annexure 4.
3. A locality/context plan.	Refer Annexure 4.
4. Architectural drawings.	Refer Annexure 4.
5. A schedule of materials and finishes.	Accompanying application.
6. Visual and view analysis.	Refer section 5.2 and Annexure 5.
7. A physical model.	Accompanying application.
8. Shadow diagrams and solar access report.	Refer Annexure 4 and 11.
9. An Arborist report.	Refer Annexure 17.
10. Landscape plan.	Refer Annexure 6.
11. Stormwater / drainage concept plan.	Refer Annexure 22.
12. Desktop assessment.	Refer Annexure 12.
13. Preliminary site contamination assessment.	Refer Annexure 18.
14. Geotechnical report.	Refer Annexure 24.
15. Heritage and archaeological report.	Refer Annexure 14.
16. Groundwater assessment.	Refer Annexure 21.

5 KEY ISSUES

5.1 RELEVANT EPI'S POLICIES AND GUIDELINES

The following planning controls, policies and guidelines are relevant to the subject site:

1. NSW State Plan 2010;
2. Draft North Subregional Strategy
3. Metropolitan Transport Plan 2010;
4. Integrating Land Use and Transport – A Planning Policy Package 2001;
5. Planning Guidelines for Walking and Cycling 2004;
6. Ku-ring-gai Planning Scheme Ordinance (as amended by LEP 194);
7. Ku-ring-gai Local Environmental Plan (Town Centres) 2010;
8. Ku-ring-gai Town Centres Development Control Plan 2010;
9. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
10. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
11. State Environmental Planning Policy No. 55 – Remediation of Land;
12. State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development;
13. State Environmental Planning Policy (Infrastructure) 2007.

The following paragraphs contain an assessment of the proposed development under each of the above planning instruments.

5.1.1 NSW State Plan 2010

The NSW State Plan 2010 sets targets, priorities and actions for the delivery of services in New South Wales. The Plan sets some specific targets and measures relating to various categories. The following table provides an assessment of the proposed development against the relevant targets contained within the Plan.

Target	Comment
<i>Increase walking and cycling</i>	The subject site is located in close proximity to public transport and local shopping facilities and other services. This will discourage the use of private vehicles and promote walking and cycling.
<i>Increase the number of jobs closer to home</i>	The proposed apartments will provide for opportunities to work from home, as many units contain studies or media spaces.

Target	Comment
<i>Grow cities and centres as functional and attractive places to live, work and visit</i>	The proposed apartments will have a high level of amenity and have been skilfully designed to provide for an attractive environment.
<i>Improve housing affordability</i>	The proposal will increase the supply of housing in the St Ives area. Increasing the supply of housing is the most effective way of reducing housing costs.
<i>Maintain and invest in infrastructure</i>	The proposal involves a substantial investment in housing infrastructure in the St Ives area.
<i>Increase business investment and support jobs</i>	The proposal constitutes a substantial business investment and the development will involve the creation of numerous construction and ongoing maintenance jobs.
<i>Improve air quality</i>	The proposal is located in close proximity to the bus services, which will reduce car use. The apartments have been designed to be energy efficient pursuant to BASIX. These measures will assist in improving air quality by minimising emissions.
<i>Reduce waste</i>	The proposal provides for recycling facilities to minimise waste from the completed apartments. The construction management plan at Annexure 8 provides details in relation to waste management during construction.
<i>Reduce rates of crime, particularly violent crime</i>	A crime risk assessment report has been prepared and is at Annexure 20. The report concludes that with the undertaking of certain safety measures, crime risk on the site will be minimised.
<i>Reduce levels of antisocial behaviour</i>	

5.1.2 Draft North Subregional Strategy

Subregional planning is an important aspect of the planning and implementation of the 2005 *Metropolitan Strategy, City of Cities: A Plan for Sydney's Future*.

The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

The North Subregion is situated between Sydney's Inner North and the Central Coast. It takes in the Local Government Areas of Ku-ring-gai and Hornsby.

With regard to Ku-ring-gai, the Draft North Subregional Strategy states as follows:

The population in Ku-ring-gai was approximately 106,000 in 2006 (TPDC 2007) and covers an area of 84km². The area displays a wide variation in landscape and wildlife with significant areas of urban bushland identified as having high conservation status. The area supports a variety of small businesses and provides niche cultural and retail services, however no heavy industry exists. Cultural and heritage features add to the diversity of the area.

The Subregional Plan, for the North, is seeking an additional 21,000 new dwellings over the next 20 years. The proposed provision of 298 new units will contribute towards this target.

The following table provides an assessment of the proposed development against the main relevant objectives and actions contained within the Strategy.

Objective / Action	Comment
<i>C2.1: Focus Residential Development Around Centres, Town centres, Villages and Neighbourhood centres.</i>	The subject site is located in close proximity to the St Ives shopping village.
<i>C2.3: Provide a Mix of Housing.</i>	<p>The proposal involves the creation of 298 residential apartments in the form of studios and 1, 2 and 3 bedroom apartments. A variety of apartment styles and configurations are proposed to meet different particular consumer needs. Some apartments have studies and more than once balcony or a landscaped courtyard instead of a balcony.</p> <p>The proposal is considered to complement this objective of the Strategy in that it will constitute a substantial contribution to the mix of apartment living in the area.</p>
<i>C4.1: Improve the Affordability of Housing.</i>	One of the most effective ways of making housing more affordable is by increasing supply. This is particularly relevant in recent times. The proposed introduction of 298 apartments into the local housing market will assist in easing prices and improving housing affordability. Therefore, the proposal is considered to be complementary to this objective of the Strategy.
<i>C4.3: Use Planning mechanisms to provide affordable housing.</i>	The Ku-ring-gai Town Centres LEP has allowed for additional housing to be built on the subject site and others in the locality. The proposed additional 298 apartments are consistent with the requirements of the LEP and the floor space and height for the subject site. These planning mechanisms are assisting in the supply of additional housing in the local market, which will assist in easing housing prices.

Objective / Action	Comment
<i>C5.1: Improve the design quality of new development.</i>	<p>The form of the apartment buildings achieves a high residential amenity both internally within the apartments and throughout the site. All apartments achieve northern, eastern or western orientation – there are no south facing units. 65% of apartments are naturally cross ventilated, reducing the demands placed on artificial heating and cooling.</p> <p>The layout of the apartments enhances their residential amenity with appropriately sized internal living areas, which flow onto generous usable balconies and courtyards.</p> <p>The proposal generally complies with the requirements of SEPP 65 and the Residential Flat Design Code and the Ku-ring-gai Town Centres LEP and DCP.</p> <p>Accordingly, the proposal is considered to be complementary to this objective of the Strategy.</p>

5.1.3 Metropolitan Transport Plan 2010; Integrating Land Use and Transport – A Planning Policy Package 2001; and Planning Guidelines for Walking and Cycling 2004

A traffic report has been prepared by TTPA and is at **Annexure 10**. The report addresses the relevant requirements of the Metropolitan Transport Plan 2010; Integrating Land Use and Transport – A Planning Policy Package 2001; and Planning Guidelines for Walking and Cycling 2004. The report concludes that the proposal is satisfactory in respect of the policies.

5.1.4 Ku-ring-gai Planning Scheme Ordinance (as amended by LEP 194)

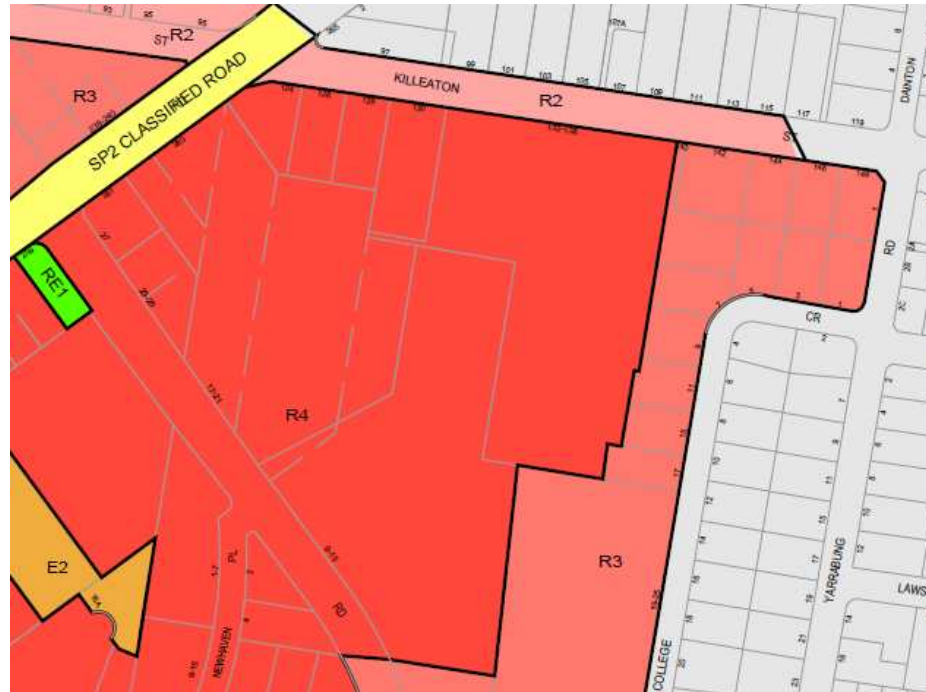
Ku-ring-gai Planning Scheme Ordinance (as amended by Local Environmental Plan 194) was until 25 May 2010 the relevant Environmental Planning Instrument applying to the site. However, it has been repealed insofar as its application to the subject site. See section 5.1.7 below for further details.

5.1.5 Ku-ring-gai Local Environmental Plan (Town Centres) 2010

Ku-ring-gai Local Environmental Plan (Town Centres) 2010 (LEP) was gazetted on 25 May 2010. Pursuant to clause 1.8, the LEP is now the relevant Environmental Planning Instrument applying to the site.

Zoning

Pursuant to clause 2.2 of the LEP, the subject site is zoned R4 – High Density Residential. **Figure 3** shows the zoning of the subject site.



B2	Local Centre
B4	Mixed Use
B5	Business Development
B7	Business Park
E2	Environmental Conservation
E4	Environmental Living
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
SP1	Special Activities
SP2	Infrastructure

Figure 3: Extract from LEP zoning map

Aims and Objectives

Pursuant to clause 2.3(2), the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the R4 zone are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development satisfies the objectives of the zone, in that:

- 298 apartments are proposed, which constitutes a significant addition to housing stock within the local community; and
- A variety of apartments are proposed including studios, 1, 2 and 3 bedroom apartments.

Height of Buildings

Pursuant to clause 4.3 of the LEP, the subject site has a 17.5 metre height limit. **Figure 4** shows the height limit of the subject site.

The proposal has been designed to ensure that the buildings do not exceed the 17.5 metre height limit. The built form on the top of each building varies slightly beneath the height limit to provide appropriate massing. The proposal complies with the requirements of clause 4.3.

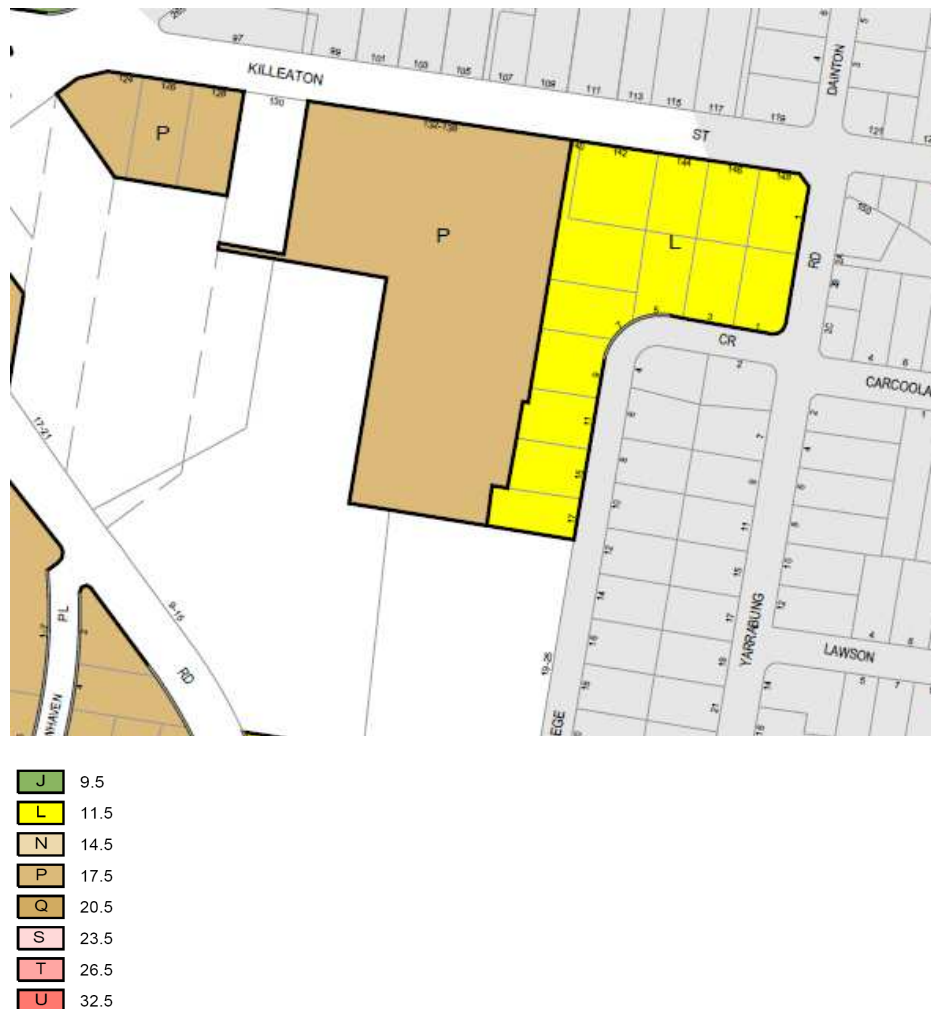


Figure 4: Extract from LEP height map

Floor Space Ratio

Pursuant to clause 4.4 of the LEP, the subject site has a 1.3:1 floor space ratio. **Figure 5** shows the floor space ratio of the subject site.

The proposal has a gross floor area of 29,861 sqm resulting in a floor space ratio of 1.3:1, which complies with the requirements of clause 4.4.



Figure 5: Extract from LEP floor space ratio map

Particular Site Requirements

Clause 6.1 of the LEP requires that development consent must not be granted for the erection of multi dwelling housing or a residential flat building on a lot in a residential zone unless the lot has one street frontage of at least:

- (a) if the area of the land is less than 1,800 square metres—23 metres, or
- (b) if the area of the land is 1,800 square metres or more—30 metres.

The subject site has a total site area of 22,970 sqm and a frontage to Killeaton Street of 145.5 metres. Accordingly, the proposal complies with the requirements of clause 6.1.

Natural resources sensitivity - biodiversity

Clause 6.5 of the LEP contains provisions that relate to biodiversity on the site. **Figure 6** shows the part of the site that is affected by a vegetation cluster. Consideration of the provisions of clause 6.5 is included in the submitted flora and fauna assessment report prepared by Total Earth Care (see **Annexure 12**).



Figure 6: Extract from LEP biodiversity map

5.1.6 Ku-ring-gai Town Centres Development Control Plan 2010

Ku-ring-gai Town Centres Development Control Plan was adopted by Council on 8 June 2010 and became effective on 11 June 2010. The Town Centres DCP complements the Town Centres LEP. The Town Centres DCP also replaces the Ku-ring-gai Development Control Plan No.55.

An assessment of the proposal under the relevant provisions of Parts 3, 4 and 7 the Town Centres DCP is provided in the table at **Annexure 16**. The assessment demonstrates that the proposal generally complies with the DCP.

Bonacci Group, Engineers, have prepared a report that addresses the relevant requirements of Part 5 of the DCP. The report is at **Annexure 22** and demonstrates that the proposal generally meets the requirements of the DCP.

5.1.7 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The plan covers the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River. The plan aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.

The relevant provisions applying to the proposed development are considered in the table below.

Planning Provisions	Comments
<i>Clause 18 – Development Control in the Waterways.</i>	All works are land based.
<i>Clause 20 states that the matters for consideration under Division 2 are to be considered for development under Parts 4 and 5 of the Act.</i>	The site is not subject to assessment under Part 4 or 5.
<i>Part 3, Division 4 – Special Provisions</i>	The proposed development does not come under any of the special provisions listed under Division 4.
<i>Part 4 – Strategic Foreshore Sites</i>	The site is not listed or shown on the strategic foreshore site map.
<i>Part 5 – Heritage Provisions</i>	The site is not listed as containing any heritage items under Schedule 4 of the REP.
<i>Part 5, Division 3 – Protection of Aboriginal Heritage</i>	The heritage report at Annexure 14 concludes the site does not contain any significant aboriginal heritage.
<i>Part 6 – Wetlands Protection</i>	The site does not contain any wetlands.

5.1.8 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the subject site and requires the submission of a BASIX Certificate with the development application. A BASIX Certificate is at **Annexure 9**.

5.1.9 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

A site contamination report is at **Annexure 18** and concludes that the proposed use will be suitable for the site. Accordingly the proposal is deemed to satisfy the requirements of SEPP 55.

5.1.10 State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings

Objectives

This Policy applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings. The Policy aims to improve the design quality of residential flat developments in New South Wales as:

- To contribute to the sustainable development of New South Wales;
- To achieve a better built form and aesthetic of buildings, of the streetscape and the public spaces they define;
- To better satisfy the needs of all members of the community including those with disabilities;
- To maximise amenity, safety and security of the occupants and the community;
- To conserve the environment and to reduce greenhouse gas emissions.

Application

Clause 30(2) of the Policy stipulates as follows:

“(2) In determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):

- (a) the advice (if any) obtained in accordance with subclause (1), and*
- (b) the design quality of the residential flat development when evaluated in accordance with the design quality principles, and*
- (c) the publication Residential Flat Design Code (a publication of the Department of Planning, September 2002).”*

Residential Flat Design Code

Annexure 15 contains a table that outlines the compliance of the proposed development against the relevant guidelines contained in the SEPP 65 Residential Flat Design code. The assessment in that table demonstrates that the proposed development generally complies with the policy and is consistent with its aims and objectives.

Annexure 15 contains the Design Verification Statement for the development, as required by Section 50 of the Environmental Planning and Assessment Regulation, 2000.

An assessment of the development against the design quality principles has been prepared and is contained at **Annexure 15**.

5.1.11 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 applies to the subject site. The Policy requires referral of development applications to the Roads and Traffic Authority for comment.

5.2 BUILT FORM AND URBAN DESIGN IMPACTS

The area surrounding the site is mixed with dwelling houses and educational facilities. The surrounding development can be seen in **Figure 2**.

Adjoining the south and part of the west of the site is Masada College. The College oval is located to the south and the College buildings are located to the west. Also adjoining to the west of the subject site is a detached dwelling house.

To the east of the subject site are properties occupied with detached dwelling houses. Those properties front onto either Killeaton Street or College Crescent.

Although much of the surrounding land is occupied by detached dwelling houses that characterise a low-density environment, the new planning controls for the area allow for higher density development. As shown in **Figures 4** and **5**, the new planning controls will allow for development of 4-storeys in height for the adjoining land to the east. There are other areas of land in the vicinity that have also been subject to these higher zonings. Therefore, the character of the area will be undergoing change in coming years as the densities under the new Town Centres LEP are realised.

The proposed development has been designed to generally comply with the height and floor space ratio requirements of the relevant planning controls. This will ensure that the development has an appropriate scale and will relate appropriately to its existing and future contexts. The maximum permitted LEP height limit is shown on the architectural drawing elevations at **Annexure 4**, which demonstrates that the development complies.

The proposed development has been designed to provide a well articulated façade with projecting balconies and regular placement of windows. All other elevations have a similar style of treatment to ensure that the building has a coordinated design approach and presentation to all publicly accessible areas.

The proposed development has been designed to incorporate and display a subdued and modern palette of colours and materials, which is consistent with the existing and future character of the area. The buildings will contain a careful balance of materials incorporating masonry, glass, metal and cladding. A colours and materials sample board accompanies the application.

The buildings have been sited to allow for a line of sight from Killeaton Street to the façade of the retained former Monastery building. This is evident on the submitted architectural plans and landscape plans at **Annexure 4** and **6**, respectively.

The landscaping of the site provides extensive vegetation to assist in blending the proposed building into the landscape and its surroundings. The retention of trees along Killeaton Street will ensure that the development is heavily screened. The landscape design incorporates three courtyard spaces that provide 'zoned' communal spaces for residents of the development.

The siting and design of the proposed building ensures that no hiding places will result on the site. The apartments have good casual surveillance of the street and all surrounding communal areas on the site.

A crime risk assessment report has been prepared and is at **Annexure 20**. The report has been prepared with consideration to the Department of Planning's guidelines entitled *Crime Prevention and the Assessment of Development Applications*. The report concludes that with the undertaking of certain safety measures, crime risk on the site will be minimised.

5.3 OPEN SPACE

Oculus landscape architects have prepared a statement that addresses the type, function and landscape character of the various open spaces on the site. The statement is at **Annexure 6**.

The landscape plans at **Annexure 6** clearly illustrate the proposed landscape treatment of the site and the pedestrian linkages throughout the site.

The proposal provides for 6,923 sqm of deep soil, which exceeds the minimum requirements of the SEPP 65 Residential Flat Design Code. Based on the site area of 22,970 sqm, SEPP 65 requires a minimum of 1,436 sqm of deep soil area. The proposal provides for 6,847 sqm of deep soil, which equates to 30.18%.

The proposal seeks a variation to the DCP requirement of 50% deep soil (see **Annexure 16**). However, this is considered acceptable as the proposal contains well placed and generously proportioned areas of deep soil to ensure the retention of mature trees on the site and to allow for additional tree planting as shown on the landscape plan. The deep soil areas proposed on the site are shown on the deep soil diagram included at **Annexure 4**.

Extensive landscaping is proposed over the basement parking area, which includes turf, garden beds and planting of trees. It is considered that the most appropriate location for hosting of large mature trees is along the side and front and rear of the site, which has been achieved. The existing trees in these locations will be enhanced by planting of additional trees and vegetation. The inner courtyard areas are considered more appropriate for smaller trees, which grow successfully in mounded planting areas over podium/basement areas.

5.4 ENVIRONMENTAL AND RESIDENTIAL AMENITY

The proposed development has generous side and rear setbacks, which will provide comfortable separation of the buildings from adjoining development. This siting of the buildings ensures that privacy, overlooking and overshadowing impacts are minimised. The proposal complies with the overshadowing controls contained in the DCP and is demonstrated in the DCP assessment table at **Annexure 16**.

Annexure 4 contains shadow diagrams that demonstrate that the extent of overshadowing is within expectations for the development which complies with the relevant planning controls. Screen planting along the side and rear boundaries will provide an effective visual buffer and will further minimise potential for overlooking.

A key influence in the siting of the buildings on the site is the location of existing significant trees, particularly the grove of trees located alongside the eastern boundary of the site. The grove of trees is to be retained as recommended in the arborist report at **Annexure 17**. Appendix D of the arborist report contains tree protection guidelines for trees to be retained on the site. The guidelines address all relevant matters, including how to address potential conflicts between the location of buildings and tree protection zones.

The proposed development has been designed to provide for a high level of amenity for the future residents. The buildings comply with the requirements of SEPP 65 and the Residential Flat Design Code – details of which are at **Annexure 15**. In summary, the units achieve the required solar access and cross ventilation. The development complies with the building separation requirements, which ensures good visual and acoustic privacy. All units will be provided with compliant storage inside units and in the basement.

5.5 TRANSPORT AND ACCESSIBILITY (CONSTRUCTION AND OPERATIONAL)

A traffic and parking study has been prepared by TTPA traffic consultants and is at **Annexure 10**. The report has been prepared in accordance with the relevant guidelines and gives consideration to matters relating to traffic generation, on-site car and bicycle parking, servicing and public transport options.

The traffic study analyses the existing public transport options currently available in the locality; and consideration is given to the future circumstances and likely demand for future public transport. The study concludes that the transport services available will be able to accommodate the proposed additional trips.

The proposal includes reduced visitor parking provision as detailed in the DCP assessment table at **Annexure 16**. The reduced visitor parking provision will encourage use of public transport for visitors to the site. The TTPA report at **Annexure 10** provides information relating to public transport services in the area.

Measures relating to protection of pedestrian amenity are contained in the construction management plan at **Annexure 19**. A final detailed construction management plan will be submitted for approval with the application for the future construction certificates for the site.

5.6 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposed development has been designed to contain various ESD initiatives to meet the requirements of BASIX. The BASIX Certificate at **Annexure 9** provides details of all the energy efficiency requirements to be installed as part of the construction of the buildings.

Some of the proposed ESD initiatives for the development are as follows:

- All units and communal areas to have 3 star showers & 4 star tapware & toilets;
- 20,000L rain tank capacity shared over Stage 1 & 2;
- Un-trafficable areas of the main roof from all buildings are to be plumbed into the rain tank. Connection will be provided to all private and communal area gardens and lawns as well as 2 car washing bays on the site;
- All heating and cooling facilities is to be rated at 5.5 to 6 stars;
- Florescent lighting provided throughout both buildings communal areas and with-in the units, except for bathrooms and ensuites;
- Gym to have air-conditioning operated with a time clock;
- Plant rooms to have exhaust fans interlocked to lights;
- Unit entries and hallways to have natural ventilation only;
- All car park area lighting to have zoned switching and motion sensors;
- All lift lighting systems are to be connected to a call switch button;
- Entries and hallways to have zoned switching with motion sensors;
- Lighting to all other areas to have manual on / off switches.

5.7 THREATENED SPECIES

A flora and fauna report has been prepared by Total Earth Care and is at **Annexure 12**.

The report has considered the flora species, vegetation communities and habitat components and concluded that the subject site does not currently support threatened flora species that are indigenous to the area, and has not identified significant habitat for any threatened flora species, flora populations or endangered ecological communities (EEC) targeted in the survey and assessment. There are species occurring on the site that are component species of the plant community Sydney Turpentine-Ironbark Forest, which is an EEC listed within the Schedules of both the NSW Threatened Species Conservation Act 1995 (TSC Act) and the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999.

The report concludes that the potential impacts will not have a significant effect on the Sydney Turpentine-Ironbark Forest located within the study area, and that a Species Impact Statement is not required. The report includes actions to be taken to avoid, mitigate and compensate unavoidable impacts on flora and fauna species by improving or maintaining overall biodiversity values on the subject site.

5.8 DRAINAGE AND STORMWATER MANAGEMENT

Stormwater drainage plans have been prepared that provide all relevant details for the stormwater drainage and treatment of stormwater on the site. Details are provided at **Annexure 22**. Bonacci Group, Engineers, have prepared a report that addresses the relevant requirements relating to stormwater management on the site. The report is at **Annexure 22**.

The site is not subject to flooding.

An assessment of groundwater on the site is contained in the geotechnical report at **Annexure 21**. The report indicates that drainage may be required both during construction and in the long term behind retaining walls and below the basement floor slab. Confirmation of this and further assessment of the existence of groundwater on the site will be submitted with a construction certificate.

5.9 CONTAMINATION AND GEOTECHNICAL ISSUES

A site contamination report is at **Annexure 18** and concludes that the proposed use will be suitable for the site.

A geotechnical report is at **Annexure 21**. The report contains findings on the subsurface composition of the site and provides comment and recommendations on construction matters. The findings in the report will be confirmed by submission of further documentation with the application for a construction certificate.

5.10 UTILITIES

All relevant utility services are available to the subject site. Connection to services will occur as part of the construction schedule. Consultation is underway with the service authorities to establish appropriate timing for the connection of services to the development.

5.11 CONTRIBUTIONS

Ministerial Directions require a maximum contribution of \$20,000 per unit. The Department of Planning in consultation with Ku-ring-gai Council's Section 94 Contributions Planner will place an appropriate condition of the determination of the subject application. The contributions collected as a result of the development will be expended on works for material public benefit. No Voluntary Planning Agreement is proposed as part of the development.

No Works-in-Kind or credits are being sought as listed in Ku-ring-gai Council's Section 94 Contributions Plan 2004-2009 Residential Development.

5.12 CONSULTATION

The local community is aware that the site has recently been rezoned as part of the Ku-ring-gai Town Centres LEP to allow for 5-storey residential flat buildings.

The proposal will be notified by the Department of Planning NSW in accordance with the requirements of Part 3A of the Environmental Planning and Assessment Act, 1979. This will include the availability of all submitted documentation on the Department's website for downloading and analysis by any potentially affected or concerned residents.

The development has been designed to be generally compliant with all relevant planning controls for the site. Accordingly, it is a form of development that is anticipated for the site.

The development is not comparable to the form or scale of development that requires preparation of an Environmental Impact Statement. Therefore, it is not considered necessary to hold public meeting and the like that would normally be associated with such larger scale developments that generally have high impacts.

During the determination of the Application the Department of Planning will refer the proposed development to Ku-ring-gai Council for detailed comments.

5.13 STATEMENT OF COMMITMENTS

Relevant to the proposed development, statement of commitments relate to stormwater management, construction impacts, project waste management, waste collection, crane management, staging of construction/open space and staging of construction/amenity of existing residents. The commitments also identify the general environmental risk associated with construction and provide solutions to remedy the risk. The statement of commitments is included at **Annexure 24**.

6 CONCLUSION

In accordance with Part 3A of the Act, the proposed development is a major project application by virtue of Schedule 1 pursuant to SEPP (Major Projects) and is an appropriate form of development.

The proposed development of 298 residential apartments at 132-138 Killeaton Street, St Ives, is permissible with the Minister's consent and provides a high quality development, which exhibits a high standard of architecture and excellent residential amenity. The development will make a notable contribution to the St Ives area.

The design adopts both strong architectural and urban design principles that allow the development to integrate well within its context. The key design consideration was to create a positive lifestyle environment for the residents and take advantage of the site location with its proximity to the range of local amenities.

The proposal satisfies the relevant planning controls. The apartments provide a high level of residential amenity through their spacious design, orientation, natural ventilation and visual outlook to contribute to providing a mix of housing choices.

This Environmental Assessment Report has demonstrated that the development is an appropriate residential development in terms of floor space, building height, quality of design and finishes, provision of active street frontages, provision of quality open space, access to natural light, traffic, parking and waste management.

Occupants of the development will enjoy immediate access to excellent public transport, recreational, cultural, and retail, services of the St Ives area. The development supports and reinforces St Ives as a lively, sustainable, and pleasant place to live.

The proposed development will have no adverse impacts. The generous setbacks and compliant buildings, in addition to effective screen planting and retention of trees, will ensure that overshadowing and overlooking are minimised. The heavily vegetated front setback along Killeaton Street will ensure a successful integration of the development into the locality.

The proposal will result in increased housing supply and choice. The increased supply of housing will play a key role in easing the costs of housing in the locality.

For the reasons set out in this report, it is considered that the public interest would be best served by approval of the development application under consideration, particularly, given the absence of any demonstrable adverse impacts resulting from the proposal.