

Submission for 132-138 Killeaton Street, St Ives, NSW

Larry, Sarah, Dylan, Ethan & Brayden Melnick (Melnick Family)

4 Yarrabung Road, St Ives

Hm: 8197 0552; email: melnicks@optusnet.com.au

Mobile: 0409 833 191

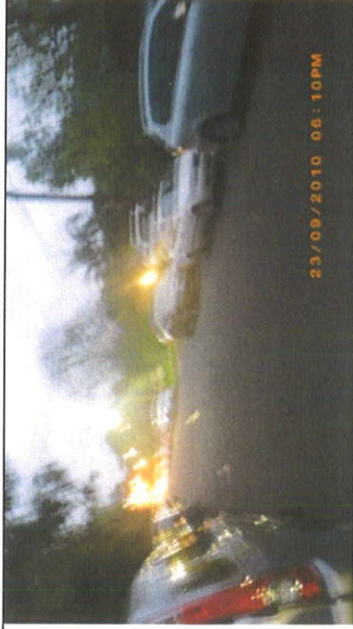
Reference to document	Information	Response
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings) Subject site Page I Subject Site	It states the area surrounding the site is mixed with dwelling houses and educational facilities. Verbatim: Much of the surrounding land is occupied by detached dwelling houses that 'characterise a low-density environment' Below – residential buildings located directly opposite the proposed development site. 	The dwelling houses surrounding the proposed development consist of single dwellings only and comprising generally medium to large garden spacing. Of the homes located within a radius of approximately 1km of the proposed development site on the Eastern end of Mona Vale Road (refer to Appendix A), there are only 2 dual occupancies i.e 2B and 2C Yarrabung a battle-axe site – 2A, and a very small 2 storey complex situated on 177 Mona Vale Road that comprise <0.4% of the total percentage dwellings (of approximately 750 dwellings) 'east' of the proposed site location as per <u>Appendix A</u> which is provided for illustrative purposes. This factual data as of September 2010 emphasizes the true character of the locality of the area to the east of Mona Vale Road. We note that there are two schools, but these are not or even 4 or 5 storey buildings, but low level 2 storey buildings and were established ~25 yrs ago (Masada College) and >25 years ago as for Corpus Christi

Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings)Subject site Page 1 (Proposal)	The DA 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 the application. Details of staged occupation will be submitted with the construction certificate for the development.	The Meriton proposal for 298 units and adaptive reuse of the Monastery and stables consists of 5 five storey buildings that are as bulky and long as the ones they built at the corner of Memorial and Link Road. The development is a clear departure from Council standards and LEP 194 or the Town Centre LEP requirements.
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings)Subject site Page 1 (Key Issues) Para 1	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.	
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings)Subject site Para 2	It is concluded that the proposal relates well to its approved future surroundings and will have an appropriate scale .	In what respect does the proposal relate well to its future surroundings. The proposed location, falls on the need for housing, but unfortunately the proposed location is not suitable and appropriate to the future surroundings. The dwelling houses surrounding the proposed development consist of single dwellings only and comprising generally medium to large garden spacing. Of the homes located within a radius of approximately 1km of the proposed development site on the Eastern end of Mona Vale Road(refer to Appendix A), there are only 2 dual occupancies i.e 2B and 2C Yarrabung a battle-axe site – 2A, and a very small 2 storey complex situated on 177 Mona Vale Road that comprise <0.4% of the total percentage dwellings (of approximately 750 dwellings)

		'east' of the proposed site location as per <u>Appendix A</u> which is provided for illustrative purposes. This factual data as of September 2010 emphasizes the true character of the locality of the area to the east of Mona Vale Road. We note that there are two schools, but these are not or even 4 or 5 storey buildings, but low level 2 storey buildings and were established ~25 yrs ago (Masada College) and >25 years ago as for Corpus Christi The proposal is also inconsistent with the overarching NSW State documents. For example, the site in terms of its appropriate scale is not suitably located near an existing train line. Furthermore, the proposed location is not located near a frequently serviced bus network (<i>NOTE: leaving residential and returning</i>) and with this not achieving the true objective of overarching NSW State documents such as the NSW State Plan 2010. Lengths of buildings are almost double the maximum length required in the DCP(about 65metres instead of 36 metres) inadequate solar access to the units based on DCP standards
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings)Subject site Para 2	No impact will result on views or overshadowing.	The <u>extensive</u> articulation and modulation provided in the design is unfortunately the demise and failure of the architectural form due to its shear and obvious bulk size and in respect to the surrounding 2 storey buildings in the vicinity of the proposed site location. It certainly may be an interesting design form being proposed but unfortunately again this is a
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and	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 .	

Buildings)Subject site Para 3		poor design example given the present characteristic surroundings comprising of at a maximum, 2 storeys With the current makeup of buildings being of a maximum of 2 storeys in the vicinity of the proposed site development, is it unreasonable to expect that the distinction between 5 storey and 2 storey will possibly add to a positive contribution to the streetscape. Evidence supporting the negative impact on the local streetscape and by way of example in the suburb of St Ives are provided in the image adjacent. It is disturbing that to local residents and to ourselves in writing this submission that such a development could even be considered as positive. Our question for an acceptable and justifiable response is how can it possibly considered as a positive contribution to the streetscape. Furthermore, the streetscape according to the Arborist report (Tree and Landscape Consultants) involves the removal of trees, some of which are considered moderate or in good health.
Environmental Assessment Report 132-138 Killeaton Street, St Ives, Aug 2010 (Meriton Apartments and Buildings)Subject site Para 3		

**Parking congestion
(Killeaton and
surrounding streets)**



With 298 dwellings and reasonable expectation of 1.5 vehicles per dwelling (based on need for vehicles due to limited access to a good nearby and regularly serviced transport network) this equates to a more realistic demand of approximately 447 vehicles for the complex once operational. This exceeds the proposed residential car parking in the basement by a significant 111 vehicles. The unfortunate implication of this is that an overflow of parking and associated congestion will spill into Killeaton and nearby surrounding streets. The parking congestion in Killeaton Street would become critical with competing need for parking from other residents and those using the local religious facilities (Kehilliat Masada Synagogue and Corpus Christie Church) for religious days and/or periods and users of the local daycare centre and Chabad House located across the proposed location. The cumulative impact of parking in Killeaton Street with other existing users has not been adequately addressed in the proponents' reports and in particular the report by Transport and Traffic Planning Associates, dated August 2010.

It is reasonable to expect that this will increase the risk in terms of pedestrian safety. This includes a daycare facility located across the proposed development site where toddlers and infants attend. It also affects the safety of school children leaving and returning from school and families walking these streets during the Sabbath and other religious days during the Jewish calendar year do not satisfactorily address the above safety concerns. My wife and I have 3 young children aged 3, 6 and 7 so this issue we find to be very concerning and worrying and a matter close to the heart.

The reports provided by the proponent, including in particular the report by Transport and Traffic Planning Associates, dated August 2010 have not adequately and satisfactorily addressed

	this item. Furthermore, the proposal states that it has allowed for 31 car parking spaces for visitors. Again this is an inadequate number. Using a simplified example to demonstrate this, if only 10 dwellings of the 298 dwellings (which is only 3%) were to each have guests of a party of 6, the visitor parking already reaches 30 vehicles. (based on 2 passengers per vehicle using the parking facility) This is a reasonable and very conservative assumption. Again the cumulative impact of an overflow of visitor parking onto Killeaton Street and other surrounding streets with that of other competing users in the area will further endanger the safety of pedestrian users in this particular area. The reports, including in particular the report by Transport and Traffic Planning Associates, dated August 2010 have not adequately addressed this item. Refer for example to page 10 of the report by Transport and Traffic Planning Associates, dated August 2010 which makes the following statement 'The site has a very significant road frontage of some 146 metres which could accommodate some 22 visitor's cars on the infrequent occasions when there may be a super-peak of visitation (eg Christmas). The report evidently has not taken into account other competing vehicle users for this Precinct.
Tree preservation	Tree removal: Single (inside) row of mature brushbox trees adjacent to the eastern boundary, a row of melaleucas to the western side boundary. Substantial tree removal to the front boundary including a number of eucalypts Limited tree retention: 2 blue gums to the front of the site

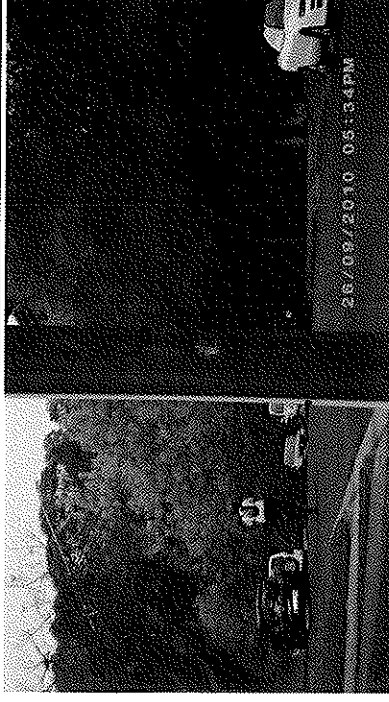
		and a single (outside) row of mature brushbox trees adjacent to the eastern boundary (p9 KMC Report)
Staging of construction		No evidence is found in the reports to indicate that strata subdivision plans will be or have been lodged with the application.
Traffic generation and associated impacts		
Transport and Traffic Planning Associates, dated August 2010 Section 3.4,p8	Reference is provided to Transport Services.	Information provided under this section is unfortunately misleading as none of the stated bus services for example connect to Pymble station from this site unless the residents are willing for a long walk (about 1km to Pymble station).
Transport and Traffic Planning Associates, dated August 2010 Section 3.4,p8	Reference is provided to Transport Services.	The incentive to use public transport in the cases of buses is also limited by the fact that the bus operations cease in the later part of the evening. This is a disincentive for those living at the proposed site location to use this service if they will need to work later in the office in the evening. As a consequence greater likelihood of using personal private vehicle to access the nearest Railway Station being Gordon or driving to work. This in turn demonstrates a weakness in the public transport service in respect to buses being presented in the report provided by Transport and Traffic Planning Associates, dated August 2010.
Transport and Traffic Planning Associates, dated August 2010	There is also very limited information, if any in terms of the methodology applied for the surveys under Section 3.3 of the report provided by Transport and Traffic Planning Associates, dated August 2010	Were they undertaken by competent individuals and who had received adequate training? Have all individuals responsible for undertaking SIDRA analysis undergone at a minimum the 'Beginner Workshop Training' for the software and has this training been delivered by an accredited person/company? Why is some data missing, e.g 'left-turn' for Link Road?

Transport and Traffic Planning Associates, dated August 2010	SIDRA Results (Akcelik & Associates) provided for under Appendix C of the Report	Due to the fact that the SIDRA data is based on vehicle movement during the significantly quieter period of the year, i.e July NSW Public School Holidays, the data does therefore not accurately reflect 'true' vehicle movement experienced throughout a 'majority' of the year. The methodology in this sense is flawed and inadequate due to the fact that the necessary analysis and recommendations including required treatments for pedestrian safety and local amenity is based on this data. It is questionable why the proponent has accepted for this particular data to be used as part of their submission and why data was not captured prior or after the school holiday period(s)..
	Analysis of the traffic generation and trip distribution from the proponent suggests that there would be a definitive increase in traffic along Yarrabung Rd where I reside (number 4) (between Killeaton St and Stanley St) as well as on Stanley St (between Yarrabung Rd and Link Rd/Horace St). Based on the traffic study, the <u>existing</u> two-way traffic volumes are as follows Yarrabung Rd 339 vph (Am peak (two-way) and 258 vph [pm peak (two-way)]) Stanley St 375 vph 350 vph <u>Future</u> traffic volumes are calculated to be as follows, following the trip assignment as per the applicant's traffic study: Yarrabung Rd 394 vph (Am peak (two-way) and 372 vph [pm peak (two-way)]) Stanley St 426 vph 464 vph.	The increase in traffic for Yarrabung and Stanley Streets is an obvious safety and troubling concern, particularly those parents with younger children such as in our family. This obvious reduction in amenity will not only make it more difficult to cross the Yarrabung Road when visiting family and friends or walking to the shops or when walking to Synagogue but also increases the safety risk when crossing with children, especially younger children. At this moment in time no slow points on Yarrabung or Stanley Streets exist such as Single-Lane Angled Slow Point (Fig 3.8 as per AS1742.13-2009) or Driveway Link (Fig 3.7 as per AS1742.13-2009) or Two-Lane Angled Slow Point (Fig 3.9 as per AS1742.13-2009). Unfortunately, none of these types of road treatments for improving safety and amenity have been included in the report provided by Transport and Traffic Planning Associates, dated August 2010. Such controls would also provide for an additional benefit by reducing excessive

		speeding, particularly on Yarrabung Road. The examples provided above from AS1742.13-2009 (Manual of uniform traffic control devices) – Part 13: Local area traffic management have been successfully implemented in Willoughby Council and we request such treatments to be examined further as a means of addressing pedestrian safety on Yarrabung Road (no.4) where we reside and other surrounding streets, such as Stanley, Killeaton and College Crescent also affected by the future increase in traffic as a result of the proposed development site. There is also no mention in the report which addresses treatments to alleviate the increase in PM and AM traffic for Stanley and Yarrabung Roads, as collector roads such as through traffic signals on Killeaton Rd and Mona Vale Road. This approach would allow residents of the proposed development to make a right hand turn to their complex without having to use the Stanley-Yarrabung collector Roads. On a slightly different note, please confirm if the SIDRA data relates to the survey data provided on pp6-7 of the report provided by Transport and Traffic Planning Associates, dated August 2010. Please also kindly confirm the date(s) and precise times the data presented from the surveys on pp6-7 was in fact recorded.
Threatened Species	The report by Total Earth Care states that Sydney Turpentine Ironbark Forest is listed as an EEC under the EPBC Act. It also states that, unlike the TSC Act, which recognises that STIF may occur as single remnant trees, the EPBC Act requires, for a remnant to conform to the EPBC Act's definition	The report appears to focus narrowly on the legislative requirements of the EPBC Act in indicating that a Species Impact Statement is not warranted. It does not however appear to adequately address the requirements under the NSW Threatened Species Conservation Act. One of the key cornerstones of the Threatened Species

	of STIF, that the canopy must have a tree cover greater than 10%, and an area greater than a hectare. Patches of less than 10% tree canopy cover are also included if they are more than one hectare in size and are part of a native vegetation remnant larger than five hectares. The report then states that the patch of vegetation on the subject site that has been mapped as STIF as per the TSC Act does not qualify as STIF under the EPBC Act as its total area is approximately a quarter of a hectare, does not have an intact vegetation structure and has a canopy cover of less than 10%, and is not part of a larger native vegetation remnant.	Assessment Guidelines (DECCW) is that the document consistent with TSC Act (NSW) has the expectation that requires that 'all factors' must be considered and an overall conclusion must be drawn from all factors in combination. Furthermore, where there is reasonable doubt regarding the likely impacts, or where detailed information is not available, a species impact statement should be prepared. The report by by Total Earth Care clearly states that a diurnal survey of fauna was conducted on the 24th June. Clear limitations exist for this survey work which was undertaken as it was conducted only during the daytime and for one day only and also during the winter season of the year of which this aspect has a direct correlation to fauna activity both for diurnal and nocturnal fauna types. The survey work as a result is clearly inadequate as the scope of the survey did not include nocturnal fauna and survey work over several days and/or weeks and during seasonal breeding seasons to adequately assess fauna species that use the existing habitats at the proposed development site. The above indicates that there is an inconsistency with the fauna species that may use the habitats at the proposed development site location and the expectation of the Threatened Species Assessment Guidelines (DECCW) which clearly states that a species does not have to be considered as part of the assessment of significance if adequate surveys or studies have been carried out that clearly show that the species: does not occur in the study area, or
--	---	--

	will not use on-site habitats on occasion, or will not be influenced by off-site impacts of the proposal. The scope of the report has also not adequately considered the effect of fauna linkages as a result of loss of flora habitat. Fauna linkages include for example those between this precinct location of the proposed location and nearby bushland locations such as Garigal National Park to the East, Ku-Ring-Gai- Wildflower Gardens to the North and nearby Reserves such as Dingley Dell and Dairymple Hay Nature Reserve. As further evident in the satellite imagery and photo below residential locations also comprise significant vegetation including moderate to high canopy tree tops which provide for fauna linkages to each of the above reserves and bushland areas, i.e Garigal and the Wildflower Gardens.  Reference: http://maps.google.com.au/maps?hl=en&tab=wl
--	---



Total Earth Care also state under section 4.3 of their report that a fauna survey was not required as part of the DGRs. The DGR however states that impacts on flora including threatened species, populations, endangered ecological communities and their habitats are to be addressed. As there is a direct correlation between habitat and fauna, it is not unreasonable to expect fauna survey work to be conducted. This has indeed been conducted but as noted in several places above, the adequacy of this review over a one day event and during the day and only covering the winter season is clearly inadequate and not satisfactory.

	No intensive in depth searches appear to have been conducted by Total Earth Care for flora or fauna for the site with this approach being inconsistent with the precautionary principle and with no Species Impact Statement being prepared. This is of significant concern given that at this moment in time there exists an endangered ecological community (EEC), namely Sydney Turpentine Ironbark Forest which is listed under the Threatened Species Conservation Act 1995 (TSC Act) and also scheduled under the Federal legislation - <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. The report states that tree's 52, 56, 59, 61, 128- <i>Pittosporum undulatum</i> (Sweet Pittosporum), T122- <i>Syncarpia glomulifera</i> (Sydney Turpentine), T131- <i>Eucalyptus resinifera</i> (Red Mahogany) & T134- <i>Eucalyptus saligna</i> (Sydney Blue Gum) which comprises part of the local occurrence of EEC Sydney Turpentine Ironbark Forest within the site will be removed. Not all of these identified trees are however in poor health with information indicating this in the report dated July 2010 by Tree and Landscape Consultants. It was also extremely difficult if impossible to read those trees to be removed and those to be retained as per Appendix G of the report. This has not allowed for a desired response in this submission.	
--	--	--

The loss of those trees in the report as summarized in the report will evidently alter the existing streetscape and no trees of that stature can be replenished for generations to come. The existing canopy streetscape is evident in the below and this loss is worrying and concerning with the contrasting image further below.



		This amenity loss affects not only my family and local residents that walk the streets within this precinct but also residents of Ku-Ring-Gai.
		The claim made in the report that it is not worthwhile preserving EECs, i.e STIF as they are remnant is not acceptable given the Threatened Species Assessment Guidelines (DECCW) clearly states the following and hence the statement provided by the proponent is contrary to the general theme expressed below <i>'The reason for the shift to a local focus is that the long-term loss of biodiversity at all levels arises mainly from the accumulation of losses and depletions of populations at a local level. This is the broad principle underpinning the TSC Act, state and federal biodiversity strategies, and international agreements'</i>
Landscaping		It appears that the single-level basement car park being proposed and which covers an extensive area of the site would significantly reduce the opportunities for deep soil landscaping. This in turn does not allow for the proposed landscaping as provided by the proponent including the Report by Oculus.

Stormwater runoff concerns		Due to the contrast of the existing contours of the proposed development site and the hardstand that will be created as part of the development and those residential dwellings located at lower contour points, the potential for flooding appears to be a significant issue which has not been adequately addressed in the drainage reports by Bonacci. The Crime Risk Assessment Report, dated June 2010, does not appear to adequately address potential terrorist activities given the proximity of the block located directly adjacent to Masada College and the existing sensitivities on this matter.
Safety and welfare of nearby schools		

