

PLANNING PROPOSAL TO REZONE 130 KILLEATON STREET, ST IVES

May 2022

Prepared by *The Planning Hub*

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Executive Summary

Overview

This Planning Proposal has been prepared on behalf of AHG Homebush Pty Ltd and seeks to amend the Ku-ring-gai Local Environmental Plan (LEP) 2015 to rezone No.130 Killeaton Street, St Ives from SP2 Infrastructure to R4 High Density Residential.

The rationale for the planning proposal is facilitate future development of the site for the purposes of residential development consistent with the surrounding area.

The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high-density streetscape on the southern side of Killeaton Street.

The site represents a unique opportunity to provide high density residential development in an accessible location that will cater to the existing and future housing needs of the community. The site is located within walking distance of the St Ives local centre providing a range of services and facilities to the community.

The site currently represents an anomaly on the southern side of Killeaton Street as the only remaining detached dwelling with the surrounding sites containing high density residential development. The site and existing dwelling no longer form part of the church and school to the south of the site and therefore the site can be developed for the purposes of high-density residential development in line with the intended use and form envisaged for the Southern side of Killeaton Street in proximity to the St Ives Local Centre.

This Planning Proposal outlines the intended effects of the proposed LEP amendments to the Ku-ring-gai LEP 2015 and provides justification for the proposed changes.

This Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*; and
- The Department of Planning – ‘Local Environmental Plan Making Guideline.’.

It is the first stage of the Planning Proposal which seeks the initial Department of Planning, Industry and Environment gateway determination to:

- Support the justification for the proposal;
- Confirm the technical investigations and consultation required; and
- Outline the process for continuing the assessment of the proposal.

As outlined in a 'Local Environmental Plan Making Guideline', the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The proposal is considered to have a high level of strategic merit based on the following key areas:

- It will facilitate the future high residential development of an underutilized site in a form consistent with the surrounding area;
- It will enable appropriate residential development that will meet the changing housing needs of the existing and future community; and
- It will not adversely impact on the ecological, cultural, or scenic significance of the site and surrounding area.

The Planning Proposal forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-H**.

Land to Which this Planning Proposal Applies

The subject site is located on the southern side of Killeaton Street approximately 80m to the east of the intersection of Mona Vale Road and Killeaton Street. The site is commonly known as 130 Killeaton Street, St Ives and legally described as Lot 1 DP 748682. The site has an area of 2,803m² with a frontage of 35m to Killeaton Street and a depth of 84m.

The site currently contains a two-storey brick dwelling and vegetation associated with the existing use of the site. The site is currently accessed from Killeaton Street to the north.

The site sits within an established residential area characterized by new residential flat buildings to the east and west on R4 High Density Residential zoned land and low-density residential development in the form of detached dwellings to the north on R2 Low Density Residential zoned land.

The site adjoins the Corpus Christian Catholic Church and Primary School to the south west and the Kehillat Masada Synagogue and College to the south east on SP2 Educational Establishment zoned land.

The site's locational context is shown at **Figure 1**.



Figure 1: Locality Plan demonstrating the site outlined in yellow (Source – NSW Planning Portal)



Figure 2: Site Aerial with the subject site outlined in yellow (Source: NSW Planning Portal)

Existing Zoning and Surrounding Context

The site is zoned SP2 Infrastructure (Educational Establishment) pursuant to the Ku-ring-gai LEP. The surrounding area is zoned as follows:

- North (on opposite side of Killeaton Street) – R2 Low Density Residential;
- South - SP2 Infrastructure (Educational Establishment);
- East – R4 High Density Residential; and
- West – R4 High Density Residential.

The zoning of the site and surrounding area is detailed in **Figure 3** below.

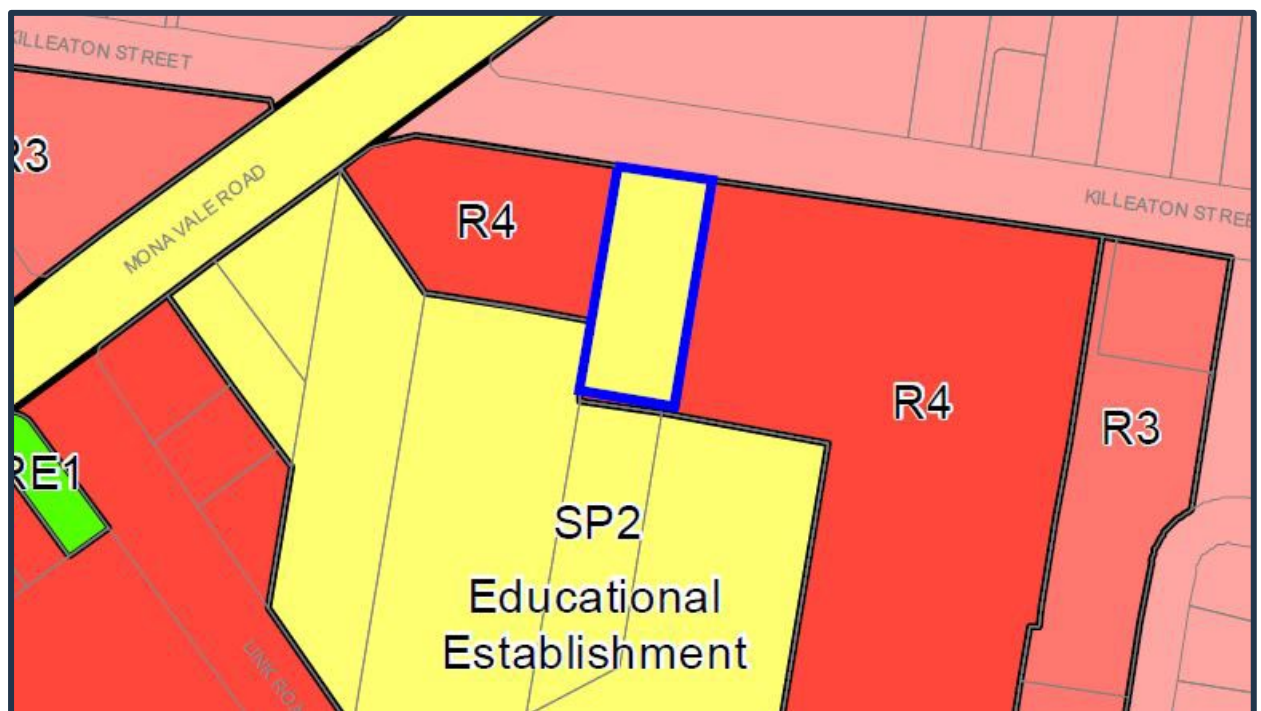


Figure 3: Zoning Map with the site outlined in blue (Source: NSW Legislation)

Proposed Amendments

The intent of the planning proposal is to facilitate future high density residential development through the amendment of the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential and amend the maximum building height and floor space ratio controls to be consistent with the adjoining R4 zoned sites.

In summary the project objectives and intended outcomes will achieved by:

- Amending the Ku-ring-gai LEP 2015 Land Zoning Map for the subject site (Sheet LZN_013) to rezone the site from SP2 Infrastructure (Educational Establishment) to R4 High Density Residential;
- Amending the Ku-ring-gai LEP 2015 Height of Buildings for the subject site (Sheet HOB_013) to provide a maximum building height of 17.5m (P) consistent with the adjoining sites; and

- Amending the Ku-ring-gai LEP 2015 Floor Space Ratio for the subject site (Sheet FSR_013) to provide a maximum floor space ratio of 1.3:1 (Q) consistent with the adjoining sites.

The proposal is considered to have a high level of strategic merit based on the following key areas:

- It will facilitate the future high residential development of an underutilized site in a form consistent with the surrounding area;
- It will enable appropriate residential development that will meet the changing housing needs of the existing and future community; and
- It will not adversely impact on the ecological, cultural, or scenic significance of the site and surrounding area.

PART 1 – Objectives and Intended Outcomes

The objective of the planning proposal is to facilitate future high density residential development through the amendment of the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential and amend the maximum building height and floor space ratio controls to be consistent with the adjoining R4 zoned sites.

The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high-density streetscape on the southern side of Killeaton Street.

The site represents a unique opportunity to provide high density residential development in an accessible location that will cater to the existing and future housing needs of the community. The site is located within walking distance of the St Ives local centre providing a range of services and facilities to the community.

The rezoning of the site to facilitate high density residential development will achieve the key objective of the 30-minute city as outlined in the Greater Sydney Region Plan, the North District Plan, and the Ku-ring-gai Local Strategic Planning Statement by providing additional residential land in close proximity to services, facilities and employment.

PART 2 – Explanation of Provisions

This Section In summary the project objectives and intended outcomes will achieved by:

- Amending the Ku-ring-gai LEP 2015 Land Zoning Map for the subject site (Sheet LZN_013) to rezone the site from SP2 Infrastructure (Educational Establishment) to R4 High Density Residential;
- Amending the Ku-ring-gai LEP 2015 Height of Buildings for the subject site (Sheet HOB_013) to provide a maximum building height of 17.5m (P) consistent with the adjoining sites; and
- Amending the Ku-ring-gai LEP 2015 Floor Space Ratio for the subject site (Sheet FSR_013) to provide a maximum floor space ratio of 1.3:1 (Q) consistent with the adjoining sites.

Thumbnail mapping of the above intended outcomes are provided below.

- Amending the Ku-ring-gai LEP 2015 Land Zoning Map for the subject site (Sheet LZN_013) to rezone the site from SP2 Infrastructure (Educational Establishment) to R4 High Density Residential to replicate adjoining properties of 124-128 Killeaton Street and 132-138 Killeaton Street.

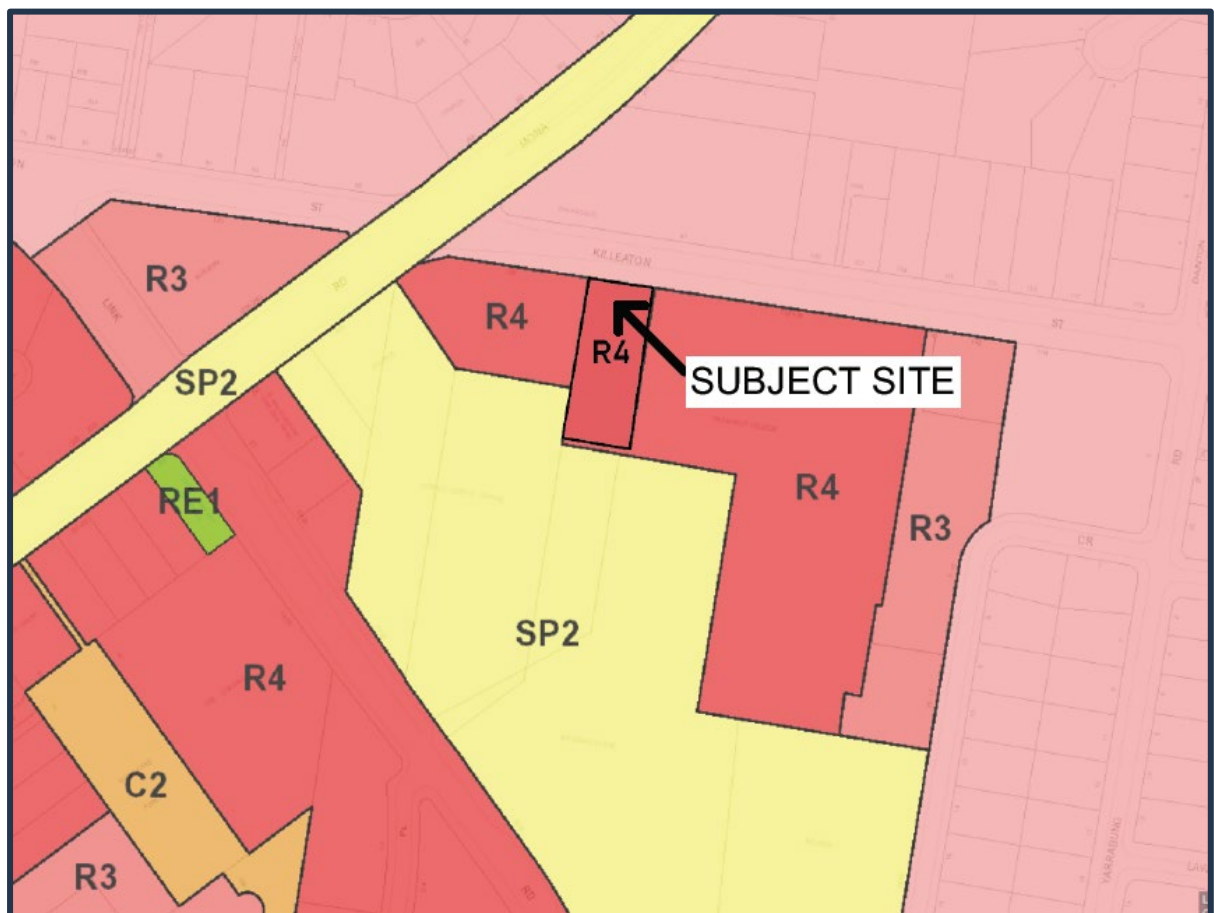


Figure 4: Proposed Land Zoning Map (Source: MAI Urban Design Study)

- Amending the Ku-ring-gai LEP 2015 Height of Buildings for the subject site (Sheet HOB_013) to provide a maximum building height of 17.5m (P) consistent with the adjoining sites.

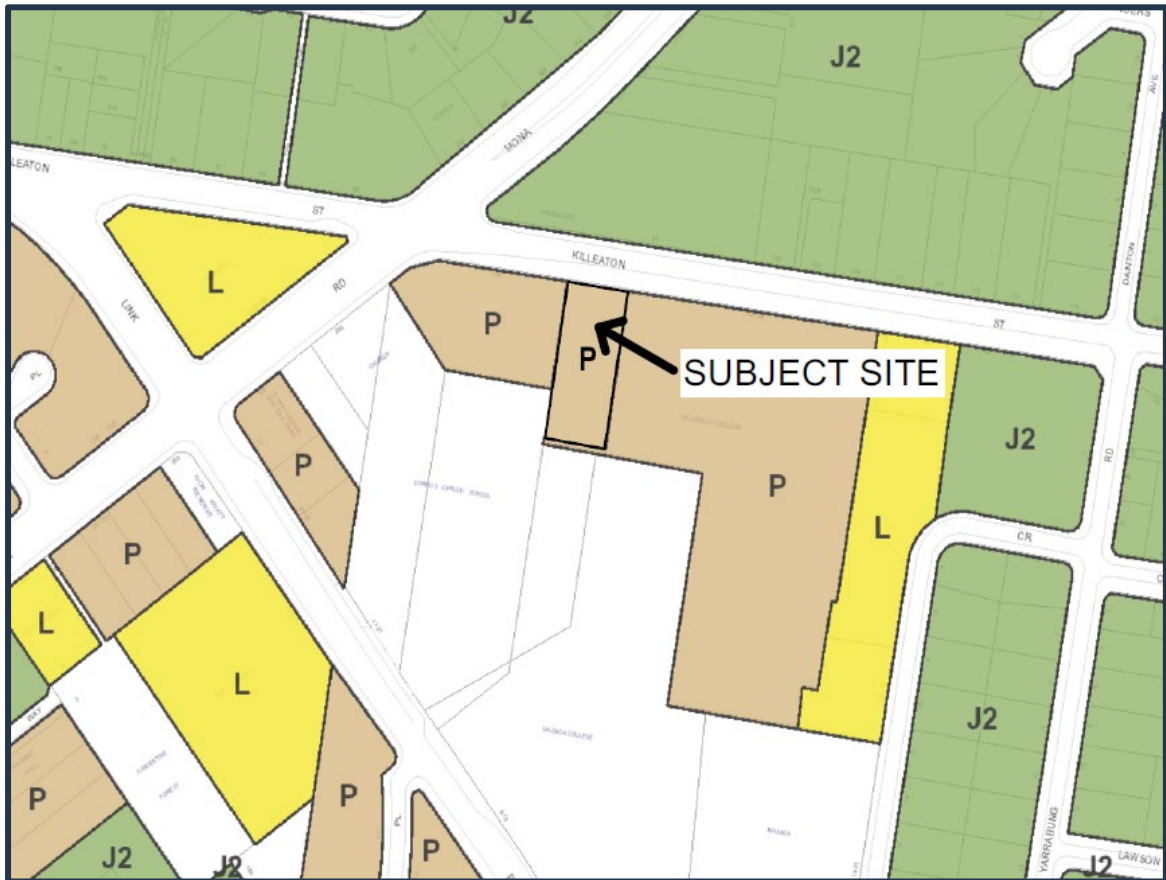


Figure 5: Proposed Height of Buildings Map (Source: MAI Urban Design Study)

- Amending the Ku-ring-gai LEP 2015 Floor Space Ratio for the subject site (Sheet FSR_013) to provide a maximum floor space ratio of 1.3:1 (Q) consistent with the adjoining sites.

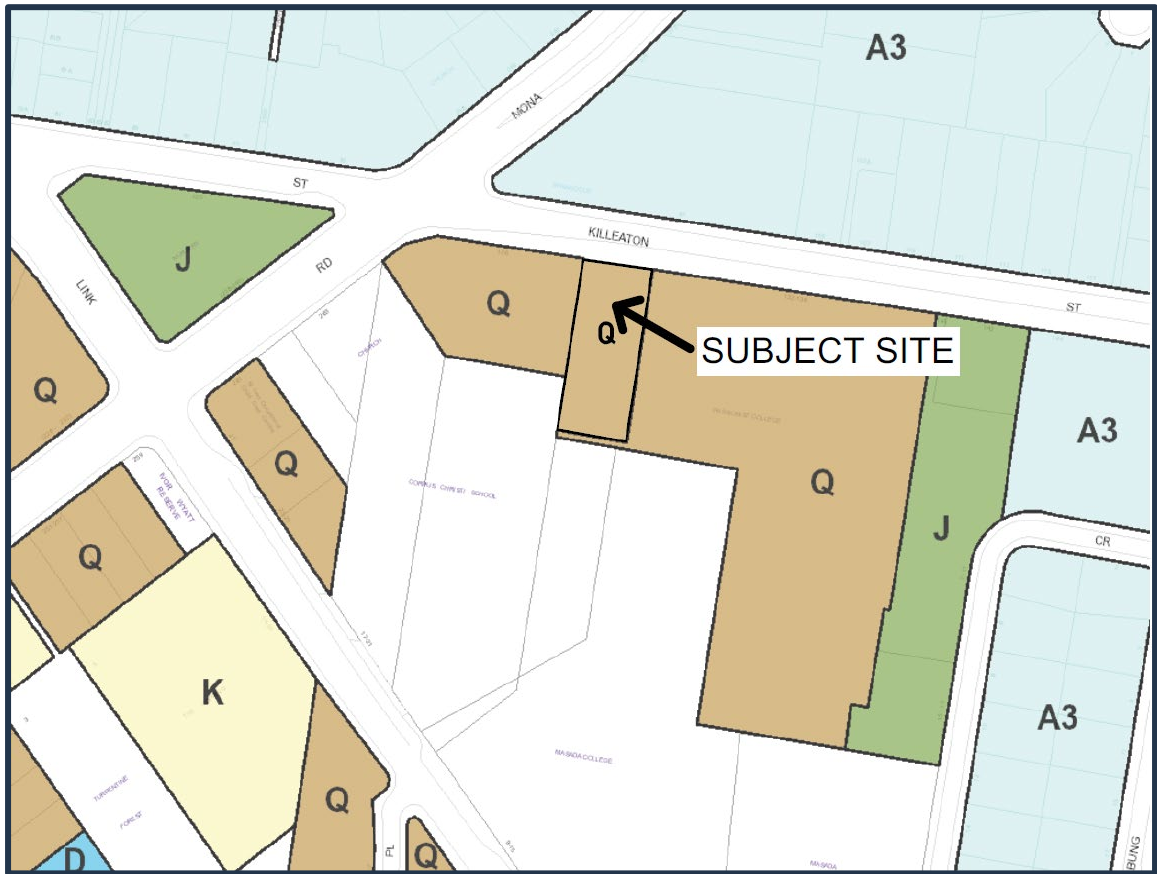


Figure 6: Proposed Floor Space Ratio Map (Source: MAI Urban Design Study)

PART 3 – Justification of Strategic and Site-Specific Merit

This section establishes the reasons for the proposed outcomes of the planning proposal and proposed amendments of the LEP. It addresses the key questions to be considered when demonstrating the justification as outlined in the Local Environmental Plan Making Guideline.

The key questions outlined relate to the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

A. NEED FOR PLANNING PROPOSAL

The intent of the planning proposal is to facilitate future high density residential development through the amendment of the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential and amend the maximum building height and floor space ratio controls to be consistent with the adjoining R4 zoned sites.

The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high- density streetscape on the southern side of Killeaton Street.

The site represents a unique opportunity to provide high density residential development in an accessible location that will cater to the existing and future housing needs of the community. The site is located within walking distance of the St Ives local centre providing a range of services and facilities to the community.

The rezoning of the site to facilitate high density residential development will achieve the key objective of the 30-minute city as outlined in the Greater Sydney Region Plan, the North District Plan and the Ku-ring-gai Local Strategic Planning Statement by providing additional residential land in close proximity to services, facilities and employment.

QUESTION 1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal is not a result of any specific strategic study or report however a number of specialist studies have been undertaken in support of the proposal that demonstrate the suitability of the site for rezoning to R4 High Density Residential to facilitate future high density residential development. The specialist studies are provided as Appendices to this report.

In addition, a comprehensive assessment of the proposal has been undertaken against the strategic planning strategies and policies relevant to the site which is provided in the following sections of this report. The assessment has found that the Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site which are as follows:

- Greater Sydney Region Plan;
- North District Plan;
- Ku-ring-gai Local Strategic Planning Statement;
- Ku-ring-gai Community Strategic Plan;
- Draft Ku-ring-gai Housing Strategy; and
- Draft Ku-ring-gai Housing Strategy Approval Letter Requirements.

QUESTION 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

There are three options that could apply to the site regarding its potential development. These are as follows:

Option 1: Do Nothing

This option does not promote the social and economic potential of the site which currently contains a single dwelling on a lot area of 2,803m². The site represents a unique opportunity to provide high density residential development in an accessible location that will cater to the existing and future housing needs of the community in line with the Council's strategic vision for the area.

Option 2 – Lodge a Development Application

A Development Application is not viable as the current zoning does not allow for the development envisaged and no other alternate pathway under current legislation would facilitate the intended outcomes. Therefore, the planning proposal is the most efficient and time effective approach to delivering the outcomes envisaged for the site.

Option 3 – Planning Proposal

The planning proposal is the best means to achieve the intended outcomes of the site and is the most efficient and time effective way of doing so.

B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal is consistent with the Greater Sydney Region Plan and the North District Plan.

North District Plan

The North District Plan is a guide for the implementation of *A Metropolis of Three Cities* – the Greater Sydney Region Plan at a district level.

A Metropolis of Three Cities – the Greater Sydney Region Plan was implemented by the Greater Sydney Commission and is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

Greater Sydney's three cities reach across five districts: Western City District, Central City District, Eastern City District, North District and South District.

The North District consists of the City of Ryde, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Northern Beaches and Willoughby Local Government Areas and contains the subject site.

The North District Plan is structured to implement the aim of the Greater Sydney Region Plan to provide cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is to be achieved through a number of planning priorities detailed in the plan. The proposed development is considered to be consistent with the plan and a number of planning priorities.

The table below details the relevant planning priorities of the North District Plan and the proposal's consistency with those priorities.

Table 1: Consistency with the North District Plan	
Objective	Comment
<p>Planning Priority N1 – Planning for a city supported by infrastructure</p> <p>Planning Priority N2 – Working through Collaboration</p> <p>Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs</p> <p>Planning Priority N4 – Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will utilize existing infrastructure within the surrounding area to accommodate future high density residential development consistent with the surrounding context and streetscape. The proposal will not result in development that will adversely impact on the delivery of local, district or metropolitan infrastructure. Any future development application will need to demonstrate that adequate arrangements can be made to service the development.</p> <p>The proposal will not impede on the provision of services or social infrastructure in the area to meet the community's changing needs. The proposal will ensure that any future development on the site will need to be designed to ensure there are no adverse impacts on the adjoining educational establishments or places of public worship.</p>

Table 1: Consistency with the North District Plan	
Objective	Comment
	The site is located in an accessible location within proximity to a range of services, facilities and public open space areas that can be utilized by future occupants of the site encouraging walkable neighborhoods and public transport patronage.
<p>Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.</p> <p>Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District’s heritage</p>	<p>The planning proposal seeks to amend the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential consistent with the adjoining sites on Killeaton Street. The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high-density streetscape on the southern side of Killeaton Street.</p> <p>The rezoning of the site will provide additional residential land that can be developed to provide housing choice and supply for the existing and future population in the area. The site is located in accessible area in proximity to a range of services, facilities and public open space as well as public transport and is identified as a key site to provide high density residential development that will positively impact on housing supply and choice in the surrounding area and wider local government area.</p>
<p>Planning Priority N7 - Growing a stronger and more competitive Harbour CBD</p> <p>Planning Priority N8 - Eastern Economic Corridor is better connected and more competitive</p> <p>Planning Priority N9 - Growing and investing in health and education precinct.</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity to services, facilities and work opportunities that positively contributes to the nearby local centres, health and education precincts.</p>

Table 1: Consistency with the North District Plan	
Objective	Comment
<p>Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres</p> <p>Planning Priority N11 - Retaining and managing industrial and urban services land</p>	
<p>Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city</p> <p>Planning Priority N13 - Supporting growth of targeted industry sectors</p> <p>Planning Priority N14 - Leveraging inter-regional transport connections</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate future residential development in an accessible location that is connected to the existing transport network within the area providing access to services, facilities and work within a 30-minute city.</p>
<p>Planning Priority N15 - Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways</p> <p>Planning Priority N16 - Protecting and enhancing bushland and biodiversity</p> <p>Planning Priority N17 - Protecting and enhancing scenic and cultural landscapes</p>	<p>The proposal is consistent with this planning priority as it will ensure that any future development on the site will need to be designed to ensure there are no ecological or biodiversity impacts on the site or surrounding area. The following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed:</p> <ul style="list-style-type: none"> • Biodiversity Assessment (Appendix E); • Preliminary Site Investigation (Appendix G); and • Arborist Report (Appendix H).
<p>Planning Priority W18 - Better managing rural areas</p>	<p>The proposal is not inconsistent with this planning principle as it relates to an established residential area and will not impact on the management of existing rural areas.</p>

Table 1: Consistency with the North District Plan	
Objective	Comment
<p>Planning Priority N19 - Increasing urban tree canopy cover and delivering Green Grid connections</p> <p>Planning Priority N20 - Delivering high quality open space</p>	<p>The proposal is consistent with this planning priority as it will ensure that any future development on the site will be designed to ensure there are no ecological or biodiversity impacts on the site or surrounding area.</p> <p>The Biodiversity Assessment (Appendix E) and Arborist Report (Appendix H) provide a number of recommendations that are to be implemented in future development that will ensure that impacts on the biodiversity and urban tree canopy within the area are appropriately managed and enhanced once the site is developed.</p>
<p>Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiently</p> <p>Planning Priority N22 - Adapting to the impacts of urban and natural hazards and climate change</p>	<p>The proposal is not inconsistent with the planning priorities as future residential development will need to ensure it appropriately responds to the natural characteristics of the site and manages energy, water and waste efficiently.</p>

QUESTION 4 – Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Ku-ring-gai Local Strategic Planning Statement (LSPS)

The Planning Proposal is consistent with the Ku-ring-gai Local Strategic Planning Statement (LSPS) which plans for Ku-ring-gai's economic, social and environmental land use needs for the next 20 years (2016-2036). The LSPS draws together the priorities and actions from Councils existing land use plans and policies to present an overall land use vision for Ku-ring-gai. The LSPS provides guidance on:

- Location of future housing;
- Future identity and character of local centres - Lindfield, Gordon, Turramurra and St Ives;
- Future requirements for community facilities and open space;
- Future transport infrastructure;
- Supporting the local economy;
- Partnership opportunities with government agencies;
- Managing bushland, biodiversity and waterways; and
- Adapting to climate change.

The LSPS is structured around the following four key themes:

- Infrastructure and Collaboration;
- Liveability;
- Productivity; and
- Sustainability;

An assessment of the proposal against the key planning priorities of the LSPS is provided in the table below.

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
<p>K1 Providing well planned and sustainable local infrastructure to support growth and change</p> <p>K2 Collaborating with State Government Agencies and the community to deliver infrastructure projects</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will utilize existing infrastructure within the surrounding area to accommodate future high density residential development consistent with the surrounding context and streetscape. The proposal will not result in development that will adversely impact on the delivery of local, district or metropolitan infrastructure. Any future development application will need to demonstrate that adequate arrangements can be made to service the development.</p> <p>The proposal will not impede on the provision of services or social infrastructure in the area to meet the community's changing needs. The proposal will ensure that any future development on the site will need to be designed to ensure there are no adverse impacts on the adjoining educational establishments or places of public worship.</p> <p>The site is located in an accessible location within proximity to a range of services, facilities and public open space areas that can be utilized by future occupants of the site encouraging walkable neighborhoods and public transport patronage.</p> <p>The future high density residential development will benefit from the provision of new local infrastructure projects in proximity to the site including the St Ives Village Green and Community Hub which ensures the area supports sustainable growth and change from a local infrastructure perspective. Any future development on the site will be subject to contributions that ensure the</p>

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
	development positively contributes to the provision of future local infrastructure.
<p>K3. Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community</p> <p>K4. Providing a range of diverse housing to accommodate the changing structure of families and households and enable ageing in place</p> <p>K5. Providing affordable housing that retains and strengthens the local residential and business community</p>	<p>The proposal is consistent with the planning priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity to services, facilities and work opportunities that positively contributes to the nearby local centres.</p> <p>As identified within the LSPS certain amendments to the Ku-ring-gai LEP will be required to facilitate the 6-20 year housing supply for the region and the site represents an unique opportunity to provide a consistent form of high density residential development in an accessible location located within 800m from the St Ives local centre that will meet the existing and future requirements of a growing and changing community.</p>
<p>K6. Revitalising and growing a network of centres that offer unique character and lifestyle for local residents</p> <p>K7. Facilitating mixed-use developments within the centres that achieve urban design excellence</p> <p>K8. Promoting Gordon as the centre for business and civic functions and as the cultural heart of Ku-ring-gai</p> <p>K9. Promoting St Ives as an active green lifestyle and shopping destination</p> <p>K10. Promoting Turramurra as a family-focused urban village</p> <p>K11. Promoting Lindfield as a thriving and diverse centre</p>	<p>The planning proposal seeks to amend the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential consistent with the adjoining sites on Killeaton Street. The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high-density streetscape on the southern side of Killeaton Street.</p> <p>The rezoning of the site will provide additional residential land that can be developed to provide housing choice and supply for the existing and future population in the area. The site is located in accessible area in proximity to a range of services, facilities and public open space as well as public transport and is identified as a key site to provide high density residential development that will positively impact</p>

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
	on housing supply and choice in the surrounding area and wider local government area.
<p>K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character</p> <p>K13. Identifying and conserving Ku-ring-gai's environmental heritage</p> <p>K15. Strengthening recognition and support for Aboriginal communities and cultural heritage</p> <p>K16. Protecting, conserving and managing Ku-ring-gai's Aboriginal heritage assets, items and significant places</p>	<p>The planning proposal is consistent with the planning priorities as it involves the following specialist studies that have informed the visual and landscape character of the site and surrounding area:</p> <ul style="list-style-type: none"> • Urban Design Study (Appendix D); • Biodiversity Assessment (Appendix E); and • Arborist Report (Appendix H). <p>The above investigations ensure the planning proposal recognises the unique visual and landscape character of the site and surrounding area to ensure any future development conserves and enhances the character of the area.</p> <p>The planning proposal will not result in any adverse impacts on the environmental or Aboriginal heritage of the surrounding area or wider region.</p>
<p>K14. Providing a range of cultural, community and leisure facilities to foster a healthy, creative, culturally rich and socially connected Ku-ring-gai</p> <p>K17. Providing a broad range of open spaces, sporting and leisure facilities to meet the community's diverse and changing needs</p> <p>K18. Ensuring recreational activities in natural areas are conducted within ecological limits and in harmony with no net impact on endangered ecological communities and endangered species or their habitats</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will facilitate future high density residential development in an accessible location in proximity to existing and future community and leisure facilities promoting a healthy, creative, culturally rich and socially connected community.</p> <p>The proposal will promote sustainable residential development on the site with a clear connection and relationship with the surrounding natural environment, public open space and cultural heritage of the area.</p>

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
<p>K19. Providing well maintained, connected, accessible and highly valued trail networks and recreational infrastructure where locals and visitors enjoy and connect with nature</p> <p>K20. Developing and managing a network of sporting assets that best meet the needs of a growing and changing community</p>	
<p>K21. Prioritising new development and housing in locations that enable 30 minute access to key strategic centres</p> <p>K22. Providing improved and expanded district and regional connections through a range of integrated transport and infrastructure to enable effective movement to, from and within Ku-ring-gai</p> <p>K23. Providing safe and convenient walking and cycling networks within Ku-ring-gai</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate future residential development in an accessible location that is connected to the existing vehicular and non-vehicular transport network within the area providing access to services, facilities and employment within a 30-minute city.</p>
<p>K24. Diversifying Ku-ring-gai's local economy through the expansion of tourism and the local visitor economy</p> <p>K25. Providing for the retail and commercial needs of the local community within Ku-ring-gai's centres</p> <p>K26. Fostering a strong local economy that provides future employment opportunities for both residents and workers within key industries</p>	<p>The proposal is consistent with the planning priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity to services, facilities and work opportunities that positively contribute to a strong local economy.</p>
<p>K27. Ensuring the provision of sufficient open space to meet the need of a growing and changing community</p>	<p>The proposal is consistent with the planning priorities as it will ensure that any future development on the site will need to be designed to ensure there are no ecological or biodiversity impacts on the site or surrounding area. The</p>

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
<p>K28. Improving the condition of Ku-ring-gai's bushland and protecting native terrestrial and aquatic flora and fauna and their habitats.</p> <p>K29. Enhancing the biodiversity values and ecosystem function services of Ku-ring-gai's natural assets</p> <p>K30. Improving the quality and diversity of Ku-ring-gai's urban forest</p> <p>K31. Increasing, managing and protecting Ku-ring-gai's urban tree canopy</p> <p>K32. Protecting and improving Green Grid connections</p>	<p>following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed:</p> <ul style="list-style-type: none"> • Biodiversity Assessment (Appendix E); • Preliminary Site Investigation (Appendix G); and • Arborist Report (Appendix H). <p>The Biodiversity Assessment (Appendix E) and Arborist Report (Appendix H) provide a number of recommendations that are to be implemented in future development that will ensure that impacts on the biodiversity and urban tree canopy within the area are appropriately managed and enhanced once the site is developed.</p>
<p>K33. Providing a network of walking and cycling links for leisure and recreation</p> <p>K34. Improving connections with natural areas including river and creek corridors, bushland reserve and National Parks</p> <p>K35. Protecting and improving the health of waterways and riparian areas</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will promote sustainable residential development on the site with an existing connection with to the surrounding pedestrian network providing connection to the natural environment, public open space and cultural heritage of the area. All future development will be required to be designed to ensure it does not adversely impact on connections with or the health of nearby natural areas and waterways.</p>
<p>K36. Enhancing the liveability of Ku-ring-gai's urban environment through integrated water infrastructure and landscaping solutions</p> <p>K37. Enabling water resource recovery through the capture, storage and reuse of water, alternative water supplies and increased water efficiency</p>	<p>The proposal is not inconsistent with the planning priority as all future development will be subject to DA approval and will need to demonstrate sustainable development including, landscaping stormwater management, water and energy efficiency.</p>
<p>K38. Reducing greenhouse gas emissions by Council and the Ku-ring-gai Community to achieve net zero emissions by 2045 or earlier</p>	<p>The proposal is consistent with this planning priority as it will ensure that any future development on the site will be designed to ensure there are no ecological or biodiversity impacts on the site or surrounding area.</p>

Table 2: Consistency with the Ku-ring-gai Local Strategic Planning Statement	
Planning Priority	Comment
<p>K39. Reducing the vulnerability, and increasing resilience, to the impacts of climate change on Council, the community and the natural and built environment</p> <p>K40. Increasing urban tree canopy and water in the landscape to mitigate the urban heat island effect and create greener, cooler places</p>	<p>The Biodiversity Assessment (Appendix E) and Arborist Report (Appendix H) provide a number of recommendations that are to be implemented in future development that will ensure that impacts on the biodiversity and urban tree canopy within the area are appropriately managed and enhanced once the site is developed.</p>
<p>K41. Reducing the generation of waste</p> <p>K42. Managing waste outcomes that are safe, efficient, cost effective, maximise recycling, and that contribute to the built form and liveability of the community</p> <p>K43. Mitigating the impacts of urban and natural hazards</p>	<p>The proposal is not inconsistent with the planning priorities as future residential development will need to ensure it appropriately responds to the natural characteristics of the site and manages energy, water, and waste efficiently.</p>

Ku-ring-gai Community Strategic Plan 2038

The Planning Proposal is consistent with the Ku-ring-gai Community Strategic Plan which is the long-term strategic plan for the future of the Ku-ring-gai Local Government Area.

It reflects the vision and aspirations of the Ku-ring-gai community through long term objectives that address environmental, social, economic, and civic leadership issues. It is informed by key local plans and policies and responds to government policy.

The objectives of the plan are grouped into the following key themes:

- Theme 1 – Community, People and Culture;
- Theme 2 – Natural Environment;
- Theme 3 – Places, Spaces and Infrastructure;
- Theme 4 – Access, Traffic and Transport;
- Theme 5 – Local Economy and Employment; and
- Theme 6 – Leadership and Governance.

An assessment of the proposal against the key themes of the Community Strategic Plan is provided in the table below.

Table 3: Consistency with the Ku-ring-gai Community Strategic Plan	
Theme	Comment
Theme 1 – Community, People and Culture	<p>The planning proposal is consistent with the theme as it will provide additional residential land that can be developed to provide housing choice and supply for the existing and future population in the area adapting to the changing needs of the community. The site is located in accessible area in proximity to a range of services, facilities and public open space as well as public transport and is identified as a key site to provide high density residential development that will positively impact on housing supply and choice in the surrounding area and wider local government area.</p>
Theme 2 – Natural Environment	<p>The planning proposal is consistent with the theme as it will ensure that any future development on the site will need to be designed to ensure there are no ecological or biodiversity impacts on the site or surrounding area. The following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed:</p> <ul style="list-style-type: none"> • Biodiversity Assessment (Appendix E); • Preliminary Site Investigation (Appendix G); and • Arborist Report (Appendix H). <p>The Biodiversity Assessment (Appendix E) and Arborist Report (Appendix H) provide a number of recommendations that are to be implemented in future development that will ensure that impacts on the biodiversity and urban tree canopy within the area are appropriately managed and enhanced once the site is developed.</p>
Theme 3 – Places, Spaces and Infrastructure	<p>The planning proposal is consistent with the theme as it involves the following specialist studies that have informed the visual and landscape character of the site and surrounding area:</p> <ul style="list-style-type: none"> • Urban Design Study (Appendix D); • Biodiversity Assessment (Appendix E); and

Table 3: Consistency with the Ku-ring-gai Community Strategic Plan	
Theme	Comment
	<ul style="list-style-type: none"> Arborist Report (Appendix H). <p>The above investigations ensure the planning proposal recognises the unique visual and landscape character of the site and surrounding area to ensure any future development conserves and enhances the character of the area.</p> <p>The planning proposal will not result in any adverse impacts on the environmental or Aboriginal heritage of the surrounding area or wider region.</p> <p>The future high density residential development will benefit from the provision of new local infrastructure projects in proximity to the site including the St Ives Village Green and Community Hub which ensures the area supports sustainable growth and change from a local infrastructure perspective. Any future development on the site will be subject to contributions that ensure the development positively contributes to the provision of future local infrastructure.</p>
Theme 4 – Access, Traffic and Transport	<p>The proposal is consistent with the theme as it will facilitate future residential development in an accessible location that is connected to the existing vehicular and non-vehicular transport network within the area providing access to services, facilities and employment within a 30-minute city.</p> <p>The site is located in an accessible location within proximity to a range of services, facilities and public open space areas that can be utilized by future occupants of the site encouraging walkable neighborhoods and public transport patronage.</p>
Theme 5 – Local Economy and Employment	<p>The proposal is consistent with the theme as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity to services, facilities and work opportunities that positively contribute to a strong local economy.</p>

Table 3: Consistency with the Ku-ring-gai Community Strategic Plan	
Theme	Comment
Theme 6 – Leadership and Governance	The proposal is consistent with the theme as community consultation will form part of the assessment process for the planning proposal ensuring the community is informed and engaged in decision-making processes for community outcomes.

Draft Ku-ring-gai Housing Strategy

The NSW Government requires all Councils to prepare a local housing strategy to deliver additional housing to accommodate the expected growth of Greater Sydney over the next 20 years.

By 2036, the government's projected population increase for Ku-ring-gai is over 25,000 people. The profile of our local residents is also expected to change, with an increasingly ageing population, smaller family groups, proportionally fewer young adults, and more single people.

Under the direction of the Greater Sydney Commission and the NSW Department of Planning, the draft Housing Strategy was developed by the Council during 2019-2020 with an extended period of community consultation. The intent of the strategy was to consider how Ku-ring-gai would provide additional housing and housing choice to the year 2036.

Whilst it is noted that the Draft Housing Strategy outlines that the 6–10-year housing supply is to be provided under Council's current planning controls this does not strictly align with the adopted direction for future housing under the LSPS. The proposal is consistent with the adopted direction for future housing under the LSPS and represents a unique opportunity to provide for high density residential development in an accessible location consistent with adjoining development and ensuring Ku-ring-gai can meet the 6–10-year housing supply targets set by the NSW Government.

A review of the proposal against the relevant housing objectives of the Draft Strategy is provided in the table below.

Table 4: Consistency with the Draft Ku-ring-gai Housing Strategy		
Housing Priority	Housing Objectives	Comment
H1 – Manage and Monitor the Supply of Housing in the Right Locations	To monitor the delivery of housing within areas close to services, cultural and community facilities, and within a 10-minute walking distance to key public transport nodes.	The proposal is consistent with the housing priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity

Table 4: Consistency with the Draft Ku-ring-gai Housing Strategy

Housing Priority	Housing Objectives	Comment
	<p>To provide homes in areas that can support the creation and growth of vibrant Local Centres and a thriving local economy.</p> <p>To ensure the delivery of housing is in coordination with provision of local and state infrastructure and services.</p>	<p>to services, facilities and employment opportunities that positively contributes to the nearby local centres.</p> <p>As identified within the LSPS certain amendments to the Ku-ring-gai LEP will be required to facilitate the 6-20 year housing supply for the region and the site represents an unique opportunity to provide a consistent form of high density residential development in an accessible location located within 800m from the St Ives local centre that will meet the existing and future requirements of a growing and changing community.</p> <p>The planning proposal seeks to amend the Ku-ring-gai LEP 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential consistent with the adjoining sites on Killeaton Street. The SP2 zoning of the subject site is a historic zoning associated with the adjoining church and primary school. The site is located on its own lot of land and is no longer required or utilised by the church and therefore it is proposed to rezone it to R4 High Density Residential consistent with the adjoining sites to provide an integrated high-density streetscape on the southern side of Killeaton Street.</p> <p>The rezoning of the site will provide additional residential land that can be developed to provide housing</p>

Table 4: Consistency with the Draft Ku-ring-gai Housing Strategy		
Housing Priority	Housing Objectives	Comment
		<p>choice and supply for the existing and future population in the area. The site is located in accessible area in proximity to a range of services, facilities and public open space as well as public transport and is identified as a key site to provide high density residential development that will positively impact on housing supply and choice in the surrounding area and wider local government area.</p> <p>The proposal will facilitate future residential development in an accessible location that is connected to the existing vehicular and non-vehicular transport network within the area providing access to services, facilities and employment within a 30-minute city.</p>
H2 – Encourage diversity and choice of housing	<p>To encourage a mix of dwelling types and sizes.</p> <p>To investigate housing affordability.</p> <p>To ensure new homes are accessible and meet mobility needs.</p>	<p>The proposal is consistent with the housing priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an accessible location located in close proximity to services, facilities and work opportunities that positively contributes to the nearby local centres.</p> <p>As identified within the LSPS certain amendments to the Ku-ring-gai LEP will be required to facilitate the 6–20-year housing supply for the region and the site represents a unique opportunity to provide a consistent form of high density</p>

Table 4: Consistency with the Draft Ku-ring-gai Housing Strategy		
Housing Priority	Housing Objectives	Comment
		<p>residential development in an accessible location located within 800m from the St Ives local centre that will meet the existing and future requirements of a growing and changing community.</p> <p>The facilitation of future high density residential development within close proximity to the St Ives Local Centre and public transport opportunities will ensure that a range of affordable housing types can be provided within an accessible location catering to the changing needs of the community.</p>
H3 – Increasing liveability, sustainability and area character through high-quality design	<p>To encourage housing that contributes to healthy and active neighbourhoods.</p> <p>To facilitate high quality housing that is responsive to Ku-ring-gai's local character.</p> <p>To promote housing that meets high sustainability performance targets.</p>	<p>The planning proposal is consistent with the housing priorities as it will facilitate future high density residential development in an accessible location in proximity to existing and future community and leisure facilities promoting a healthy, creative, culturally rich and socially connected community.</p> <p>The proposal will promote sustainable residential development on the site with a clear connection and relationship with the surrounding natural environment, public open space and cultural heritage of the area.</p> <p>The planning proposal is supported by the following specialist studies that have informed the visual and landscape character of the site and surrounding area:</p>

Table 4: Consistency with the Draft Ku-ring-gai Housing Strategy		
Housing Priority	Housing Objectives	Comment
		<ul style="list-style-type: none"> Urban Design Study (Appendix D); Biodiversity Assessment (Appendix E); and Arborist Report (Appendix H). <p>The above investigations ensure the planning proposal recognises the unique visual and landscape character of the site and surrounding area to ensure any future development conserves and enhances the character of the area.</p> <p>The planning proposal will not result in any adverse impacts on the environmental or Aboriginal heritage of the surrounding area or wider region.</p>

Draft Ku-ring-gai Housing Strategy Approval Letter and Advisory Notes

The Department of Planning, Industry and Environment approved the Ku-ring-gai Housing Strategy on 16 July 2021. The approval of the Ku-ring-gai Local Housing Strategy is conditional, as it is subject to a number of requirements and advisory notes, many of which are inconsistent with Council's adopted position of 22 September 2020.

On 16 November 2021 Council considered a report on the Housing Strategy Letter of Approval, and resolved that Council reject the conditions in the Letter of Approval, and further debate on the matter is to be under the authority of the newly elected Council in 2022.

Despite Council's rejection of the decision a review of the proposal against the relevant requirements listed in the Department's approval letter is provided in the table below.

Table 5: Consistency with the Draft Ku-ring-gai Housing Strategy Approval Letter & Advisory Notes	
Approval Requirements	Comment
<p>1. Council is to submit the planning proposals for the Lindfield Village Hub and Roseville Memorial Club to the Department for finalisation by December 2021. Timely progression of these planning proposals is considered necessary to support contributing to Council's 6-to-10-year housing target.</p>	<p>The proposal is not inconsistent with the approval requirement and will positively contribute to the provision of additional housing to meet the 6-10 housing targets.</p>
<p>2. Consistent with Priority K3 of the Ku-Ring-Gai Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres.</p> <p>This approach is consistent with the priorities and actions of Council's LSPS. These planning proposals are considered necessary to support the supply and delivery of housing over the medium term and present opportunities for new housing typologies (including affordable housing) suited to the future and changing needs of the community.</p>	<p>The proposal is not inconsistent with the approval requirement and will contribute to the provision of additional housing in an accessible location to meet the 6-10 housing target that will positively impact on the viability and vitality of the nearby local centres.</p>
<p>3. Council or proponents for the planning of these local centres is to consult with Transport for NSW to best address transport and road/pedestrian safety issues.</p>	<p>The proposal is not inconsistent with the approval requirement in that the Council will refer the planning proposal to Transport for NSW for review and comment during the assessment process.</p> <p>In addition, a Traffic and Transport Assessment has been prepared by Terraflow Pty Ltd and is provided in Appendix F. The assessment address matters of strategic transport merit associated with both the North District Plan and Ku-ring-gai LSPS and has undertaken a site-specific merit assessment of</p>

Table 5: Consistency with the Draft Ku-ring-gai Housing Strategy Approval Letter & Advisory Notes	
Approval Requirements	Comment
	<p>the proposed amendments to the Ku-ring-gai LEP 2015 from a traffic, transport and parking perspective.</p> <p>The assessment concludes that the proposal will not have any noticeable or unacceptable effect on the road network serving the site in terms of road network capacity or traffic-related environmental effect and the site is ideally located in close proximity to existing and future pedestrian and cycling facilities in the area including livability destinations (recreational, leisure and community facilities).</p>
<p>4. Consistent with Priority K3 of the Ku-Ring-Gai LSPS, Council is to prepare a masterplan, or accommodate a proponent-led planning proposal with good planning outcomes, for the St Ives local centre. Planning is to occur in consultation with TfNSW and align with its Movement and Place Framework. Subject to TfNSW advice, the planning proposal is to be submitted to the Department for Gateway Determination by December 2022. This proposal will help to create future housing capacity to contribute to medium supply and support the longer term 20-year strategic housing target for the district.</p>	<p>The proposal is not inconsistent with this approval requirement in that it will provide additional housing in close proximity to the St Ives Local Centre that is consistent with surrounding development and will positively impact on the viability and vitality of the local centre.</p>
<p>5. A locally specific medium density complying development model as an alternative to the Low-Rise Medium Density Housing Code is not supported. Council is to consult with the Department's Planning System Policy division to discuss alternative options to achieve the desired objectives of this approach.</p>	<p>N/A – the proposal is not inconsistent with this approval requirement. All future development on the site will be subject to a Development Application.</p>

Table 5: Consistency with the Draft Ku-ring-gai Housing Strategy Approval Letter & Advisory Notes

Approval Requirements	Comment
<p>6. Council is to commit to a work program to identify areas for additional medium density housing opportunities outside of primary local centres such as Roseville, Roseville Chase, Killara, Pymble, Wahroonga, West Gordon and North St Ives as identified in the Ku-ring-gai LSPS for potential delivery in the 2031 to 2036 period.</p>	<p>The proposal is not inconsistent with this approval requirement as it identifies a key site for the provision of future high density residential development outside of the primary local centres and will facilitate development that is consistent with existing development in the area.</p>
<p>7. Council is to update its implementation plan to provide specific actions in relation to its commitment to review controls for accessible and universal housing, and the resultant potential supply, including consultation with the community and housing providers to understand the suitability of controls and their implementation, particularly in the context of an ageing population.</p>	<p>N/A – the proposal is not inconsistent with this approval requirement.</p>
<p>8. Council is to monitor and review the supply and delivery of housing, in particular to track its performance against the 6–10-year housing target and establish targets for seniors and medium density housing to determine whether future changes to the LEP and/or DCP are required to incentivise or encourage housing diversity and diversity of housing typologies.</p>	<p>The proposal is consistent with the approval requirement as it identifies a LEP amendment that will positively contribute to the provision of additional and diverse housing in an accessible location to meet the 6-10 housing target.</p>
<p>9. Council is to update its implementation plan to reflect the requirements of this approval within four-six months of this approval</p>	<p>N/A – the proposal is not inconsistent with this approval requirement.</p>

Table 5: Consistency with the Draft Ku-ring-gai Housing Strategy Approval Letter & Advisory Notes	
Approval Requirements	Comment
being granted and to share this with the Department.	
10. Council is to prepare an Affordable Housing Contribution Scheme that commits Council to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value.	N/A – the proposal is not inconsistent with this approval requirement.
11. The direction and strategic planning approaches endorsed in State-led precinct plans are to prevail in the event of any inconsistency with this approval and/or the Council's LHS (as revised and current).	The proposal is consistent with this approval requirement as it achieves the key objectives and is consistent with the relevant planning priorities of the North District Plan and the Ku-ring-gai LSPS.
12. Council is to update or revise the LHS to inform its LSPS following the making of a future District Plan.	N/A – the proposal is not inconsistent with this approval requirement.

QUESTION 5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Greater Sydney Region Plan

Greater Sydney Region Plan was finalised in March 2018 and replaces the former *A Plan for Growing Sydney (2014)*. This Plan sets the vision and the overarching planning framework to guide future transport, infrastructure, and development in Greater Sydney in concurrence with Future Transport 2056 and State Infrastructure Strategy.

The Plan provides planning priorities that will direct Sydney's growth over the next 20 years. The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region. These directions have then been used to provide more specific detail to guide growth and land use decisions in each of the districts through the relevant District Plans. As outlined further in this report, the Planning Proposal is consistent with the relevant Directions and Actions in the District Plan and therefore is consistent with the Region Plan.

Future Transport 2026

The NSW Governments “*Future Transport 2056*” was released in 2018 and is an overarching strategy, supported by a suite of plans to achieve a 40-year vision for the NSW transport system. The strategy considers:

- the future road network throughout Sydney
- future light and heavy rail networks
- a future rapid bus and ferry network
- bicycle network, and
- freight network

As detailed in the traffic and Transport submitted in support of this planning proposal (refer to **Appendix F**), the most relevant of these to the subject site is the 2036 rapid bus network that includes an east-west route connecting Mona Vale to Macquarie Park. As can be seen below, the route will travel along Mona Vale Road through St Ives and provide additional public transport links to the site.

QUESTION 6 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) that apply to the site. A detailed list of the SEPPs and commentary is provided in the table below:

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
SEPP (Resilience and Hazards) 2021	<p>Chapter 4 of this Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.</p> <p>A planning authority is to consider whether the land is contaminated and if so whether it is, or can be made, suitable for the proposed land uses.</p>	<p>The subject site is not located within an investigation area and has contained only residential land uses for an extended period of time. A Preliminary Site Investigation has been prepared by Alliance Geotechnical in support of the proposal and is provided in Appendix G. The investigation makes the following conclusions:</p> <ul style="list-style-type: none"> • There is potential that previous activities at the site associated with the historically importation of fill material, demolition of structures, and pesticide application within building footprints may have resulted in contamination of land at the property. • The site is currently zoned as SP2 'Infrastructure – Educational Establishment', and is used for

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
		<p>residential / boarding house purposes, with accessible soils access present in areas surrounding the current site structures.</p> <ul style="list-style-type: none"> The proposed land rezoning of the site to R4 'High Density Residential' land use, when compared to the current use of the site, is likely to result in reduced opportunities for soil access and end user exposure to contamination, due to the presence of multi-level residential structures with fully and permanently paved surrounding yard space. Based on the contamination risks that have been identified by this investigation, and with due regard of the intended land use associated with the proposed rezoning of the site, Alliance consider that any potential contamination at the site identified in this PSI is unlikely to preclude rezoning, and can be managed during development application (DA) stage for the proposed development. <p>The proposal is therefore consistent with Chapter 4 of SEPP (Resilience and Hazards) 2021.</p>
SEPP (Transport and Infrastructure) 2021	<p>Chapter 2 – Infrastructure</p> <p>Chapter 2 of SEPP (Transport and Infrastructure) 2021 aims to identify matters to be considered in the assessment of development adjacent to types of infrastructure development.</p>	<p>The Planning Proposal is consistent with Chapter 2 of the SEPP as it will not adversely impact on any existing or future infrastructure onsite or within the surrounding area. A Traffic and Transport Assessment has been prepared by Terraffic Pty Ltd and is provided in Appendix F. The assessment address matters if strategic transport merit associated with both the North District</p>

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
	<p>Plan and Ku-ring-gai LSPS and has undertaken a site-specific merit assessment of the proposed amendments to the Ku-ring-gai LEP 2015 from a traffic, transport and parking perspective. The assessment concludes that the proposal will not have any noticeable or unacceptable effect on the road network serving the site in terms of road network capacity or traffic-related environmental effect and the site is ideally located in close proximity to existing and future pedestrian and cycling facilities in the area including livability destinations (recreational, leisure and community facilities). In addition, the site is provided with convenient access to the nearby Strategic Centres of Macquarie Park and Hornsby as identified in the North District Plan.</p> <p>Chapter 3 – Educational Establishments and Child Care Facilities</p> <p>Chapter 3 of SEPP (Transport and Infrastructure) 2021 aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State of NSW.</p>	<p>The Planning Proposal is consistent with Chapter 3 of the SEPP as the site is no longer required for use by the church and school and the future intended residential use of the site is consistent with the surrounding context. Any future DA will need to demonstrate it does not adversely impact on the existing educational establishments located in proximity to the site.</p>
SEPP (Biodiversity and Conservation) 2021	<p>Chapter 2 – Vegetation in Non-rural Areas</p> <p>Chapter 2 of SEPP (Biodiversity and Conservation) 2021 aims to protect the biodiversity values of trees and other vegetation in non-rural areas and to</p>	<p>The Planning Proposal is consistent with Chapter 2 of the SEPP as outlined in the Arborist Report (Appendix H) and Biodiversity Impact Assessment</p>

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
	preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	<p>(Appendix E) submitted in support of the application.</p> <p>The Arborist Report undertook an assessment of the existing vegetation on the site and within the surrounding area to inform any future residential development on the site and assist in the preparation of the Concept Architectural Plans (Appendix C) that indicate the future development potential of the site for residential purposes.</p> <p>The Arborist Report concludes that the proposal had been carefully considered before the plans were drawn to ensure that suitable trees would be able to be retained successfully on the site. The surrounding units and school have a good number of trees, and these retained trees clearly provide amenity and also resources. The proposed development will retain the majority of the larger trees and due to the early input from the ecologist in arboriculturist this will be an excellent outcome for the site.</p> <p>The Biodiversity Impact Assessment (Appendix E) was prepared to assess the likely impact of the Planning Proposal upon nationally and state-listed threatened flora and fauna, and their habitats. The assessment concludes that the Sydney Turpentine Ironbark Forest (STIF) trees and native understorey beneath them totals an area of approximately 576 square metres. The potential development will result in the direct loss of approximately 354 square metres of this STIF occurrence,</p>

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
		<p>comprising 17 trees. This is considered to be an insignificant loss, given the local occurrence of STIF is in the order of 43 hectares.</p> <p>The losses can be ameliorated on site by the enhancement of the remaining garden areas with an emphasis on STIF species.</p> <p>The direct loss of trees will represent the loss of potential or realised foraging habitat for these three species. However, again the loss is considered to be very small given the high mobility of each species and the availability of large areas of habitat within the local area, much of which is reserved.</p> <p>The available foraging resources on site for the Grey-headed Flying-fox can be improved and the potential losses ameliorated by targeted planting as part of the recommended conservation management of the retained garden. Conservation management strategies will also improve the value of the garden as foraging habitat for the threatened microbat species.</p> <p>The assessment provides a number of recommendations that will be implemented in the future development of the site that will ensure it does not result in any adverse biodiversity impacts. The proposal is therefore consistent with Chapter 2 of the SEPP.</p>
	Chapter 4 – Koala Habitat Protection 2021	

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
	<p>Chapter 4 of SEPP (Biodiversity and Conservation) 2021 aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>Chapter 9 – Hawkesbury-Nepean River</p> <p>Chapter 9 of SEPP (Biodiversity and Conservation) 2021 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.</p>	<p>The subject site is less than 1ha in size and therefore assessment of future development is not required under Chapter 4 of the SEPP. Despite this an Arborist Report (Appendix H) and Biodiversity Impact Assessment (Appendix E) submitted in support of the application that demonstrates the site's suitability for future development.</p> <p>Any future development will include appropriate stormwater management systems that are designed to ensure there are no adverse on the Hawkesbury-Nepean River catchment area. The proposal is therefore not inconsistent with Chapter 9 of the SEPP.</p>
SEPP 65 – Design Quality of Residential Apartment Development	SEPP 65 aims to improve the design quality of residential apartment development in New South Wales.	The site is capable of accommodating future development for the purpose of residential apartment development as detailed in the Concept Architectural Plans (Appendix C) and Urban Design Study (Appendix D). All future DAs on the site will need demonstrate compliance with the SEPP. The Planning Proposal is therefore consistent with SEPP 65.
SEPP (Building Sustainability Index: BASIX) 2004	The aim of this policy is to mandate minimum sustainability targets for thermal comfort, energy and water use for residential development.	DAs for all future residential development will need to comply with the targets established under BASIX.
SEPP (Exempt and Complying Codes) 2008	The aims of this policy are to provide exempt and complying development codes that have State-wide application.	The Planning Proposal is not inconsistent with this SEPP which would apply to future development.

Table 6: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
SEPP (Housing) 2021	The aim of this policy is to enable the development of diverse housing types, including purpose-built rental housing and encouraging the development of housing that will meet the needs of more vulnerable members of the community	Any future development application on the site would be subject to the provisions of the SEPP.

QUESTION 7 – Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is generally consistent with the applicable Section 9.1 directions issued by the Minister for Planning. A statement of the consistency of this Planning Proposal with the relevant directions to this planning proposal is provided in the table below:

Table 7: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
Focus Area 1 – Planning Systems		
1.1 Implementation of Regional Plans	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The proposal is generally consistent with this direction as it is consistent with the Greater Sydney Region Plan as detailed above.
1.4 Site Specific Provisions	<p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or</p>	The planning proposal is consistent with the direction as it involves the rezoning of the site to R4 High Density Residential which is an existing zone under the Kuring-gai LEP 2015. The proposal will not impose any development standards or requirements in addition to those already contained in that zone will not rely upon drawings or details for future development.

Table 7: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<p>requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p>	
Focus Area 4 – Resilience and Hazards		
4.4 Remediation of Contaminated Land	<p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <ul style="list-style-type: none"> (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p>	<p>The subject site is not located within an investigation area and has contained only residential land uses for an extended period of time. A Preliminary Site Investigation has been prepared by Alliance Geotechnical in support of the application and is provided in Appendix G. The investigation makes the following conclusions:</p> <ul style="list-style-type: none"> • There is potential that previous activities at the site associated with the historically importation of fill material, demolition of structures, and pesticide application within building footprints may have resulted in contamination of land at the property. • The site is currently zoned as SP2 'Infrastructure – Educational Establishment', and is used for residential / boarding house purposes, with accessible soils access present in areas surrounding the current site structures. • The proposed land rezoning of the site to R4 'High Density Residential' land use, when compared to the current use of the site, is likely to result in reduced opportunities for soil access and end user exposure to

Table 7: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.	<p>contamination, due to the presence of multi-level residential structures with fully and permanently paved surrounding yard space.</p> <ul style="list-style-type: none"> Based on the contamination risks that have been identified by this investigation, and with due regard of the intended land use associated with the proposed rezoning of the site, Alliance consider that any potential contamination at the site identified in this PSI is unlikely to preclude rezoning and can be managed during development application (DA) stage for the proposed development. <p>The proposal is therefore consistent with the direction.</p>
Focus Area 5 – Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>	<p>The Planning Proposal is consistent with the direction as it will facilitate future high density residential development in an accessible location that will not adversely impact on the existing or future transport network.</p> <p>A Traffic and Transport Assessment has been prepared by Terraffic Pty Ltd and is provided in Appendix F. The assessment address matters if strategic transport merit associated with both the North District Plan and Ku-ring-gai LSPS and has undertaken a site-specific merit assessment of the proposed amendments to the Ku-ring-gai LEP 2015 from a traffic, transport, and parking perspective. The assessment concludes that the proposal will not have any</p>

Table 7: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
		noticeable or unacceptable effect on the road network serving the site in terms of road network capacity or traffic-related environmental effect and the site is ideally located in close proximity to existing and future pedestrian and cycling facilities in the area including livability destinations (recreational, leisure and community facilities). In addition, the site is provided with convenient access to the nearby Strategic Centres of Macquarie Park and Hornsby as identified in the North District Plan.
Focus Area 6 – Housing		
6.1 Residential Zones	<p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and 	<p>The planning proposal is consistent with the direction as it will increase the location and availability for residential development that will broaden the choice of building types and locations available in the housing market, make more efficient use of existing infrastructure and services and encourage high density residential development of good design that responds to the site context and surrounding area.</p> <p>Any future development will be required to demonstrate the site can be adequately serviced to facilitate the proposed development.</p>

Table 7: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	(b) not contain provisions which will reduce the permissible residential density of land.	The proposal does not contain provisions which will reduce the permissible residential density of land.

C. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

QUESTION 8 – 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?

Ecological Impacts

A Biodiversity Assessment has been prepared by Keystone Ecological in support of the proposal and is provided in **Appendix E**. The assessment was prepared to assess the likely impact of the Planning Proposal upon nationally and state-listed threatened flora and fauna, and their habitats.

The Biodiversity Assessment included the following investigation:

- Review of the existing literature and information currently available for the development site and general locality to determine issues for consideration;
- Flora survey to identify species and vegetation communities present on the development site and surrounds;
- Fauna habitat assessment to identify the likely species present on the development site and in the local area;
- Fauna survey appropriate to the available habitats;
- Assessment of the conservation value of the species and communities recorded or identified with potential to occur on the development site; and
- Identification of specific measures that may be incorporated into the design of the proposed action to provide for amelioration of likely impacts upon biodiversity.

The assessment concludes that the Sydney Turpentine Ironbark Forest (STIF) trees and native understorey beneath them totals an area of approximately 576 square metres. The potential development will result in the direct loss of approximately 354 square metres of this STIF occurrence, comprising 17 trees. This is considered to be an insignificant loss, given the local occurrence of STIF is in the order of 43 hectares.

The losses can be ameliorated on site by the enhancement of the remaining garden areas with an emphasis on STIF species.

The survey also established the presence or likely presence of three species of bats:

- *Pteropus poliocephalus* Grey-headed Flying-fox

- *Micronomus norfolkensis* Eastern Coastal Free-tailed Bat
- *Miniopterus orianae oceanensis* Eastern Bent-wing Bat

The direct loss of trees will represent the loss of potential or realised foraging habitat for these three species. However, again the loss is considered to be very small given the high mobility of each species and the availability of large areas of habitat within the local area, much of which is reserved.

The available foraging resources on site for the Grey-headed Flying-fox can be improved and the potential losses ameliorated by targeted planting as part of the recommended conservation management of the retained garden. Conservation management strategies will also improve the value of the garden as foraging habitat for the threatened microbat species.

The assessment provides a number of recommendations that will be implemented in the future development of the site that will ensure it does not result in any adverse biodiversity impacts.

All future development on the site will be sited and designed to best respond to the ecological value of the surrounding area and will include the provision of native landscaping to assist in the integration of the future development into the surrounding environment. It is therefore considered that the Planning Proposal will not adversely impact on critical habitat, threatened species, populations or ecological communities and their habitats.

Tree Impacts

An Arborist Report was prepared by Advanced Treescape Consulting in support of the proposal and is provided in **Appendix H**.

The Arborist Report undertook an assessment of the existing vegetation on the site and within the surrounding area to inform any future residential development on the site and assist in the preparation of the Concept Architectural Plans (**Appendix C**) that indicate the future development potential of the site for residential purposes.

The Arborist Report concludes that the proposal had been carefully considered before the plans were drawn to ensure that suitable trees would be able to be retained successfully on the site. The surrounding units and school have a good number of trees, and these retained trees clearly provide amenity and also resources. The proposed development will retain the majority of the larger trees and due to the early input from the ecologist in arboriculturist this will be an excellent outcome for the site.

QUESTION 9 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Built Form and Context

The planning proposal will facilitate the future development of the site for high density residential development consistent with the adjoining sites on Killeaton Street. An Urban Design Study has been prepared by Mackenzie Architects International in support of the proposal and is provided in **Appendix D**.

The Urban Design Study includes an analysis of the site, its opportunities, constraints, and the surrounding context to confirm the suitability of the site to accommodate future high density residential development. The study also informs any future design on the appropriate siting, bulk, form, and scale for the site as demonstrated in the Concept Architectural Plans (**Appendix C**).

The site sits within an established residential area characterized by new residential flat buildings to the east and west on R4 High Density Residential zoned land and low-density residential development in the form of detached dwellings to the north on R2 Low Density Residential zoned land. The site adjoins the Corpus Christian Catholic Church and Primary School to the south west and the Kehillat Masada Synagogue and College to the south east on SP2 Educational Establishment zoned land.

The study concludes that based on the site characteristics and surrounding context the site is suitable to accommodate a 5-storey residential flat building that would provide a consistent built form and character with the adjoining sites fronting Killeaton Street and would not adversely impact on the existing educational establishments to the south of the site.

To achieve the key findings of the study and associated Concept Architectural Plans the site would be rezoned to R4 High Density Residential and provided with a maximum building height of 17.5m and Floor Space Ratio of 1.5:1 consistent with the adjoining R4 zoned land.

Traffic and Access

A Traffic and Transport Assessment has been prepared by Terraflow Pty Ltd and is provided in **Appendix F**. The assessment addresses matters of strategic transport merit associated with both the North District Plan and Ku-ring-gai LSPS and has undertaken a site-specific merit assessment of the proposed amendments to the Ku-ring-gai LEP 2015 from a traffic, transport, and parking perspective.

The assessment concludes that the proposal will not have any noticeable or unacceptable effect on the road network serving the site in terms of road network capacity or traffic-related environmental effect and the site is ideally located in close proximity to existing and future pedestrian and cycling facilities in the area including livability destinations (recreational, leisure and community facilities). In addition, the site is provided with convenient access to the nearby Strategic Centres of Macquarie Park and Hornsby as identified in the North District Plan.

Contamination Impacts

A Preliminary Site Investigation has been prepared by Alliance Geotechnical in support of the proposal and is provided in **Appendix G**. The objectives of this project were to:

- Assess the potential for land contamination to be present at the site as a result of current and previous land use activities;
- Assess whether identified potential land contamination would present an unacceptable human health or ecological exposure risk, based on the proposed land use scenario;
- Assess whether the site is suitable, in the context of land contamination, for the proposed land use scenario; and

- Provide recommendations for further investigations, and management or remediation of land contamination (if warranted).

The following scope of works was undertaken address the project objectives:

- A desktop review of site history;
- A site walkover to inform an understanding of current site conditions;
- Assessment of data and reporting.

Based on the assessment undertaken by Alliance of site history information and site walkover observations, in the context of the proposed land use scenario and objectives of this project, Alliance has made the following conclusions:

- There is potential that previous activities at the site associated with the historically importation of fill material, demolition of structures, and pesticide application within building footprints may have resulted in contamination of land at the property.
- The site is currently zoned as SP2 'Infrastructure – Educational Establishment', and is used for residential / boarding house purposes, with accessible soils access present in areas surrounding the current site structures.
- The proposed land rezoning of the site to R4 'High Density Residential' land use, when compared to the current use of the site, is likely to result in reduced opportunities for soil access and end user exposure to contamination, due to the presence of multi-level residential structures with fully and permanently paved surrounding yard space.
- Based on the contamination risks that have been identified by this investigation, and with due regard of the intended land use associated with the proposed rezoning of the site, Alliance consider that any potential contamination at the site identified in this PSI is unlikely to preclude rezoning and can be managed during development application (DA) stage for the proposed development.

Based on those conclusions, Alliance makes the following recommendations:

- A Stage 2 – Detailed Site Investigation (DSI) should be undertaken for development application (DA) purposes to characterise potential contamination and associated human health risks identified in this PSI;
- Given the potential land contamination identified at the site, the DSI should be completed post demolition of structures to assist with providing access for the characterisation of potential land contamination identified by this PSI;
- The DSI should be undertaken by a suitably experienced environmental consultant.

QUESTION 10 – Has the Planning Proposal adequately addressed any social and economic effects?

The planning proposal concept continues to provide residential accommodation on the site but in a higher density form. The social and economic benefits include an increased number of dwellings; variety in dwelling sizes; and high amenity accommodation in a central location. The planning proposal will create a number of positive social and economic outcomes, including:

- Renewal of an unused site and provision of a high-quality development in a well-connected location;
- Delivery of a development which is capable of achieving compliance with current Apartment Design Guide requirements, for greater amenity;
- Delivery residential accommodation which is close to transport; employment centres and a range of services and facilities within walking distance;
- Additional employment during the construction process; and
- Appropriate and efficient use of land consist with Council’s strategic vision and policies that apply to the site.

The anticipated increase residents is unlikely to require additional social infrastructure and this would form part of any future DA assessment.

D. INFRASTRUTCURE (LOCAL, STATE AND COMMONWEALTH)

QUESTION 11 - Is there adequate public infrastructure for the Planning Proposal?

The subject site is within an established urban area currently serviced by adequate water, sewer and electricity infrastructure which can be upgraded for future development. The site is close to a variety of public transport connections including the bus network operating along New South Head Road and trains from the nearby Edgecliff Railway Station.

The Traffic, Transport and Parking Assessment, prepared by Terraffic Traffic and Parking Consultants, confirms that the proposed increase in traffic is negligible and is not envisaged to affect the existing surrounding traffic network.

QUESTION 12 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

- Sydney Water
- Ausgrid
- Transport for NSW

PART 4 – Mapping

As discussed in Section 5 of this report the Planning Proposal seeks to amend the Ku-ring-gai LEP 2015 as follows:

- Amending the Ku-ring-gai LEP 2015 Land Zoning Map for the subject site (Sheet LZN_013) to rezone the site from SP2 Infrastructure (Educational Establishment) to R4 High Density Residential to replicate adjoining properties of 124-128 Killeaton Street and 132-138 Killeaton Street.

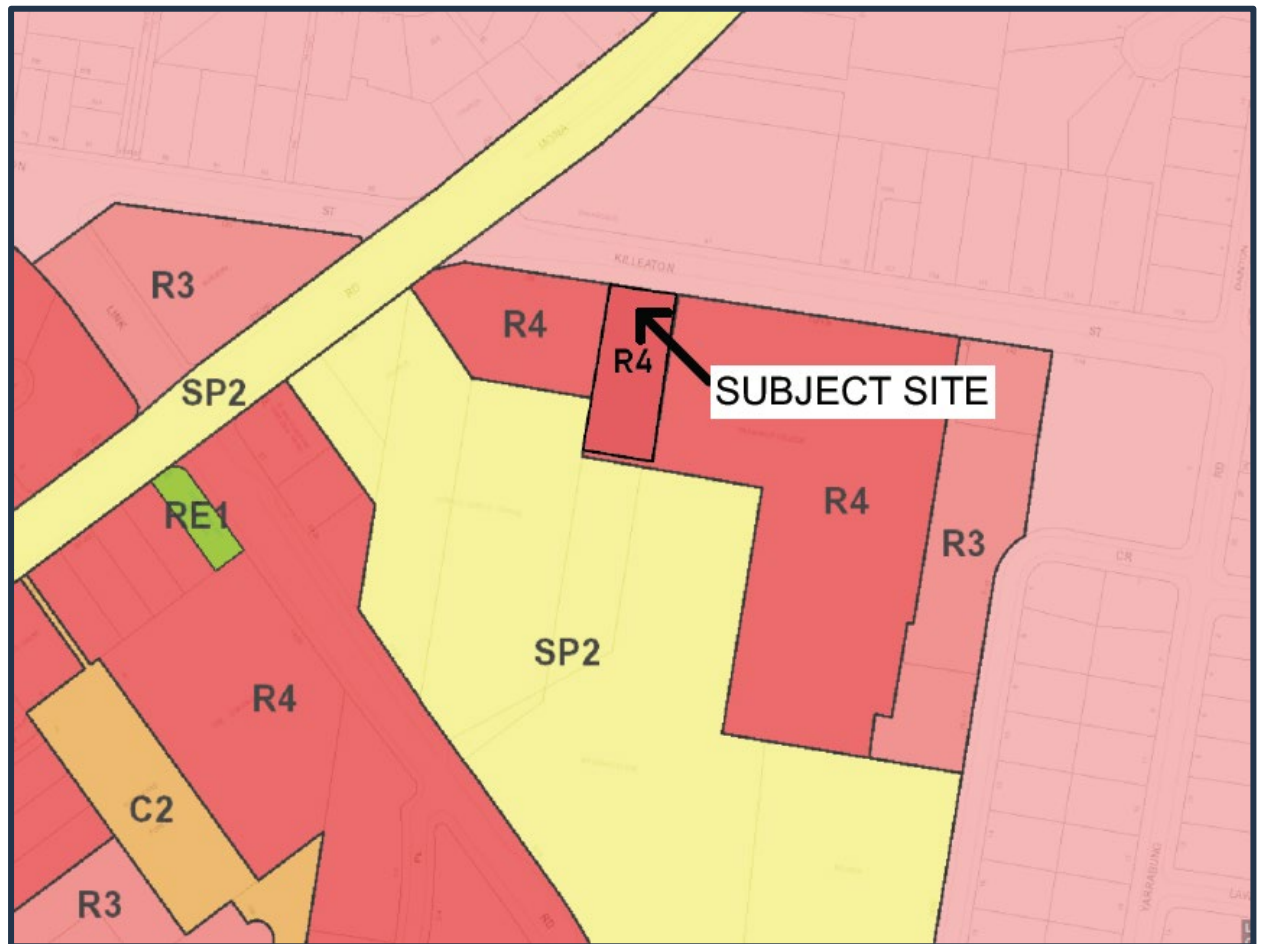


Figure 7: Proposed Land Zoning Map (Source: MAI Urban Design Study)

- Amending the Ku-ring-gai LEP 2015 Height of Buildings for the subject site (Sheet HOB_013) to provide a maximum building height of 17.5m (P) consistent with the adjoining sites.

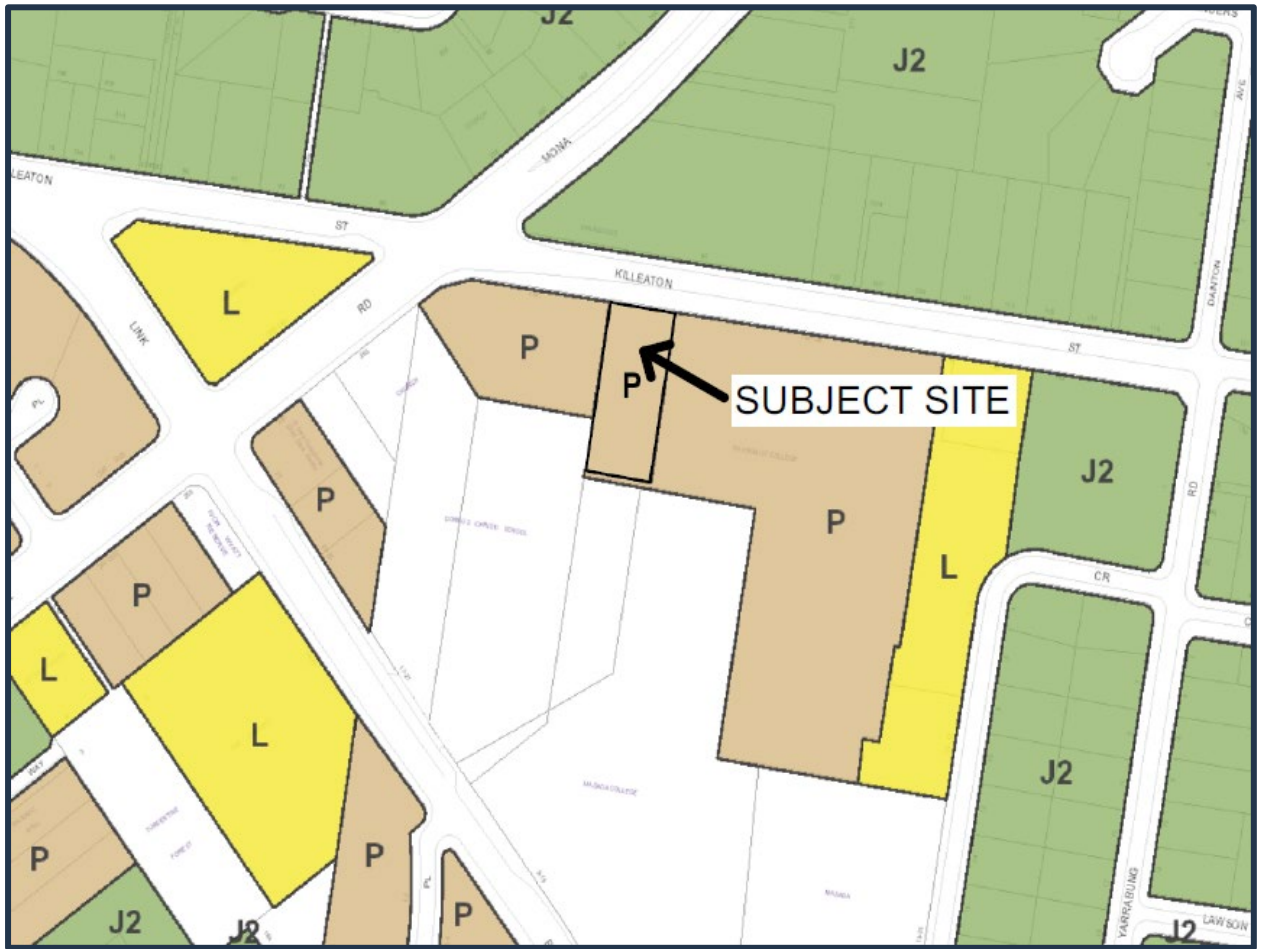


Figure 8: Proposed Height of Buildings Map (Source: MAI Urban Design Study)

- Amending the Ku-ring-gai LEP 2015 Floor Space Ratio for the subject site (Sheet FSR_013) to provide a maximum floor space ratio of 1.3:1 (Q) consistent with the adjoining sites.

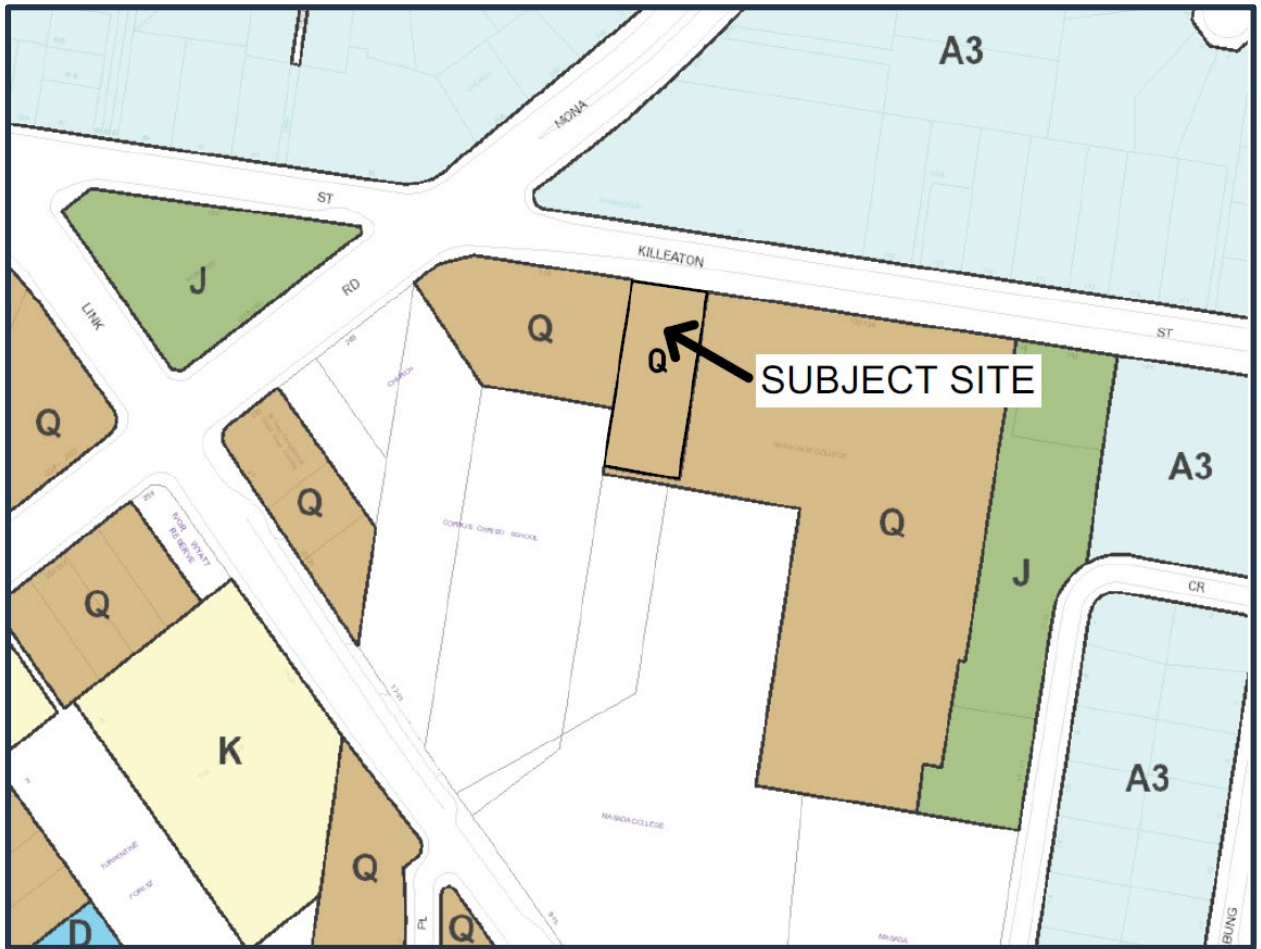


Figure 9: Proposed Floor Space Ratio Map (Source: MAI Urban Design Study)

The required mapping will be undertaken by Council once Gateway Determination has been issued for the proposal.

PART 5 – Community and Key Stakeholder Consultation

Community consultation would take place following a Gateway determination, in accordance with Section 3.34 and Schedule 1, Clause 4 of the *Environmental Planning and Assessment Act 1979*.

It is expected that direction as to the nature and extent of the public exhibition will be provided by Department of Planning, Industry and Environment as part of the Gateway Determination. It is anticipated that the Planning Proposal will be publicly exhibited for a period of 28 days.

PART 6 – Project Timeline

The Relevant Planning Authority (RPA) has discretion to determine the relevant project timeframe for the determination of this Planning Proposal. The information detailed within this Planning Proposal has been provided to outline any potential impacts and provide justification to support and assist the RPA's determination.

Table 6: Anticipated Project Timeline	
Stage	Timeframe
Stage 1 – Pre Lodgement	30 Days
Stage 2 – Lodgement of Planning Proposal & Assessment by Council	80 days
Stage 3 - Gateway determination	25 days
Stage 4 – Post-Gateway	20 days
Stage 5 – Public Exhibition and Assessment	70 days
Stage 6 - Finalisation	25 days
Total (end to end)	250 days