

**From:** [Development](#)  
**To:** [Michael Tran](#); [Development](#)  
**Cc:** [Amy van den Nieuwenhof](#); [Alexander Galea](#)  
**Subject:** RE: PP-2022-1137 - 130 Killeaton Street, St. Ives - Referral Request for Exhibition  
**Date:** Friday, 1 March 2024 3:44:13 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Hi Michael,

This proposal is not sitting in the planning portal for Ausgrid as a "Referral".

RE 130 Killeaton Street, St. Ives

Ausgrid would like to thank you for seeking input and feedback regarding this planning proposal.

Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

Ausgrid has no comment to make regarding this planning proposal **for a Re zoning** at this point in time.

Ausgrid however does look forward to reviewing future Development Application submissions for any development attached to this proposal and will then provide further feedback accordingly.

Please do not hesitate to contact me for further information.

Regards,

**Paul Nakhle**

Portfolio Manager - Asset Protection | Transmission Services

02 9269 7587 | 0419 631 174

First Floor, Building 2, 25-27 Pomeroy Street, Homebush, NSW, 2140

Make flexibility work – if you receive an email from me outside of normal business hours, it's because I'm sending it at a time that suits me. I'm not expecting you to read it or reply until normal business hours.



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**From:** Michael Tran <michael.tran@dpie.nsw.gov.au>

**Sent:** Thursday, February 15, 2024 3:54 PM

**To:** Development <Development@Ausgrid.com.au>

**Cc:** Amy van den Nieuwenhof <Amy.vandenNieuwenhof@dpie.nsw.gov.au>; Alexander Galea <Alexander.Galea@dpie.nsw.gov.au>

**Subject:** PP-2022-1137 - 130 Killeaton Street, St. Ives - Referral Request for Exhibition



Your ref: PP-2022-1137  
Our ref: DOC24/135996

Michael Tran  
Department of Planning, Housing and Infrastructure  
4 Parramatta Square, 21 Darcy Street  
Parramatta NSW 2150

27 March 2024

**Subject: PP-2022-1137 - 130 Killeaton Street, St Ives – consultation and exhibition**

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Dear Michael,

Thank you for your correspondence received 15 February 2024 seeking comments from the Biodiversity, Conservation and Science Group (BCS) under 3.34(2)(d) of the *Environmental Planning and Assessment Act, 1979* on a Planning Proposal located at 130 Killeaton Street, St Ives (PP-2022-1137).

It is understood that the Planning Proposal is seeking to amend the Ku-ring-gai Local Environmental Plan 2015 to rezone the site from SP2 Infrastructure to R4 High Density Residential as well as amend the maximum height and floor space ratio controls.

BCS's review of the Planning Proposal and relevant supporting technical reports has identified biodiversity and flood risk management issues that need to be addressed which are detailed in Attachment A.

Should you have any queries regarding this matter, please contact Marnie Stewart, Senior Project Officer Planning via [marnie.stewart@environment.nsw.gov.au](mailto:marnie.stewart@environment.nsw.gov.au).

Yours sincerely

Susan Harrison  
Senior Team Leader Planning  
**Greater Sydney Branch**  
**Biodiversity, Conservation and Science**

## **Attachment A - BCS comments - PP-2022-1137 - 130 Killeaton Street, St Ives**

### **Biodiversity**

BCS has reviewed the Biodiversity Impact Assessment for Lot 1 DP 748682 130 Killeaton Street, St Ives, Ku-ring-gai LGA prepared by Keystone Ecological.

The Summary, Section 1.2, and Section 2.3.1 state that all but one of the trees evident today were planted. While the site has a history of extensive management and modification, there does not appear to have been significant historical cut/fill works from a review of historical aerial imagery. As such, there is not sufficient evidence to rule out the possibility that at least some of the native vegetation on site is from an existing seed bank. Section 2.3.1 also separately states that the trees are 'likely' to have been planted. Adequate justification is required to demonstrate why all other trees on site are planted, otherwise, the language throughout should be changed to reflect the possibility of regeneration.

It is noted that some trees on site do appear to be planted. Photographs in Appendix 2 show an apparent deliberate spacing and straight line of some trees. It appears that these are limited to the western boundary, and possible sections towards the south of the site.

### **Avoid and Minimise**

The Biodiversity Assessment Method (BAM) 2020 requires applicants to document the reasonable measures taken by the proponent to avoid or minimise clearing of native vegetation and threatened species habitat during proposal design. Areas providing habitat for threatened ecological communities (TECs), threatened species or corridors between habitats should be avoided to comply with the avoid and mitigate requirements. This includes areas of poorer condition TECs which may consist only of trees with limited groundcovers and shrubs or derived native grasslands. A focus on avoidance of biodiversity values as required by the BAM 2020 will ensure the retention of these values in the locality and the proposal must provide measures to adequately protect and conserve these biodiversity values in secure ownership and management into the future.

As Sydney Turpentine Ironbark Forest (STIF) is a critically endangered ecological community and an entity at risk of a serious and irreversible impact, it is of high conservation significance. Therefore, while recommendations have been made to improve the proposal's biodiversity outcomes, it is recommended that more is done to avoid clearing the STIF on the Subject Land. Maximising the retention of existing remnant trees will not only enhance biodiversity outcomes, but it will also contribute to local amenity and urban cooling by helping to address urban heat island effect. Priority should be given to retaining additional areas of native vegetation in secure management, beyond what is proposed. The proposal should include information in regard to how the secure management and protection of the native vegetation is to be provided.

### **Flood Risk Management**

The site is not impacted by flooding and accordingly no flood risk management comments are required.

Though, BCS highlights the inconsistent advice provided in the Gateway Determination report Section 3.5, which states *The site is not identified as flood prone land. Any future development will need to consider Council's Flood Study Plan and clause 5.21 Flood planning.*

It is unclear why the Department of Planning, Housing and Infrastructure requires the proponent to consider Council's Flood Study Plan and clause 5.21 Flood planning if the site is not identified as flood prone land.

### **End of Submission**



Your ref: PP-2022-1137  
Our ref: DOC24/307305

Ms Shruthi Sriram  
Planning Officer, Agile Planning  
Department of Planning, Housing and Infrastructure  
12 Darcy Street  
PARRAMATTA NSW 2150

By email: shruthi.sriram@dpie.nsw.gov.au

9 May 2024

Dear Ms Sriram

I refer to your email 19<sup>th</sup> April 2024, seeking comments from the Biodiversity Conservation and Science Group (BCS) of the NSW Department of Environment, Energy, Climate Change and Water on the response to the matters raised in BCS's (previously Environment and Heritage Group) submission on the Planning Proposal for 130 Killeaton Street, St Ives (DOC24/135996).

BCS has reviewed the Proponent's response provided with your email and confirms that sufficient information and justification to adequately address the previous questions and concerns raised by BCS have been provided.

If you have any further questions about this issue, please contact Liz Peterson, Senior Conservation Planning Officer at [elizabeth.peterson@environment.nsw.gov.au](mailto:elizabeth.peterson@environment.nsw.gov.au).

Yours Sincerely

Shaun Hunt  
A/Senior Team Leader Planning  
**Greater Sydney Branch**  
**Biodiversity, Conservation and Science**

5 March 2024

TfNSW Reference: SYD24-00335/01

DPHI Reference: PP-2022-1137

Ms Louise McMahon  
Director, Agile Planning (on behalf of the Sydney North Planning Panel)  
NSW Department of Planning, Housing, and Infrastructure  
Locked Bag 5022  
PARRAMATTA NSW 2124

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**RE: PLANNING PROPOSAL TO AMEND KU-RING-GAI LEP 2015 – 130  
KILLEATON STREET, ST IVES**

**Attention:** Alex Galea

Dear Ms McMahon

TfNSW appreciates the opportunity to provide comment on the above Planning Proposal as referred to Transport for NSW (TfNSW) via DPHI's email on 15 February 2023. We note consultation is being undertaken with TfNSW under Condition 2 of the Gateway Determination dated 22 December 2023.

TfNSW has reviewed the submitted documentation and notes that the Planning Proposal seeks to amend the Ku-ring-gai Local Environmental Plan (LEP) 2015 to facilitate the redevelopment of the site for a 5-storey residential flat building with approximately 40 dwellings. It seeks to:

- Rezone the site from SP2 Infrastructure (Educational Establishment) to R4 High Density Residential.
- Introduce a maximum building height of 17.5m.
- Introduce a maximum floor space ratio (FSR) of 1:3:1.

TfNSW has no objections to the proposed amendments to Ku-ring-gai LEP 2015, as the rezoning proposal is expected to generate low traffic volumes resulting in minimal traffic impacts to the surrounding State and local road network.

Mona Vale Road in the vicinity of this proposal already exhibits some congestion in the peaks. It is recommended that the planning proposal and future development application for the site investigates, encourages, and supports alternative travel modes such as public and active transport.

Consideration should be given to connecting cycling links to/from Killeaton Street to other established cycle networks in the area.

Should you have any questions or further enquiries in relation to this matter, please contact Ash Tamhane, Land Use Planner, via email: [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carina Gregory', with a stylized flourish at the end.

Carina Gregory  
**Senior Manager Strategic Land Use (Eastern)**  
**Land Use, Network & Place Planning**