

# Summary of Submissions

PP-2022-2519



Issues Raised	Proponent Response	Planning Proposal Authority Team Response
<b>Ku-ring-gai Council Submission</b>		
<b>Affordable Housing</b> Council's submission supported the finalisation of the planning proposal subject to the proposal being amended to incorporate an additional local provision specific for 4, 12, 14 Cowan Road, St Ives which requires an affordable housing contribution of at least 10% (either monetary or in kind (in perpetuity)), as part of any future development of the site.	The Proponent raised no objection to the inclusion of an appropriate mechanism to ensure provision is made for an affordable housing contribution of at least 10% (either monetary or in kind (in perpetuity)), as part of any future development of the site.	<p>One of the Panel's rezoning review conditions required the proponent '<i>prepare an affordable housing viably report and clarify affordability rates, including floor space and number of units and method of management to consider delivery of affordable housing in the development consistent with governments housing targets in the range of 5-10% of new residential floor space subject to viability</i>'.</p> <p>In response, a feasibility analysis was undertaken to determine the appropriate affordable housing requirement for the site, which found that up to 10% would be feasible. It is understood that the proponent intended this be secured through a voluntary planning agreement. The Department notes Council has not prepared or adopted an affordable housing contribution scheme (AHCS), as such Council was consulted during exhibition on their preferred option for managing such a contribution.</p> <p>In response, Council requested a 10% affordable housing contribution be applied to the site as a post-exhibition amendment. The proponent does not object to this post-exhibition amendment.</p> <p>The PPA team agrees that an affordable housing contribution of 10% of the floor space is an appropriate and feasible outcome for this site and recommends this</p>

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		<p>post-exhibition amendment be included in the planning proposal by the Panel. Options for the delivery of this contribution in the LEP can be explored and determined by the Department at finalisation, including:</p> <ul style="list-style-type: none"><li>• a floor space contribution. This requirement has been included in several LEPs and does not require an AHCS; and/or</li><li>• levying for a monetary affordable housing contributions in appropriate circumstance may now be possible (see clause 7.5 of the North Sydney LEP).</li></ul> <p>This approach can allow either a 10% floor space provision or an equivalent in lieu monetary contribution for affordable housing. This approach can provide proponent's greater flexibility for an affordable housing contribution.</p> <p>The PPA team notes Council's submission (<b>Attachment G</b>) and supports the proponent's proposed post-exhibition amendment in response (<b>Attachment J</b>).</p>

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<b>Agency Submissions</b>			
Department of Climate Change, Energy, the Environment and Water (Conservation Programs, Heritage & Regulation Group)	<p><u>Original Comments dated 31 October 2024</u></p> <p><b>Flooding</b></p> <ul style="list-style-type: none"> <li>Consistency with Direction 4.1 Flooding should be based on evidence-based flood information. Therefore, there is a need for a preliminary flood assessment to identify whether the site is impacted by mainstream flooding or overland flow for the full range of flooding.</li> </ul> <p><b>Biodiversity</b></p> <ul style="list-style-type: none"> <li>The Ecological Constraints Assessment does not include an assessment that would allow the approval authority to determine whether removing any threatened species on</li> </ul>	<p><u>Response to Original Comments dated 31 October 2024</u></p> <p>The Site is not subject to flooding (mainstream flow or overland flooding). Section 10.7 Planning Certificates issued for each of the subject lots indicates the land or part of the land is not within the flood planning area.</p> <p>It is not proposed to remove or any Blue Gum High Forest or Sydney Turpentine Ironbark Forest on this site for future development, as the development is largely contained within existing developed areas of the site.</p> <p>No objection is raised to making these additions to the Draft Site Specific Development Control Plan if considered necessary.</p>	<p>The PPA Team note that CPHR confirmed in their updated correspondence dated 30 January 2025 that the matters raised in their initial 31 October 2024 had been adequately resolved.</p> <p>The PPA Team support the Proponent's response and consider it adequate.</p>

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	<p>site will constitute as Serious and Irreversible Impacts (SII)</p> <ul style="list-style-type: none"><li>Further surveys or justification as to why further surveys aren't required will need to be undertaken prior to or at the development application stage</li></ul> <p><b>Development Control Plan</b></p> <ul style="list-style-type: none"><li>Recommendations were provided to be included in the DCP for Biodiversity protection.</li></ul> <p><u>Further Comments dated 30 January 2025</u></p> <p>CPHR are satisfied with the Proponent's response and raise no further issues. Further impacts can be assessed at the DA Stage.</p>		
Transport for NSW	TfNSW had no objections to the proposed amendments but raise the following concerns;	The proponent provided additional information responding to TfNSW and community submissions, including:	The planning proposal adequately addresses community concerns with traffic, because:

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	<ul style="list-style-type: none"> <li>survey data is out of date now and new traffic surveys should be undertaken with current counts to accurately inform the traffic impacts;</li> <li>further assessment of accurate estimated yield will be required as part of the future master planning/ Development Application (DA) stage for the site due to dwelling estimate; and</li> <li>additional traffic generation will exaggerate traffic conditions at the Mona Vale Road and Cowan Road intersection.</li> </ul> <p>In February 2025, TfNSW provided further comments after reviewing the proponent's response and recommended that further detailed assessment should be conducted as part of</p>	<ul style="list-style-type: none"> <li>new traffic surveys conducted in November 2024 and updated SIDRA modelling based on the new data;</li> <li>new SIDRA modelling confirms an additional 338 vehicles per hour during AM peak and 322 vehicles per hour during PM peak compared to the 2017 modelling;</li> <li>the revised assessment finds minor increases in average intersection delay as a result of the proposed development compared to the Future Base case scenario;</li> <li>access to the site is proposed to be restricted to left-in/left-out only, consistent with the Traffic Impact Assessment. This assists in minimising delays at the site access and potential issues for site egress; and</li> <li>Northern Beaches Transport Action Plan states \$125 million is being invested to deliver</li> </ul>	<ul style="list-style-type: none"> <li>TfNSW's considers that the traffic matters can be further resolved through the development application process;</li> <li>Council in its previous assessment and submission on the proposal have not raised traffic impacts as a concern. Council's strategic Transport Engineer has reviewed the TIA and has identified the intersection of Killeaton Street/Cowan Road to only experience minor additional delays; and</li> <li>should an upgrade of the intersection be deemed necessary during the development application process, the proponent may secure the delivery of road infrastructure through a Voluntary Planning Agreement (VPA), a contributions mechanism, or a Works Authorisation Deed (WAD) with TfNSW, subject to TfNSW's design, safety, and construction requirements. It is noted that the upgrade to signals at the Cowan Road / Killeaton Street intersection is identified in Council's contributions plan. The scope and design of this upgrade will be a matter</li> </ul>

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	the future master planning / Development Application stage for the site to assess access arrangements.	kerbside Bus Rapid Transit (BRT) service through Mona Vale to the Northern Beaches. This will be supported by new bus lanes and 800 new commuter car parking spaces. Bus services are currently available within 2 minutes walking distance of the site.	for Council's consideration when the upgrade is to be developed.  The PPA team are satisfied with the Proponent's response and consider it adequate.
NSW Rural Fire Service (RFS)	No issues raised.	Noted.	The PPA notes that RFS raised no objections preventing the planning proposal from progressing to Finalisation.
Sydney Water	No issues raised.	Noted.	The PPA notes that Sydney Water raised no objections preventing the planning proposal from progressing to Finalisation.
Ausgrid	No issues raised.	Noted.	The PPA notes that Ausgrid raised no objections preventing the planning proposal from progressing to Finalisation.

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<b>Community Submissions</b>			
<b>Traffic congestion and access</b>  Number of submissions: 8 of 8 (100%)	<p>Traffic and access issues raised in community submissions include:</p> <ul style="list-style-type: none"><li>• new development will contribute to high volume of traffic and noise already present between Cowan Road and Mona Vale Road.</li><li>• vehicles are unable to turn into Cowan Road from Killeaton Street in current traffic conditions; and</li><li>• traffic conditions exacerbated by lack of public transport options.</li></ul>	<p>In response to various public submissions received raising concern for traffic impacts, and in direct response to the submission from TfNSW requesting new traffic surveys be undertaken to re-establish baseline volumes, Ason Group Traffic Consultants were asked to prepare a Transport Impact Assessment Addendum.</p> <p>New traffic surveys were conducted on Saturday 2 November 2024 and Wednesday 6 November 2024, and SIDRA modelling assessments subsequently performed based on the updated survey data.</p> <p>The 2024 surveys confirmed an increase in traffic on the west approach of Mona Vale Road compared to the 2017 survey volumes, with an additional 338 veh/hr during the AM peak and 322 veh/hr during the Saturday peak.</p>	<p>The PPA team note that the Proponent undertook updated traffic surveys as requested by TfNSW.</p> <p>The findings of the survey and proponent's SIDRA modelling has been reviewed by TfNSW and considered adequate and can be further considered through the development application process.</p> <p>The PPA team have reviewed the Proponent's response and consider it adequately addresses traffic impacts.</p>

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		<p>The updated SIDRA analysis indicates that all intersections will operate with acceptable delays, achieving a Level of Service (LOS) C or better during peak periods under the 2027 Future Base + Proposal scenario, comparable to the 2024 Existing Base and 2027 Future Base scenarios. The analysis also confirms that the site access arrangements, whether they be full movement or left-in, left-out, will not have significant impacts on the broader road network.</p> <p>In summary, the Proposal is supportable from a transport perspective, with minimal impacts to the operation of nearby intersections.</p>	
<b>Built form and urban design</b>  Number of submissions: 4 of 8 (50%)	<p>Built form and urban design issues raised in community submissions include:</p> <ul style="list-style-type: none"><li>• built form will lead to overshadowing, restricted views, and lack of privacy;</li><li>• the height of the development will be</li></ul>	<p>The proponent's response to community submissions raising concerns with built form includes:</p> <ul style="list-style-type: none"><li>• the proposed maximum 17.5m building height (a maximum 5 storey)s is consistent with high density development in the neighbouring St Ives urban centre;</li></ul>	<p>The planning proposal adequately demonstrates an appropriate built form can be achieved on the site, including:</p> <ul style="list-style-type: none"><li>• alignment with draft Development Control Plan document which Council's submission has confirmed aligns with their latest feedback. It is noted that Council's submission has not raised</li></ul>



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	<p>inconsistent with surrounding infrastructure; and</p> <ul style="list-style-type: none"> <li>neighbouring properties ground level are approx. 8m lower than the planning proposal's site making the 17.5m building appear 25.5m tall.</li> </ul>	<ul style="list-style-type: none"> <li>the proposed development will have no impact upon the northerly aspect or views of the nearest residential property (16 Cowan Road);</li> <li>due to separation, retained and proposed landscaping, the proposed development would have a negligible impact on views for residential properties at 154 – 158 Mona Vale Road; and</li> <li>the proposed draft DCP ensures building setbacks (minimum 9m) promoting an appropriate transition in scale, opportunity for landscaping in a deep soil zone, and suitable separation for privacy.</li> </ul>	<p>any built form objections to the planning proposal</p> <ul style="list-style-type: none"> <li>results in no additional overshadowing to adjoining residential development at mid-winter (21 June);</li> <li>assessment against the provisions of the Apartment Design Guide which demonstrates the intended development outcome is capable of achieving compliance with relevant controls, including solar access, communal open space and deep soil zones; and</li> <li>adequate height transition to neighbouring development, including a 9m boundary setback to proposed 3 storey built form from 16 Cowan Street, which includes an existing 2 storey dwelling.</li> </ul> <p>The PPA team consider the proponent's response to be adequate.</p>
<b>Flooding and stormwater</b>	<p><u>Community submissions</u></p> <p>Community submissions raised concerns with flooding, including:</p>	<p>Any subsequent submission of a Development Application upon this site will require consideration to be given to the adequate provision to essential</p>	<p>The PPA team note CPHR concerns relating to flooding have been resolved and that the proposal is consistent with the requirements of Ministerial Direction 4.1 Flooding and</p>

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Number of submissions: 3 of 8 (38%)	<ul style="list-style-type: none"><li>increased flood hazard due to the development; and</li><li>lack of stormwater and sewer capacity could lead to local flooding.</li></ul>	services, including water and sewerage infrastructure. Agency submissions received from Sydney Water and Ausgrid have been addressed	adequately addresses the community's submissions, because: <ul style="list-style-type: none"><li>the site is not identified by Council's flood mapping as being affected by mainstream or overland flooding; and</li><li>the development of the site offers an opportunity to improve local stormwater management which can be secured through the development application process.</li></ul>
<b>Affordable housing</b> Number of submissions: 1 of 8 (13%)	One community submission raised concerns with affordability of housing.	The Proponent raised no objection to the inclusion of an appropriate mechanism to ensure provision is made for an affordable housing contribution of at least 10% (either monetary or in kind (in perpetuity)), as part of any future development of the site.	As discussed above in response to Council's submission, the PPA team support the proponent's proposed post-exhibition amendment which is considered to adequately address the community submissions.