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19 April 2026

The Hon. Paul Scully MP

Minister for Planning and Public Spaces

c/- Department of Planning, Housing and Infrastructure

Via NSW Planning Portal (<https://www.planningportal.nsw.gov.au>)

Submission objecting to State Significant Development Application SSD-87925706

300 Burns Bay Road, Lane Cove NSW 2066 - three residential flat buildings (7-15 storeys), 225 apartments, with concurrent planning proposal (PP-2024-2517)

Dear Minister,

I write as the owner-occupier of [REDACTED], Lane Cove, in which I have lived [REDACTED] since its construction. [REDACTED]
[REDACTED]
[REDACTED]

I object to the application in its current form and request that it be refused, or alternatively that any redevelopment of the site proceed through the ordinary planning pathway rather than being treated as justified by the current proposal's affordable housing offer.

My strata committee ([REDACTED]) is one of four strata committees jointly represented in the expert submission that was lodged on 17 April 2026 by DA Objection Pty Ltd (the 'Tulloch submission'). I endorse that submission and rely on it as it concerns the scheme at [REDACTED]. The purpose of this letter is to add my personal observations and to raise matters that a general submission cannot fully capture. I have set these observations out under six headings below.

1. The site is not genuinely well served by public transport.

The applicant's material characterises the site as 'well-served by public transport'. [1, p. 2]
However, the public transport available at 300 Burns Bay Road is limited to suburban bus services, with no rail service within convenient walking distance. The Green Travel Plan identifies Chatswood as the closest accessible train station, approximately 4.8 km from the site. [2, p. 10]

The Green Travel Plan lists routes 251, 252, 253, 254, 530 and 536 within the broader walking catchment. [2, p. 10] That presentation overstates the level of immediately convenient service. Routes 253 and 254 operate from Riverview Street rather than the Burns Bay Road stops nearest the site. The services that most directly serve residents at the Burns Bay Road frontage are: ⁱ

- Route 251 - a weekday peak-direction city service only, not available for off-peak, evening or weekend travel. [3]

- Route 252 - a Gladesville to North Sydney service via Lane Cove, operating at 30-minute intervals throughout the day and evening, with hourly service after approximately 21:15. Route 252 does not serve the CBD; interchange at Victoria Cross or North Sydney Station is required for onward city connections. [4]
- Route 530 - a Burwood to Chatswood service operating throughout the day seven days a week at approximately 30-minute headways. [5]
- Route 536 - a weekday service between Gladesville and Chatswood concentrated in peak times; it does not operate in the evening or on weekends. [6]

I do not contend that public transport access is absent. Routes 252 and 530 are genuine, functional services operating seven days a week. At Lane Cove Interchange, residents who transfer to Stand A can access Routes 288 and 292 - express city-bound services running at approximately 10-minute intervals through the inter-peak on weekdays, Saturdays and Sundays. On weekday mornings the interchange frequency at the Lane Cove Village is excellent, averaging one departure every two minutes during the AM peak. This is a creditable suburban bus network. However, I contend that the level of direct, frequent, frontage-level public transport service does not justify the density now proposed.

NSW planning guidance is that density should match the accessibility of the area and the ability to manage travel demand. [7, p. 25] It emphasises concentrating higher densities within walking distance of major public transport nodes and high-frequency public transport.

On that standard, 300 Burns Bay Road falls short in four respects.

1. First, the on-street service at Burns Bay Road operates at 30-minute per-route headways. This is a suburban service frequency, adequate for supplementing private car access, but below the turn-up-and-go threshold at which residents can reasonably be expected to make regular, unplanned trips without a car. The apparent 15-minute combined frequency of Routes 252 and 530 through the Lane Cove corridor is real but narrow in application: the routes diverge immediately on leaving Lane Cove, with Route 252 continuing to North Sydney and Route 530 to Chatswood. For any trip beyond Lane Cove itself - to the CBD, to major employment centres, to hospitals or tertiary education - the relevant headway is 30 minutes per route.
2. Second, the express city connection at Lane Cove Interchange, while frequent, requires a transfer, and the access leg to reach it runs at an effective 15-30-minute headway outside of the commuter peak. A resident of 300 Burns Bay Road could not meaningfully benefit from that frequency because reaching Stand A first requires waiting up to 30 minutes for Route 252 or 530. Planning guidance treats walk-up access to direct, high-frequency service as the operative measure of transit adequacy, not theoretical connectivity through interchange - precisely because a high-frequency destination leg cannot compensate for an infrequent access leg.
3. Third, the development proposes 225 dwellings. At the service level described, the realistic alternative to car ownership for most households is a 30-minute-headway local bus to a transfer point, followed by a further connection. That is not a service level that supports car-reduced household formation across a development of this scale and density. The Transport Assessment's characterisation of the site as well-served by public transport

conflates the existence of serviceable connections with the presence of the high-frequency, walk-up access that genuine transit orientation requires.

4. Fourth, beyond frequency, the practical deterrent is journey time. A resident travelling from 300 Burns Bay Road to the Sydney CBD by public transport must complete two legs - the local bus to Lane Cove Interchange and the express city service from Stand A - each with its own waiting period. Accounting for walk access, a wait of up to 30 minutes for the first leg, interchange time, and the express journey, a door-to-door trip to the CBD is likely to take between 60 and 75 minutes in ordinary off-peak conditions. The equivalent car journey is 20 to 25 minutes - a ratio of approximately 3:1. A public transport journey that is materially slower, indirect and transfer-dependent is plainly less competitive than driving for most households, especially for non-commute and time-sensitive trips. This does not create a genuine choice between modes; it creates a nominal alternative that most households will decline in favour of car ownership. The development's transport impacts should be assessed on the basis that private vehicle use is likely to remain substantial.

My position is that the proposed density is more appropriately matched to sites within walking distance of a train station or a dedicated rapid bus corridor operating at turn-up-and-go frequencies - not to a suburban bus stop where the best available connection to the city requires a transfer and the on-street headway is 30 minutes.

My own experience over [REDACTED] living opposite the site is consistent with that conclusion. Residents of this precinct commonly rely on cars for non-commute trips - groceries, medical appointments, evening activity, weekend recreation and school drop-offs - because the bus network does not provide a frequent or comprehensive all-day alternative. The applicant's own Green Travel Plan acknowledges a low existing public transport mode share for Lane Cove destinations and sets a target of materially increasing it from that low base. [2, p. 14] Adding 225 dwellings to a site with this transport profile is more likely to entrench private-vehicle dependence than reduce it.

2. Traffic impacts are understated and the characterisation of local roads is wrong.

The applicant's traffic assessment focuses on overall network performance and arterial throughput on Burns Bay Road. [8, p. 35] Its own material notes that the Burns Bay Road / Burns Bay Road intersection operates with spare capacity overall, but that the minor legs (northwest and southeast) operate at LOS E in both peak periods because green time is prioritised to the major road corridor. [8, p. 16] The TIA also attributes the overall satisfactory corridor performance in large part to SCATS optimisation of arterial traffic flows.

That framing understates the residential experience of the local road network. For nearby residents, the relevant issue is not simply whether the arterial corridor continues to carry traffic efficiently, but how long it takes to access and exit homes from the local legs and adjoining driveways. On that question, the applicant's own material already records at-capacity conditions on the minor legs in both peaks.

The TIA concludes that the proposal will not materially degrade the modelled overall intersection levels of service in the base case. However, its 10-year sensitivity analysis also shows the Burns Bay Road / Burns Bay Road intersection failing in 2035 under background demand and

recommends that the road authority consider future capacity upgrades. [8, p. 27] That does not prove the proposal alone causes network failure, but it does show that the surrounding network is already fragile and offers limited comfort to residents who rely on those local approaches every day.

3. Urban design justification

The proponent's urban design justification (Appendix RR) asserts that the proposal 'positively responds to the intrinsic qualities of the site, its context and the immediate character of this part of Lane Cove' and 'meaningfully responds to the character of this part of Lane Cove'. [1, p. 1] Those characterisations should be scrutinised carefully. That document's own description of the surrounding area refers to nearby residential buildings generally between five and eight storeys and to the 'typically mid-rise scale of existing buildings in the area'. [1, p. 2]

3.1 Built form and scale

The established residential context along this stretch of Burns Bay Road is a mid-rise apartment context: 280–288 Burns Bay Road, 290 Burns Bay Road, 292–298 Burns Bay Road, and 300A–300C Burns Bay Road are all part of that pattern. Whatever differences exist between them, they form a coherent streetscape and landscape setting of substantially lower scale than the proposal now sought. By contrast, the application seeks a maximum height of 54.5m and an FSR of 3.22:1, compared with the current site controls of 21m and 2:1. That is not a marginal variation. It is a substantial escalation in both height and density. Even allowing for the R4 zoning and the site's redevelopment potential, a scheme of this scale is not a continuation of the prevailing mid-rise character identified in the applicant's own material. It is a materially different form of development.

3.2 View loss

The Urban Design Justification concludes that there are 'no unreasonable... view loss impacts'. That conclusion should be treated cautiously. The view and visual impact assessment lodged with the application assesses only a limited number of private viewpoints, while the Tulloch submission identifies a much broader set of directly affected apartments. In those circumstances, a blanket conclusion that no unreasonable view loss is caused is difficult to sustain, particularly where the additional impacts arise from a built form that exceeds the existing LEP controls.

3.3 Visual concealment

The Urban Design Justification describes the site as 'largely hidden in its landscape setting'. That may describe the existing low-rise commercial buildings, but it cannot sensibly describe the proposed form. The letter says the development will create 'a more dramatic silhouette above the prevailing tree canopy' [1, p. 3], and the proponent's VVIA [9, p. 73] confirms that, from Burns Bay Reserve, the lower levels may be screened by canopy but the upper levels will be visible above the existing canopy line. The VVIA also identifies Burns Bay Reserve, Hughes Park, Burns Bay Road and Coonah Parade as public viewpoints affected by the proposal. [9, p. 40] On the applicant's own material, the scheme will not remain hidden within the landscape setting once built.

3.4 Solar access

The Urban Design Justification states that the scheme delivers 'good solar access'. [1, p. 4] The architect's own solar diagrams (Appendix B) show that approximately 19.1% of apartments receive no direct sunlight between 9am and 3pm at mid-winter. [10, p. 44] The scheme also projects additional overshadowing onto 300A–300C and onto the rear gardens of 292–298. That is not

'good solar access' either for the occupants of the proposed dwellings or for the surrounding community.

3.5 Shifting characterisations of the precinct and development

The language used to describe the proposal should be tested against the actual envelope, height, massing, and site presence of what is proposed. A scheme of this scale should not be normalised by soft descriptive language if the built form outcome is materially more intense than those descriptors suggest.

The Urban Design Justification variously characterises the precinct as 'typically mid-rise', 'higher density' and 'high density'. These shifting descriptions matter because they blur the actual scale of the proposal relative to its context. A development seeking a maximum height of 54.5m and an FSR of 3.22:1 is not simply a continuation of the existing 'typically mid-rise' context. It is a materially different scale of development and cannot fairly be characterised as a contextual response.

4. Personal amenity impact on unit [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] the proposed development will be visible from a substantial proportion of my living area, intruding into what is presently a landscaped and bushland outlook.

Overshadowing of my unit is not a material concern. The new towers do not sit between my unit and the sun path, and I do not wish to overstate my personal exposure on this point, although I remain concerned for neighbours who are more directly affected.

Visual privacy of my balcony is also not a material concern. The balcony faces away from the proposed towers.

I do not make a general objection to additional housing. Rather, my concern is the extent of the built form and the effect that a development of this scale would have on outlook, landscape character, and the experience of the local ridge and valley setting. View impact is a more modest but still real personal impact. The Tulloch submission identifies [REDACTED]

[REDACTED]. That aligns with the applicant's own VVIA, which for 290 Burns Bay Road records that the proposal inserts a large new feature into the south-easterly outlook and interrupts expansive views to the canopy line visible in the background. [9, pp. 52, 56]

The more serious impact on me personally is not view loss in the narrow Tenacity sense, but the loss of the existing landscape composition shared across 288, 290, 292–298 and the low-rise buildings at 300A–300C. That composition of mature vegetation, garden setbacks and lower-scale buildings is part of the lived amenity of this part of Burns Bay Road. A 54.5m building inserted into that setting with minimal setbacks changes the character of the precinct substantially and irreversibly.

Construction amenity is a material concern. [REDACTED] is identified as a sensitive receiver in the applicant's own material, and my building sits immediately adjacent to the site. The preliminary CTMP estimates up to 60–80 workers per day during key construction phases [8, p. 28], with truck access via Burns Bay Road. Given the limited public transport profile described above, especially for early morning trips against the flow of express services, it is reasonable to

expect that a significant proportion of workers will arrive by private vehicle, with resulting pressure on street parking unless tightly managed. The CTMP does not, in my view, adequately address how worker vehicle parking will be accommodated prior to the completion of on-site parking levels. The applicant's submission unconvincingly suggests that onsite tool storage and 'encouragement' will be sufficient to shift a proportion of these workers onto public transport.

Construction traffic, noise, vibration and dust will be experienced directly by households in [REDACTED] for the duration of the construction programme. I accept that some degree of construction impact is an ordinary consequence of new housing delivery in Sydney. That acceptance, however, is conditional on the underlying development having planning merit, and the community should not be asked to absorb construction impacts for unreasonable development scope and scale.

5. The affordable housing offering does not justify the scale of uplift sought

The provision of affordable housing is a genuine public benefit, but in this case it should not be treated as automatically justifying the full extent of the uplift sought. The proposal offers 34 affordable dwellings, being 15% of total GFA, for a period of 15 years. The proponent presents this as a significant community benefit that supports the very substantial uplift to height and floor space. I do not accept that characterisation at face value.

Under Chapter 2, Part 2, Division 1 of the Housing SEPP, a proposal with a 15% affordable housing component is eligible for a 30% bonus above the LEP height and FSR controls. [11] For this site, that would equate to an indicative bonused height envelope of about 27.3m, compared with the existing 21m control. As 15% affordable housing is the threshold relied on to obtain that 30% bonus, it is unclear what additional public benefit justifies a much larger uplift to 54.5m and 3.22:1 through the concurrent rezoning process.

The Department's published practice note states that the full extent of the infill affordable housing bonuses may not be achieved on all sites due to site constraints and local impacts, and that those bonuses should not be treated as an entitlement. In that context, the relevant question is not the gross count of 34 affordable dwellings in isolation, but what marginal affordable housing benefit is said to justify the substantial uplift sought beyond the SEPP-bonused envelope, particularly where the affordable housing is limited to 15 years and not offered in perpetuity.

My objection is not to affordable housing – any future development of this site should include it. It is to the proposition that the affordable housing component, as offered here, resolves the proposal's broader planning problems.

6. The HDA pathway does not give the best community outcome

Even accepting that the site has been placed on the HDA pathway, the question for assessment remains whether this particular scheme, at this particular scale and form, is justified. My submission is that it is not. The Housing Delivery Authority SSD criteria state that the pathway is intended to identify housing proposals that are 'well-located, have enabling infrastructure and contribute to affordable housing supply'. [12] The criteria also state that the HDA applies flexibility in evaluating proposals against those criteria.

For land in Greater Sydney, the 'well-located' criterion requires good access to transport and services in an accessible area. I accept that the site may satisfy the Housing SEPP's technical 'accessible area' definition by reason of nearby bus stops with an hourly service. However, that

threshold is a minimum statutory definition, not a finding that the site is in fact well served by public transport in the ordinary planning sense. The actual service pattern remains limited: no rail, no all-day direct city service, and generally modest suburban bus frequencies outside commuter peaks.

The 'well serviced' criterion requires the applicant to demonstrate adequate capacity in enabling infrastructure such as water, sewer and access. In my respectful submission, the exhibited proposal does not demonstrate that access conditions are adequate for the scale of uplift sought. The transport profile is limited to suburban bus services, the surrounding road network is already constrained, and the applicant's own traffic material does not resolve those concerns.

The HDA criteria also state that where a proposal seeks uplift via a concurrent rezoning, the applicant must demonstrate why the infill affordable housing bonus provisions and associated SSD pathway are not to be utilised. That is an important question here, because the proposal goes well beyond the 30% SEPP bonus envelope while relying on an affordable housing offering close to the level required to access that bonus pathway.

At issue is whether this proposal fits the HDA pathway's stated purpose. The HDA criteria describe a pathway directed to high-yield housing that is well-located, infrastructure-enabled, and capable of being assessed and delivered quickly. In my respectful submission, this proposal sits uneasily with that intended role. It is not a modest uplift to accelerate housing on a demonstrably suitable site. It is a substantial departure from existing controls, requiring concurrent rezoning far beyond the ordinary infill affordable housing bonus envelope, while relying on an affordable housing offering that would already qualify for that bonus pathway. The exhibited proposal remains inappropriate on planning merits, irrespective of the pathway under which it is being assessed.

What I am asking the Department to do

For these reasons, I submit that the application should be refused in its current form.

If approval is nevertheless contemplated, the proposal should at minimum be substantially reduced and should not be treated as justified merely by the affordable housing component presently offered.

Declaration

I am the registered owner-occupier of [REDACTED]

I have made no reportable political donations under the Electoral Funding Act 2018 in the two years preceding this submission.

I request that my name be withheld from publication if that option is available through the NSW Planning Portal. I also ask that my residential address, email address and any other personal contact details be redacted from any published version of this submission where the Department's process allows.

Yours sincerely,

[REDACTED]

[REDACTED]

Works Cited

- [1] "EIS Appendix RR - Urban Design Letter".
- [2] "EIS Appendix R - Green Travel Plan".
- [3] TfNSW Route 251.
- [4] TfNSW, "Route 252".
- [5] TfNSW, "Route 530".
- [6] TfNSW, "Route 536".
- [7] "Improving Transport Choice — Guidelines for planning and development".
- [8] "Appendix Q - Transport Impact Assessment".
- [9] "EIS Appendix W - VVIA".
- [10] "Appendix B – Architectural Plans".
- [11] Department of Planning, Housing and Infrastructure, "In-fill affordable housing – Practice note".
- [12] Housing Delivery Authority, "Housing Delivery Authority SSD criteria".
- [13] TfNSW, "Route 253," [Online]. Available: <https://transportnsw.info/documents/timetables/17-253-Riverview-to-City-Wynyard-via-Freeway-20260420.pdf>.
- [14] TfNSW, "Timetables Complete GTFS," [Online]. Available: <https://opendata.transport.nsw.gov.au/data/dataset/timetables-complete-gtfs>. [Accessed 19 04 2026].

ⁱ The headway figures cited in this submission are derived from the Greater Sydney GTFS (General Transit Feed Specification) static dataset published by Transport for NSW, covering the period from 19 April 2026 to 18 July 2026. GTFS is the industry-standard format used by Transport for NSW to publish scheduled departure times for all bus, train, light rail and ferry services across Greater Sydney; it is the same data source that underlies the official Transport NSW Trip Planner. Three stops immediately adjacent to the Burns Bay Road frontage of the subject site were identified as representative: Burns Bay Rd Opp Waterview Dr (stop 206659, northbound), Burns Bay Rd Before Waterview Dr (stop 2066264, southbound) and the terminal stop at Cope St Opp Caroline Chisholm Aged Care Facility (stop 206661, used by Route 251). Six route IDs were included: routes 251, 252, 253, 254, 530 and 536. Reference dates used were Monday 20 April 2026 (weekday), Saturday 18 April 2026 and Sunday 19 April 2026.

Headway (minutes since previous departure at the same stop, for the same route and direction) was calculated by sorting departures within each group and computing the gap between consecutive services. Headways greater than 120 minutes were set to null and excluded from averages, on the basis that such gaps represent the start of a new service block rather than a true inter-departure interval. Weekday services were subdivided into peak (06:30–09:30 and 16:00–19:00), inter-peak day (09:30–16:00) and night (all other hours). The published timetable PDFs for Routes 251, 252, 530 and 536 (valid from 20 April 2026) were cross-checked against the GTFS output.