

Tuesday, April 28, 2026

Attention: Michelle Niles
Senior Planner
Department of Planning, Housing and Infrastructure
New South Wales

RE: OBJECTION TO DEVELOPMENT APPLICATION NO: SSD-78287462 AS PROPOSED

Dear Michelle,

I am a Lot owner and resident within the Kings Bay Estate ("KBE", "Estate") at 11-27 Harris Road, Five Dock located 300 metres to the north of the Development site proposed by DPG PROJECT 37 PTY LTD ("The Developer") at 79-81 Queens Road and 2-8 Spencer Street, Five Dock – Application No: SSD-78287462 (the "Development")

Kings Bay Estate consists of medium-density apartments and townhouses surrounded by green space. Access into and through the Estate is via a network of small, narrow/two-lane roads. Its design also places a focus on pedestrian movements through the Estate with a small park at its centre.

I do not object to urban renewal including those with affordable housing in the Kings Bay Precinct. However, the precinct needs well planned, quality development that does not adversely impacting existing and future precinct residents. Based on my reading of the Development Application possible in the impossibly short exhibition window, I consider Development will have many irreversible negative impacts on Kings Bay Estate residents and our neighbours if it proceeds as proposed.

Therefore, I object the development SSD-78287462 as proposed for many valid reasons, including (but not limited to) the following:

1. **Inadequate Initial Public Consultation:** All high-density development in the precinct, including SSD-78287462, will significantly impact property owners and residents within the Kings Bay Estate. KBE is located just 300 metres from the SSD-78287462 site. Despite the developer stating they conducted Community Consultation in mid 2025 as referenced in *EIS Appendix G - Engagement Outcomes Report*, it is questionable such consultation has been conducted 'in good faith'.

For example, the developer cites in Appendix G that a "*community information flyer was distributed to 1,227 nearby residences and businesses on Friday 20 June 2025. The flyer provided recipients with information about the proposal and details about how to access the online portal and feedback mechanism as well as the details for the Community Drop-in Sessions.*"

As a resident of KBE in Strata Plan 64727 ("SP64727") which is comprised of 97 households, I did not receive this flyer. Nor is there any evidence of SSD-78287462 consultation being discussed and minuted in meetings of SP64727's Owners Corporation Strata Committee from the date of the flyers' distribution to the current day. Likewise, there are no minutes of the KBE Community Association (DP270206) reflecting discussions of SSD-78287462.

In short, if SSD-78287462's community information flyer had been distributed to residents within Kings Bay Estate:

- a) Committee members for the KBE Strata Plans and DP270206, who are owners in residence, would have discussed it at their meetings and notified all Lot Owners of SSD-78287462 Consultation opportunities;
- b) The receipt on 15 April of the NSW Department of Planning, Housing and Infrastructure (DPHI)'s *Exhibition of State Significant Development Application* Notice dated 9 April 2026

would not have been the first instance in which KBE Owners heard about the SSD-78287462 application.

2. Inadequate time provided by DPHI for residents neighbouring the SSD-78287462 site to review and evaluate the DA on Exhibition

I received the *Exhibition of State Significant Development Application* Notice dated 9 April 2026 by email and post on 15 April 2026. The exhibition period from 15 April to 28 April leaves only 13 days for neighbouring residents to review and respond to the SSD-78287462 application by today, 28 April 2026.

DPHI's expectation that impacted property owners/residents have the expertise (or ability to engage the required expertise) to review the 65 complex and technically dense documents supporting the SSD-78287462 application and then make a submission in 13 days does not demonstrate an 'in good faith approach but rather a disregard for the legitimate concerns of impacted neighbouring owners/residents and their views as citizens of NSW.

3. **Exceeds Local Government Planning Controls:** This Development does not comply with the controls set by Canada Bay Council's Local Environmental Plan (LEP) and specifically Part K – Special Precincts of Council's Development Control Plan ("DCP"). Of particular concern are various Clause 4.6 variations seeking to exceed mandated scale and form standards. SSD-78287462's small site size is not a legitimate reason to compromise reasonably expected standards designed to ensure an appropriate and responsible outcome for the area and high level of amenity for the development's future residents including those occupying affordable housing residences. As proposed, this Development will create an urban form inconsistent with local strategic planning policies.
4. **Cumulative Effects of Development Not Considered:** This will not be the last DA of this scale proposed by Developers for the Kings Bay Precinct. If this Development proceeds as proposed, in contravention of Council's LEP and specifically Part K of Council's DCP, thereby creating a precedent, the cumulative adverse effects of developments on residents and business owners throughout this precinct will be immense and irreversible.
5. **Road Traffic and Parking Issues:** Given the unexpected density uplifts in this and other SSDAs for the precinct, road traffic and parking issues within the precinct are already significant, problematic, are ever increasing and will become permanent in the absence of proactive traffic planning by government authorities and 'good faith' traffic assessments and planning by SSD applicants.

The following illustrate the significant impact of poor road traffic and parking planning on the precinct, its residents and its visitors – both now and in the future.

a. There is no Strategic Traffic Plan for the Kings Bay Precinct and that is unacceptable

The most serious planning flaw is there is **NO Strategic Traffic Assessment and Plan for the Kings Bay Precinct that explains:**

- How current traffic volumes are being managed;
- How multiple approved and future high-density developments will impact local roads;
- How pedestrian and cyclist safety will be protected;
- How parking demand will be handled;
- How responsibilities between Canada Bay Council and the NSW Government will be coordinated.

This is particularly alarming because **road responsibility is split, i.e.,**

- Some roads are managed by Canada Bay Council
- Others fall under NSW Government control

Without an agreed, precinct-wide traffic strategy, decisions are being made in isolation, which is unsafe and irresponsible.

Approving individual developments without first fixing the broader traffic problem is **adding more vehicles to a road system that is already failing**.

I request that Canada Bay Council, the Department of Planning Housing and Infrastructure and Transport for NSW prioritise the immediate development of a Strategic Traffic Plan for the Kings Bay Precinct.

b. Traffic, parking and related safety problems are already severe

(See Photos 6 & 7 in Appendix 1)

Local residents, businesses and visitors are already experiencing serious traffic and safety issues throughout the Kings Bay Precinct, including:

Traffic and Congestion

- Heavy traffic on narrow, winding streets that were never designed for the volume they are carrying.
- Frequent gridlock, even outside peak hours. KBE residents are often locked in or out of our Estate because of gridlock.
- Streets that struggle to accommodate cars, trucks and other large vehicles, buses, cyclists, and pedestrians at the same time.
- Impacts the timeliness of Emergency Response Vehicles putting public safety at risk.

Parking Chaos

- On-street parking demand already exceeds supply.
- Parking in William Street north of Queens Road is untimed and near impossible now, and exacerbated by caravans, boats, and vehicles from smash repairers and car yards being parked for lengthy periods.
- Regular illegal parking caused by lack of alternatives – including illegal parking on the narrow roads within KBE.
- Increased tension and unsafe driving as vehicles search for spaces.

Safety Risks

- Reduced visibility when turning out of streets such as Rowe Street and Kings Bay Avenue onto William Street.
- Blind spots caused by parked cars on narrow roads
- Increased risk of collisions with other vehicles or pedestrians

Danger to Pedestrians

The risks are especially high for:

- Elderly Pedestrians;
 - People with disabilities or limited mobility;
 - Children;
 - People who regularly walk through the area.
-
- Increased congestion could hinder the ability of emergency vehicles to navigate through the precinct, impacting response times, or worse still, resulting in accidents involving emergency response vehicles travelling at speed in the surrounding streets.

Environmental Impacts

- Increased noise pollution from congestion
- Worsening air quality from idling vehicles and traffic build-ups

These problems are happening **now**. Approving additional high-density housing without first addressing them will significantly worsen conditions and put people at risk.

c. Serious safety issues directly outside the development site - (See Photos 3, 4 & 5 in Appendix 1)

The situation on **Queens Road**, immediately outside and opposite the development site, **is already unsafe**.

Parking and Bike Lane Conflicts

- On-road parking spaces are barely the width of a bike lane.
- Many vehicles cannot park fully within marked areas, so drivers routinely mount the kerb, blocking footpaths.
- Bike lanes are obstructed by parked vehicles, forcing cyclists into traffic.

This creates:

- Serious risks for pedestrians
- Dangerous conditions for cyclists
- Poor visibility and traffic conflicts

Queens Road Is Already Overloaded

Even with the M4 Tunnel operating, Queens Road continues to experience:

- High traffic volumes;
- Congestion;
- Unsafe conditions.

Approving this and other high-density developments in the precinct without upgrading Queens Road is irresponsible.

d. Queens Road must be widened - without destroying mature trees

Queens Road will inevitably need to be widened if high-density development is to continue in the precinct. However, this must be done **carefully and correctly**.

On the **northern side of Queens Road**, between William Street and Regatta Road, there is a stand of **11 mature Moreton Bay Fig trees** (See Photos 1 & 2 in Appendix 1). These trees:

- Are visually and environmentally significant;
- Provide shade, cooling and other micro-climate benefits;
- Contribute meaningfully to the local character and urban canopy.

They are **very close to the northern road edge**, meaning any widening of Queens Road from the northern side would almost certainly destroy them.

To protect these trees:

- Any **road widening must occur from the southern side of Queens Road**.
- **Developments** fronting the southern side, including this proposal, **must set aside sufficient land now** to allow for future widening.

This requirement is clearly identified in the Kings Bay Precinct Masterplan and **should be a mandatory condition of any SSD approval.**

Approving development without accounting for future road widening will either:

- Lock in unsafe road conditions, or
- Result in the irreversible loss of these significant trees

Both outcomes are unacceptable.

e. The *Traffic Impact Assessment (TIA)* doesn't address existing problems and future impacts from higher density and non-compliant developments in the precinct.

Specifically, *EIS Appendix V - Transport Impact Assessment*

- doesn't appear to address the general local area upgrades which were required as a part of the PRCUTS Traffic planning.
- calls upon traffic strategies and reports from 2021-23 which need updating given current traffic volumes, departures occurring from adopted strategic planning and the drastic increase in dwelling yield and building density which is occurring as a result of SEPP Housing affordable housing bonuses.
- doesn't address the Spencer Street extension which was required by the Kings Bay Precinct Masterplan.
- complies with the 'minimum' SEPP Housing Traffic requirements rather than the maximum for an area which already does not have enough local parking. This will undermine the objectives of a pedestrian oriented public domain and private transport minimisation objectives of the PRCUTS and Kings Bay precinct controls.
- doesn't appear to address/provide for retail and commercial customers that will visit the development. This is not considered acceptable for a development of this scale which breaches numerous expectations and does not give back in terms of the public interest.
- doesn't accommodate the required 12.5m HRV vehicle for waste collection is very likely to create adverse access, parking and traffic impacts. This should not be supported given the scale of the development proposed. The developer should be expected to comply.
- should assess the cumulative impact of this development in connection with other much denser developments on the broader local road network to ensure sustainable outcomes and the neighbourhood efficiency and quality desired for the precinct.
- hasn't considered the traffic issues arising from this development that would impact William Street North of Queens Road through to Lyons Road West ("William Street North"). This is despite Part K of Council's DCP citing the following as "development constraints" for the Kings Bay Precinct including "existing high traffic volumes on surrounding streets". This is a fundamental flaw of the TIA and evidence of poor planning.
- makes unrealistic assumptions about public transport use. It should not be assumed that road traffic will be manageable via access to public transport. The TIA fails to consider that residents, visitors of residents and the customers/clients of the proposed retail and commercial lots may not have access to a reasonable/direct public transport route between their other locations and the Development site.

Thank you for considering my submission and the points I have raised as an owner and resident within the Kings Bay Estate located 300 metres from the proposed Development. Local residents live with the consequences of State and Local Government planning decisions every day. Allowing SSDAs to override local planning frameworks without considering the "lived experience" of local residents risks outcomes that are disconnected from on-the-ground reality.

In assessing SSD-78287462, I urge the DPHI to place livability, public safety, proper planning, and long-term outcomes ahead of short-term developer objectives.

If you have any questions about my submission or need more information, feel free to contact me directly

Yours faithfully,

Name withheld in Print for Privacy Reasons

28 April 2026

Appendix 1

Photo 1 - Mature Fig trees directly Opposite Development Site



-33.868962, 151.118483
Apr 22, 2026, 1:01 pm

Photo 2 - Figs proximity to Northern Edge Queens Rd



-33.869020, 151.118408
Apr 22, 2026, 1:00 pm

Photo 3 – Illegal Footpath parking adjacent to Figs Opposite Site - North edge Queens Road



-33.868972, 151.118072
Apr 22, 2026, 1:00 pm

Photo 4 – Illegal Parking Outside the Development site



-33.868938, 151.118042
Apr 22, 2026, 12:58 pm

Photo 5 – Queens Road Parking the width of a bike lane



-33.868878, 151.117417
Apr 21, 2026, 8:07 am

Photo 6. - Willam looking north from Rowe St – Narrow, curved and parked out



Photo 7 - William St Looking south from Kings Bay Ave – Parked out



-33.866638, 151.119994
Apr 24, 2026, 1:02 pm