

14 August 2025

Ms Prity Cleary
Senior Planning Officer
The Department of Planning,
Housing and Infrastructure NSW Government
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Cleary

**Re: Objection to State Significant Development Application SSD-82899468
Concept Proposal for a Residential Flat Building with In-fill Affordable Housing at
1–5 Nelson Road, Lindfield**

I write to formally object to **SSD-82899468**, on the following planning, environmental, and community grounds:

Introduction

The target number of new dwellings in Lindfield is able to be met within the boundaries of Council's Preferred Alternative Scenario. It is anticipated that Council's Alternate Preferred Scenario is likely to be approved before the end of September 2025.

Therefore, the proposed development of this site is both unnecessary and inappropriate.

The proposal is located outside Council's Preferred Scenario, and imposes excessive height and scale at the edge of the TOD boundary.

It disregards heritage, transition, and local character considerations and is unnecessary to meet Lindfield's housing targets. Approval would be inconsistent with both the letter and spirit of current planning policy.

The development relies on a planning loophole to extend State TOD provisions beyond the mapped boundary, fails to properly assess riparian impacts, and introduces building massing incompatible with the surrounding low-density, heritage-sensitive context.

It does not demonstrate compliance with key requirements of the Housing SEPP, ADG, or KLEP, including environmental amenity, bulk and scale, visual impact, traffic and parking, tree loss and biodiversity, social infrastructure, heritage protection, and flood risk mitigation.

Approval in its current form would undermine statutory planning controls, set an adverse precedent, and conflict with the integrity of Council’s endorsed Alternate Preferred Scenario.

At minimum, the Department must require: strict adherence to the Council Preferred TOD boundary; comprehensive, site-specific riparian and biodiversity assessment; and a heritage-sensitive design resolution addressing bulk, scale, and transition before any consideration of approval.

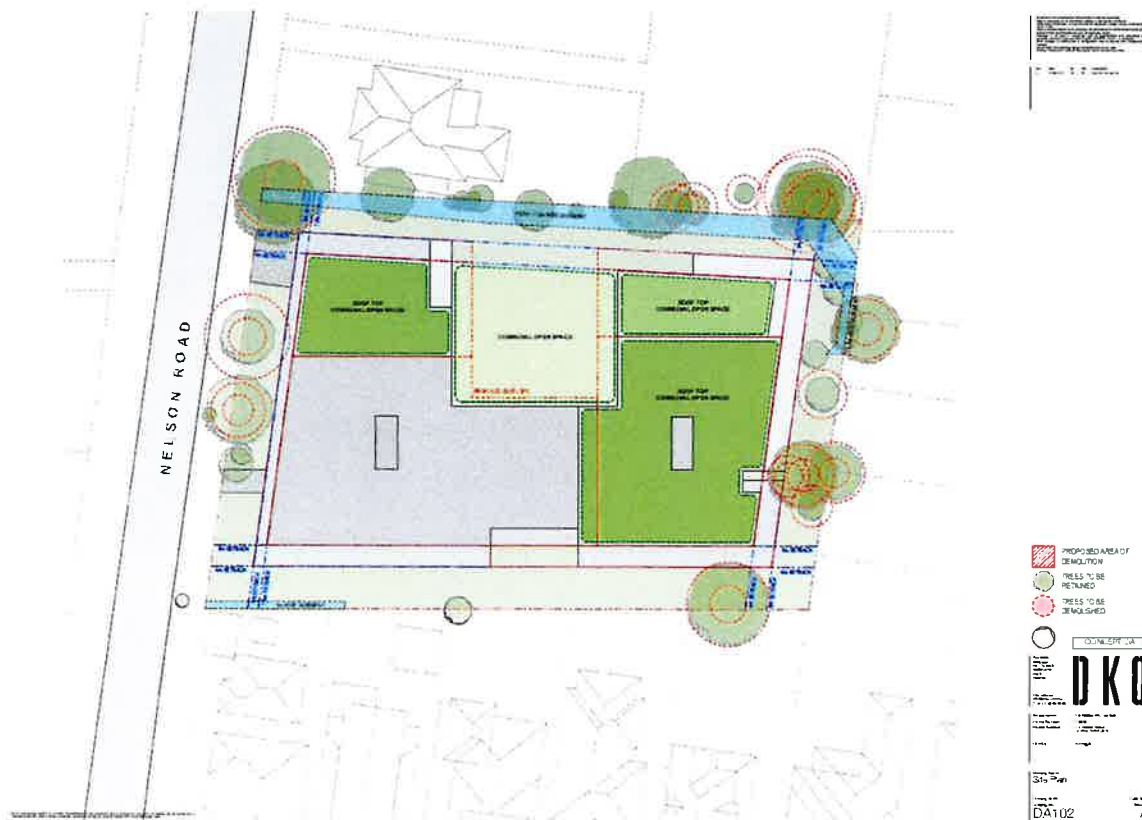
The target number of new dwellings in Lindfield is able to be met within the boundaries of Council’s Alternate TOD zone. It is anticipated that Council’s Alternate TOD is likely to be approved before the end of September 2025.

Therefore, the proposed development of this site is both unnecessary and inappropriate.

Key Objection Points

1. Context and Character

The site lies within a well-established low-density residential precinct with heritage homes, mature landscaping, and open space. The proposal fails to respect this character, with excessive scale, massing, and inadequate transition to surrounding areas.



2. Inappropriate TOD Location



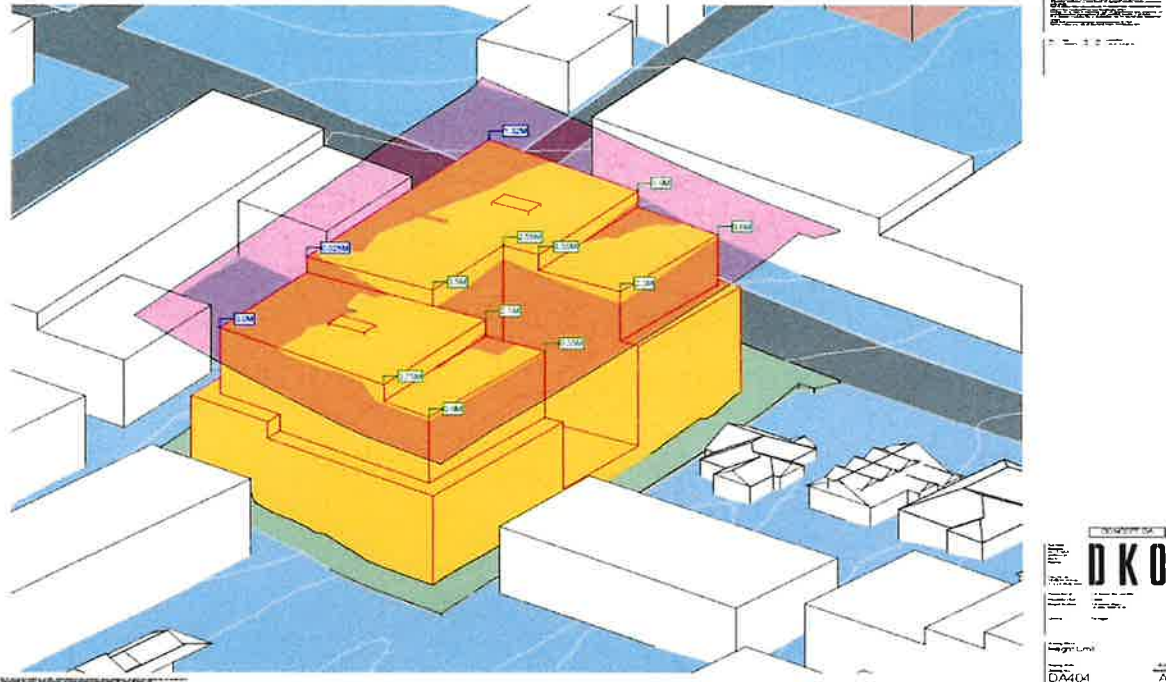
- The site falls outside Ku-ring-gai Council’s Alternate TOD zone, which protects Heritage Conservation Areas (HCAs) and heritage items (9 Nelson Road, 6 & 8 Lightcliff Ave).
- No part of the amalgamated Lot lies within 400 m of Lindfield Station (see map = 500 mtrs minimum), with three sides bordered by R2 Low-Density Residential lots, making TOD-scale development inappropriate.
- Amalgamating neighbouring lots to gain TOD uplift constitutes “TOD creep,” bypassing consultation and undermining planning certainty.

3. CONTEXT SITE ANALYSIS

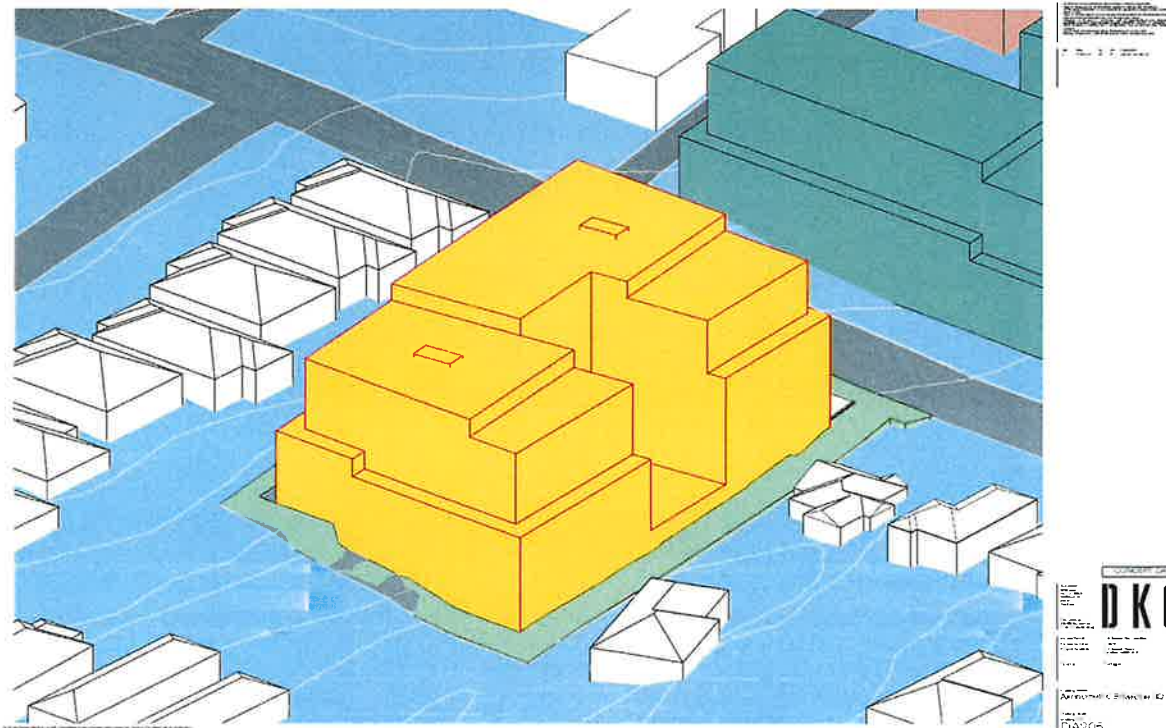
LOCAL CONTEXT

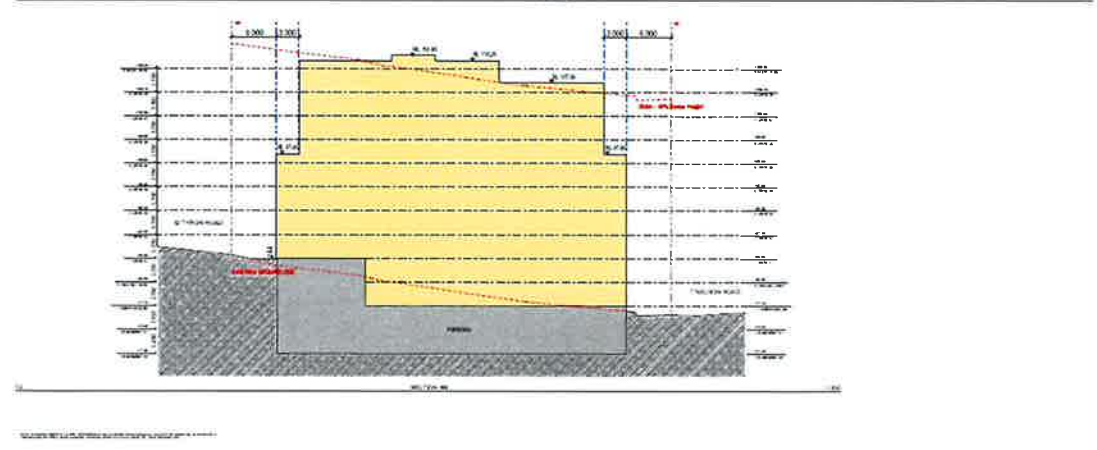
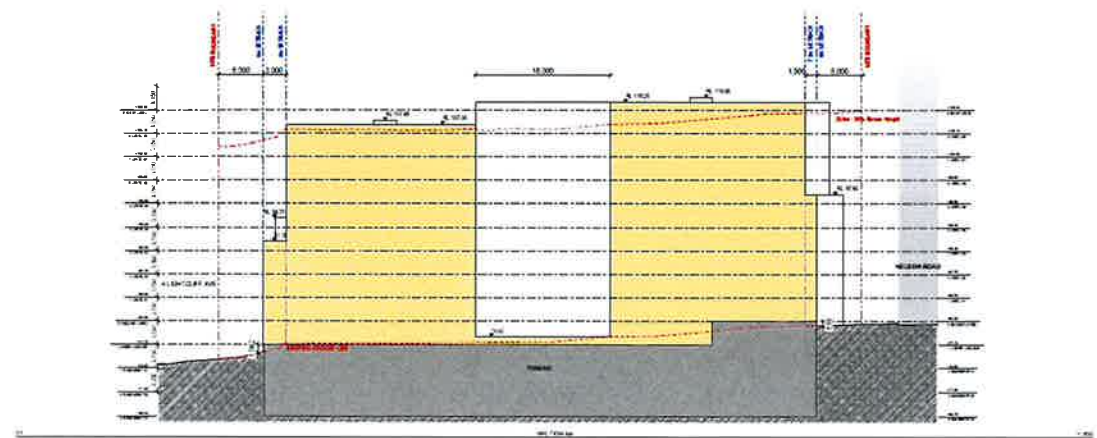
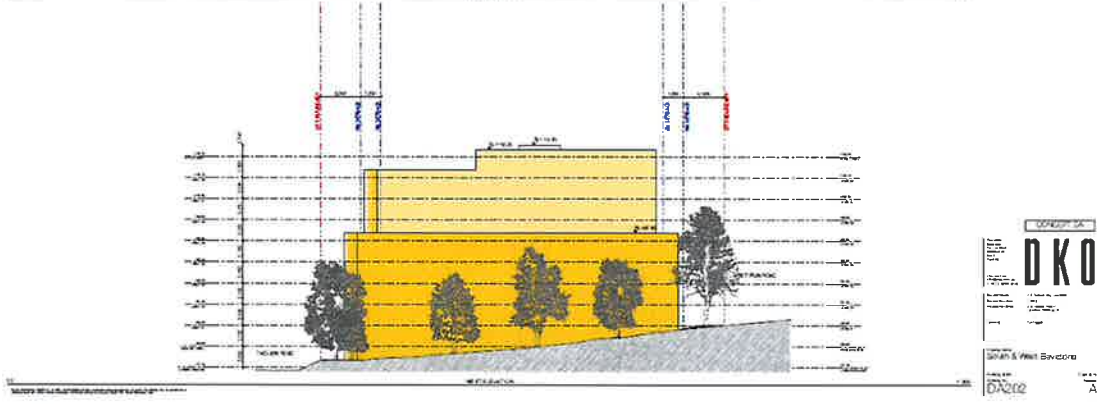
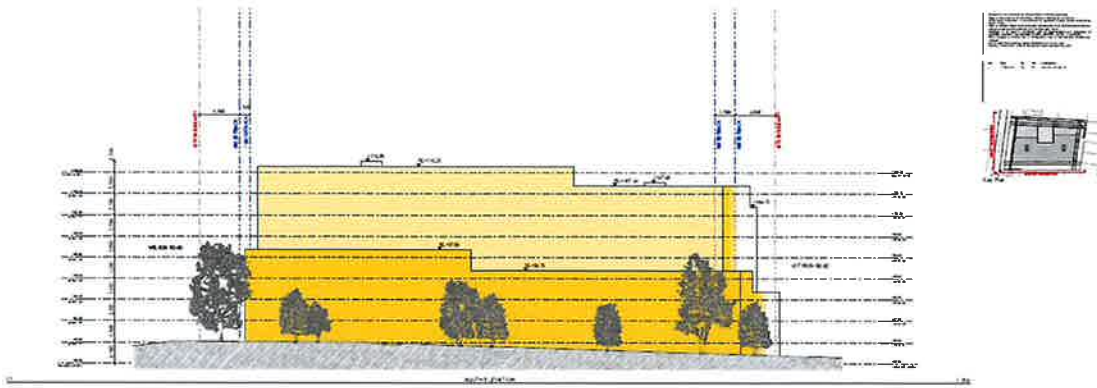


3. Height, Bulk, and Clause 4.6 Variation



- Proposed 9-storey building (32.35m) exceeds height limits by 13%, highly visible to neighbours and heritage items.
- Site topography does not justify exceeding height limits. Design solutions should respect existing controls.
- Reducing height to 6–8 storeys would better transition to surrounding low-density areas.





4. Streetscape, Design, and Interface Issues

- Nelson Road provides a natural boundary and buffer zone between blocks of development within the Alternate TOD zone, and the lower density HCA.
- Nelson Road should remain a public frontage; the development presents a blank, monolithic rear façade.
- Setbacks are inadequate, and the central open space is poorly oriented, failing to mitigate visual bulk.
- Heritage items at 9 & 15 Nelson Rd, and nearby Lightcliff Ave dwellings, risk being visually overwhelmed.
- Vegetation and topography cannot reliably screen permanent visual dominance.
- Excessive scale and bulk are inconsistent with Ku-ring-gai Council's Alternate TOD Scenario.



5. Environmental and Biodiversity Impacts

Biodiversity Development Assessment Report
Nelson Road, Lindfield

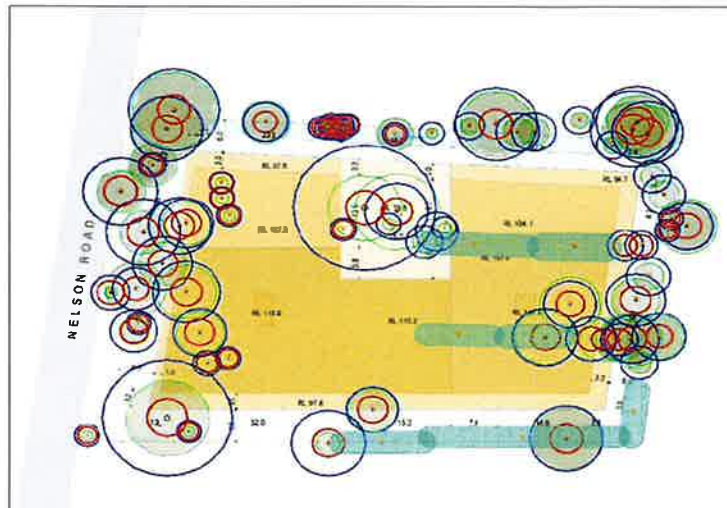


Figure 2: Proposed site plan showing the extent of the footprint and existing trees.

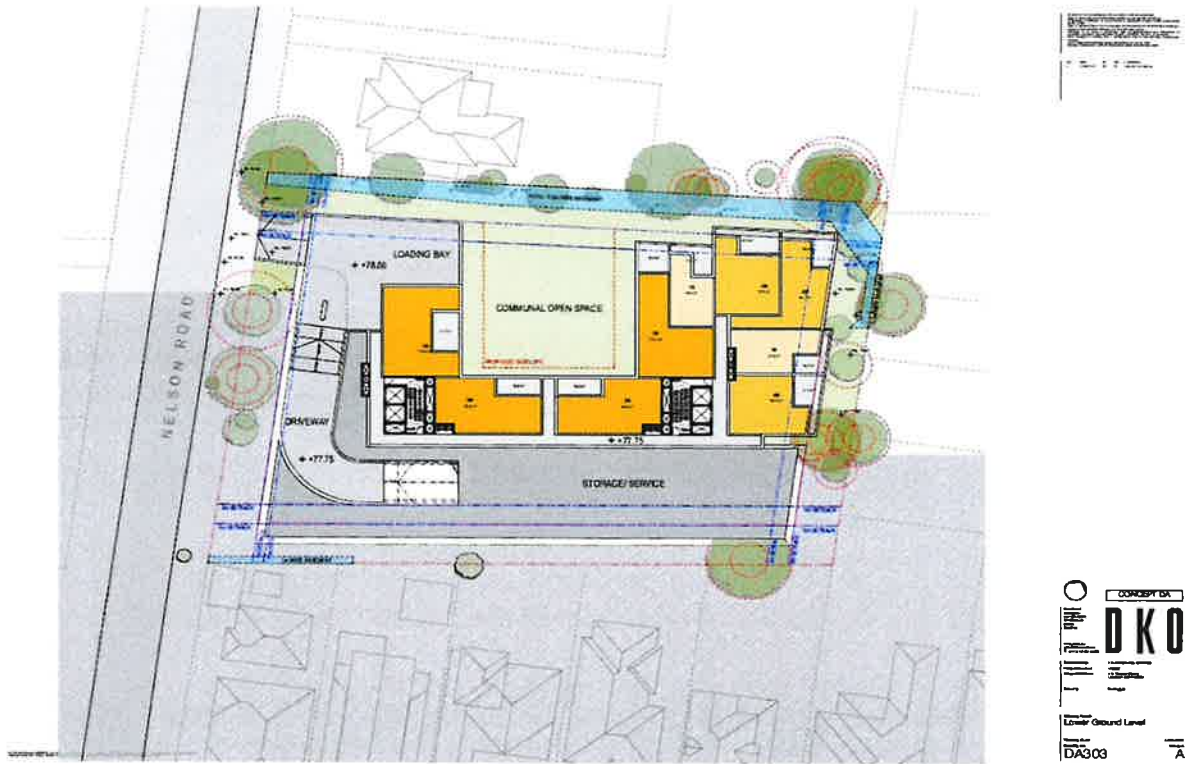
Environ Ecological
ESP 2020 03-120 - BDUK V01 0 - 30r 2020



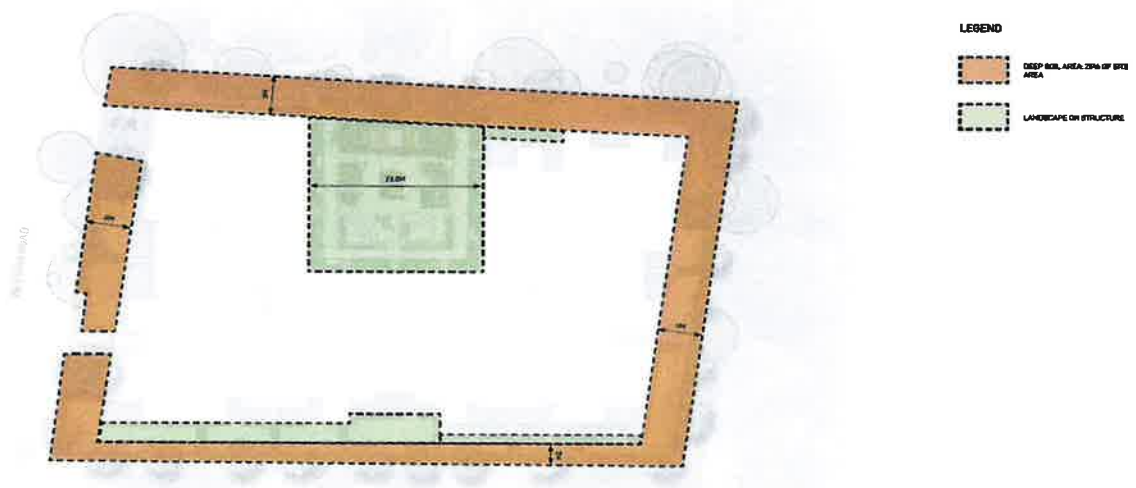
- Removal of mature trees and native vegetation, including a critically endangered Sydney Turpentine, will destroy wildlife habitat.



Remnant Turpentine Ironbark tree in 5 Nelson Road property

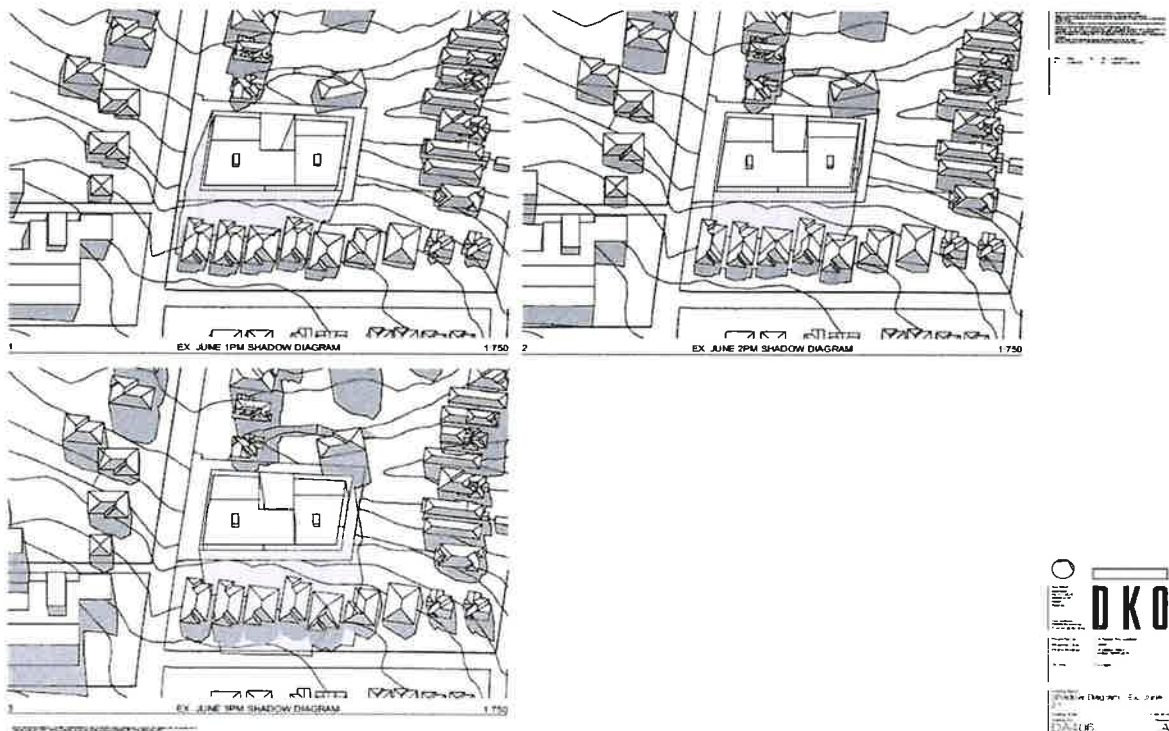
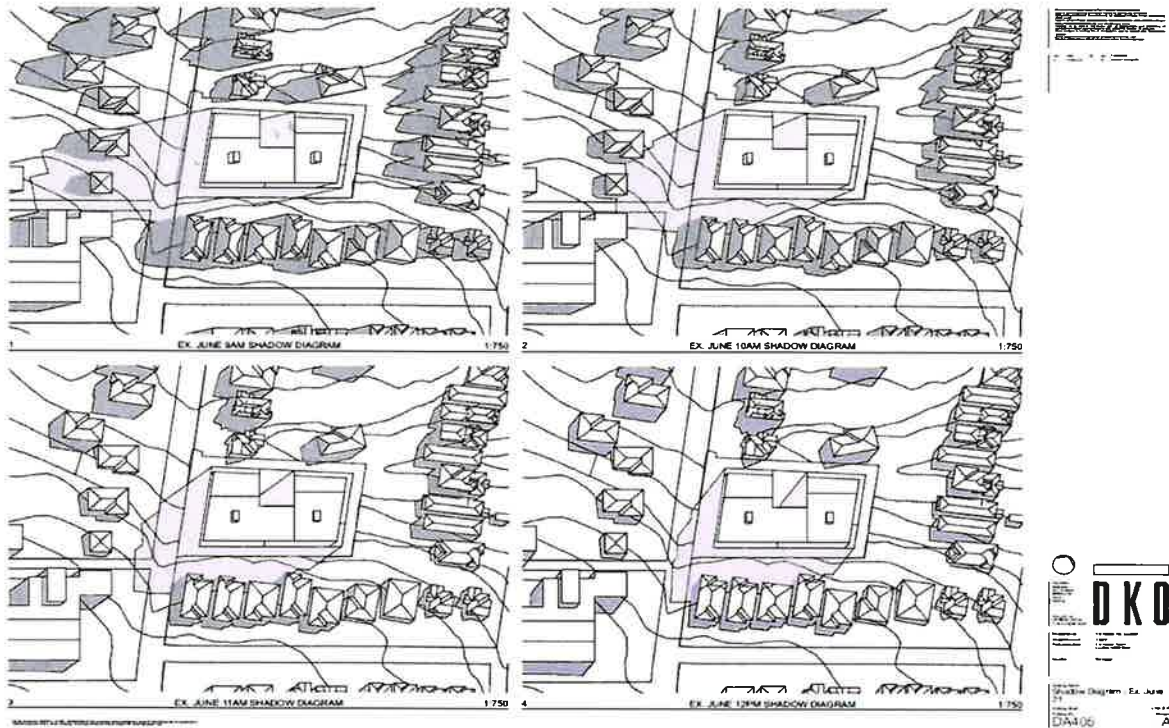


DEEP SOIL DIAGRAM

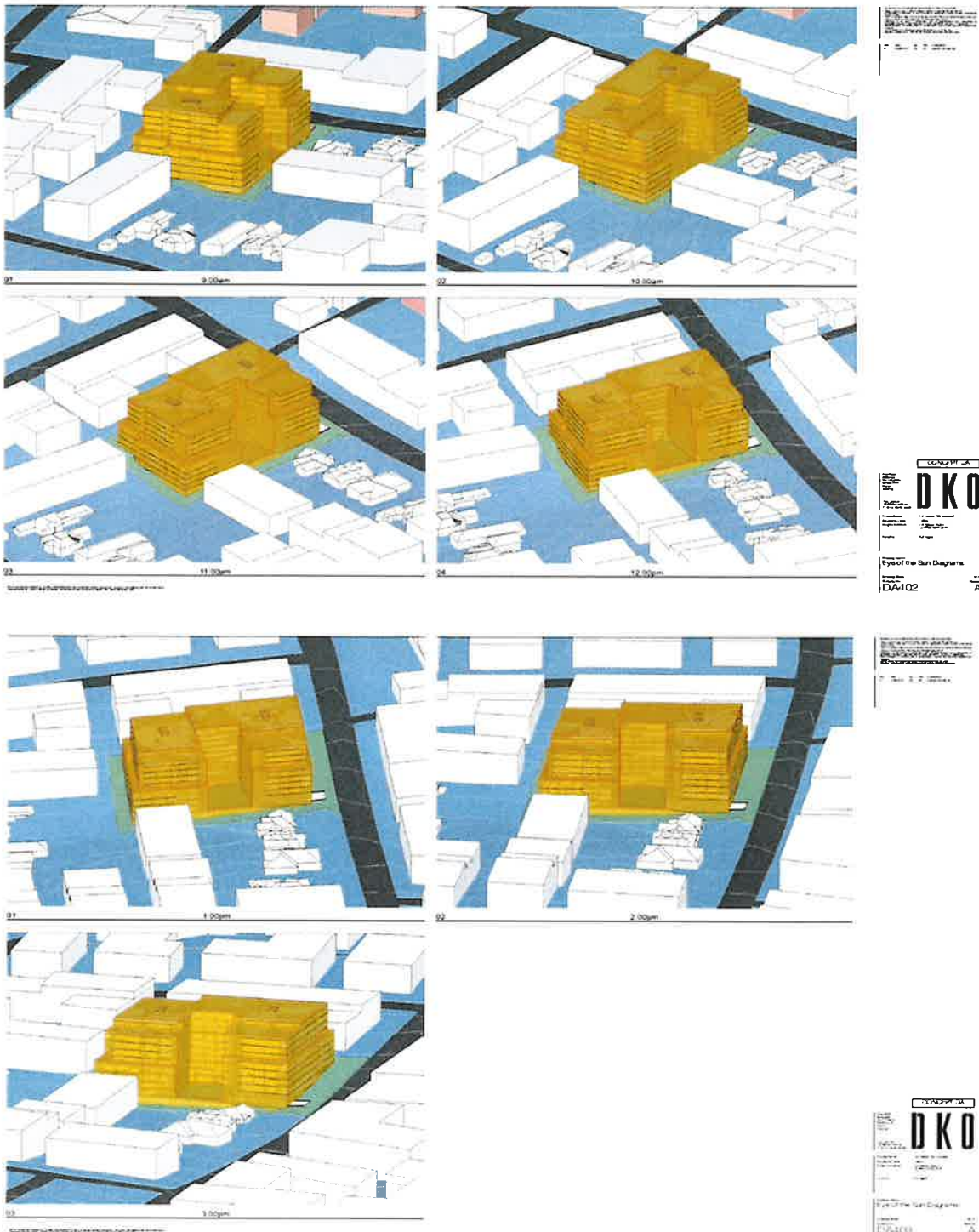


- Deep soil provision is below ADG guidance; biodiversity impacts are inadequately mitigated.
- Riparian land assessment is incomplete; local ecological impacts on adjoining waterways are ignored.

6. Solar Access and Privacy



- Shadow diagrams indicate significant overshadowing of Nelson Rd, Tryon Rd, and Cromehurst School playground.
- Privacy impacts likely for Lightcliff Ave properties; no screening measures are proposed.



7. Traffic, Social, and Infrastructure Impacts

- Transport assessment omits nearby SSD (79276958), and a number of other large SSD's by Landmark itself, likely underestimating traffic congestion and parking impacts.
- Social infrastructure claims are unsubstantiated, relying on speculative TOD growth rather than verified capacity.

8. Heritage and Design Quality

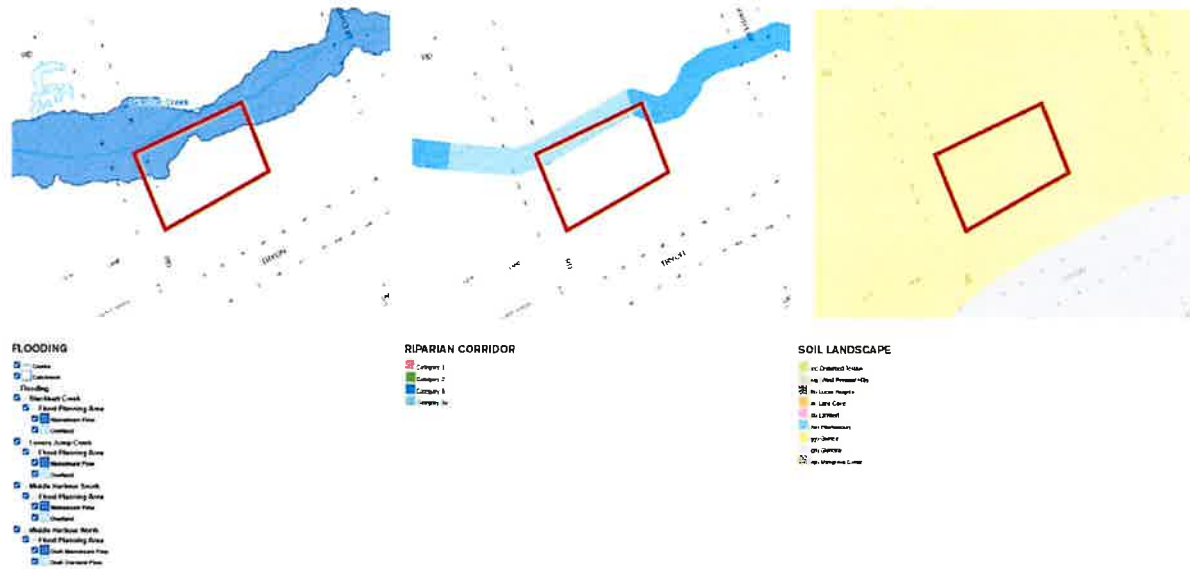


- Envelope-level heritage analysis is insufficient; materials, articulation, setbacks, and design quality remain unconfirmed.
- The site lies within the Crown Blocks HCA and is adjacent to several heritage items (9 & 15 Nelson Rd, 6–8 Lightcliff Ave, Tyron Rd Uniting Church).



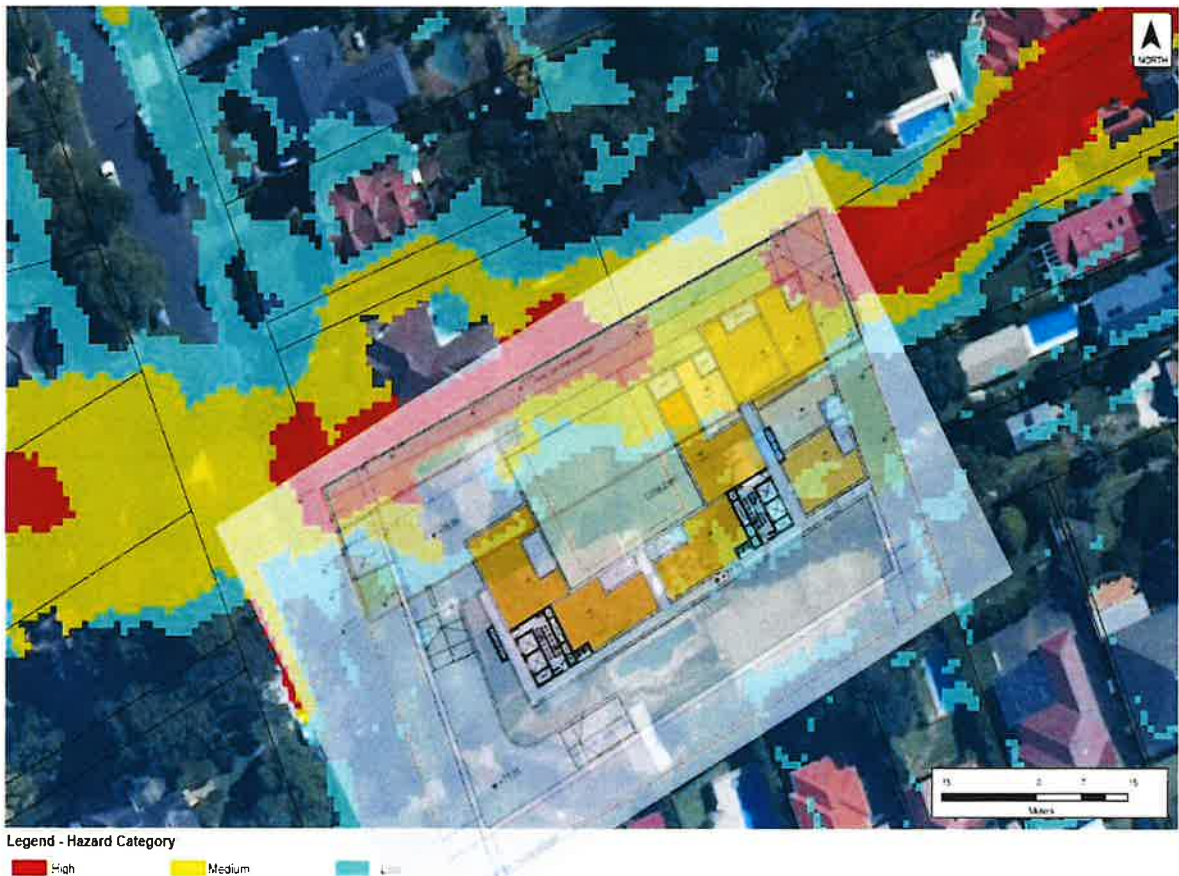
- Lack of detailed design prevents proper assessment of noise, landscape, ESD, flood risk, and biodiversity impacts. Approval is therefore premature.

9. Flood Risk



- Site subject to overland flooding; no demonstrated mitigation, evacuation, or basement resilience measures exist.

1% AEP Provisional Flood Hazard Categories on the subject lot: 5 Nelson Road LINDFIELD NSW 2070

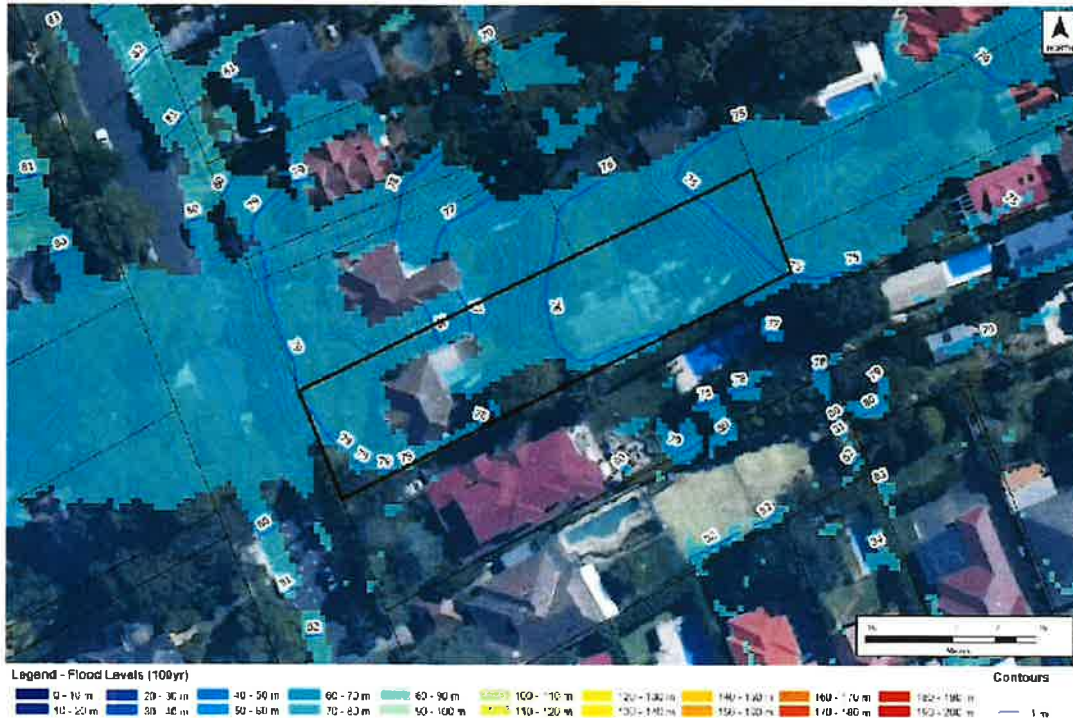


Minimum Habitable Floor Level Contours (m AHD) on the subject lot: 5 Nelson Road LINDFIELD NSW 2070



City Ref: 5 Nelson Road, Lindfield

1% AEP Flood Level Contours (m AHD) on the subject lot: 5 Nelson Road LINDFIELD NSW 2070



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Conclusion

The proposal:

- Lies outside the preferred TOD zone.
- Disregards heritage, environmental, and transition considerations.
- Is unnecessary for meeting Lindfield housing targets.
- Sits beyond a road interface and adjoins back fences = poor planning !
- Does not provide detailed designs nor complete reviews and therefore fails the critical SEARS application itself

Approval would:

- Undermine Council's Alternate TOD Scenario and heritage protections.
- Introduce excessive building mass incompatible with surrounding streetscape.
- Cause irreversible biodiversity, heritage, and amenity impacts.

Minimum Requirements Before Approval

- Strict adherence to mapped TOD boundaries.
- Comprehensive site-specific riparian assessment.
- Heritage-sensitive design resolving bulk, height, and interface impacts.
- Complete SEARS reviews to be completed and reviewed

The proposal, in its current form, conflicts with Housing SEPP, ADG, KLEP, Ku-ring-gai DCP heritage provisions, and the Crown Blocks HCA controls.

It fails to respect streetscape, heritage, environmental, and policy requirements.

Approval should be refused in its entirety.

Yours sincerely

A handwritten signature in black ink, appearing to be 'M. H. ...', with a long horizontal flourish extending to the right.

Resident
Middle Harbour Road
Lindfield