

Submission re: State Significant Development SSD- 81890707

10, 14 & 14A Stanhope Road, Killara

I object to SSD-81890707 which proposes to undertake the demolition of existing residential dwellings on the site and the construction of part 3 storey to part 10 storey residential flat buildings with infill affordable housing and associated works on the following basis:

1. The proposal remains excessive in height, bulk and scale for this location causing adverse environmental impacts

This proposed development, even with the modifications, is still unacceptably excessive in height, bulk and scale for this particular location.

It must be noted that under the recently approved and now legally in-force Ku-ring-gai planning controls, this section of Stanhope Road will remain low-scale to respect its existing heritage and street character. The new applicable controls limit development to approximately: 9.5 metres in height, and residential low density.

This proposal even in its modified form far exceeds the new controls. The modified proposal is not a small variation - it completely ignores the planning framework that now applies to this area and is therefore unacceptable.

The amended shadow analysis reported by the applicant confirms that all surrounding residential properties, including 6, 6A, 8 and 12 Stanhope Road, “will only receive at least two hours of direct sunlight between 9 am and 3 pm mid-winter and that the rear yard at 12 Stanhope Road, will only receive full sunlight between 10 am–12 pm and at 2 pm, with only minor overshadowing at 1 pm”. The applicant claims this “represents an improvement from the previous scheme, which resulted in greater shadowing across adjoining properties”. **This is not acceptable.**

I strongly object to the developer’s statement that it is a “suitable outcome” that “65.2% of AH units will receive a minimum of 2 hours of sunlight between 9am and 3pm”. It is not a suitable outcome that there is **no direct solar access therefore for 35% of the new apartments:** “15 units receiving no sunlight (21st June)”.

Limiting solar access to only 2 hours especially in mid-winter is totally NOT acceptable and will **cause unnecessary hardship** to the residents by increasing the need to utilise more man-made energy for heating in the cold, dark winter months. **Very few plants can be grown successfully in only 2 hours of full sunlight.** Disruption of solar access should be carefully managed and the design of the proposed apartment building should be further modified to allow a more sustainable design which would give more solar access to the existing and future residents.

It is also not acceptable that natural cross ventilation is only available to 43.5% of the Affordable Housing units. The developer acknowledges that this figure “is below the ADG

requirement of a minimum 60% of units". This means the lowest income residents will be forced to rely on mechanical forms of ventilation which will result in higher energy bills and less residential amenity to the residents who are most vulnerable in the community.

2. Heritage impacts have not been properly addressed

The site is located in a heritage-sensitive streetscape and is next to several locally listed heritage properties, including 12 Stanhope Road.

The developer supplied Heritage Impact Statement (HIS) does not adequately assess the following issues:

- the impact of a large 10-storey building *directly behind* the heritage house at 12 Stanhope Road which due to the height and bulk proposed will dominate, overshadow and visually overwhelm that heritage property
- loss of the existing historic scale and character of Stanhope Road. Destroys the intactness of the Heritage Conservation Area (HCA).

Simply retaining a heritage house in place without respecting its current setting and curtilage characteristics contravenes NSW heritage objectives: *"Retaining an appropriate area of land, or curtilage, around a heritage item can be integral and essential to retaining and interpreting its significance"*

It must be acknowledged that the existing curtilage may also contain other structures such as gardens and other significant features, including walls, fences, driveways or tennis courts, all of which contribute to the heritage significance of the property.

The heritage significance of 12 Stanhope Rd and the neighbouring existing dwellings are derived from their contribution to the existence of a group/ cluster of similar buildings. NSW Heritage states that *"the curtilage is based on the perimeter of the whole precinct, not individual lot boundaries. A curtilage should contain evidence of any cultural associations as well as providing a visual and aesthetic context for the item"*.

. Having such a large development directly adjacent will cause severe negative heritage impacts to the existing heritage items.

This modified proposal still does not maintain and respect the HCA and surrounding heritage items adequately. The heritage impact issues are still not adequately addressed by this proposal.

3. Inadequate landscaping and screening considerations – environment/sustainability

The applicant is relying heavily on landscaping, setbacks and visual screening as an acceptable compensation mechanism for negative impacts on the various heritage issues.

However, planting of trees along a boundary of a tall building does not adequately compensate for loss of setting or negative impacts to the heritage items or street character.

The excessive bulk, scale and height of the proposed buildings will permanently change the scale, setting and character of a heritage area, even if parts of them are visually screened.

The proposed tall tree plantings on the southern boundary may also cause future issues by reducing solar access to the dwellings immediately adjacent. The tall trees will also impact on solar access to the apartments located on the southern side of the proposed development.

4. Proximity to public transport does not make this site suitable

This application assumes the site is suitable simply because it is close to Killara Station. This rationale does not justify causing harm to the existing heritage streetscape and area character.

This application ignores the real issue of whether a development of this height and density is suitable in a heritage conservation area with surrounding low-scale homes. **It is not suitable within a HCA.**

5. The proposal is inconsistent with the current planning framework

Ku-ring-gai Council's current planning framework ensures protection of heritage conservation areas such as Stanhope Road. The desired future character of the area is to protect the HCA by not permitting this type of development proposed at this site. This development is not supportive of the existing or desired future character and therefore directly contravenes these objectives and should not be supported.

The proposed development is located within a relevant residential zone being with the R2 Low Density Residential zone, as defined in Section 151.

6. Traffic impacts not adequately analysed

While the applicant has stated that "mitigation measures are recommended" especially the issues at the Pacific Highway intersection, they acknowledge that these are "the responsibility of the highway authority". This is unacceptable and given this development is being proposed as a State Significant one with public benefits, the applicant must be required to initiate or fund the mitigation measures outlined as a Condition of Consent.

It should also be noted that Stanhope Road is narrow with a high volume of car movements especially entering from the Pacific Highway. Residents report numerous accidents. The most recent occurred prior to Christmas Day 2025- a number of vehicles parked on the street outside the area of 2-6 Stanhope Rd had their passenger side panels severely damaged by a vehicle which lost control.

The traffic incidents and issues reported by residents are not adequately addressed by the applicant and needs further analysis.

7. Inadequate public benefit

This proposal seeks the full 30% height bonus, for provision of affordable housing purposes, however, **the number of affordable units in the modified plans has decreased** from 26 to just 23 units. However, **the affordable housing component is also for only a limited time** period of 15 years and **only 2% will remain in perpetuity.**

What consideration is given the residents of the “affordable” apartments once the period of 15 years expires?

The number of objections also exceeds support:

Of the combined total of submissions (inclusive of public and agency) received:

- *208 submissions (96%) objected to the proposal.*
- *3 submission (1%) supporting the proposal.*
- *7 submission/advice were provided by agency/council (3%).*

The lack of support demonstrates that this proposal, even with modifications, is not in the public interest.

8. Conclusion

This proposal is excessive in height, bulk and scale for the site and ignores the harmful impacts on the Stanhope Road Heritage Conservation context and in particular ignores the harm to adjacent heritage properties - in particular 12 Stanhope Road.

It is poorly assessed in terms of heritage impact and inconsistent with the planning controls that now apply.

The environmental impacts of this proposal are not acceptable. The design needs further modifications to ensure it does not cause hardships to surrounding dwellings and their residents as well as hardships to the proposed new residents of the apartments. Energy efficiency should be more closely addressed to ensure the proposed development will have less impact on the environment overall.

The rationale for height exceedance is poor as outlined above - therefore the height exceedance is not acceptable and should not be permitted - especially given there has been a reduction in the number of affordable housing apartments to only 23 apartments overall.

The proposed development even with modifications is still not suitable for this site. It is not in the public interest and should therefore be refused.

13 January 2026