
Sarah Watson
16 Park Avenue
Gordon, NSW 2072

Minister for Planning & Public Spaces
SSD - 78775458 (CPDM Pty Ltd: 3-9 Park Avenue, Gordon)
4 Parramatta Square, 12 Darcy Street
Parramatta
NSW 2150

16 May 2025

STRONG OBJECTION TO CPDM DEVELOPMENT PROPOSAL: 3-9 PARK AVENUE, GORDON

Dear Minister,

I would like to express my strong objection to the proposed development by CPDM (Developer) at 3-9 Park Ave Gordon (SSD - 78775458).

The exhibition documents outline a proposal which is disingenuous, highlighting the Developer's prioritisation of profit over protecting, respecting, and preserving the existing heritage value and significance of the Gordon area, together with the well-being of our community.

The report is littered with erroneous statements, misleading, and unsupported generalisations, as explicitly documented within this submission. A 31-metre-high jarring structure immediately opposite and adjacent heritage homes, and the Gordondale Heritage Conservation Area (HCA) will not "seamlessly" integrate or value the heritage of the area.

This proposal is an opportunistic attempt to exploit affordable in-fill housing and Transport Orientated Development (TOD) planning legislation to have a basic set of excessive and overbearing high-rise apartments fast-tracked for approval. As evident from the Developer's application, all areas of design have been manipulated to maximise density, aimed at emotionally targeting the Government's housing supply and affordability angle as the imperative for approving this development.

Offering 31 affordable housing units is a negligible contribution, and at a minimum price of \$2 million (as confirmed by the Developer¹), roughly 70% of these apartments will remain unaffordable, given Sydney's average pre-tax income of ~\$83,000².

We must avoid a narrow perspective and give due consideration to what truly merits a form of development that is genuinely responsive to the site's location close to public transport, that provides a considered level of affordability and is specifically responsive to the surrounding heritage homes and HCA, which this proposal disregards. As recently noted by NSW Heritage Minister Penny Sharpe, NSW has "never had a strategy to recognise, protect, and enhance heritage"³. The time is now!

Below provides a summary of the key issues pertaining to this proposal:

- × **Excessive Height:** At a height of 9 storeys (over 30 metres), this will be the tallest structure on the East side of Gordon, with a disproportionate and overbearing impact on surrounding heritage properties and the Gordondale HCA, including inappropriate transition in built form, destroying sightlines, and obliterating the privacy of numerous residences adjacent and proximate to the site.

¹ Confirmed by CPDM during online briefing held on 18 March 2025.

² Google.

³ Revealed: The plan to protect Sydney's heritage buildings, Julie Power, SMH, 18 May 2025.

- × **Poor-Quality Design:** The design reflects a poorly designed box type structure, unsympathetic to the surrounding local heritage context and streetscape, with a focus on maximising density. What is proposed is an abrupt and jarring interface between high-rise apartment blocks and existing low-rise heritage dwellings, with no consideration for visual harmony, privacy, or heritage cohesion.
- × **Ignores Heritage Significance and Value of Existing Location:** The proposal fails to have proper regard to its impact on the existing heritage value and significance of the area (being one of the earliest settlements in Ku-ring-gai dating back to the 1830s), including heritage-listed properties pre-dating Gordon Train Station immediately opposite the site. The NSW Heritage Manual⁴ and case law⁵ explicitly requires context, streetscape, and visual setting as essential considerations for proposed development. This has been further reinforced by the Community as part of Ku-ring-gai Council's recent survey⁶ advocating for stronger heritage preservation and protection measures (refer Appendix 1).
- × **Inconsistent with Ku-ring-gai Council's Alternative Preferred Scenario:** The proposal blatantly ignores key planning principles and is inconsistent with Council's Alternative Preferred Scenario, determined following extensive consultation with the Community, which the Developer acknowledges would more "appropriately manage local character and transitions in scale".
- × **Selectively ignores critical Community feedback and inaccurately assesses Social Impact:** Critical community concerns regarding the incompatibility of the development with the adjacent and surrounding heritage sites and HCA have been strategically ignored (refer Appendix 2). In addition, the Social Impact review underrates the negative effect on the Community and excludes critical assessments from its evaluation (e.g. Visual Impact assessment from neighbouring dwellings).
- × **Traffic Overload:** With 100 apartments in this single development, this development together with others to come, will only worsen an existing traffic choke point entering the Pacific Highway from Park Avenue (refer Appendix 3), and related safety issues within the area. This has been further reinforced by the Community as part of Ku-ring-gai Council's recent survey⁷ (refer Appendix 4).
- × **Devastating Tree canopy and Wildlife impact:** This development alone will involve the destruction of over 35 trees, impacting the natural landscape and destruction of the habitats of native species such as Kookaburras, Rosellas, Galahs, and Echidnas.
- × **No Community Benefits:** This project offers nothing to the existing community, instead, it only serves to destroy Gordon's heritage and natural environment.

This submission is structured as follows:

#	Section	Overview
1.	Inaccuracies within Exhibition Documentation	<ul style="list-style-type: none"> This section summaries key assessment areas inappropriately reviewed and concluded as part of the Development Application
2.	Direct negative implications of the proposal on my heritage listed residence at 16 Park Avenue, Gordon	<ul style="list-style-type: none"> This section provides an overview of the detrimental social impact this proposal will inflict to my heritage listed property and young family immediately opposite the proposed development

⁴ NSW Heritage Manuel (pages 4 and 7).

⁵ Scott v Woollahra Council [2017] NSWLEC 81, which upheld that visual relationships and setting between heritage items are material to their ongoing value.
 Millers Point Community Assoc Inc v Property NSW [2015] NSWLEC51, which found that the social and environmental context of heritage items was critical to their assessed significance.

⁶ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

⁷ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

These sections provide strong evidence which illustrates the proposal as it stands is disingenuous, flawed, and unethically biased in favour of the Developer.

Section 1. Inaccuracies within Exhibition Documentation

Section	Page refs	Comment
Summary	3, 8 (EIS)	<ul style="list-style-type: none"> The proposal fails to adequately address the detrimental impact on the heritage value and significance of the area. It makes comments with respect to heritage impacts on detached homes immediately adjacent the site, however, fails to adequately consider the impact of the development on heritage listed homes and the Gordondale HCA immediately opposite the site For example, page 8 (EIS) fails to note in the 'Local Context' that North of the site there are several significant heritage properties dating back to the 19th century, representing some of the earliest subdivisions in the Ku-ring-gai Municipality
Design	3, 33 (EIS)	<ul style="list-style-type: none"> Page 3 (EIS) claims justification of the project due its "considered design" ...which is "sensitive to its existing context" The design represents bird-cage like structures reminiscent of 1970s style architecture, with box-like elements clearly assembled to maximise density and Developer's profit A built form, at over 30 metres on a prominent ridgeline cannot be considered "sensitive" when it will significantly impact sight-lines and privacy across this section of the Gordon precinct What is proposed results in an abrupt and poorly planned interface between high-rise apartment blocks and existing low-residential heritage dwellings, with no consideration for visual harmony, privacy, or heritage cohesion Claims of "heritage" features within the design are a tokenistic attempt at meeting design standards for fast-tracked approval (e.g. dark bricks and vegetation) Further, claims with reference to design appear to be AI generated, with generalisations that lack clarity, are unsupportable, and grossly exaggerated (refer below) As evidenced by page 33 (EIS): <i>"The podium has been designed to maintain a scale and vertical rhythm that responds to the surrounding houses and prevailing street tree canopy, while the tower above is articulated with varied materials and detailing to establish a distinct vertical expression"</i>
Density over design	11, 12, 33 (EIS)	<ul style="list-style-type: none"> The Developer's application demonstrates that all design aspects have been manipulated to maximise the project's scale and in turn, profitability, at the expense of quality design outcomes in the site's context As noted on page 12 (EIS), Council's preference for a tapered height outcome reflects a more appropriate "desire to manage local character and transitions in scale". However as noted by Urbis, this would mean it could not accommodate the same level of development and would "fall short of optimising the site's potential" and the Developer's profit The proposal includes a breach of height limits (page 33 (EIS)) and only generally complies with setbacks (page 11 (EIS)), further demonstrating a blatant disregard to the impact of the proposed structure on the local heritage setting and its significance, to ensure that a genuine transitional outcome between the development site and the surrounding context is achieved
Visual privacy	34, 41, 43 (EIS)	<ul style="list-style-type: none"> Page 34 (EIS) claims the proposal "carefully addresses" visual privacy. This is blatantly inaccurate and fails to address privacy concerns of residents immediately opposite the site, strategically ignoring this key interface, where, despite the separation of the

		<p>roadway, will result in direct overlooking into these properties at an extensive scale</p> <ul style="list-style-type: none"> • The privacy of my young family is set to be obliterated, with floor to ceiling windows and a disproportionate structure visible from multiple bedrooms (both adult / children) / bathrooms / living areas / front garden / back-garden • This lack of adequate assessment and due consideration is further evident from the 'Visual impact' review on page 41 (EIS) whereby it is claimed the development has 'low-medium' visual impacts, yet: <ul style="list-style-type: none"> – Excludes photomontage of the proposal taken from heritage listed properties directly opposite the proposal which would have 'high impacts'; – As noted on page 43 (EIS), the quantum of the impact on neighbouring dwellings likely to be affected by visual change from the proposal has not been tested • This is a fundamental consideration and must be assessed to properly evaluate the impact of this development on the context of the local area, including its heritage value and significance • The conclusion by Urbis that the proposal can be supported on visual grounds is therefore inaccurate, unsupportable, and could not be determined by the consent authority until such time as the relevant information is provided by the Applicant, having regard to section 4.15 of the Environmental Planning and Assessment Act 1979
Social impact	52, 53, 54, 55 (EIS)	<ul style="list-style-type: none"> • The subjective 'Low Negative' rating assigned to 'Community - Changed sense of place related to change in density and character' is flawed as noted on page 52 (EIS) • This proposal is set to dramatically alter the sense of community and heritage character of the suburb, having lasting implications on future generations • This development will drastically alter the current visual landscape and Gordon's local character. Communal courtyards, vegetation, and setbacks are basic design principles applicable to all apartment developments and must not be used as a criteria for rating application • Furthermore, there is an error in the reporting noting 'Medium Negative' rating to 'Surroundings - Visual impacts, overshadowing and privacy reduction for surrounding dwellings' per page 53 (EIS). This section only selectively addresses 'mitigation' measures for 2 Park Lane and fails to address privacy implications of other properties immediately adjacent and opposite the proposal • Per the 'Visual privacy' section above, my family's privacy will be obliterated by this development, yet this isn't assessed as part of the report. Rather, it is focused on one adjacent property only and selectively concludes with a rating which is in error to the summary position stated on the page (i.e. 'Medium Negative' in the headline vs 'Low Negative' in the commentary). This lack of attention to detail is a further example of the flawed analysis contained within the EIS assessment, undermining the overall accuracy and integrity of the application • The 'Low Negative' rating assigned to 'Visual impact of loss of heritage value' per page 53 (EIS) is factually inaccurate. An abrupt jarring 31 metre tall structure in place of low-lying residential homes cannot have a 'minimal magnitude'. From detailed discussions with several local Real Estate agents, our heritage-listed home immediately opposite this proposal is subject to significant devaluation in the magnitude of several millions of

		<p>dollars should this proposal be approved in its current form. Clearly this cannot be evaluated as having 'minimal magnitude'</p> <ul style="list-style-type: none"> • Page 54 (EIS) indicates the changes to Gordon's local character "will likely be most pronounced for long-term residents". We only purchased our heritage listed property opposite this proposed development 18 months ago with all aspects of our lifestyle set to be severely impacted should this be approved, which is a significant social impact • I also note the 'Mitigation Measures' on page 55 (EIS) demonstrate a lack of willingness to engage with neighbouring residents to incorporate key areas of concern, with only minor offers of support noted (e.g. window tinting and landscaping)
Traffic impacts	11 (EIS)	<ul style="list-style-type: none"> • Page 11 (EIS) concludes that vehicle movements from the proposal would not 'significantly affect the capacity or service levels of the existing road network' • This is disturbingly inaccurate and an independent peer review assessment is required. This proposal will only worsen an existing traffic choke and related safety issues entering the Pacific Highway from Park Avenue, along with the Park Avenue / Werona Avenue intersection (refer Appendix 3 which illustrates daily traffic congestion on Park Avenue and Werona Avenue, further to the East of the proposed development site (i.e. past 11 Park Avenue)) • Community feedback via Ku-ring-gai Council's recent survey also notes the traffic congestion and related safety issues around this area as a key concern, with 5 reported accidents in recent years on Park Avenue, with 3 classified as serious⁸ • Further, the photomontage of the road next to the structure appears visually larger in size and out of scale to create the illusion the road is wider than it is. There are also no double lines on the road past 11 Park Avenue to the West. I suggest these visual modifications to current state have been incorporated to diminish the perceived impact of the structure on the surrounding streetscape and road infrastructure
Community Engagement	26, 27 (EIS)	<ul style="list-style-type: none"> • Concerns regarding the impact of the proposal on the surrounding heritage properties and HCA have been <u>selectively excluded</u> from Section 3.1 'Community views'. Refer Appendix 2 which includes correspondence sent to Urbis on 18 March 2025, noting the incompatibility of the development with the adjacent and surrounding heritage sites and HCA, representative of the views of the local resident action group. The omission of these concerns again casts doubt on the overall integrity of the EIS assessment • This is further reinforced by community feedback from Ku-ring-gai Council's recent survey calling for stronger heritage protection measures and the importance of heritage preservation (refer Appendix 1)⁹ • Further, there is a likely error in the detail contained within Section 5.1 'Engagement carried out' on page 26 (EIS) where it states only 4 phone calls were received from the community • My immediate family members made at least 3 phone calls to Urbis. I'm also aware of many community members who attempted to engage with Urbis, however their engagement line went mostly unmanned
Heritage Assessment	HIS (entirety), EIS (page 67)	<ul style="list-style-type: none"> • Despite the HIS acknowledging Gordon as one of the earliest settlements in the area (dating back to 1835), the conclusion that the development is "acceptable" is based on generations and unsupportable justifications, with tokenistic design considerations used as the basis to support their conclusion (e.g. dark-bricks,

⁸ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

⁹ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

		<p>vegetation and a communal courtyard), which fail to properly acknowledge the sites rich heritage context and heritage significance</p> <ul style="list-style-type: none"> • The proposal is of a magnitude and scale which is entirely disproportionate, unsympathetic, and out of character to the surrounding heritage context, HCA, and existing neighbourhood • The inadequacy of this assessment is further reinforced on page 67 (EIS) where it states there is “no potential for the development to impact significant views” given the development is located on the opposite side of a road to the Gordondale HCA and most heritage items • This is ludicrous and disingenuous. Our entire visual landscape and that of the surrounding community will be visually dominated by this proposal, situated only ~10 metres directly opposite our heritage listed property (and others that are both listed and within a HCA), yet this has been selectively disregarded by the consultant as part of their assessment. Heritage considerations have focused solely on the adjacent locally listed heritage item only (i.e. 11 Park Avenue) and have strategically ignored the impact on heritage listed properties and the Gordondale HCA situated directly opposite the proposed development • Per above, community feedback from Ku-ring-gai Council’s recent survey calls for stronger heritage protection measures and the importance of heritage preservation (refer Appendix 1)¹⁰
Justification of the project	Section 7 (EIS)	<ul style="list-style-type: none"> • Section 7 of the report illustrates the Developer’s total disregard to community concerns and critical heritage considerations • The report is biased towards what it believes is the ‘future character’ of the area, having no regard to the elements that will not change, being an existing HCA and several heritage items, with their aesthetic significance and historical value to Ku-ring-gai and NSW • Community views are discounted and misrepresented, revealing an opportunistic attempt by the Developer to fast-track a poorly designed proposal under the guise of providing affordable housing near transport

Section 2. Direct negative implications on 16 Park Avenue, Gordon

After an eight-year search, we settled on the perfect heritage home located at 16 Park Avenue, Gordon, in December 2023 to raise our five young children. In recognition of the heritage values and significance of the area, we spent the past 12 months significantly restoring this home, not only for our benefit, but for the broader benefit of the community.

‘Kelven’, built 150-years-old with 19th-century bricks shipped from England as part of Ku-ring-gai’s earliest subdivisions, and the preserved character of the surrounding streets, were key factors in our decision.

Whilst we acknowledge the need for increased housing, the proposed high-density development opposite our home is unacceptable. It demonstrates a blatant disregard for the impact of development on existing heritage, the surrounding streetscape, and the substantial personal investment we have made in purchasing, restoring, and maintaining our property, which is subject to stringent heritage regulations.

We are beholden to the Council for approval for even minor changes such as paint colour, yet the State Government can now approve developments that will irrevocably alter the character of our neighbourhood and decimate the value of our home.

¹⁰ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

To say we've been let down by the State Government is an understatement. We're baffled how blanket planning legislation can be enacted which has scant regard to individual attributes of particular locations, including the historical significance and value of heritage dwellings in these areas.

Park Avenue, Gordon is about to be destroyed should CPDMs proposal be approved in its proposed form, with all claims they are recognising the heritage and conservation of the area being farcical.

We're now exposed to being surrounded and overshadowed by multiple multi-storey apartment towers which are disproportionate, unsympathetic, and completely out of context to the surrounding streetscape, heritage dwellings, and HCA, which the Government has made clear are to remain under all circumstances.

A suburb characterised by high-rise development is not what we were sold when we purchased this home 18 months ago.

My family's livelihood is set to be shattered, privacy obliterated, peace and tranquillity destroyed, along with extensive devaluation of our primary asset which we have worked tirelessly to afford and restore. From discussions with multiple Real Estate agents in the area, we are set to be devalued by millions of dollars from the current proposal should it proceed.

In terms of social impact, the daily stress and toll on my family's wellbeing is relentless. Each night I lie awake for hours pondering how I'm facing a situation which appears so undemocratic, unreasonable, and unjust for heritage owners who are preserving 'State significant' properties in a local context.

These are supposed to be my best years raising my five young children ranging from 1 - 11 years old, instead I face the daily stress of a short-sighted blanket approach to planning, which is set to destroy all facets of my family's livelihood for the next decade.

As per the State Government's website, any new development in a HCA **must improve and enhance**¹¹ the heritage values of those locations where development is proposed. How can this be ignored where a proposal is directly adjacent / opposite heritage properties and a HCA?

CPDM's proposal starkly illustrates a shift in the landscape. Developers now benefit from an expedited approval process. Conversely, heritage property owners face significant disadvantages, with their lifestyle concerns seemingly disregarded, despite their role in preserving assets of 'State significance'.

We didn't buy here 18 months ago to suffer a nightmare, disrespect and penalty, we are set to receive for investing in and preserving a piece of Sydney's history.

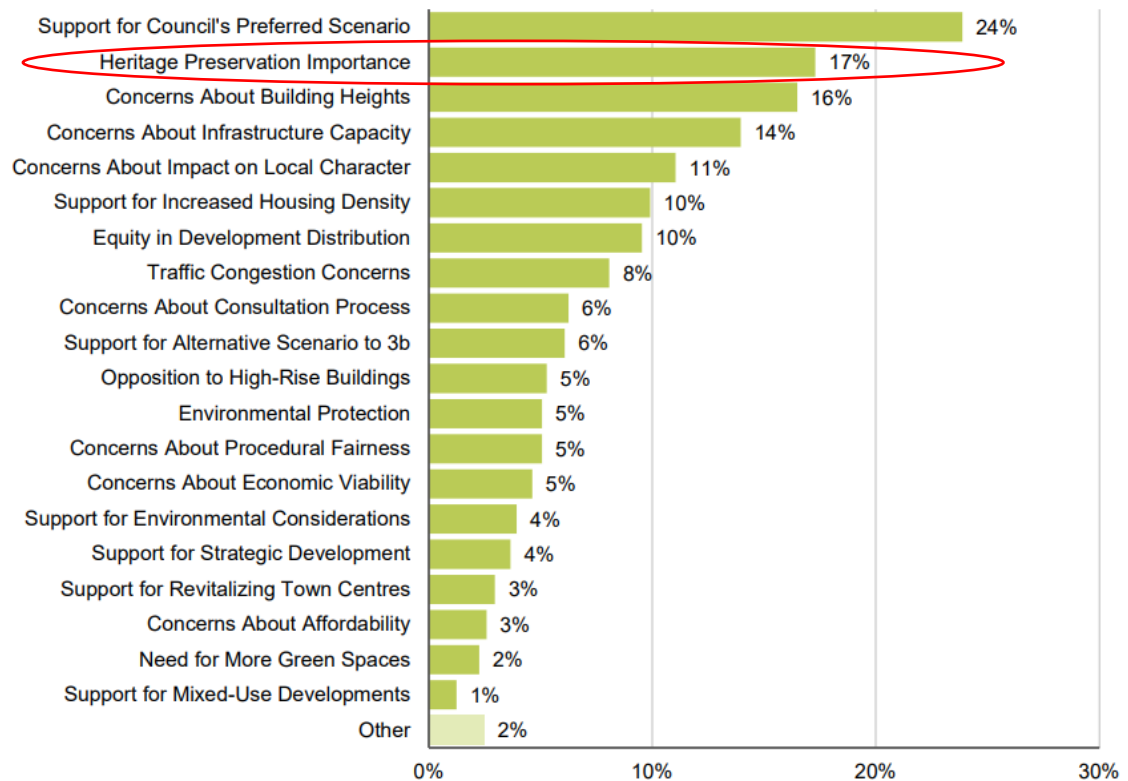
¹¹ <https://www.planning.nsw.gov.au/policy-and-legislation/housing/transport-oriented-development-program/transport-oriented-development/#-frequently-asked-questions-> (refer answer to question: 'Will the policy apply in heritage conservation areas?').

Appendix 1 - Extract from Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (refer Attachment 1 to Ku-ring-gah Council Agenda to Extraordinary Meeting to be held on Thursday, 22 May 2025)

Figure 2: Comments about Council's preferred scenario

Q4 PLEASE PROVIDE ANY GENERAL COMMENTS ABOUT THE PREFERRED SCENARIO HERE. (IF YOU HAVE COMMENTS ABOUT AN INDIVIDUAL PROPERTY OR LOCATION, THESE CAN BE PROVIDED IN THE NEXT SECTION)

BASE: N=1,856



Appendix 2 - Email sent to Urbis on 18 March 2025 regarding community concerns which have been selectively excluded from the assessment

Objection to proposed excessive and overbearing high-rise development at 3-9 Park Ave,
Gordon Inbox x

Sarah Watson <sarahjanewatson01@gmail.com>

Mar 18, 2025, 12:58 PM ☆ 😊 ↶ ⋮

to Urbis, councillors, bward, krg, sngai, ckay, martinsmith, kwheatley, mdevlin, ibalachandran, cspencer, jpettett, ataylor, davidson, bcc: Warren, bcc: Jeremy, bcc: simonrlelr ▼

To whom it may concern:

Together with the local resident action group, this email expresses the objection to the proposed 10-storey development at 3-9 Park Ave, Gordon, submitted by CPDM.

This proposal is **fundamentally flawed** and incompatible with the adjacent and surrounding cherished heritage sites and Heritage Conservation Area.

CPDM's eagerness to bypass Council and seek approval directly through the Housing Delivery Authority blatantly signals their prioritisation of profit over community well-being, with their stated "respect" for heritage lacking substance and detail, demonstrating a superficial approach to addressing genuine community concerns.

Their proposal includes numerous generalisations and non-specific benefits, which when challenged during the Community Webcast last Thursday evening, could not be detailed. At best their proposal appears to be an information brochure prepared using AI.

Further, the Developer's prioritisation of profit maximisation over community impact is evident in their pursuit of excessive density and disregard for heritage preservation, overshadowing, property devaluation, privacy, and community amenity.

A 31-metre structure on a ridge line, overlooking heritage homes, is **completely unacceptable**, with CPDM's scare tactics regarding potential future additional development cementing their utter lack of respect for the community.

As confirmed during the Community Webcast, your client is purely commercially motivated, with this development bringing long-lasting and detrimental impacts to the area, unfairly impacting neighbouring residents and undermining not only their historical significance and value, but also the unique character of Gordon.

This proposal is causing significant stress and anxiety for residents who stand to suffer significant financial loss as the value of their residence, which they worked tirelessly to acquire and maintain, is devalued if the development proceeds. Further, the quality of their lifestyle will also be devalued. A developer's profit **must not** be at the expense of current residents.

This proposal contains significant deficiencies and is incompatible with Ku-ring-gai Council's stated objectives of achieving the State Government's housing targets while simultaneously retaining the beauty and heritage of the North Shore.

Specifically, this development:

Disregards Heritage: The excessive height and proximity to heritage sites within a Heritage Conservation Area will irrevocably damage the historical character of the neighbourhood.

Severe Devaluation of Neighbouring Heritage Homes: As noted above, Local residents are set to suffer significant value destruction at the Developer's expense, on their major asset which they have worked tirelessly to acquire, maintain, and preserve for future generations.

Creates Overshadowing: The 10-storey structure will cast significant shadows on neighbouring properties and disrupt sightlines, with inadequate transition zones.

Reduces Residential Privacy: Floor to ceiling windows will ensure loss of privacy for residents within many kilometres of the development.

Destroys Trees and Wildlife Habitats: The removal of at least 50 established trees will negatively impact the natural landscape and displace native wildlife.

Exacerbates Traffic Congestion: The addition of over 100 apartments and the inclusion of 125 car spaces reflects significant additional traffic which will result from the development and worsen traffic congestion in the Gordon Station Werona Street area, and at the already strained intersection with the Pacific Highway.

Overloads Infrastructure: Local stormwater, transport (bus and train), and parking systems are already stretched and cannot accommodate this development's impact.

Causes Noise and Air Pollution: The extended construction period will subject residents to prolonged construction equipment, damaged and dirty roads, traffic congestion, parking issues, noise and air pollution associated with works expected to occur over a 6-day working week.

Offers No Community Benefits: The developer has confirmed no improvements to local amenities.

Alternative, under-utilized commercial sites along the Pacific Highway offer more suitable locations for high-density development without sacrificing the unique heritage and character of Gordon.

This opportunistic proposal **contradicts ongoing mediation between the Council and State Government** regarding sustainable development and **must be scrapped**. Should this proposal persist, we will be exploring other alternative courses of action.

Regards,
Sarah

Appendix 3 - Illustrative example of typical daily traffic choke-point on Park Avenue / Werona Avenue, Gordon intersection entering Pacific Highway



Appendix 4 - Extract from Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (refer Attachment 1 to Ku-ring-gah Council Agenda to Extraordinary Meeting to be held on Thursday, 22 May 2025)

6.7. OTHER CONCERNS

Summary

Some 517 respondents (26% of the total sample) noted other concerns. The largest of these – by a big margin – related to traffic congestion and related safety issues. These concerns came from residents among all suburbs and station proximities.

Figure 15: Other concerns (top 10)

