

Ms Kiersten Fishburn  
 Secretary  
 NSW Department of Planning, Housing and Infrastructure  
 Submitted via the NSW Major Projects Portal

28 May 2025

Dear Ms Fishburn,

**Re: Submission [2-8 Highgate Road, Lindfield \(SSD-78493518\)](#)**

Thank you for the opportunity to provide feedback on the State Significant Development Application proposal at 2-8 Highgate Road, Lindfield (SSD-78493518).

Friends of Ku-ring-gai Environment (FOKE) have been strong advocates for the protection of Ku-ring-gai's neighbourhood character, environment, heritage and liveability for the past 30 years.

FOKE wishes to express its objection to the proposed development for the following reasons:

**Statutory Context**

The proponent has not taken into consideration mandatory statutory considerations which the consent authority is obligated to consider when assessing and determining DA's, including:

- Ku-ring-gai Council' LEP 2015 and DCP, as required under Section 4.15 of the EPAct 1979.
- The Apartment Design Guide
- The SEPP Housing Guide 2021

Nor does it comply with ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 1.3 Objects of Act a) (b), (c), (d), (e), (f), (g), (h), (i), (j).

**Design Quality**

The proposal at 2-8 Highgate Road, Lindfield:

- is too high, too big, too bulky, too out of scale and too close to neighbouring streets and will negatively impact on neighbouring residents' interface, privacy, solar access, amenity and views.
- fails to demonstrate a high level of environmental amenity for any surrounding residential or other sensitive land use.

**Built Form and Urban Design**

It will deliver a building that grossly exceeds other building in the Lindfield area both in height, scale and bulk. The building will:

- dominate the R2 zone dwellings across the road in Highgate Road.
- will negatively impact neighbouring residents' privacy, solar access, amenity and views.
- dominate rather than provide a transition to adjacent lower zoning adjacent to it, including the R4 buildings to the south, closer to the town centre.
- Overshadow adjacent buildings and communal space at 1-3 Reid Street and 2-4 Woodside has not been considered.

- the proposal is incompatible with the neighbouring heritage conservation area and will have a negative impact on the proposed nine-storey will have a negative impact on Blenheim Road Heritage Conservation Area and Wolseley Road Heritage Conservation Area and Heritage items including:
  - 12 Blenheim Road
  - 11 Blenheim Road
  - 15 Blenheim Road
  - 19 Blenheim Road 'Lochinvar'
  - 22 Kenilworth Road
  - 23 Treatts Road
  - 42 Nelson Road, 'Fieldhead'
  - 44 Nelson Road
  - 45 Treatts Road
  - 47 Treatts Road 'Coromandel'
  - 50 Nelson Road
- The proposal fails to acknowledge that the loss of trees and 'greenery' will destroy the unique environmental heritage of Lindfield

### **Objection to Clause Section 4.6 Variation**

Due to the excessive height proposed and the slope of the land, with good design, it is reasonable to expect that the proposal comply with height limits.

### **Communal space and deep soil landscaping**

The location of the communal open space on the ground floor will be impacted by overshadowing and not provide a quality area for future residents.

The provision of open deep soil landscaping in the proposal is inadequate. A roof top garden on the 8<sup>th</sup> floor is not commensurate with deep soil landscaping.

### **Stormwater and Development Engineering**

The proposal acknowledges the issue of overland water flow but measures to control this must be included in documentation before assessment of the proposal. As Ku-ring-gai council is subject to some of the heaviest rainfalls and with increased hard surfaces due to increased built upon areas and decreased requirements for open green spaces, water flow studies are imperative.

### **Ecology**

The arborist report on page 7/28 identifies 6 significant trees that must be replaced. This must be addressed in the EIS and included in Landscape plans.

21.5% of the site is proposed with deep soil landscaping which is inadequate for deep soil landscaping.

### **Solar Access**

It is unacceptable that 29% of apartments will have less than two hours of solar access in midwinter and that 38% of the apartments will not achieve cross ventilation. Cynically one can assume these units will be the "affordable units".

### **Traffic**

The projected change in traffic generation potential of the site will have major negative implications on the road network, road capacity, vehicular access and street parking/loading, particularly as it is so close to two traffic 'pinch points' along Lindfield Avenue - a roundabout almost on top of the junction where two lanes of cars queue to enter and one lane of cars exits the Pacific Highway via a tunnel under the railway line while others can only 'snake past' cars vying for parking, outside IGA/Harris Farm.

Already there is insufficient street parking in the area, particularly along Lindfield Avenue, Tryon Road, Havilah Road, and Woodside Avenue. The proposed development will compound and entrench the unavailability of street parking.

The additional traffic generated from the proposed development will create danger for drivers and particularly pedestrians who need to cross Lindfield Avenue to walk to the railway station and the Pacific Highway. It will also endanger the safety of its occupants and neighbouring residents, particularly during emergency events, when emergency vehicles (ambulances, fire engines, police) may be required to assist them but may not be able to reach them to provide lifesaving services. Traffic constantly banks up on Lindfield Avenue at the entry and exit from the railway tunnel to and from the Pacific Highway.

### **Views**

The proposal fails to acknowledge that it will lead to the loss of trees and 'greenery' and destroy this unique environmental heritage from Lindfield, which has been characterised by the 'natural' dominating the 'built' form. As such the proposal will have a severely negative and irreversible impact on Lindfield's character, heritage and environment. The existing birds and wildlife cannot survive without trees.

### **Trees and Landscaping**

21.5% of the site is proposed with deep soil landscaping. This is insufficient for tall tree plantings to screen the 9 storey building. Therefore, the landscape plan is insufficient and inadequate.

The applicant does not provide solutions to the design to retain the tree of high significance that is proposed for removal.

### **Biodiversity**

The proposal is located within the garden suburb of Lindfield that is connected through wildlife corridors to the Garigal National Park, and as such is of environmental significance.

- It will remove significant trees and reduce the tree canopy cover for the site and local area, reducing nesting, food and shelter for birds, possums and other wildlife, fungi and insects.
- It will 'deforest' Lindfield's tree canopy as well as the canopy for Greater Sydney that protects Sydney from over-exposure to UV radiation and pollutants in the air, cools temperatures and supports wildlife habitat, which is particularly important when we are heading beyond 1.5 degrees Celsius with projected extreme and lengthy heat waves.
- It threatens the Critically Endangered Ecological Communities (CEEC) of Sydney Turpentine Ironbark Forest (STIF) trees and Blue Gum High Forest trees (CEEC) and the wildlife, birdlife, insects and fungi that are dependent upon these forests. They are Threatened Ecological Communities (TEC) and are listed under NSW's (Biodiversity Conservation Act (2016) and Commonwealth's (Environment Protection and Biodiversity Conservation Act (1999) environmental protection legislation.
- It threatens the extinction of local wildlife and birdlife
- It does not acknowledge the environmentally sensitive land on the north-south railway line near Lindfield Avenue and its migratory birds, many of them endangered.

The proposal downplays the environmental sensitivity of the site. It is unacceptable that the applicant does not provide a thorough ecological report of the site.

The site contains the seedbank of Blue Gum High Forest and Sydney Turpentine Ironbark Forest - Critically Endangered Ecological Communities as evident by the self-seeded Turpentine tree (*Syncarpia glomulifera*) at 1 Reid Street. Along the railway line there are trees and remnant endangered forest near Woollsley and Treatts Road (western side of the railway line).

The proposal will have a significant negative impact on threatened ecological communities.

### **Social Impact**

- The proposal impacts on the existing residents whose homes and amenity are irreversibly negatively impacted.
- The proponent offers no community benefits, however, impacts heavily on existing infrastructure and community services.
- The development will dramatically and negatively impact on the sense of community and what residents value about living in Lindfield.
- Already many residents feel a sense of 'grief' that their home and neighbourhood will significantly and irreversibly change due to the proposal.
- The loss of trees and tree canopy impacting directly on residents and cumulatively on connectivity of canopy, impacts adjoining remnants of endangered and critical ecological communities and connecting National Parks.
- The term 'solastalgia' perhaps may describe the feelings of many Lindfield residents, a scientific term that describes the emotional distress felt when existing residents witness the destruction and degradation of their local environment.

### **Affordable Housing**

The proposal fails to promote genuine and long term affordable housing with its provision to provide affordable housing for only a 15-year period.

### **Insufficient Environmental and Infrastructure Studies**

The applicant fails to provide critical studies (eg environmental, traffic, parking, water, sewerage, energy and utilities) to support the intensified SSD proposal. Without these verified independent studies, the SSD risks unsustainable development, straining local infrastructure and exacerbating environmental degradation.

### **Conclusion**

Friends of Ku-ring-gai Environment (FOKE) is of the view that the State Significant Development Application proposal at [2-8 Highgate Road, Lindfield \(SSD-78493518\)](#) should be rejected as it will have a negative and detrimental impact on heritage, environment, traffic, urban design, neighbourhood character, visual amenity, liveability, tree canopy, open space, infrastructure and community benefit. As such FOKE requests that this SSD be rejected.

Thank you for considering FOKE's submission. It is to be hoped that the NSW DPIH will take on board our concerns and reject the proposal.

Yours sincerely,

*Janine Kitson*

VICE PRESIDENT

cc Ku-ring-gai Mayor and Councillors  
cc Matt Cross MP Member for Davidson  
cc The Hon Alister Henskens SC MP Member for Wahroonga  
cc The Hon Paul Scully MP Minister for Planning and Infrastructure  
cc The Hon Scott Farlow MP Shadow Minister for Planning