

NSW Planning  
4 Parramatta Square,  
12 Darcy Street,  
Parramatta NSW 2150

RE: Submission to proposed application for 10, 14 & 14a Stanhope Road, Killara  
(SSD-81890707)

To the relevant authorities,

Regarding the application for the proposed development of 135 residential units to 10, 14 & 14a Stanhope Road, Killara, I object to the proposal in its current form.

I do not believe that the proposal adheres to the minimum controls set out in the Housing SEPP and Ku-ring-gai Local Environment Plan. These controls are vital in ensuring new development, however necessary in a housing crisis, meets the minimum standards that are considered acceptable to preserve amenity and protect the existing ecological environment as best as possible.

My family has lived on Stanhope Road for 10+ years, and while I don't personally live in the area, I write to object given the risk of significant loss of existing amenity to not only my family's home but neighbouring homes that have enjoyed the abundance of natural light and leafy outlook of Stanhope Road for so long.

I refer to the Strategic Environmental Assessment Report (SEAR) provided by the applicant and the relevant points as listed under the Issue and Assessment Requirements of the SEAR:

## **6. Built Form and Urban Design**

*Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. Where relevant explain and illustrate the application of any bonuses under an EPI.*

A maximum building height of 22m is set by Clause 155 of the SEPP (Housing) 2021 (Maximum building height and maximum floor space ratio, within Chapter 5 - Transport Oriented Development).

A bonus concession of 30% additional maximum height is allowed under Clause 18 of the SEPP if the development has a minimum 15% of GFA as affordable housing (which the proposal does contain). This would put the maximum building height at 28.6m.

The proposed maximum height is 36m. This is a 25.8% variation to the maximum bonus height, or a 63.6% variation to the maximum height without the bonus. This is a gross non-compliance with the relevant legislative requirements and is not justified in the Clause 4.6 variation request.

It should be noted that while the Clause 4.6 variation request notes the maximum proposed building height as 35m, the architectural plans (drawing DA300 - Section Sheet 1) measure 36m from existing ground level to top of building (RL149,300). The applicant's own Pre-DA submission notes the proposed maximum height as 36m.

The applicant's Clause 4.6 variation request seeks to argue that the height control is unreasonable or unnecessary. In acknowledging that the proposed design sits up to 6.4m above the bonus maximum height, the arguments that the development would be suited to a potential future character of the area is unacceptable as it is impossible to predict the built form of the surrounding area, which may never be substantiated. It also argues that by sitting below the maximum height plane at the front of the site, they are justified in protruding above the maximum height plane at the rear of the site. Not only is this proposed argument ridiculous but the method of justification is unfounded, with no precedent being provided as to how or why this should be entertained as justification in breaching the maximum bonus height limit.

I request that the maximum height plane of 28.6m be enforced as is intended by the legislated controls established in the Housing SEPP, which would include deletion of the top two floors of Building 2 and 3.

#### **14. Trees and Landscaping**

*If the proposal involves impacts to trees, provide an Arboricultural Impact assessment that assesses the number, location, condition and significance of trees to be removed and retained including:*

- *any existing canopy coverage to be retained onsite.*
- *tree root mapping. if the proposal involves significant impacts to tree-protection zones of retained trees identified as being significant*

While the proposed development notes that the significant established trees in the North-East corner of the are to be retained (T8, T10 and T11), the Arboricultural report provided notes that the required pruning of T10 & T11 would be so significant that retention of the trees would likely be unsuccessful (i.e. they will die) and "the removal of the trees may be the most feasible option for the submission".

Alternatively, the design can be amended to have a large enough setback from the significant trees to ensure that their health is maintained.

The arborist's report also notes that "often on sites where the development activities are considered significant, retaining trees like these is in vain".

Having witnessed the number of birds that sit in these trees, the removal of these 20m+ tall trees would be a significant loss not only to the ecological health and biodiversity of the local area, but to the natural amenity of all surrounding properties that enjoy the outlook of gumleaf against the blue sky.

For these reasons I believe that the proposed development in its current state should not be approved without significant alterations to its design to ensure the existing amenity that makes this site and the surrounding sites so uniquely special be maintained to the existing and future residents of Killara.

Best Regards,

Hamish

Former resident & relative of current residents to Stanhope Road, Killara.