

## **Objection submission in response to SSD 81890707 (the SSDA) at 10, 14, 14A Stanhope Road Killara**

Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
Parramatta NSW 2124  
Attention: Adela Murimba

Dear Adela

I have enjoyed living with my family at 5 Stanhope Road, Killara since May 2013 and I thank you for the opportunity to make a submission on the State Significant Development Application SSD-81890707 on 10, 14 and 14A Stanhope Road, Killara.

I strongly object to the SSDA.

When I bought our family home I was attracted to the open spaces, the abundance of trees and natural environment, and appreciated the history of Killara, especially the heritage homes. We bought a heritage listed home, and that has created a sense of belonging, a grounding in the architectural history, and a real respect for our leafy suburb. Although there is a cost that goes with the care and maintenance of a heritage home, surrounded by 90-year-old fig trees and glorious gums, I consider it a privilege to be part of this neighbourhood. Since living on Stanhope Road, I have enjoyed the community with neighbourhood gatherings, our children making connections, with a shared set of values and respect for nature, history and safety.

The SSDA seeks to destroy, irretrievably, that sense of connection to nature and heritage.

I implore the Department to reject the SSDA.

I am a member of a resident action group known as the Stanhope Road Residents Association. While this submission is my own, we hold regular meetings to discuss our unanimous opposition to the development application based on overdevelopment of the site and non-compliance. In my view there is no reasonable alternative but for this application to be refused.

While the State government's aim to promote development and solve housing issues is appreciated, demolishing three substantial homes and building 135 apartments will drastically alter the area's character and affect nearby residents.

The shift from low-density homes to high-density apartments threatens Killara's heritage conservation. The development application ignores zoning laws and community views on the area's identity.

The SSDA conflicts with the community's vision, as reflected in Ku-ring-gai Council's TOD Preferred Housing Scenario, nearing completion after extensive community

engagement. It overlooks existing limits on amenities, traffic, infrastructure, and heritage preservation, and fails to account for Killara's fundamental nature, style, character, and unique ecology.

Although Stanhope Road has been mapped as a TOD area, it is also within a Heritage Conservation Area (HCA), and the 2 appear to be contradictory, especially in relation to height, size, scale and mass.

My key areas of concerns are:

1. Inadequate consideration of the heritage value of Stanhope Road and surrounds.
2. Inadequate consideration of the ecological and environmental uniqueness of the site.
3. The proposal exceeds height limits, without justification, and its mass, bulk, and scale are disproportionate to the heritage context.
4. The inadequate consideration of the local amenities

I will expand on these key areas:

## **1. Heritage Value of Stanhope Road**

TOD is set to change the face of Ku-ring-gai. I acknowledge there is a critical housing shortage in NSW, and with approximately 23 000 new dwellings planned for Gordon, Killara, Lindfield and Roseville, I believe it is vital that new development be well planned to meet the needs of Ku-ring-gai now and into the future, whilst being respectful of the environment, heritage items, tree canopy and height transitions.

This SSDA leaves number 12 Stanhope Road (heritage house) as isolated, orphaned and will lose its context and value in both heritage and monetary terms. For the HCA of Stanhope Road this will also devalue the heritage context as this development will bring sweeping changes to the streetscape and aerial views.

While addressing the housing shortage, preserving the area's unique heritage and environmental integrity should remain a priority. Any development undertaken must strike a delicate balance between innovation and respect for the historical and ecological fabric of the community. Comprehensive assessments, including landscaping plans, heritage impact statements, and environmental studies, must be integrated seamlessly to ensure that progress does not come at the cost of cultural and natural assets. Stakeholders should actively collaborate to envision a future that harmonizes urban growth with the preservation of Ku-ring-gai's cherished identity. I do not believe that these have been done to any level of satisfaction. Development along the Pacific Highway would achieve the goals of increased housing, whilst still being within walking distance to the train stations.

The SSDA sits within the Stanhope Heritage Conservation Area, with heritage items in the vicinity, adjoining and adjacent to the proposed development. I believe that the proposal does not take into adequate consideration the impact on the heritage items, the HCA, the overall streetscape of Stanhope Road and the visual aspects that would be seen from a distance. There does not seem adequate justification for demolishing 3 substantial homes, nor the impact of constructing contemporary buildings that are not sympathetic to the style and character of the HCA. Although the homes at 10, 14 and 14A are not currently heritage listed, they are sympathetic in style, design and height to the heritage homes, thus providing a seamless transition between Federation, inter-war and newer homes.

## **2. Ecological and Environmental Characteristics**

The Environmental Impact Statement (EIS) has many inconsistencies and inadequacies. It drastically downplays the significance of Critically Endangered Blue Gum High Forest and Sydney Turpentine Ironbark Forests on the site. I note three biodiversity areas indicating ecological importance. Reports in the SSDA are inconsistent—some say all trees will be removed, others say some may be retained but not viable after excavation. Removing these trees raises environmental and biodiversity concerns. The numerous errors and misleading statements are troubling for such a large-scale development. The Blue Gum Forest form part of the Sydney skyline. They are irreplaceable. Their protection should be paramount.

Ku-ring-gai Council prides itself in its protection of the biodiversity characteristics of the community, and that protection should extend to new developments. Loss of these Critically Endangered Forests will have a detrimental impact on the local flora, fauna and human community and the State of NSW at large. The ecological and biodiversity impact would not be limited to Stanhope Road, or even Killara, as it would have a cumulative detrimental effect. New plantings, landscaping and planned offsets will never compensate for the loss of established naturally occurring Forests.

The planned removal of all trees alone should be enough to halt this project.

## **3. Height, Mass, Bulk, Scale**

The site is zoned R2 Low Density Residential under the Ku-ring-gai Local Environmental Plan (KLEP). The Transport Oriented Development (TOD) policy rezoned the area and allows for apartment buildings from 6 to 8 storeys.

I note that Ku-ring-gai Council has engaged in extensive community consultation to develop a TOD Preferred Housing Scenario, and that this is being finalised by Council in June 2025. The site, under the Preferred Housing Scenario, would be zoned R2 (with a height limit of 9.5m) at Stanhope Road and R4 (with a height limit of 12m) at the rear.

The proposed development has a height of 10 storeys (around 30+ metres), which exceeds these controls significantly.

The request for an increase in building heights lacks sufficient justification. The proposed height would cast shadows over Stanhope Road and adjacent properties, including Marian Street, potentially setting a precedent for future developments in the vicinity. The rationale provided for the increased height is inadequate when compared to other projects that conform to the original landform. While a slight increase in height may be permissible, exceeding the height for all three buildings within the development could be viewed as a misuse of this allowance.

The development is not consistent with the R2 Low Residential zone under KLEP and there has been no rationale for the variation of TOD clause 4.6.

The bulk and scale of the proposal do not correspond with the future character outlined in Council's planning instruments. The mass of the development would overshadow nearby properties (6, 6A, 8, and 12 Stanhope, plus Marian Street at the rear) and reduce privacy and amenity, which does not meet the objectives of the Apartment Design Guide for context-sensitive design.

The design, mass, bulk and scale are contradictory to the HCA character and style. Stanhope Road is comprised of single and double storey homes, dating from 1896. No transition in height has been provided for with the SSDA stepping to 4 or 5 storeys at the street face of Stanhope Road, then dramatically stepping to up to 10 storeys – all which would be very visible from Stanhope Road and beyond. I note the SSDA does not provide any images of artistic impressions of the scale of buildings from the perspective of the surrounding home including 12 Stanhope, 8 Stanhope, or even from across the road at 17 Stanhope, or from Marian Street. The drawings that the SSDA does provide are at odd angles, apparently designed to downplay the enormity of the scale. The design, architecture and building materials are not sympathetic to the heritage character and style or context of Stanhope Road.

Innovative, sensitive and good planning are required to incorporate new buildings into a HCA, so that current and future residents retain the benefits of solar access and privacy, whilst sharing the zone with the environmental and heritage features of Stanhope Road. These considerations are not only for the benefit of current Stanhope Road residents, as good planning sets a precedent for other developments in the Kuring-gai LGA and more broadly.

#### **4. Local Amenities and Traffic**

The SSDA has not had a thorough assessment of the impact it would have on traffic and the local amenities.

I note that Killara is devoid of commerce. There is no local village of shops. Marian Street's Post Office closed about 2 years ago. Doctors and medical facilities are in Lindfield and Gordon. A development of this scale would increase the pressure and availability on medical resources and the local schools, day care centres and pre-schools. These impacts have not been considered by the SSDA.

Stanhope Road is currently a residential street, with a 50 km/h speed limit. There are many people who use the street to walk for exercise, recreation and to walk to Killara Train Station. There are limited streetlights, so it is a dark street once twilight or night falls. Despite this, it is a friendly in nature. It is used by Train Replacement Buses and any larger trucks must move to the middle of the street to avoid hitting the 90-year-old fig trees that line the street and provide an avenue of trees. This causes traffic to be one lane at times. Any increase in traffic because of 195 car spaces (as proposed by the SSDA) would have a dramatic impact on traffic congestion and safety of pedestrians. Traffic flow on to and off the Pacific Highway is already at capacity (which is even acknowledged in the Traffic Impact Report), so more vehicles would add to the density of traffic, causing a safety concern.

Development cannot and does not occur in a vacuum. Full regard for existing and planned infrastructure is vital to ensure good planning, sustainable outcomes, safety and harmonious incorporation of more people into communities. This SSDA fails to assess the impacts of traffic and the increased volume of people a development of this magnitude would bring. The SSDA also fails to meet any public interest elements as contained in clause 24 of the Environmental Planning and Assessment Regulation 2021.

I believe the SSDA-81890707 should be refused on the basis of non-compliant height, mass, scale and size creating overshadowing, loss of solar access and loss of privacy, the impacts on biodiversity and heritage conservation, inconsistent with the future character of the area, and not in the public interest.

## **Expert Reports**

In addition to my own submission, I rely upon the expert reports that are attached to fellow Stanhope Road resident, Jeffrey Bresnahan – being Lisa Trueman (Heritage Advisor), John McFadden (Town Planner), Ross Wellington (Ecologist and Biodiversity Expert) and Colin Israel (Heritage Advisor), and the legal advice from Lander and Rogers.

**Additionally, I have examined all the SSDA documents and identified several issues. I apologise for the length of this submission; however, I believe it is important to show that I have thoroughly considered all aspects of the proposed development.**

***Note: Comments in italics are taken from the SSDA reports.***

## **Response to Environmental Impact Statement**

*Page 2 section 1.2.2 an extract of survey plan is included in **Error! Reference source not found***

Response: this is unacceptable for a project of this magnitude

*Page 2 Section 1.2.3 to the east of the site there are mid-rise residential apartment buildings*

Response: this is misleading. Immediately to the east and the whole of Stanhope Rd is low density, detached single dwellings

*Page 3 Section 1.3 the proposal seeks to utilise the provisions of Chapter 5 of the housing SEPP relating to TOD which allows for a maximum FSR of 2.5:1 and a maximum building height of 22m for sites within a TOD area.*

Response: this exceeds Ku-ring-gai Council's alternative FSR of 0.3:1 and height of 9.5m for the site fronting Stanhope Rd known as 14 Stanhope Rd and FSR of 0.85:1 and height of 12m for the battle axe position known as 10 and 14a Stanhope Rd.

*Page 3 Section 1.3 the proposal seeks to utilise the provisions of Chapter 2, Part 2, Division 1 of the housing SEPP for infill affordable housing which enables a 30% FSR and height incentive*

Response: this further exacerbates the height differentiation with adjoining properties to the North, East, South and West.

*Page 4 Section 1.4 The design of the scheme has been developed from detailed analysis of local amenities and feedback from local stockholders*

Response: Where is detailed analysis of local amenities? What local stockholders? Consultation with none of the neighbouring properties occurred.

*Page 4 Section 1.5 There are no significant approvals or relevant planning history on the site*

Response: this site sits in a Heritage Conservation Area.

*Page 6 Section 2.2 The LMR housing policy aims to deliver more diverse and affordable housing*

Response: at 10 storeys this is not a low to medium rise building

*Page 7 Section 2.2 Whilst the planning controls in the KDPC are still applicable, there are instances of some non-compliances*

Response: a non-complying development will change the character and landscape of the Stanhope Rd as a street, and Killara as a suburb and the Ku-ring-gai LGA

*Page 7 Section 2.2 the development has been carefully designed to integrate and complement the existing character of Stanhope Rd, as well as respecting the adjoining local heritage items and HCA.*

Response: there is nothing respectful about a 4/5 storey building adjoining a local heritage item or the Stanhope Rd Heritage Conservation Area that holds 14 local heritage items.

*When considering the strategic context of the site and the intended future character of the locality, these recently introduced planning controls should be considered. Whilst the planning controls in KDPC are still applicable, there are instances of some non-compliances due to the controls not reflecting the new State provisions.*

Response: Firstly, the intended future character of the locality should refer to the intentions of the local residents, LGA and the council not developers that are paying huge premiums on already expensive properties to build towers that are not in keeping with the area or the intended future character of the area. If they were truly interested in the intended future of the area they would be complying with the proposed zonings and height limited that council have strategically set out. Under this proposal No 10 and 14a are zoned R4 with height limited of 12m, No 14 is zoned R2 with height limits of 9.5m. The proposed alternative TOD Preferred Housing Scenario by Ku-ring-gai council meets the new State provisions.

*The development has been carefully designed to integrate and complement the existing character of Stanhope Rd, as well as respecting the adjoining local heritage item & HCA. The development aligns with the focus on managing growth in a way that conserves & enhances Ku-ring-gai's unique visual & landscape character*

Response: The development consists of 4/5 storeys on the street front of contemporary design. The development proposes to remove an interwar period home, and although it has been extended to the rear, it sits within the character of the street. Along the remainder of the street are single or double storey homes on large blocks with extensive gardens. Behind this new development of 4/5 storeys, No 12 (a Heritage listed home) and No 8 (dating from late 1890s) are two massive towers. This does not conserve or enhance Ku-ring-gai's unique visual & landscape character. It's a complete assault on the current HCA.

*Page 8. The site is surrounded by residential development and is within 500 walking distance of Killara Train Station.*

Response: It is a 550m walk from the pedestrian access point at No 10. Was it not the State Govt. intention for developments to be 400m walk to train station?

Page 9. These images provide no context to the street at all except for Figure 7 that shows the heritage listed home to be isolated by this development. Marian Street is behind Stanhope Rd running into Killara Station. Culworth Ave runs along the railway line. It should be noted however, these apartments in Killara close to the station are only 5 storeys high.

*Page 13 Active Transport*

*The site also benefits from being surrounded by a number of formal pedestrian crossings. Stanhope Rd and Werona Ave are bike friendly routes. Cyclists may travel north/south on Werona which has a 50km/h speed limit*

Response: There are no pedestrian crossings on Stanhope Road, or Culworth Ave to cross over to the Train Station or at the intersection to cross over Werona Ave. The only Pedestrian crossings are to cross the Pacific Highway at Lindfield or Gordon. There are no cycle paths on Werona Ave.

*Page 15 Biodiversity*

*The site is identified as containing biodiversity values in the north-eastern and south-eastern corners as shown in Figure 19 below. The biodiversity values are understood to be associated with the blue gum high Forrest which is a common tree found in the Ku-ring-gai area. These trees provide important habitat and shelter for native animals including the Grey-headed flying fox and the glossy back cockatoo which are both endangered species.*

Response: The Blue Gum High Forest is of high value. Blue gums are critically endangered. Why are these trees not being protected?

*Page 19 Table 4. Nearby projects.*

Response: none of these projects are on Stanhope Rd but rather Marian St and Culworth Ave except for a driveway modification at No 2 Stanhope.

Response: May I suggest Culworth Ave or Marian Street or the Pacific Highway would be a more appropriate location for a development

*Page 20 Section 2.5 Consideration of Cumulative Impact*

*A review of the Ku-ring-gai Local Planning Panel meetings agendas and the Major Projects portal revealed no projects in the vicinity of the subject site. In addition, no SSDAs using the TOD provisions have been lodged in Killara at the time of writing*

Response: this further indicates that the future vision for Killara is not high-rise developments.

*The surrounding area of the site is characterised by a mix of dwelling houses & residential flat buildings. Development fronting Pacific Hwy to the west consists of 3-5 storey multi-unit dwellings with pitched roofs, with aerial imagery suggesting these were constructed prior to 2009. 8-12 Culworth Ave and 10-14 Marian St are also 4-6 storeys in height, from the street. The proposed medium density development is consistent with the surrounding land uses. As the site and surrounds are identified within the TOD and in-fill housing provisions, over the next 20 years many of the surround sites which consist of single dwelling may be redeveloped in accordance with the State Governments desired future character of the area, as envisaged by recent planning reforms.*

Response: None of these sites are on Stanhope Rd nor are they visible from Stanhope Road. Additionally, they are between 3 and 5/6 storeys which is considerably lower than 10 storeys. Additional sites on Stanhope Rd are very limited due to the HCA and number of heritage listed homes therefore it is highly unlikely that further developments will occur.

#### *Page 23 Additional Matters*

*The proposed design involves a 7-9 storey residential flat building across 4 blocks*

Response: there are up to 10 storeys across 3 blocks. The information in this whole table is incorrect. I am concerned that they are juggling the application for several SSD proposals at the one time, there are so many mistakes. How is one supposed to have any faith in the development and construction process?

#### *Page 26 Section 3.5 Physical Layout & Design*

*The proposed design will deliver a residential community of 142 dwellings (including 24 affordable units) within Killara offering a mix of dwellings & communal open spaces and landscaping for residents.*

Response: How many units are actually planned. Other reports say 135. The table on page 23 said 62.

*As detailed in the Design report (Appendix 5b), the development delivers:*

*A seamlessly integrated design with the existing neighbourhood & streetscape with the built form being sensitively scaled down to respond.*

*Sustainable features that are energy-efficient to ensure environmental living that meets the needs of the community whilst minimising environmental impacts*

*Generous outdoor spaces including balconies or terraces for each apartment & deep soil landscaped areas to help filter & enhance the site's aesthetics*

Response: Although the development is scaled down from 10 storeys to 5 storeys this is not seamless given to context of surrounding sites. A seamless integration with existing neighbourhood would be 5 storeys scaled down to 2 storeys.

The energy efficiency report was not complying and made several recommendations including glazing which alluded to an alternative being used due to cost.

Outdoor spaces are not generous, and deep soil is limited to 7%.

*Page 24 Section 3.2 Project Area.*

*The site fronts Stanhope Road with two separate vehicular access points.*

Response: there is only 1 vehicle access point as per the diagram. There are 2 pedestrian access points. Or are they planning to change the driveway at No 10 from a pedestrian access point into a vehicle access point?

*Page 26 Section 3.5 Physical Layout & Design*

*The proposed design will deliver a residential community of 142 dwellings (including 24 affordable units)*

Response: there are 135 units (including 24 affordable units)

*The proposed building form and scale delivers a development that is generally in compliance with the bonus provisions of the TOD and in-fill affordable housing of the Housing SEPP.*

Response: I would hope generally in compliance is not satisfactory

*The buildings have been designed to consider the existing site constraints and be respectful to the surrounding heritage items along Stanhope Road. The development ensures that trees of biodiversity value are retained and enhanced through deep soil landscaping, responding to the heritage items adjoining the site and ensuring overshadowing has been minimised and achieving the objectives of the ADG. The development results in a high-quality built form that responds to the desired future character of the area by delivering greater density in proximity to Killara station.*

Response: 5 storeys is not respectful to the surrounding heritage items along Stanhope Rd. The Heritage report concedes that all significant trees would need to be removed. There is no intention to retain any biodiversity on the site. 7% deep soil does not allow for enhancement through deep soil landscaping. Overshadowing of No 6A, 8 and 12 are significant.

*Page 28 Section 3.5.3 Landscaping & Outdoor recreation*

*The proposal seeks to retain majority of the existing vegetation on site including mature trees that surround the site bounds, creating a buffer to the surrounding sites*

Response: untrue as previously mentioned

*Page 29 Section 3.5.4 Tree Removal*

*The Arboricultural Impact Assessment Report (Appendix 9) has identified 2 trees for removal being T9 and T12. The design process has undertaken extensive assessment to maintain and minimise incursions where possible on site, however these two trees recommended for removal are not reflective of significant vegetation and encroach on the western corner of the development. Positively, majority of the trees on site are being retained and do not have significant encroachments that may impact health. Refer to the Arboricultural Impact Assessment for further detail.*

Response: Both of the trees identified for removal are BGHF and very significant. I do not believe the remaining trees will be retained as mentioned in Heritage report they would be removed. The image at Figure 28 clearly shows the overlay of canopy for T18, T19, T7 and T6 so its difficult to understand how they won't be removed. T17 and T16 block the vehicular access point

*Page 32 Section 3.5.9 Bicycle Access and Parking*

Response: there is no mention of bicycle access largely because is there no designated access for bicycles which is surprising with the inclusion of 149 bicycle spaces provided.

*Page 33 Section 3.6.5 Infrastructure & Services, Stormwater*

*The proposal includes several stormwater lines to the on-site detention (OSD) tank. The OSD is proposed to be located at the rear of the site, parallel to the western boundary. Refer to the Stormwater Plans (Appendix 23b) for full details.*

Response: How will this impact the significant trees in same location?

*Page 49 Section 5.2 Approach to engagement*

*The following stakeholders were identified and engaged:*

- Government agencies and peak bodies including DPHI, TfNSW and utility providers
- Ku-Ring-Gai Council

Response: Is there evidence that Council was engaged?

*Page 58 Principle 8: Housing Diversity and Social Interaction*

*Livable Housing Design: at least 20% of the units will be designed to meet silver Level of the Livable Housing Code to meet the minimum ADG requirements.*

Response: is this the acceptable % of 'good design' under ADG requirements. Sounds terrible

*Page 59 Principle 9: Aesthetics*

*The contemporary architectural style, along with the orientation and configuration of the site, results in a highly articulated aesthetic characterized by the following elements...*

Response: How does this fit in with adjoining Heritage items and the Heritage Conservation Area?

*Page 60 Figure 32 Housing SEPP Height and FSR Bonus Provisions*

Response: this diagram is in relation to a development on Tryon Road Lindfield

*Page 60 Existing Environment*

*Section 1.2.3 of this EIS provides an overview of the existing site and surrounding environment. The existing level of amenity continues to change considerably, as Killara is developed in accordance with the desired future character envisioned by the TOD program.*

Response: despite the developers' intentions for Killara it is unlikely that Stanhope Road will be further developed due to the high level of Heritage homes thus making this development out of character for the area or future character of the area.

*Page 61 Solar access*

*As detailed in the Architectural Plans, 95 units (70%) receive more than 2 hours solar access mid-winter. 13 units (9.6%) receive no sunlight mid-winter.*

Response: This is not an example of good design

*Page 62 Diagrams re overshadowing*

Response: significant overshadowing of No 12, 8, 6, 6A, 4A & 4. Some more than others but a huge social impact. It is worth noting the afternoon sun is lost in the front garden of No 17.

*Page 64 Visual Impact*

*A Visual Impact Analysis has been prepared by PBD within the design report. The visual impacts from nearby residential areas directly to the south is shown in Figure 34.*

Response: Interesting that the outline is shown in soft purple rather than an impression of the actual building to disguise that actual visual impact to the street. Images from Marian St angle imply that the 5-storey building is higher than the proposed 10 storeys behind it. This appears misleading.

*Page 64*

*The area surrounding the site is undergoing a transformation in character from low to medium / high density residential consistent as envisaged by the TOD program for well-located areas around transport hubs.*

Response: there are no high-density buildings in the surrounding area or suburb now nor envisaged in the future. Council's proposed plan limits height to 12.5 at the back of the site and 9m at the front of the site.

#### *Page 65 Existing Environment*

*The visual character of the surrounding area is considered to be:*

- *Emerging medium / high density residential and mixed-use development in close proximity to the Killara rail station.*

Response: There is no high density in the area or suburb, and no mixed-use in Killara. The closest mixed-use developments are in Lindfield.

#### *Page 66 Visual Analysis discussion*

*It is considered the proposed development will only result in high visual impacts in views from nearby residential areas directly adjoining the development site.*

Response: I find this very unacceptable and misleading, especially when nearby residents are within a HCA.

#### *Page 70 Detailed Impact Assessment*

*It should be noted that the intersection of Stanhope Road / Pacific Highway has not been assessed under the increased traffic load due to existing intersection already operating near capacity and SIDRA not being able to accurately model the existing conditions. Council is intending to undertake intersection works along Pacific Highway within the near vicinity of the site which will improve connectivity for the area including for the subject site.*

Response: is no assessment at intersection Stanhope Rd/Pacific Hwy acceptable? These works are all in Lindfield with no impact to the subject site.

#### *Page 72 Mitigation Measures within table*

*Pedestrian facilities to be implemented at the signalised intersection of Werona Avenue / Stanhope Road on the northern an eastern leg to support crossing movements*

Response: although is already much needed, it would require the expansion of the bridge over the railway line.

#### *Page 72 Existing environment*

*The T1 north shore rail line (including Killara Station) is located approximately 500m from the proposed development site. The site however lies outside the assessment zones identifies in the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008) and confirmed in the Noise Impact Assessment (Appendix 25), and therefore a rail noise assessment is not required.*

Response: I find this confusing. The whole proposal relies on being within 400m of a railway station. So far, I've read the site is 400, 450, & 500m from station. Which is it? If it is indeed more than 400m is an application even compliant with current TOD?

*Page 72 Proposed Environment & detailed impact assessment*

*8 sensitive receivers were identified and split into 2 noise catchment areas for assessment as shown in Figure 39. The project noise trigger level for the site is of low intrusiveness and project amenity noise levels.*

Response: Low intrusion is understated. Figure 39 (page 73) & Figure 42 (page 75) shows that NCA1 and NCA2 exceed Max noise event criteria. Catchment area map shows No 12, 16, 8, 6, 4, 6A, 9, 11, 15, 17, 19 Stanhope Rd, 3 apartment buildings in Marian Street and 3 apartment buildings in Culworth Avenue impacted.

*Page 78 Table 21 No.14 – Trees & 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:*

*o any existing canopy coverage to be retained on-site.*

*o tree root mapping. if the proposal involves significant impacts to tree-protection zones of retained trees identified as being significant*

Response: tree root mapping has not occurred

*Page 78 Existing environment*

*The site currently comprises a variety of trees scattered throughout the site, with a large portion of trees located in the northeastern corner containing biodiversity values. Several smaller trees are located along the access handle for 10 Stanhope Road as well but have not been individually assessed as part of the Arboricultural assessment as they will be retained. The Arboricultural Impact Assessment (AIA) (Appendix 9) identified and assessed 19 trees, 12 of which were identified as high significance trees, 5 were of medium significance and the remaining 2 trees were identified as low significance. An extract of the tree retention and removal plan is included in Figure 44.*

Response: retention of trees shown in Figure 44 is untenable with existing footprint and setbacks

*Page 79 Proposed Environment Tree removal*

The proposed development requires the removal of 2 trees (T9 and T12) to necessitate the proposed development. *These trees are identified as having low significance* Trees T6, T10, T11 and T18 will require tree protection measures to ensure they remain viable during the construction of the project. These are discussed in Section 6 of the Arboricultural Impact Assessment. The Arborist is satisfied that no design changes or conditions need to be imposed for the retention of T1-T5, T8, T14 – T19. *The trees to be removed are not located within the area with biodiversity values.* This proposal has been designed to retain as many trees as possible to ensure the site continues to have strong amenity value in line with the character of the area.

Response: Will leave this to the Ecologist's report however items in red are especially concerning. See Ross Wellington, ecologist, report for full assessment.

*Page 80 Mitigation Measures Table 22*

For T6, T10, and T11 to remain viable, the following must be implemented as part of the proposal.

- *The Arborist initially recommended that the bulk soil cut be setback from such trees. This was not achievable given the design was already limited to locate a building footprint between the two patches of vegetation on #10 and #14A, and therefore the current building footprint proposed is the most viable footprint.*

Response: These trees have not been identified as being removed however, clearly, they will be.

Where the Arborist could otherwise condition the building footprint to be less intrusive into the ground such as using ground cantilevering, the basement and lower ground floor plan mandate bulk soil cuts.

- o *The Arborist does note the additional impact to trees from canopy encroachments which increases the incursions in Table 1 and could be deemed be significant impact (>10% of live canopy).*
- o *A root mapping investigation could be used to physically locate the number and size of roots for these trees and make more concrete conclusions on setbacks, but this would not minimise the canopy pruning to less than 10%.*
- o *The Arborist concedes that the removal of these three specimens may be the most feasible option for this submission.*
- o *Often on sites where the development activities are considered significant, retaining trees like these is in vain, as they are privy to both direct and indirect impacts given their proximity to building footprint. It is considered better tree management to remove trees and commit to replacing them in the new landscape.*

Response: indicates removal of all trees. Text in red particularly concerning. Will leave Ecologist to expand on this. See Ross Wellington's report.

*For T18, and access handle vegetation to remain viable, the following must be implemented as part of the proposal.*

*o The demolition of any existing structures within TPZ of T18 such as the garage and rock retaining wall in No. 10, must be done so meticulously by hand to ensure that if any roots are encountered these are cleanly cut by the Arborist and treated.*

*o For vegetation along the access handle, the Arborist recommends that the natural grounds be maintained, and that any renewal of surface be sympathetic to trees and not conflict with any trunks. This can include a decking to be found on screw piles that are located outside the SRZ of trees, or a permeable pavement such as a stabilised decomposed granite or porous pavers.*

*o All stormwater works whether it be directional drilling, hand excavation or hydro excavation must be supervised by a Level 5 Arborist.*

Response: This does not sound economically viable, and I highly doubt such measures will be taken

#### *Page 83 Standard Impact Statement*

*The subject site is mapped as containing two areas of Biodiversity Value as illustrated in Figure 19, with the area at the rear of the site representative of the BGHF trees on the site, whereas the area at the front of the site appears to be incorrectly mapped as it comprises exotic garden.*

Response: There are in fact 3 BVAR areas mapped. The one they say is incorrectly mapped refers to a tree that was removed but does not consider remnant value or seed bank value.

*Threatened Species: Targeted fauna surveys were not carried out; however two candidate species cannot be excluded from the assessment impact, the BDAR has therefore assumed presence of Cercartetus nanus Eastern Pygmy Possum and Petaurus norfolcensis Squirrel Glider and a species credit for each as an offset obligation is required.*

Response: Given the high value and volume of trees this seems inadequate and unprofessional

*Indirect Impacts: These include the presence of companion animals, potential establishment of nuisance plant species from landscape areas into the retained areas on site or nearby patches of PCT 3136 BGHF, increased nutrients in runoff from development area into the retained PCT 3136 trees potentially favouring weed species, intensification of stormwater runoff, erosion and mobilisation of soil with stormwater*

*runoff during construction, spread of weeds during civil works and introduction of soil pathogens.*

Response: This does not support the retention of high value trees

*Page 85 Standard Impact Assessment Social Locality*

*The site is approximately 400 metres from Killara Train Station, and a short walk to Killara Village on the Pacific Highway.*

Response: Killara does not have a village. The SSDA lacks knowledge of the vicinity of the proposed development.

*Buses frequent the Pacific Highway that provide access to upper and lower North Shore centres, including the major Chatswood shopping centre.*

Response: No bus access is provided from Killara. Closest bus access is Gordon or Chatswood. Again, the SSDA lacks knowledge of the area.

*There are passive and recreation spaces within 800m of the site, including Regimental Park a multipurpose sporting facility with soccer fields, synthetic wicket for cricket, five tennis courts and two croquet fields, and Selkirk and Ibbitson Parks, both local level parks with playgrounds and seating.*

Response: Ibbitson Park is in Lindfield, 900m from the site

*Page 94 Ku-ring-gai contributions plan 2010*

*The site is located within the southern area, outside of a specified town centre or local centre catchment.*

Response: given the site is outside a specified town centre or local centre catchment it is reasonable to say this is an inappropriate location for high rise apartments.

*Page 99 Stormwater*

*All stormwater runoff from the site is collected by roof drainage or surface inlet pits and is directed to an OSD tank at the rear of the site and overflow is discharged via an existing 300mm diameter pipe in 10 Marian Street at the rear of the site.*

Response: given to large roof area, a single pipe to discharge all stormwater seems inadequate regardless of an OSD tank. What impact would a blockage cause? Potential for flooding? Is release from OSD tank gravity feed? If not, what happens if pump fails? Potential for flood? Why are there no rainwater tanks? Is this not a requirement? This appears to be a flooding risk for Marian Street.

*Page 102 Ground Water*

*Long term groundwater monitoring is underway at the time of preparation of the Geotechnical Investigation Report and will be reported separately if any groundwater is identified.*

Response: is this acceptable conduct given the scale of this project?

*Page 108 Demolition & Construction*

*Details of the estimated waste generation which will occur as part of the demolition and construction of the site are provided in the Waste Management Plan.*

Response: This does not estimate the value of waste considering no 14a is a relatively new build (approx. 5 years) and No 10 was extensively renovation i.e. Back taken off, rebuilt and completely gutted internally and fitted out at a very high level of opulence (completed only October 2024).

*Page 117 Detailed Impact Assessment*

*The subject site does not include any listed heritage items under Schedule 5 of the KLEP or the State Heritage Register). The subject site however includes one dwelling, 14 Stanhope Road, which is located within the “Stanhope Road Conservation Area (C25)”.*

Response: total disregard is given to this item. The report goes on to discredit its heritage value.

*Page 123 Visual Impact*

*In Killara, the new controls have resulted in the emergence of residential apartment buildings of varying scale within and adjacent to the Killara town centre and in streets within walking distance of the centre and the Killara rail station.*

Response: There is no Killara town centre, nor has there been any emergence of apartment buildings. I believe this is the first such proposal.

*Page 124 Heritage*

*The subject proposal is in line with the future planned high-density uplift of the area within the vicinity of the nearby Roseville Railway Station as per the TOD SEPP. Future proposed developments of a similar nature to the subject proposal will require a high level of heritage advice throughout the design development phase to ensure that they will be appropriately sited within the landscape context while respecting HCA's or listed items in their vicinity to ensure that cumulative impact is avoided.*

Response: subject site is in Killara NOT Roseville. Such inaccuracies create doubt as to the inherent justification for the development.

Additional housing under TOD is noted as the primary and only benefit. This has not been balanced against the environmental impacts.

## **Response to Statutory Compliance Table (Appendix 2)**

Page 5

“The proposal seeks the full 30% FSR bonus, therefore 17% of the proposed floor space must be for affordable housing purposes (noting that 2% is required to satisfy the provisions of Chapter 5 of the Housing SEPP considered further below). The total proposed affordable floor space is 2,972.8 sqm (17%). With an additional 30% building height and FSR permitted under Chapter 2 of the Housing SEPP, the maximum permissible building height is 28.6m. **The proposed development seeks consent for a building up to 35m in height at its maximum and an FSR of 2.22:1. The exceedance in height directly responds to the site’s context and topography. A compliant scheme with a lower maximum height was originally developed, however, this was likely to have unacceptable impacts on the heritage conservation area in which the front portion of the site is located. Reducing the height at the front of the site will enable a design that is more sensitive to the conservation area and nearby listed assets.** An increase in height at the rear of the site will maximise the number of residential dwellings possible in response to the current housing crisis with no unacceptable, adverse environmental impacts. In this regard, the height variation is directly consistent with the objectives of the development standards provided within the TOD provisions of the Housing SEPP. A Clause 4.6 Variation Request (Appendix 4) has been prepared and provides justification for the height exceedance.”

My concerns are in red above.

There has been no reasonable justification for the height to exceed the allowable height by 30% and is completely at odds with the heritage conservation area.

## **Response to Mitigation Measures (Appendix 3)**

### Point 9 – Transport

There are reasonable mitigation measures.

### Point 10 – Noise and Vibration

These are reasonable mitigation measures. Where is the assurance they will be implemented?

### Point 11 – Water Management

On-site stormwater detention, quality and drainage must be implemented.

#### Point 14 – Trees and Landscaping

These points are all high concern for the critically endangered Sydney Blue Gums and Sydney Turpentine Ironbark.

Very compromised report – no root mapping investigation has been done.

Removal of the trees is the preferred way the developers are approaching this – not sensitive at all the value of the natural environment – all at the expense of a larger footprint.

A development of a smaller scale – both in footprint and in height could achieve viable retention of all the trees, especially those endangered.

#### Point 15 – Ecologically Sustainable Development

These are reasonable mitigation measures. Will they be implemented?

#### Point 16 – Biodiversity

There are so many mitigation measures, one wonders of the economic viability of the project.

#### Point 18 – Social Impact

“Continue to provide information to the community throughout the construction stage.” Given the community engagement at the commencement of this process, it is difficult to have any faith in this throwaway line.

#### Point 19 – Flood Risk

With the increased hard surfaces over the 3 blocks, one queries that it would not be a flood risk.

### **Response to 4.6 Variation Request (Appendix 4)**

Due to numerous omissions and misleading statements in Appendix 4 (4.6 Variation Request), concerning the proposed building heights, I urge the consent authority to deny this request. The submitted 4.6 Variation document could mislead decision-makers. A site visit by the consent authority is needed to verify the developer's claims.

Key issues:

- Tower B and C exceed height limits by over 22%, with no justification under Chapter 5 of the Housing SEPP.
- No precedents exist for exceeding Housing SEPP height limits.

- All three towers surpass the R2 Low-Density Residential height limit of 9.5m, by up to 368%.
- Stanhope Road's homes maximum height are at two storeys, making the proposed buildings incompatible with the area's scale and not in the public interest.
- The document misleadingly focuses on views from Stanhope Road, which forms only 17% of the boundary. The bulk of the development is set back among properties with a height limit of 9.5m, juxtaposed with the proposed 35m buildings.
- North of the proposal is a 20m high unit block, which the new development seeks to dwarf by around 75%.
- Surrounding properties may suffer from full-day overshadowing, visual impact, privacy intrusion, view loss, and reduced solar access.
- The TOD intended low-to-medium rise buildings; this proposal breaches the allowable height standard by over 22% and exceeds other local developments by nearly 50%, disrespecting Killara's charm and character.

## **Further details of issues identified in 4.6 Variation Request Statement**

**4.6 Report: Page 1 – last dot point:** Specifically, the areas above the height plane do not cause adverse amenity impacts.

**Response:** A significant number (greater than 50) of neighbouring properties (in all directions) will suffer from extreme visual impact, privacy intrusion and view loss. Further, a number of properties immediately surrounding this proposed development will suffer from up to 100% overshadowing and reduced solar access.

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**4.6 Report: Page 2 – first dot point:** The proposed variation is a direct result of the redistribution of floor space within the development to avoid and minimise any adverse impacts on the heritage significance of the item at 12 Stanhope Road.

**Response:** Floor space cannot be simply “redistributed” to additional floors elsewhere on a site simply to meet another condition of the development. The height limit is fixed for the entire site. Any breach of same would make the proposal non-complying, as it is now.

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**4.6 report: Page 2 – last paragraph:** Further, the proposal is consistent with the objectives of the zone for the site and the development standard itself and is, therefore, in the public interest.

**Response:** The proposal is inconsistent with the R2 – Low density housing Zone of the site which holds a 9.5m height limit. The proposal height is also non-complying when used against the Housing SEPP which holds a 28.6 m height limit. Further, as the developer has demonstrated within the EIS document under “Built Form diagram”, the proposed development will be significantly higher, and in many cases close to double the height, of any other building within the entire suburb of Killara. The buildings are incompatible with the bulk and scale of the locality and hence, not in the public interest.

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**4.6 Report: Page 5 – last paragraph:** “The site is zoned R2, Low density Residential pursuant to Ku-ring-gai LEP and the context of the site is varied with high density residential flat buildings adjoining the subject site to the north and east and low-density residential dwellings to the south and west”.

**Response:** if the correct context was appropriately included, the same sentence would read “The site is zoned R2, Low density Residential pursuant to Ku-ring-gai LEP and the context of the site is varied with high density **low rise (approx. 20m)** residential flat buildings adjoining the subject site to the north **and in part to the east**, and low density residential dwellings **to the remainder of the east and in full to both** the west and south”.

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**4.6 Report: Page 7 – last sentence, last paragraph:** The proposed variation results in a built form outcome that is a significant improvement from a streetscape and heritage impact perspective which is discussed further in section 4.

**Response:** Whilst attempting to satisfy streetscape and heritage impacts, the “redistribution” of heights severely impacts all residences to the east, north and west of the proposed development. This redistribution argument requires the Consent Authority to set a precedent for the Housing SEPP, which clearly is not warranted.

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**4.6 report: Page 8 – 4.3 last sentence:** The variation relates to areas of the proposed development at the rear of the site that are primarily a result of the topography of the site, and the emphasis placed on protecting the heritage significance of 12 Stanhope Road and the HCA as much as possible.

**Response:** Once again there appears to be a deflection away from addressing the effects of a higher level at the rear of the property. The statement ignores the effects on surrounding 50+ properties, both north, east and west of the proposed development. These effects include up to 100% overshadowing for significant parts of the day, and the extreme visual impact, privacy intrusion and view loss for all these properties.

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**4.6 Report – page 9 – end of 3<sup>rd</sup> last paragraph:** Buildings can exist in harmony together without having the same density, scale and appearance. This is particularly noteworthy with the retention of the existing dwellings at 6A, 8, 12, 16 and 16A Stanhope Road.

**Response:** I am unsure how this statement can be reconciled. It is highly inaccurate, particularly when applied to the residential dwellings to the east, west and south of the site. For example, 6a Stanhope Road, which is directly west of the rear of the site, will have a height level of approximately 9m as against the proposed development's 35m which will dwarf this residence and will be around just 30m away.

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**4.6 Report: page 9 second last paragraph:** The development has been carefully designed to ensure no adverse impact on views, visual privacy, solar access and overshadowing is experienced.

**Response:** Once again, this comment cannot be reconciled and reinforces my view that misleading statements like this could compromise those assessing the request. The statement ignores the effects on surrounding 50+ properties, both north, east, south and west of the proposed development. These effects include up to 100% overshadowing for significant parts of the day, and the extreme visual impact, privacy intrusion and view loss for all these properties.

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**4.6 Report: Page 10- second paragraph:** In further consideration to the matter of visual setting, as demonstrated in the height plane map, the majority of the development site sits well below the maximum height of buildings standard. Particularly, the entire street facing elevation of the development is approximately 18.8 metres below the maximum permissible building height. The significantly lower building height at this location is driven by the desire to retain and protect the heritage significance of the dwelling at 12 Stanhope Road and the HCA and minimise the visual impact of the development from Stanhope Road.

**Response:** The fact that the front of the property is approximately 18.8 metres below the maximum permissible building height is irrelevant as this is clearly required to attempt to comply with heritage and streetscape matters. And this is misleading, as the permissible building height is not 18.8m above the proposed build.

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**4.6 Report: Page 10-last paragraph:** The visual minimisation of the development at the Stanhope Rd frontage seeks to ensure a consistent built form outcome for the locality with developments that present to the street as 4 to 6 Storey developments screened by

retained vegetation in Stanhope Rd and adjoining boundaries. As illustrated in figure 5 below, the proposal presents as a four-storey building on Stanhope Rd.

**Response:** Stanhope Rd consists entirely of residential homes only. Therefore, it is impossible to provide a consistent built form outcome in the street height when the front of the proposed building is up to four times higher than surrounding residential houses. It is also important to note that there are no unit blocks on Stanhope Rd at all.

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**4.6 Report: Page 11-first paragraph:** While there are some areas of the development that project above the 28.6 metre height plane, equally there are considerable areas of the development that sit well below this maximum height.

**Response:** Once again this is a moot point as it is seeking to comply with heritage and streetscape requirements.

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**4.6 Report: Page 11- last line- second paragraph:** As demonstrated in the application, the site can absorb a development of the proposed scale, density and intensity.

**Response:** I disagree wholeheartedly - the site is incapable of absorbing a development of this scale in its current format. This would appear to be confirmed through the developer's need to increase height limits.

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**4.6 Report: Page 11 item 4.4:** The report acknowledges that there are no examples where consent has been granted to a variation to the building height within TOD and infill affordable housing provisions. It goes on to discuss historical council approvals to height changes and also once again argues that the rear of the property does not result in any material impacts by way of overshadowing, visual impact or view loss to neighbouring properties.

**Response:** The height is determined solely by Housing SEPP. Hence the standard height has never been abandoned, as argued. Further, the major breach in building heights would create material effects to residents through overshadowing, visual impact and loss of amenities. This would affect over 50 residences.

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**4.6 Report: Page 16 last part of last sentence:** the breaches to the maximum building height development standard are not visible from the street.

**Response:** The statement conveniently ignores that the street view makes up just 17% of the proposal's boundaries. All residents to the north, east and west of the proposed development are affected by the non-complying breach. The 22% breach of the maximum building height means that the development mass clearly creates an extreme visual impact, privacy intrusion and view loss for over 50 properties directly around the east, north and west side of the property. Figure 1 is an architect's basic impression of the development from residential properties to the west of the rear of the development. This clearly shows the impact of the development for these properties against the current position.

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**4.6 Report: Page 16 – Figure 10** misleadingly shows the visual impact analysis when viewed from Marian Street.

**Response:** The 22% breach of the maximum building height means that the proposed development will be almost twice the height of buildings on Marian St. The photo is taken from the north side of a mid-rise development in Marian St. It should have been taken from the east or west side to clearly demonstrate the impact of the proposal on that Marian St building. Once again, an effort to justify by omission.

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**4.6 Report: Page 18 Discussing Shadowing:** The general commentary talks predominately about "private open space" shadowing.

**Response:** What is not explicitly said is the shadowing affects up to 100% of some properties for prolonged periods. This clearly will have a massive impact of those residence's amenity.

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**4.6 Report: Page 19 last paragraph – first line:** Similar to residential amenity, the privacy of adjoining properties is maintained with the proposed development.

**Response:** This statement clearly has no truth. I once again refer to Figure 1 which demonstrates the impact of the proposed development on residences directly to the west of the rear of the development. The privacy of these and all adjoining properties is effectively destroyed and is non-existent.

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**4.6 Report: Page 20 – last paragraph:** The exceedance of the height of buildings standard does not result in any detrimental impacts in terms of visual impact, overshadowing, privacy and view loss.

**Response:** Once again, a broad and materially incorrect statement. The 22% exceedance of the height of buildings standard creates significant additional impacts in terms of visual impact, overshadowing, privacy and view loss to over 50 surrounding residences immediately to the north, east and west of the rear of the proposed development.

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**4.6 Report: Pages 21/22** – numerous references to supposed relevant legal cases, all of which are challenges to Council decisions.

**Response:** The proponent of this development has clearly made this application incorporating the requirements of Chapter 5 of the Housing SEPP. The application is to be determined by the IPC, not a council. Hence the quoted legal cases have no relevance to this application. The IPC is charged with making this decision and to my knowledge, no precedent has ever been set by the IPC allowing an exceedance to the height of buildings standard in a SSD application.

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**4.6 Report: Conclusion:** The whole page.

**Response:**

Compliance with the height of buildings standard is both reasonable and absolutely necessary. As has been continually pointed out in this submission, a 22% exceedance of height creates numerous issues for all surrounding residents, including but not limited to: up to 100% overshadowing; extreme visual impact; privacy intrusion and view loss affecting in different ways over 50 properties immediately surrounding the proposed development.

There are no environmental grounds to justify the contravention of the Housing SEPP development standard.

The proposal is of excessive height, bulk and scale that disrespects the charm and character of Killara. In Stanhope Rd, where there are no low or medium rise developments, let alone a high-rise development as has been requested in this instance. Further, the submission almost completely ignores the 22% height exceedance effects on those surrounding residences at the rear of the proposed development, which are the very ones affected most by the 22% height exceedance sought by the proposal.

# **Response to Architectural Plans (Appendix 5a) and Design Report (Appendix 5b)**

## **Design Report**

The design should consider the site's urban context and existing characteristics and provide explanation for the chosen design approach.

The design is not in keeping with the heritage characteristics of the HCA that it sits within.

Number 8 Stanhope is a home that was built in 1896. Number 12 is a heritage listed home, as is number 18.

**Page 13** – Note that the area is currently zoned R2. There is a proposal from Ku-ring -gai Council that this will change to R4 with maximum height restriction of 12m. Under either scenario, the proposed development is above the height allowance.

**Page 16** – It is acknowledged in the report that “ **The initial massing of the built form would become quite imposing in comparisons to the scale of the surrounding building in the current context.**”

This is in fact an understatement.

**“Existing large trees are situated at the rear, along the sides and the existing driveways, offering the opportunity to be retained.”**

This is a contradictory statement when compared to the HIS, which states that ALL trees will be removed.

An “opportunity to be retained” is different to stating categorically that they WILL be retained.

**Page 17 – Solar Access** - The lower units will be shadowed by the northwest large buildings.

**Page 18 – Design Approach** – the mass and height is OVERSIZED for the land size. It is NOT an efficient land use – it is an OVERUSE of land.

The set backs from the biodiversity zones are inadequate and do not provide sufficient space for the critically endangered Sydney Blue Gum Forest.

## **Page 19 – Height**

The heights of Blocks B and C do NOT “align with the existing building heights along Culworth Ave and Marian Street”. This is misleading and erroneous. The density does NOT enhance the biodiversity in the ecologically sensitive areas.

## **Page 19 – Deep Soil**

Deep soil limits are not specified here. In other reports it indicates only 7%.

### **Page 23 – Future Massing**

The predicted future massing is not sympathetic to the HCA and heritage items.

### **Page 43 – Vehicular access**

The vehicle access appears too narrow – single lane driveway to account for 195 cars?

Parking – this implies 3 levels of parking (basement, lower ground 1 and lower ground 2), yet other reports say 1 level of car parking, other reports 1.5 levels of car parking. Which is it?

Is there accessible car parking? No. This seems at odds with future planning.

Bicycles – with so many bicycle spaces, where is the designated bicycle lane? How can they ride / exit and enter safely? There are no bicycle paths in Killara.

### **Page 45 – Communal open space**

What noise mitigation factors have been implemented for the apartments facing on to the open space?

### **Page 46 – Better value**

Difficult to understand, given the cost of acquiring the 3 blocks (estimate conservative \$50m), how affordable any of the apartments will be, if the objective is to provide solutions to the housing crisis, unless there are going to be cost cutting measures with quality of design.

If the selling cost of the apartments becomes too high, agents will have difficulty selling or even rent them. Vacant apartments in such a large block then became the target of crime, vandalism and becoming derelict.

### **Page 50 – Proposed View**

This image is misleading – does not consider the true size and scale of the proposed development.

The views from Marian Street are misleading. The Marian Street apartments are no more than 5 storeys. The proposed development would shadow the Marian Street block.

The size, density, mass are not characteristic of the current or any future planned look for Killara. Sustainability (page 66) is clearly not adhered to by demolishing 3 substantial homes (including number 10 (which was bought for \$16.5million in 2021 and has undergone extensive renovations (completed October 2024))).

## **Page 68 – Landscape**

What are the deep soil limits? The report is silent on this.

What trees will be retained? The report contradicts other reports (eg the HIS says ALL trees will be removed).

## **Page 72 – Safety**

Safety concerns are not adequately addressed eg: car access, bicycle acc, pedestrian access (long narrow dark path with no passive surveillance).

## **Page 76 – Aesthetics**

Complete disrespect for the heritage character of the streetscape. It is a box shaped building that faces Stanhope Road, lacking any innovative or quality architectural design.

## **Response to Accessibility Compliance Report (Appendix 8)**

No accessible car parking is provided (page 8) For the large number of apartments, and for future planning, this is concerning.

Glazing on an access way (page 10) “can be compliant at CC stage” – does not sound very promising.

## **Response to Arboricultural Impact Assessment (Appendix 9)**

The focus of the report is to assess the viability of trees in relation to the proposed development.

The Arborist undertook a visual tree assessment only on 10 and 14A Stanhope Road. This would provide a VERY LIMITED understanding of the trees that will be impacted.

The arborist found it challenging to identify the species of the trees. This is concerning, given this should be in an arborist’s skillset and knowledge, if they are familiar with the North Shore.

Page 4: “**The Arborist acknowledges the high significance of vegetation on site, identified as both Blue Gum High Forest (BGHF) and Sydney Turpentine Ironbark Forest (STIF). Whilst not all species reflect this forest type, the Arborist acknowledges there are several significant species assessed.**”

Page 8: “The Arborist in his discipline is unable to make judgement on what a client chooses to propose on their site but does consider that that the sites have been rezoned to allow for increased density, and **this will come with significant changes to the natural environment.**”

Page 9: There are several recommendations - all of which are concerning and demonstrates that the developer has no real regard for the natural environment. “The Arborist concedes that the removal of these three specimens may be the most feasible option for this submission. vi. Often on sites where the development activities are considered significant, retaining trees like these is in vain...”

Red text is quoted from the report and is of high concern.

The significance of the vegetation on site has thus been downplayed in the various assessment documents and these unavoidable tree losses and other impacts are described in a way that makes the losses sound trivialised or might be perceived that way.

When in reality the vegetation is an example of a Critically Endangered Ecological Community (CEEC) with the highest level of conservation importance possible. Blue Gum High Forest. Sydney Turpentine Ironbark Forest

This SAI detail has not been as clearly or transparently provided in the BDAR as it should be nor delivered openly within the EIS. There are for example three (3) patches of vegetation that are mapped as having Biodiversity Value affectation on the subject land and immediately adjacent to it. All these BV patches are exposed to direct or prescribed impacts from the proposal. However, only one of these BV mapped vegetation patches receives any serious consideration in the Biodiversity Development Assessment Report.

## **Response to BCA Assessment (Appendix 11)**

Page 3 – provides an extensive list of items that deviate from the provisions of the Building Code of Australia, including, but not limited to:

1. Fire-resistance levels
2. Shaft enclosures
3. Public corridor lengths (too short)
4. Number of exits (only 1 not 2 as required)
5. Extended travel distances
6. Distance between alternative exits is excessive and non-compliant (eg 82m instead of 60m)
7. Travel via fire isolated exits (a real hazard and safety risk in the event of an emergency, especially with the proposed number of residents).
8. Separation of rising and descending stairs (a safety risk)
9. Roof as Open Space
10. Weatherproofing of external walls (construction material not specified, indicating a lack of thought and proper planning).

It is my belief and understanding that these deviations from the BCA are misleading, demonstrate poor design and thoughtless planning. These deviations from the BCA

pose a real safety risk to the residents of this massive, proposed development, and further safety risk to the other residents of Stanhope Road and Marian St and Culworth Ave. These shortcuts are designed to cut costs, and therefore the integrity and safety of the buildings are compromised.

## **Crime Prevention Through Environmental Design (Appendix 15)**

The Crime Prevention Report states the SSDA seeks development consent for the demolition of all existing buildings and structure on site, site preparation, excavation and tree removal.

I note this includes 3 substantial houses that will be demolished, including one that has extensive renovations done over the past 2 years, (number 10) and number 14A was built in 2019 (according at the Construction Certificate) which involved significant impacts on traffic flow and noise disruption during the massive renovation.

I note at point 2.2 of the report “The site is within 450m of Killara Train Station and is an area in transition due to the Transport Orientated Development (TOD) and In-fill affordable housing planning reforms. The area has been identified under the TOD program to encourage more affordable, well-designed homes in well-located areas enabling more people to live close to transport, jobs, services and amenities.”

Response: Killara is known as a suburb that has no commerce, no town centre, no shopping facilities. It is difficult to image how the apartments that are proposed to be built would be affordable, given the multi-millions required to acquire the 3 sites (conservative estimate of \$50m), before the cost of construction is factored in.

I note point 3 and 4 of the report refers to the methodology and framework for the crime prevention.

Response: There is no mention of how these frameworks and methods will be applied to this site. How will the developers ensure that crime is prevented during demolition and construction?

I note point 4.3 of the report on crime profile – crime is relatively low in Killara. I would like to keep it this way.

Response: An increase in population that 135 apartments would bring could have a major impact on our low crime rate. Killara, and indeed, Ku-ring-gai LGA is very family oriented. I note point 4.4 – paragraph 4 is an incomplete sentence: “Incidents of assault, incidents of domestic assault, incidents of robbery, steal from person, and malicious damage to property were all higher for”.

I note point 5 – Crime Risk Assessment – CCTV and effective lighting are recommended.

Response: I note that there are very few street lights along Stanhope Road between the Pacific Hwy and Culworth Ave – it is currently a very dark street once night falls.

Lighting within the proposed development could have a visual impact in terms of light pollution to 4A, 6, 8, 8A, 12 and 16 Stanhope Road, and the Marian Street neighbours.

I am concerned about the pedestrian access (currently number 10 Stanhope driveway) – which is a very long access point, away from any passive surveillance, which could be a potential zone for assault, sexual assault, drug use. I do not believe the crime report provides adequate crime prevention strategies.

General objections:

The sheer size of this development in a very family oriented residential area will only increase the rate of crime, vandalism, hooligan behaviour – both at the demolition and construction stages, and once 135 apartments are filled with people (approximately 400 additional residents).

## **Response to Section J Assessment Report (Appendix 16b)**

This report addresses the requirements for the National Construction Code 2022 provisions for energy efficient under Section J.

Of concern:

### **Page 4:**

“Subject to the satisfaction of the provisions outlined in this report, this development is expected to comply with the requirements of Section J of NCC 2022 Volume One.”

### **Point 4.5.6**

Page 19:

“Based on our assessment, the ‘deemed to satisfy’ glazing performance requirements **may be prohibitive and costly to achieve**. It is therefore recommended to consider achieving the NCC glazing compliance requirements through the performance-based method of verification (i.e., J1V3 method, modelling, an alternative method of verification). Based on our review, the J1V3 assessment is likely to simplify achieving the glazing performance requirements for the development and improve glazing consistency.”

### **General:**

The report outlines the requirements for compliance with the Code for energy efficiency. It is unclear whether the development will in fact comply.

## **Response to Community Engagement (Appendix 17)**

### **Statement**

The information provided in Appendix 17 of the developer's application is factually incorrect, resulting in misleading content that cannot be relied upon by the consent authority for assessing this segment of the application.

The document erroneously states that "A letter was distributed to approximately 500 residences in the surrounding area." A letter is defined as "a written, typed, or printed communication, sent in an envelope by post or messenger."

No letter was distributed. Instead, a generic pamphlet was placed in some letterboxes along with other unsolicited mail. There was no formal communication or letter sent to the registered owners of any surrounding properties.

Consequently, many owners and/or residents did not receive any communication from the developer regarding this proposed non-compliant site. The unintended impact was that all "Community Engagement" efforts hinged on locating the nondescript pamphlet. Conversations with numerous local residents and owners revealed that many were unaware of the proposal until after the SSD Application was lodged on May 9th. Awareness was only subsequently raised by neighboring individuals.

In essence, the absence of pamphlets resulted in a lack of awareness. Without awareness, any website, drop-in sessions, surveys, and inquiry emails were rendered ineffective. Given the lack of knowledge about the development, there was no opportunity to attend community drop-in sessions, access the website, complete surveys, or inquire with the developer.

With just five respondents out of the purported 500 recipients, this equates to a response rate of merely 1%. For a development with such a controversial proposed structure, this response rate is insufficient and clearly demonstrates that community engagement efforts were intentionally minimized by not adhering to appropriate procedures.

The true extent of community opposition can be measured by the strong resistance to this proposed non-compliant development once awareness was achieved. Since becoming cognizant of the application, residents and property owners have actively contacted Ku-ring-gai Council, Councillors, State Politicians, lawyers, town planners, heritage consultants, traffic experts, and various other professionals to ensure that this proposed development is properly reviewed and assessed.

The residents and owners of surrounding properties have formed a general view that the consent authority refuse this application and request the applicant be made to recommence the process from the beginning, paying particular care to engaging

residents and owners of the surrounding buildings from the outset. Such a request also fits in with providing the applicant with the opportunity to correct the numerous errors, inconsistencies and omissions from the EIS and supporting documentation which makes an accurate assessment by the consent authority as extremely difficult, if not impossible.

## **Response to Heritage Impact Statement (Appendix 21)**

**Page 1** – Notes that “the site is appropriate for redevelopment subject to sensitive design resolution”.

Response: I do not believe the design is appropriate for the HCA that it sits within.

**Page 1** – Notes “the upper levels of Building B are setback and create a considered modulated façade response in reference to the adjacent heritage item and HCA.”

Response: The sheer size of Building B is outsized for the land parcel, for the street and for Killara as a suburb, being taller than any other building in Killara.

**Page 3** - I note “Specifically, the State Significant development Application (SSDA) seeks development consent for: Demolition of the three existing buildings and removal of all trees on site. Excavation on the site to accommodate a one level basement structure with car parking facilities.”

Response: Other documents within the SSD state that some trees will remain. The HIS states “ALL trees” will be removed. This inconsistency is HIGHLY disturbing, at odds with Ku-ring-gai’s mission to preserve trees and foliage, and misleading. One must query which document is to be believed.

Similarly, the HIS stated one level basement with car parking – though other documents in the SSD state 1.5 levels of car parking. The inconsistency makes it very difficult to comprehend and gives little trust in the integrity of the developers and/or report providers.

**Page 3** – Author Identification – I note the report had been prepared by a Heritage Assistant.

Response: Whilst I encourage young people to have input in to the planning of cities and suburbs, I query the depth of knowledge a recent graduate may have, or indeed if they attended the site.

**Page 5** – The report notes that along Stanhope Road there are a mix of single and double storey homes. This is correct.

The report notes that Culworth Ave and Marian St have apartments of 4-7 storeys.

Response: I believe the maximum height is 5 storeys.

## **Page 5 and 6 – Photographs**

Response – It is interesting that not all the heritage items are photographed (ie: 1A, 5, 7, 21). The lack of these photographs downplays the heritage value of the street.

## **Page 7 – Point 2.3.1 – 10 Stanhope**

Response – I note that this dwelling has undergone substantial renovations over the past 2 years, which involved a significant impact to traffic, noise and dust pollution. To have another level of demolition and construction in such a short space of time is inconsiderate. Further, the absolute waste of resources, the environmental impact of the demolition of brand-new renovation is at odds with the mindset of an environmentally and sustainable conscious neighbourhood and community.

## **Page 8 – Point 2.3.2 – 14 Stanhope**

Response – The description downplays the significance of the home from a heritage stand. Although there have been modifications to the interwar home, it was the residence of a historical woman of significance, Dr Margot Hentze.

## **Section 3 – Historical Overview**

Provides information on the history of Killara.

**Page 28** – Figures 32 and 33 are names as “10 Stanhope Grove, 2023” and “10 Stanhope Grove, 2024”.

Response - Whilst it appears to be a typographical error, these errors (ie Grove instead of Road) imply lack of attention to detail and inconsistency with the report – very problematic from a planning perspective.

## **Section 4 – Heritage Significant**

**Note – there are 9 heritage listings along Stanhope Road (see page 35).**

### **Point 4.2.2 – Vicinity Heritage Items**

Only 6, 7 and 12 Stanhope Road are listed as being within the vicinity. This is misleading – as it fails to consider 1A, 2, 3, 4, 5, 18 and 21 – which are all heritage items.

### **Point 4.3 Statements of significance**

Statements of significance are given for numbers 6, 7 and 12 Stanhope Road.

Response – The statements are brief and downplay the historical value of the homes. Importantly, no statement of significance is provided for the other Heritage Listed homes in the street – being 1A, 2, 3, 4, 5, 18 and 21. By failing to give any or enough weight to all the heritage listings in the street, all of which are in close proximity to the

proposed development, the HIS downplays the heritage value of all the heritage listings as a whole, and the value of the Heritage Conservation Area.

I note that number 6 Stanhope Road is one of the oldest heritage listings in the street (built in 1900/01). Other homes (2, 3, 4) were built also around the turn of the century.

8 Stanhope Rd was built in **1896**. It is not heritage listed, though this could be an oversight by the listings officer. Although Number 8 is not a heritage listed home, it is of architectural interest and of significant age (the current owners have lived there for 60 years).

12 Stanhope, a heritage listed home, will be surrounded by, dwarfed and shadowed by this large development if it proceeds, severely reducing the historical value of Number 12.

#### **Point 4.3.4 – Stanhope Road Conservation Area**

Response – this is a very brief comment on a very important aspect of Killara and Kuring-gai.

#### **Point 4.4.2 – Historical Association**

Response – this is not true. There was a notable person associated with Number 14. Dr Margot Edith Hentze was a resident from 1928 to 1946, and amongst her noteworthy achievements:

- First Female Academic at Sydney University: Being the first woman appointed to the permanent academic staff in the Faculty of Arts at the University of Sydney is a historically significant achievement. This broke ground for women in academia in NSW and Australia.
- Professor of History: Her professorship signifies a high level of achievement and contribution to the field of history within the state's leading university.
- Service on UN Post-War Remediation: Her involvement with the United Nations Relief and Rehabilitation Administration, working on the economic aspects of post-war recovery in Europe, demonstrates her expertise and contribution to international affairs. Her involvement in assessing needs, allocating resources and shaping policy recommendations within this significant international post-WWII organisation underscores her contributions. This brings a broader dimension to her significance beyond NSW.
- Scholarship: Her early scholarship, including her work on Asian immigration and her book on pre-fascist Italy, was recognized as "mature and sensitive" and a "pioneer study". Her attendance at international intellectual conferences also highlights her standing within the academic community of the time.

The other historical aspects are best addressed by a heritage expert.

#### **Point 5 – The Proposal**

**Page 39 – I note “removal of all trees on site”.**

Response – This is a major concern and completely incompatible with Ku-ring-gai Council's approach to trees, and inconsistent with the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

## **Point 6 – Impact Assessment**

### **Page 51**

Response – The proposal will have a huge impact on the heritage of the street. I note that the report states “The proposal involves the demolition of 3 existing dwellings, one being located within a Heritage Conservation Area (HCA), identified as the Stanhope Road Conservation Area (C25) under part 2 of Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015).” Note that ALL THREE EXISTING dwellings are within the vicinity of the HCA.

### **Page 52**

I disagree with the statement that “The proposed development has been assessed to have an acceptable impact on the HCA due to the compromised nature of 14 Stanhope Road, the contemporary nature of 10 and 14A Stanhope Road, and the sensitive design, particularly of Building A.”

The proposed development is of such a massive size and scale to be completely inconsistent with the nature of the character of the HCA.

### **Page 54**

The demolition of Number 14 will indeed have an adverse impact on the local HCA.

### **Page 55**

There is an acknowledgement that the DCP is **not** permissible under the TOD SEPP but that it would be in line with the planned future of this area.

The mass, size and scale of the development is at complete odds with the character of the street, the HCA, Killara and Ku-ring-gai. There are no other 4 storey street front homes, residences or buildings in Killara. There are no other 10 storey buildings within Killara. The proposed development is out of proportion to Killara.

The design is contemporary – this is out of character to the heritage nature of the street frontages in Stanhope Road.

### **Page 57**

There is an acknowledgement that there will be a change of view and vista to the HCA. Mature plantings is no substitute for heritage sympathetic designs.

## Page 58

Height – To have a 10 storey building and an 8 storey building in a street which has a maximum of 2 storeys will be a complete eyesore, and have detrimental impacts to the surrounding trees, which are critically endangered.

The preferred housing scenario that Ku-ring-gai council is proposing zones this as R4 with a height restriction to **12 metres**. 10 storeys is completely at odds with the visual character of Ku-ring-gai.

Note that the proposed development will have a lesser setback than other properties. The impact of this will NOT be mitigated through mature plantings.

## Page 59

Detailed landscaping plan is mentioned as being recommended, but it is not included in this report. If it is included in the landscaping report, then query if it has been cross referenced to the HIS as being compatible with the character of the HCA.

## Page 60

I note contemporary materials such as concrete and aluminium glazing are to be used, to “blend in with the neutral colour range of the existing character of the HCA”.

I suggest that concrete and aluminium are incompatible with the character of the HCA>

I note: “The finishes are to visually break down the bulk of the scheme.”

This is a clear acknowledgement that the proposal is oversized and overly bulky.

## Page 61

I note: “**There would be an effect on the setting of the conservation areas and the adjacent heritage listed item as a result of the massing of the building.** All significant and contributory items would be read in the context of higher density than what exists today, and the 12 Stanhope Road item in particular would be read against the backdrop of the rear Building B and the north façade of the forefront Building A, this would characterise the visual context of the item. **Some heritage impact is anticipated** in order to fulfill the objectives of the TOD SEPP and housing targets more broadly. While this location is appropriate for uplift given the diminished significance of 14 Stanhope Road and the contemporary nature of 10 & 14A Stanhope Road, the final materials and finishes boards and any further design resolution of the façade treatments are to be developed to soften the visual effect and mitigate **unacceptable impacts.**”

I believe the heritage impacts are severely downplayed in this report.

## **Page 62**

I note: "The subject proposal is in line with the future planned high density uplift of the area within the vicinity of the **nearby Roseville Railway Station** as per the TOD SEPP. "

It is not Roseville Railway Station that is nearby. One must query, if this is wrong, there is limited confidence about the accuracy of other elements of the report.

## **Page 63**

I note: "The proposed development will not result in a significant detrimental heritage impact to the Stanhope Road Conservation Area (C25)."

I dispute this. The visual impact to the neighbours, the street scape, the monstrosity that is 10 storeys, will ALL have a detrimental impact to the Stanhope HCA.

## **Response to Stormwater Plans (Appendix 23)**

Directing stormwater overflow through 10 Marian Street is likely to be problematic.

There is no easement to discharge to 10 Marian Street.

If more stormwater flow is added to the system from the proposed development there would be an increased risk of building flooding.

## **Social Impact Statement (Appendix 28)**

### **Executive Summary**

Page 2 Impacts related to community character, sense of place & heritage

Recent pressures on Ku-ring-gai to absorb the housing requirements of Sydney through the introduction of residential apartments has been met with some resistance by the Council in response to local community concerns. Much of this concern relates to the impacts higher density buildings will have upon the visual character and amenity of the area. Concerns about the impact of the development on neighbouring heritage buildings and conservation areas were raised during community engagement for the project. The Stanhope Road Heritage Conservation Area (HCA) has historic significance as part of the Jane Bradley's Springdale 1839 160-acre land grant whose boundaries are evident through Stanhope Rd and the Pacific Highway.

Response: There are 9 heritage listed houses on Stanhope Rd between the Pacific Hwy and Werona Ave all within close proximity to the development site. No 12 Stanhope Rd is completely isolated by the development. A development of this size, mass and scale will dramatically alter the visual character and amenities of the street and diminish the heritage value of those heritage home in the vicinity.

The land proposed for redevelopment includes one dwelling, 14 Stanhope Road, that is included in the HCA. The Heritage Impact Statement found that “the inter-war dwelling to be demolished located at 14 Stanhope Road within the Stanhope Road Conservation Area (C25) has limited integrity due to successive and extensive contemporary alterations to the primary façade which have highly compromised the dwelling’s ability to contribute to the local HCA”.

Response: This is questionable. Although this home has been extended at the rear it retains original features fronting the street and therefore contributes to the Heritage Conservation Area. There is absolutely no way that a 5/6 level apartment building on the street front will fit into the Heritage Conservation Area.

There are several new residential apartment buildings constructed or under construction, in the area. As of January 2025, the maximum building height of those developments was 6 storeys. While most dwellings in the area are one and two storey, and some are heritage listed, several low rise (up to six storeys) apartment buildings have been developed.

Response: There are no apartment buildings (existing or under construction) on Stanhope Rd. There are some on Culworth Avenue and Marian Street that are outside the Heritage Conservation Area. These are limited to 5-6 storeys which is significantly lower than the proposed 10 storeys.

Over time the increased population may contribute to the vibrancy of the area which in turn could build on the sense of place and local character.

Response: this assumes that the character of the area will change to be more inline this this out of place apartment building

While it is unlikely there is notable material negative impact on sense of place, some residents may view any apartment buildings counter to the character of the area. This may result in minor negative impacts to the health and wellbeing of some residents.

Response: ‘out of character’ is an understatement. This will definitely result in negative impacts on health & wellbeing for all residents on Stanhope Rd especially those in Heritage homes

Impacts related to local character and sense of place have been assessed as Low Negative.

Response: this is grossly understated

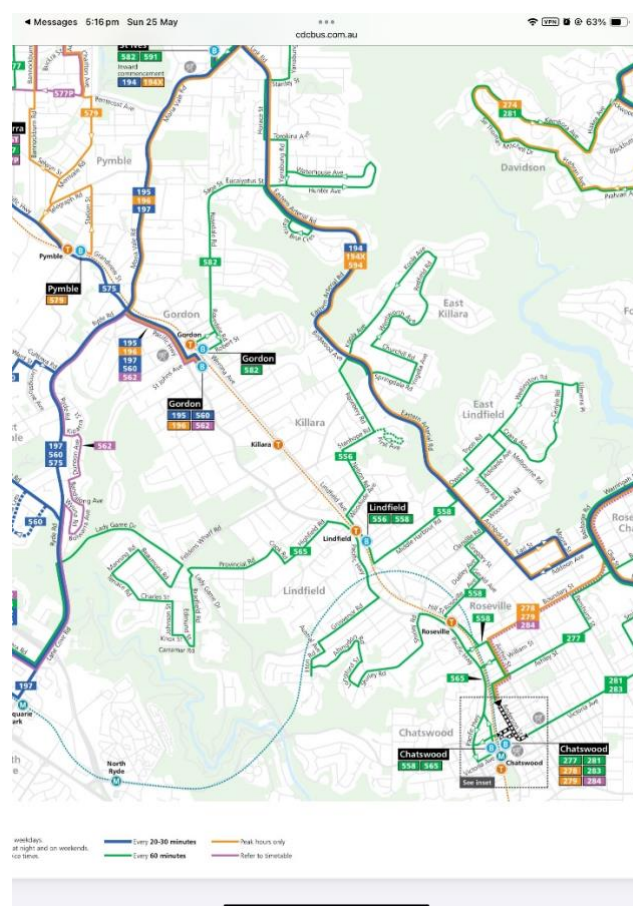
Page 2 Impacts related to location

Housing close to transport hubs and town centres helps reduce cost of living by giving people access to walkable amenities and cost-effective transport options.

Response: The train station is 450m, the closest park in 450m. The closest town centre is 1.1km at Lindfield. This is not considered a walkable amenity.

The site is approximately 400 metres from Killara Railway St, and a short walk to Killara Village on the Pacific Highway. Buses frequent the Pacific Highway that provide access to upper and lower North Shore centres, including the major Chatswood shopping centre.

Response: The site is approximately 450m from the station as stated elsewhere in this report. There is no Village in Killara. There are no bus routes from/to Killara. The closest bus route is Chatswood or Gordon as illustrated in the below image from cdcbus.com.au extracted 25 May 2025.



Schools, a golf course and Marian Street Theatre are also close by. Ku-ring -gai National Park is easily accessible from the site.

Response: Killara Golf Club is a private golf course with joining fee approximately \$18000 and annual fee of \$7000pa. So not attainable by most people. The Marian St theatre has been closed for 10years. Ku-ring-gai Chase National Park is a 20 minute drive or 54 minutes by public transport including the 30 minute walk.

Local amenity adjoining and around the subject site are likely to be affected during the construction phases on account of increased noise and air pollution as well as construction related traffic. These factors need to be considered when preparing any detailed construction related plans. Impacts related to construction activity have been assessed as Low Negative

Response: This is grossly understated. The recent renovation at No 10 that lasted approximately 2 years and caused traffic and parking issues for all residents in the street with people parking over driveways most days impacting resident's ability to park and/or access their own driveway. A development of this size and scale is going to have far greater impacts on parking, traffic, vibration & noise.

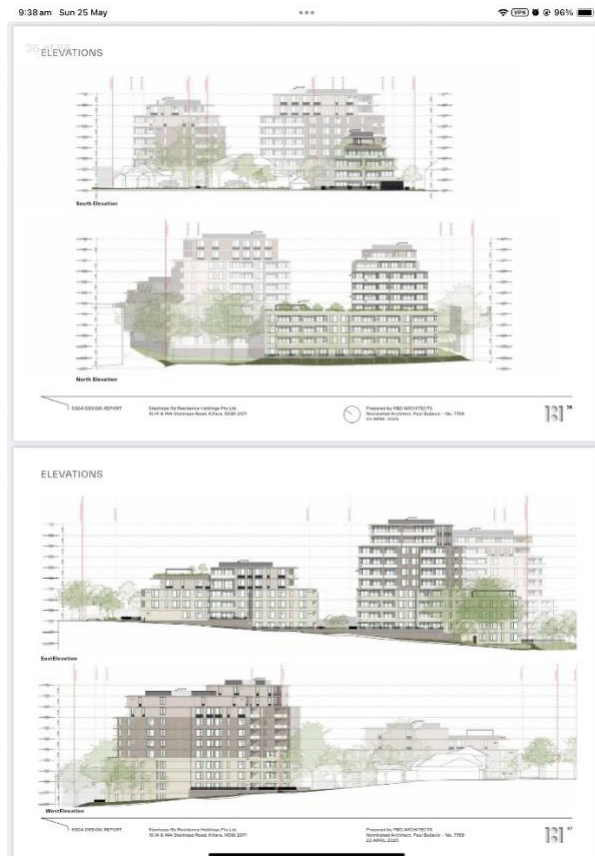
#### Page 3 Impacts to amenities

In some instances, local amenity can be adversely impacted by development. Loss of amenity can occur for a range of reasons, including significant increases to the heights of existing buildings, loss of heritage, more traffic, reduced parking, overshadowing and higher population density.

Response: Their own words. All apply.

While the proposal will increase density in the area, the set back of the site and the topography are likely to minimize any visual impacts that could be perceived as negative.

Response: The development is 10 levels surrounded by single or 2 storey buildings on 3 sides. The visual impact is shown here in their own drawings and are clearly not minimal.



## Social Impact Assessment

### Page 1 Geographic context

The site is zoned R2 Low Density Residential under to the Ku-Ring-Gai Local Environmental Plan 2015 (KLEP).

Response: 10 levels is not low density

### Page 2 Table 2

Response: this table does not seem to relate to the project?

### Page 3 Section 4 Scoping Study

The preparation of the scoping study involved:

- review of state and Liverpool City Council policy and planning drivers

Response: This development is within the Ku-ring-gai Council area

### Page 3 Table 3

Impacts related to sense of place: Design of the development to be sympathetic to the local environment

Impacts related to amenity: Design of the development to be sympathetic to the local environment

Response: the design is not sympathetic to the local environment

Page 5

Table 7. shows the median household weekly incomes, and the percentage of rental households under rental stress.

Response: table has no data

Table 9. shows the number of households eligible for affordable housing in the St Leonards – Naremburn SA2 based on the 2021 Census.

Response: table has no data

Page 13 Social Infrastructure

Council does not have a heritage resource centre that would provide advice and support to foster an appreciation of heritage and its stewardship. Such a centre would service heritage property owners, local residents, students, heritage consultants, historical researchers, and visitors to the area.

Response: The Ku-ring-gai Historical Society is within the library complex at Gordon.

Page 16 Ku-ring-gai Local Strategic Planning Statement

The most relevant planning priorities in Part 2, B are:

- K12 Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character. Principles for interface area include:
  - o provide a buffer or transitional development between differing scales of building, or differing land use types, or identified character areas
  - o retain an appropriate setting and visual curtilage to heritage items and heritage conservation areas, and the conservation of scenic and cultural landscapes

Response: This development does not comply with the Ku-ring-gai planning priorities. There is no buffer between the proposed 10 storey apartments and detached single or 2 storey homes. It does not retain appropriate setting or curtilage to heritage items or the Stanhope Heritage Conservation Area.

Page 18 Community Inbox

A contact email address for the project was made available and advertised in the project letter, on the project website and during the community drop in session

Response: I live directly opposite the project site and did not receive a letter or any correspondence from the develop. I was first made aware of this development when I received the notification from NSW planning

#### Page 18 Community Drop-In

The community drop-in session was advertised in the community flyer, which was distributed to over 500 residents and businesses in the local area.

Response: I live directly opposite the project site and did not receive a flyer. I was completely unaware of a drop in session

#### Page 19 Community Survey

The community survey was available on the project webpage, and was advertised in the community flyer which was distributed to over 500 local residents and businesses.

Response: I was not aware of a project website or survey

#### Page 19 Project responses

##### Heritage & Conservation

The project plans need to consider local heritage and conservation zones: The project has been designed to protect local heritage items, neighbouring properties and the local character of the street

Response: The project does not protect the local character of the street

The front façade of the building should preserve the street and local character in the conservation precinct: The façade of the building on Stanhope Road has been reduced to four storeys to ensure that local character is preserved

Response: the reduction to 4 storeys (5 Storeys in other reports) is at least double neighbouring properties to the east, west and south. It does not preserve the character of the street.

#### Page 23 Impacts related to traffic & parking

The proposed car parking spaces comply with the relevant requirements of the Ku-ring-gai DCP and SEPP.

Response: the car parking is complying however realistically it is understating and I estimate an additional 27 occupants' cars will either use the allocated visitor parking or be pushed onto the street. Either way there will be a significant number of additional cars on the street.

The Proposal satisfies the DCP requirement for 135 residential bicycle parking spaces and 14 visitor bicycle parking spaces.

Response: There have been no allowances made for bicycle lanes or separate access within the development. Nor are there any bicycle lanes on Stanhope Rd, The Pacific Highway or surrounding area.

The Traffic Impact Assessment found that there will be no adverse impact to the performance of the intersections because of the generated traffic.

Response: how is this possible when they have identified alternative routes will be required and intersections at Pacific Highway end of Stanhope Road are already operating at capacity.

#### Page 24 Community

Social networks, social cohesion, and place attachment are positive social impacts that can stimulate people's quality of life, however high-rise apartment buildings are often criticized for their negative social impacts, such as social isolation and low levels of interaction and social cohesion.

Response: If high rise apartments are linked to negative social impacts and the development is within a low-rise heritage conservation area would it not be more appropriate to build mid rise apartments (5 storeys to blend in with the apartments on Marian Street at the rear) and retain No 14 Stanhope Road conserving the heritage value of Stanhope Rd?

Research has shown that the design of mixed-use high-rise developments plays an important role in facilitating connection and community but also of significant importance is the willingness of the people who work and occupy the building to create a positive inclusive environment. The research shows that for high-rise buildings to foster a sense of community among users, particularly mixed-use buildings, it is vital that shared, communal spaces are provided in different locations and configurations and at different scales throughout the building<sup>14</sup>.

Response: This is not a mixed-use development

Most lots are rectangular, however, battle-axe lots are also common. A number of these battle-axe lots include multi-unit dwellings.

Response: there are no multi-unit dwellings on Stanhope Rd

The Stanhope Road Conservation Area has historic significance as part of the Jane Bradley's Springdale 1839 160-acre land grant whose boundaries are evident through Stanhope Rd and the Pacific Highway. However, the land on which the dwelling is located does not form part of the Conservation Area; only the driveway is included within the curtilage.

Response: Which dwelling is this referring to? The Driveway for no 10 and 14a are within the Heritage Conservation Area. No 14 is completely within the Heritage Conservation Area.

The site is not listed as a local heritage item by Schedule 5, Part 1 of the Ku-ring-gai LEP, and is not listed as an item on the State Heritage Register under the NSW Heritage Act 1977.

Response: It is my understanding that all natural & built items within a Heritage Protection Area are protected.

The TOD Sepp has identified Ku-ring-gai LGA has an area to accommodate dwellings in particular areas. Some sites within Stanhope Street, including the current site, are included. There are several new residential apartment buildings built, and currently under construction, in the area. As of January 2025, the maximum building height of those developments was 6 storeys.

Response: The TOD draws a 400 circle around Killara station which the site falls within. However, the walking distance from the pedestrian access point of the development is 450m from Killara station. There are no 6 storey apartments on Stanhope Road. There are 5 storey apartments on Culworth Avenue opposite the train line and not adjoining the site, there are 5 storey apartments in Marian Street to the rear of the development site and there are 6 storey apartments on the Pacific Highway. None of these sites sit within the Heritage Conservation Area

The proposed development is on a battle-axe block significantly setback from the street frontage.

Response: This refers to Nos 10 and 14a, it does not seem to include No 14.

The topography of the site means the proposed height is unlikely to disrupt the character of the street.

Response: Although the slope does drop off at the back the development will not sit within the current height of houses or even slightly over instead act as towers in the middle of a low-rise residential area surrounding by heritage homes. It will definitely disrupt the character of the street

#### Page 25 Access

The site is approximately 500 metres from the Site to Killara Railway St. Trains service the T9 – Hornsby to North Shore via City line. A train service is provided every 15 minutes in commuter peak periods and provides direct access between Hornsby Gordon via Sydney CBD.

Response: If this is true, does the TOD legislation apply?

Buses frequent the Pacific Highway that provide access to upper and lower North Shore centres, including the major Chatswood shopping centre. Killara Village on the Pacific Highway is half a kilometre from the Site.

Response: There is no access to buses in Killara and there is no Village in Killara

Schools, a golf course and Marian Street Theatre are also close by

Response: the golf course is private and very exclusive. The Marian St Theatre has been closed for 10 years.

Page 26 Health & Wellbeing

(This section acknowledges to negative impacts to neighbours during construction)

Page 30 Conclusion

These impacts are almost certain and major, however the number of dwellings and price points are likely to limit the extent of the social benefits.

Response: These apartments are not likely to be affordable despite the poor design build.

While existing gardens will be demolished in the construction phase, and the Arborist Impact Assessment identifies the need for the removal of two trees, the proposed landscape plan will mitigate the loss of vegetation across the development.

Response: The HIS refer to the removal of all trees and considering the significant pruning of trees and root area disruptions if these trees aren't removed before construction, they will not survive the construction process. These trees (more than 9) have been identified as critically endangered naturally occurring blue gums. There is 7% deep soil in the development. I doubt that can support the replacement of any significant trees.

## **Traffic Impact Assessment**

Page 1 Section 1 Introduction Table 1

No interruptions to regular pedestrian and transport routes will result from construction. No assessment required.

Response: This is a complete oversight. Stanhope Road is a connector street between the Pacific Highway and Wenona Avenue with considerable traffic coming from Fiddens Wharf Road. The road is used by school buses (in particular Killara High School), Rail buses during train outages and trackwork. Due to heritage listed trees that form a canopy over the street often cars, trucks and buses need to pull to the side to allow traffic to pass especially during busy times when cars are parked on both sides of the

street which will definitely be the case during construction. Stanhope Road is the only access point for this development.

#### Page 6 Section 2.3 Existing Traffic Environment

The intersection of Pacific Highway / Stanhope Road is currently operating at capacity for the right turn out from Stanhope Road. This is confirmed from review of the video footage where it was observed that multiple drivers undertook unsafe manoeuvres to turn right out of Stanhope Road during the peak periods after waiting for an extended time. During the peak AM and PM hours a total of nine (9) vehicles were recorded turning right from Stanhope Road onto Pacific Highway. Considering the low number of trips associated with the right turn and the unsafe nature of the turning movement it is recommended to include “No Right Turn – between 6AM – 10AM & 4PM – 7PM” signage for vehicles turning out of Stanhope Road.

Response: additional cars will only further add to the intersection that is already operating at capacity. The recommendation of a no right turn is sound as 1 car turning right out of Stanhope Rd can cause major congestion down the length of Stanhope Rd to Wenona Ave and makes it impossible for cars in Stanhope Rd to leave their driveway.

The other critical turning movement for the intersection of Stanhope Road / Pacific Highway is the right turn into Stanhope Road from the south. The results from SIDRA currently indicate that that this turning movement is operating at LoS “F” in the AM peak hour and LoS “D” in the PM peak hour.....The ultimate findings of the modelling indicate that the intersection is operating over capacity in both the AM and PM peak hour periods which is indicated by the degree of saturation exceeding 1, but also the behaviour of vehicles turning right and accepting lower than normal gap acceptance parameters to what would be expected for the type of road.

Considering the above, TfNSW and Council should consider increasing the capacity of right turning vehicles into and out of the eastern precinct of Killara (east of Pacific Highway). This is likely to involve additional signalised intersections along Pacific Highway.

Response: additional cars will only add to the intersection that is already operating over capacity. The recommendation is sound as cars are often queued past the waiting bay to turn right into Stanhope Rd causing the right lane on the Pacific Highway to be blocked.

#### Page 8 Section 2.5 Future Rd and Infrastructure Upgrade

Council is in the process of coordinating the design work for the upgrade of Pacific Highway / Havilah Road, Pacific Highway / Strickland Avenue and Pacific Highway / Balfour Street.....It is likely that the above upgrades work will improve traffic flow efficiency and safety along the Pacific Highway. It is expected that the upgrade works

will increase the capacity of the right turn movements for vehicles to access the subject site via the local road network.

Response: These upgrades are in Lindfield and will have no impact on traffic on the Pacific Highway nor will they increase the capacity of the right turn movements for vehicles to access the subject site.

#### Page 9. Section 3 Parking assessment

Response: While this development complies with resident and visitor parking requirements it assumes people occupying 2 bedroom affordable housing apartments have 0.5 cars, people occupying 3 bedroom affordable housing apartments have 1 car, people occupying 1 bedroom apartments have 0.5 cars and people occupying 4 bedroom apartments have 1.5 cars.

Realistically, those with 1 or 2 bedroom apartments are likely to have a car, those with 3 bedroom apartments are likely to be families with a minimum of 1.5 cars and those with 4 bedrooms are likely to be families with 2 cars. By these calculations an additional 27 spaces are required so they are either going to occupy the visitor parking and push visitors onto Stanhope Road or park on Stanhope Road.

The capacity for parking on Stanhope Road is already limited as the section of road between Pacific Highway and Werona Ave is only 300m providing

#### Page 10 Section 3.3 Bicycle & Motorcycle Parking Requirements

It is noted that some additional room or relocation is required to meet AS2890.3 compliance requirements.

Response: This should be amended prior to approval

#### Page 12 Section 3.6.1 Access for Pedestrians

The traffic volumes obtained in Section 2.3 indicate that both Stanhope Road and Werona Avenue carry greater than 500 two-way vehicle trips in the peak hour periods. In accordance with Austroads Guide to Road Design Part 4 – Section 8.2.2 a road with 500 two-way trips per hour is the point at which pedestrians will find it difficult to cross the road without additional crossing facilities such as pedestrian refuges and dedicated crossings.....It is recommended that pedestrian facilities be implemented at the signalised intersection of Werona Avenue / Stanhope Road on the northern and eastern legs to support pedestrian crossing movements between the subject site and Lindfield town centre.

Response: This is a sound recommendation as crossing over the railway line on Stanhope Rd to Wenona Ave is dangerous

#### Page 13 Section 4 Traffic Assessment

the expected traffic generation associated with the proposed development is in the order of 26 vehicle trips in the AM peak period (5 in, 21 out) and 20 vehicle trips in the PM peak period (16 in, 4 out)

Response: This seems grossly understated given there are 166 resident parking spaces and assumes only 15% of cars within the complex will utilise their car in the AM peak period and 12% in the PM peak period.

Page 16 Section 4.2 Traffic Assignment

As discussed in the Section 2.3 turning right out of Stanhope Road onto Pacific Highway currently has large delays and is an unsafe manoeuvre during peak periods. Therefore, no trips have been assigned to this turning movement and instead it is assumed drivers travelling from the site will instead utilise the signalised intersection to the north.

Response: It is unrealistic to assume that vehicles will detour in the opposite direction to avoid turning right out of Stanhope Road onto the Pacific Highway. Even so based on this assumption the study does not survey or comment on the intersections that will be impacted by this detour such as Marian Street/Pacific Highway, or Park Avenue/Pacific Highway which is already a dangerous and congested intersection during peak periods.

## **Conclusion**

The SSDA 81890707 is not in the public interest and does not reflect the community values and shared spirit of community, enjoying well designed homes amongst nature. Transport Oriented Development hubs may provide housing solutions but should not be at the detriment of community wellbeing that is grounded in caring for the environment, nature, history, heritage and being sustainable about development and planning.

Thank you for considering my submission against the SSDA 81890707.

Kind regards

A handwritten signature in blue ink, appearing to read 'Lara Bishkov'.

Lara Bishkov

5 Stanhope Road  
Killara NSW 2071