

Department of Planning Housing and Infrastructure

Locked Bag 5022

Parramatta NSW 2124

Attention: Adele Murimba

Dear Adele,

**To Whom It May Concern,**

I, **Nicholas Rogers**, a long-term resident of 7 Stanhope Road, Killara (since January 2012), write to express my **strong objection** to the State Significant Development Application **SSD-81890707** for 10, 14, and 14A Stanhope Road. This proposal poses a serious and irreversible threat to the **heritage, environmental, and social character** of Killara and is incompatible with the values that underpin the **Stanhope Road Heritage Conservation Area (HCA)**.

Our family chose to live in this suburb for its unique charm—marked by Federation-era homes, lush gardens, and a continuity of form and scale that is rare in modern Sydney. These characteristics are not incidental—they are the deliberate result of careful planning, conservation, and community stewardship over many decades. This development would fundamentally and permanently alter that legacy.

## **1. Irreconcilable Conflict with Heritage Values**

The **Stanhope Road HCA** is recognised for its **Federation and Interwar architectural styles**, cohesive garden settings, and consistent scale and materiality. According to Ku-ring-gai Council's Statement of Significance for this HCA:

“Stanhope Road represents a particularly fine example of Federation period residential development, with a remarkable consistency in architectural style, scale, setbacks and landscape settings. The area reflects the early 20th-century vision of a garden suburb within a bushland setting.”

This proposal directly contradicts that vision. The demolition of **14 Stanhope Road**, a **Federation residence built in 1908–1909**, erases a crucial piece of this historical continuum. While the property is not individually listed, it is **clearly contributory** and plays a vital role in maintaining the street's heritage integrity. The removal of this dwelling—alongside other Federation-style homes—would **rupture the visual and cultural continuity** that defines the HCA.

**Built form impacts** include:

- A proposed 10-storey height where the planning instruments only allow 9.5m.
- A total absence of meaningful height transitions, resulting in abrupt visual conflict with adjacent single-storey heritage properties.
- Overshadowing of heritage dwellings, such as **12 Stanhope Road** (also heritage-listed), destroying their solar access, garden viability, and outlook.

- Use of contemporary design elements—glazing, slab edges, steel balconies—that **directly oppose the HCA’s Design Guidelines.**

Furthermore, the **Heritage Impact Statement** within the EIS grossly downplays these effects. It fails to address the **cumulative impact** of demolishing multiple homes and replacing them with high-density, high-rise structures. **Clause 5.10 of the Ku-ring-gai LEP 2015**, which requires developments to conserve the significance of heritage items and heritage conservation areas, is **clearly breached.**

## 2. Violation of Local and Strategic Planning Objectives

This proposal undermines both **local zoning controls** and **strategic planning goals.**

- The site is zoned **R2 Low Density Residential**, a zoning specifically designed to protect **suburban character and heritage landscapes.**
- The development **ignores the Council’s TOD Housing Strategy**, which recommends medium-density infill near Gordon and Lindfield—locations with retail centres and infrastructure—not high-density in heritage precincts like Killara.
- The application relies on the **State Environmental Planning Policy (Housing) 2021**, but **misuses its intent.** TOD provisions were never intended to override established **Heritage Conservation Areas**, especially not where the built form bears no resemblance to the surrounding neighbourhood.

The applicant’s **Clause 4.6 request to vary height** is not justified on planning merit. The objectives of the height standard—to maintain character, protect amenity, and prevent overdevelopment—are **fundamentally breached.**

## 3. Loss of Cultural Landscape and Streetscape Cohesion

The removal of mature gardens, significant canopy trees, and the generous setbacks that define Stanhope Road would **obliterate the traditional garden suburb layout**, which is intrinsic to Ku-ring-gai’s identity.

- **The heritage significance of Killara is not confined to its architecture but extends to its street pattern, mature trees, and visual rhythm.** This proposal interrupts that rhythm with slab blocks, hard edges, and inappropriate scale.
- **Stanhope Road is one of the few streets in Killara that retains such a high degree of intact heritage housing stock.** Its loss would set a dangerous precedent, inviting further erosion of heritage values.

Precedent must also be considered: **Ku-ring-gai Council and the Land and Environment Court have previously rejected similar developments in conservation areas on the grounds of heritage conflict**, including in Gordon, Pymble, and Roseville.

## 4. Environmental Mismanagement and Biodiversity Loss

This site contains endangered and critically endangered ecological communities—**Blue Gum High Forest (BGHF)** and **Sydney Turpentine-Ironbark Forest (STIF)**—protected under both the **EPBC Act 1999** and the **Biodiversity Conservation Act 2016.**

The environmental assessment:

- **Neglects to survey for threatened fauna**, such as the powerful owl, microbats, and gliders.
- Makes **unverified claims** about the removal of BGHF in 2017, disregarding the potential for natural regeneration and ongoing habitat function.
- **Downplays the loss of 12 significant trees**, many of which contribute to the streetscape character and ecological health of the area.
- Provides only **7% deep soil planting**, well below accepted thresholds for canopy regeneration and water infiltration.

These ecological systems are not replaceable. Destroying them to enable overdevelopment contradicts NSW's commitments to **ecologically sustainable development** (EP&A Act, s1.3).

## 5. Amenity, Safety, and Infrastructure Failures

The scale of development is **incompatible with Killara's limited infrastructure**:

- The **Stanhope Road–Pacific Highway intersection** already experiences dangerous queuing and congestion.
- Adding **196 parking spaces** and increased pedestrian and bicycle traffic would exacerbate this issue.
- No upgrades to **school capacity, medical facilities, or green open space** are proposed.
- **Privacy and noise** issues for neighbours, especially Nos. 6, 8, 6A, 16 and 12 Stanhope Road, are unresolved.

## 6. Flawed Public Consultation and Assessment Process

The EIS contains numerous **inaccuracies**, including references to projects at **Tryon Road and Roseville**, suggesting that parts of the submission were recycled from unrelated proposals.

There has also been **insufficient community notification**. As a resident directly opposite the site, I received no personal notification prior to lodgement. This is unacceptable for a development of this scale and impact.

## Conclusion

The development proposed under **SSD-81890707** is an egregious example of overdevelopment in a heritage-sensitive area. It would cause **irreparable damage** to the architectural, cultural, and ecological fabric of Stanhope Road and the broader Killara community. This is not simply a planning issue—it is a matter of **cultural stewardship and community trust**.

I therefore **strongly urge the Department of Planning, Housing and Infrastructure to reject this application in full**.

Respectfully,

**Nicholas Rogers**

7 Stanhope Road, Killara NSW 2071

**Expert Reports:** In addition to my own submission, I rely upon the expert reports attached to fellow Stanhope Road resident, Jeffrey Bresnahan, prepared by Lisa Trueman (Heritage Advisor), John McFadden (Town Planner), Ross Wellington (Ecologist and Biodiversity Expert), and Colin Israel (Heritage Advisor).