

Subject: Objection to Develotek Proposal (SSD - 82395459)

4 June 2025

Dear Minister,

I note my **strong objection** to Develotek's development proposal at Burgoyne Lane / Street, Pearson Avenue, Gordon (SSD - 82395459), which prioritises development returns over the preservation of historical assets and the environment.

The Developer's argument for justification of its approval is centred upon its view of 'future context', having **no regard** to the importance of the areas existing heritage significance and environmental importance, contravening the explicit directive from Ku-ring-gai Council to fully protect this site.

This development attempts to exploit existing planning regulations for "affordable housing" and "Transport Oriented Development" before Ku-ring-gai Council's "Preferred Alternative Scenario" is imminently endorsed, which would see this proposal be **immediately scrapped** given its impact on the high concentration of surrounding heritage listed homes and the biodiversity of the land on which the development is intended.

A few pertinent points pertaining to housing supply and affordability:

- Only 2% of GFA is proposed as affordable, the bare minimum requirement
- The majority is set to remain unaffordable
- Ku-ring-gai Council's Preferred Alternative Scenario delivers greater housing supply and affordability measures compared to TOD outcomes, particularly in Gordon
- The Applicant has failed to consider other alternative locations (breaching regulation requirements)
- Having regard to critical planning considerations applied by Council (fundamental in an area underpinned by its heritage and environmental context), there are far better suited locations for a development of this scale. Ku-ring-gai Council's Preferred Alternative Scenario is set to deliver ~9,000 additional dwellings alone in Gordon (yet callously ignored by the Applicant)

A read of the documentation illustrates its deceptive, flawed, and misleading assessment. This is rather concerning. I expect the State will hold the Applicant to proper account for essentially wasting its time and resources to review what is a grossly deceptive application that warrants rejection.

This is summarised below:

- The design claims to be "suitable in scale" but violates height limits and will have a domineering and disproportionate impact on the high concentration of low-rise heritage-listed dwellings and a HCA, with inappropriate transition. **A 3m laneway (i.e. Burgoyne Lane), back fence, proposed vegetation cannot be considered appropriate transition buffers between currently existing heritage-listed low-rise dwellings and high-rise apartment towers.**
- The contextual setting is de-emphasised, assuming development in the Gordondale HCA up to 22m immediately south of the site, despite the Council's explicit directive for this area to be "fully protected". Figure 9 is therefore entirely misleading. The State Government mandates Council assessment for any TOD development in these areas.
- Visual privacy impacts are grossly misrepresented through digital overlays, minimising the true effects, with claims that "proposed vegetation" will adequately mitigate them. Elevation of surrounding homes in the assessment along Park Avenue have been blatantly disregarded.
- The heritage assessments provide weak justification for approval, relying on inappropriate elements like "back yards, fencing, vegetation, and tennis courts".
- Overshadowing assessments deem the outcome appropriate based on shade in an area otherwise exposed to full sun, considering it a "good outcome".

- Ku-ring-gai Council's Preferred Alternative Scenario is disregarded, citing its "unfinished" status, rather than acknowledging its specific exclusion of this area from development due to its historical significance and biodiversity value.
- Social impacts are downplayed through flawed visual analysis, inadequate community consultation and engagement for a development of this scale (violating Department of Planning, Housing and Infrastructure (DPHI) requirements), and traffic impacts are understated in an already congested area.
- Environmental impacts are de-emphasized; the removal of 62 mature, established, and exotic trees, dating back to Federation and critical to Ku-ring-gai's tree canopy and green-web, represents significant environmental damage. There are more suitable locations per Ku-ring-gai Council's Preferred Alternative Scenario which would not impact the environment anywhere near this scale.

Our history and environment deserves far better respect!

Regards,

Kate