
Sarah Watson
16 Park Avenue
Gordon, NSW 2072

Minister for Planning & Public Spaces
SSD - 82395459
4 Parramatta Square, 12 Darcy Street
Parramatta
NSW 2150

11 June 2025

STRONG OBJECTION TO DEVELOPMENT PROPOSAL: BURGOYNE LANE, PEARSON AVENUE, BURGOYNE STREET, GORDON (SSD - 82395459)

Dear Minister,

I would like to express my strong objection to the proposed development by Develotek Property Group (Developer / Applicant) at Burgoyne Lane, Pearson Avenue, and Burgoyne Street Gordon (SSD - 82395459).

The exhibition documents outline a proposal which is disingenuous, highlighting the Developer's prioritisation of profit over protecting, respecting, and preserving the existing heritage value and significance of the Gordon area, together with the well-being of our community.

The report is littered with erroneous statements, misleading, and unsupported generalisations, as explicitly documented within this submission. A 26-metre-high jarring structure (breaching TOD controls) immediately opposite and adjacent heritage homes, and the Gordondale Heritage Conservation Area (HCA) cannot "sympathetically" integrate or value the heritage of the area.

This proposal is a **manipulative and opportunistic attempt** to exploit affordable in-fill housing and TOD planning legislation to have excessive and overbearing high-rise apartment towers fast-tracked for approval, aimed at emotionally targeting the Government's housing supply and affordability angle as the imperative for its approval.

The proposal blatantly ignores critical planning principles and the **Council's own Preferred Alternative Scenario**, which **specifically protected this site from development**, due to the heritage significance and value of the surrounding area, together with the site's biodiversity value. With formal endorsement secured, **the considered planning approach of this scenario must be recognised, ensuring this area remains undeveloped**.

Offering the **minimum 2% of GFA as affordable housing units** is a negligible contribution, and at a likely base price of ~\$2 million, roughly 70% of these apartments will remain unaffordable, given Sydney's average pre-tax income of ~\$83,000¹.

As recently noted by NSW Heritage Minister Penny Sharpe, NSW has "never had a strategy to recognise, protect, and enhance heritage"². The time is now!

Below provides a summary of the key issues pertaining to this proposal, which are further detailed in Section 1 of this submission:

¹ Google.

² Revealed: The plan to protect Sydney's heritage buildings, Julie Power, SMH, 18 May 2025.

-
- × **Towering Over Gordon:** The excessive height (~26-metres) and footprint is disproportionate and excessive to the surrounding low-rise streetscape and heritage context, with an overbearing impact on surrounding heritage properties and the Gordondale HCA. TOD building heights are breached, visual privacy impacts are significantly downplayed, overshadowing effects are understated, setbacks are grossly inadequate, unacceptable transition impacts in built form are not addressed, destroying sightlines, and obliterating the privacy of numerous residences adjacent and proximate to the site.
 - × **Poor-Quality Design:** The design reflects a poorly designed box type structure across two towers, unsympathetic to the surrounding local heritage character, with a focus on maximising density. What is proposed is an abrupt and jarring interface between high-rise apartment blocks and existing low-rise dwellings (both adjacent, immediately opposite, and directly behind the proposal), with no consideration for visual harmony, privacy, or heritage cohesion.
 - × **Inconsistent with Ku-ring-gai Council's Preferred Alternative Scenario:** The proposal overtly disregards key planning principles and Ku-ring-gai Council's Preferred Alternative Scenario which explicitly excludes this site from development due to the surrounding heritage significance and value of the area, together with the site's specific biodiversity value. This has been strategically ignored within the Developer's proposal. We must recognise the necessity of a considered planning approach in this location, safeguarding this area from any future development.
 - × **Ignores Heritage Significance and Value of Existing Location:** The proposal fails to have proper regard to its impact on the existing heritage value and significance of the area (being one of the earliest settlements in Ku-ring-gai dating back to the 1830s). The development is justified through the Developer's "perceived view" of the "future desired density" of the area, however, has a blatant disregard to surrounding heritage homes and the Gordondale HCA which the State has earmarked for preservation. The NSW Heritage Manual³ and case law⁴ explicitly requires context, streetscape, and visual setting as essential considerations for proposed development. This has been further reinforced by the Community as part of Ku-ring-gai Council's recent survey⁵ advocating for stronger heritage preservation and protection measures (refer Appendix 1).
 - × **Lack of Appropriate Community Engagement:** There has been a gross failure of the Developer to undertake any meaningful community engagement and consultation (breaching DPHI's Social Impact requirements) to properly respect and address the concerns of the local community and appropriately assess the social impact of the proposal (i.e. no community webinars, no community briefings, emails ignored, enquiry line not provided).
 - × **Inaccurately Assesses Social Impact:** Critical community concerns regarding the incompatibility of the development with the adjacent and surrounding heritage sites and HCA have been strategically ignored (refer Appendix 3). In addition, the Social Impact Assessment contains flawed methodology in its appraisal of the impact of the bulk, height, scale, and density of the development, construction impacts, along with communication consultation and engagement.
 - × **Environmental Destruction:** 62 trees alone will be destroyed (>50% of trees on-site), including many native, mature, and exotic trees dating back to Federation, eradicating our precious tree canopy (including Blue Gum High Forest), green-web, and vital wildlife habitats, contradicting the Council's commitment to environmental preservation of this site.
 - × **Traffic Overload:** With >100 apartments in this single development, this development together with others to come (and currently under assessment), will only worsen an existing traffic choke point entering the Pacific Highway from Park Avenue (refer Appendix 6), and related safety issues within the area. This has been further reinforced by the Community as part of Ku-ring-gai Council's recent survey⁶ (refer Appendix 7).

³ NSW Heritage Manual (pages 4 and 7).

⁴ Scott v Woollahra Council [2017] NSWLEC 81, which upheld that visual relationships and setting between heritage items are material to their ongoing value.
 Millers Point Community Assoc Inc v Property NSW [2015] NSWLEC51, which found that the social and environmental context of heritage items was critical to their assessed significance.

⁵ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

⁶ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

- × **No Community Benefits:** This project offers nothing to the existing community, instead, it only serves to destroy Gordon's heritage and natural environment, providing on-site facilities for residents only which does not encourage them to immerse themselves within the local community, but instead takes an elitist approach to providing what is dressed up as 'affordable accommodation'.

This submission is structured as follows:

#	Section	Overview
1.	Inaccuracies within Exhibition Documentation	<ul style="list-style-type: none"> This section summaries key assessment areas inappropriately reviewed and concluded as part of the Development Application, warranting rejection of this proposal
2.	Direct negative implications of the proposal on my heritage listed residence at 16 Park Avenue, Gordon	<ul style="list-style-type: none"> This section provides an overview of the detrimental social impact this proposal will inflict to my heritage listed property and young family immediately opposite the proposed development

This section provides strong evidence which illustrates the proposal is disingenuous, misleading, flawed, and unsuitable. Accordingly, the proposal must be rejected by the State.

Section 1. Inaccuracies within Exhibition Documentation

Section	Page refs	Comment
1.1 Summary	91 (EIS)	<ul style="list-style-type: none"> Overall, the proposal inadequately addresses the detrimental impact on the area's heritage value and significance, justifying its existence solely on the provision of housing supply near Gordon Train Station Critical planning principles are disregarded, with unsubstantiated claims of suitable scale based on flawed analysis and methodology. This includes visual privacy assessments strategically designed to downplay the overall impact (refer Appendix 8 and section 1.6 below), along with overshadowing significantly understated (refer section 1.7 below), together with social impact assessments ignoring critical community input, resulting in erroneous residual ratings The rationale for the project focuses on a perceived "future desired density", disregarding the significant number of surrounding heritage listed homes, the Council's explicit directive to 'fully protect' the Gordondale HCA (refer Appendix 2), and the community's strong advocacy for enhanced heritage preservation and protection measures⁷ (refer Appendix 1)
1.2 Ku-ring-gai Council's Preferred Alternative Scenario	38 (EIS)	<ul style="list-style-type: none"> The Council's Preferred Alternative Scenario is acknowledged, but it strategically ignores the primary justification for preserving this area; the transitional effects of any development on the adjacent high concentration of heritage listed properties, the value of the Gordondale HCA, together with the biodiversity of the land (refer Appendix 2) Basic comments are made that Council's scenario would "impede development potential of the site", rather than noting 4 out of 7 critical Council planning principles

⁷ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

		<p>would be breached should development be undertaken in this location, including:</p> <ol style="list-style-type: none"> 1. Avoid Environmentally Sensitive Areas 2. Minimise Impact on Heritage Items 3. Preserve Heritage Conservation Areas 4. Manage Transition Impacts <ul style="list-style-type: none"> • Further, Council's Preferred Alternative Scenario has been developed based on extensive community input, fundamental planning considerations, and exceeds the State's proposed housing supply targets in the Gordon precinct alone, including variable affordable housing targets in excess of 2% (up to 10%) across all TOD precincts to better cater for affordable housing supply • With formal endorsement of this Scenario now secured, the considered planning approach must be recognised, ensuring this area remains undeveloped
1.3 Site Context	13, 65 (EIS)	<ul style="list-style-type: none"> • Whilst the site context recognises the surrounding Gordondale HCA, it significantly downplays the impact of the proposal on this location by claiming that items within this HCA which are not individually listed may be developed to a height of 22m • This assertion is highly improbable and misleading, considering the high concentration of individually listed heritage items within this area and the Council's commitment to fully protecting this HCA (refer Appendix 2) • Figure 19, page 65 (EIS) misleads the assessor by inserting a grey overlay to the south of the site, claiming "Potential Future Envelope 22m", however what the report fails to acknowledge is this area represents the Gordondale HCA and the Council has specifically called for this area to be "fully protected", noting any TOD development involving a HCA must be assessed by Council as explicitly noted by the State⁸ • The development's potential to isolate heritage homes, coupled with the presence of various built forms that contribute to the location's heritage value, further undermines this claim • The documentation's assertion regarding the western boundary, citing "high-density residential flat building" at 2-6 Pearson Avenue, is inaccurate. The existing development contains only ~30 units, which does not constitute "high-density," and is located on the opposite side of the road. The documentation strategically omits noting the individually listed heritage property at 8 Pearson Avenue, directly opposite the proposed development on this boundary. Furthermore, it fails to acknowledge that the current context on the adjoining side of Pearson Avenue consists entirely of low-rise dwellings • Figure 1, purportedly illustrating the project's "context" is fundamentally flawed. It neglects to acknowledge the Gordondale HCA, focusing instead solely on a few community facilities and the proximity to Gordon Train Station
1.4 Design	17, 43, 55 (EIS), 21	<ul style="list-style-type: none"> • The proposal states the development will be "suitable in scale" which is fundamentally inaccurate

⁸ <https://www.planning.nsw.gov.au/policy-and-legislation/housing/transport-oriented-development-program/transport-oriented-development/#-frequently-asked-questions-> (refer answer to question: 'Will the policy apply in heritage conservation areas?').

	(Visual Impact Analysis)	<ul style="list-style-type: none"> • A built form rising to ~26-metres, breaching TOD controls, in an area currently surrounded by low-rise heritage listed dwellings cannot be considered “sympathetic” when it will significantly impact sight-lines and privacy across this section of the Gordon precinct • The report is biased towards what it believes is the “future character” of the area, proposes a design underpinned by maximum density, that has no regard to the elements that will not change, being an existing HCA and a high concentration of surrounding heritage listed items, with their aesthetic significance and historical value to Kuring-gai and NSW • Claims of “heritage” features within the design are a tokenistic attempt at meeting design standards for fast-tracked approval (e.g. bricks) • The design squashes the development to the southern end of the site where the bulk of the built form and massing is positioned, with no consideration for visual harmony, privacy, or heritage cohesion, particularly at this juncture • Claims by the Applicant that the “treatment of the various elevations aligns with the existing entourage, responding to the scale of the boundaries and adjacent properties” is farcical given the proposed structures will tower over adjacent properties with a domineering presence, particularly to the south of the site • This is further emphasised where the report claims the buildings “follow the natural slope of the terrain, descending in height on both western and eastern sides”, however fails to acknowledge the southern side and the strategic value and significance of this heritage setting • What is proposed results in an abrupt and poorly planned interface between two high-rise apartment towers and existing low-rise residential heritage listed properties, with only a 3m laneway (i.e. Burgoyne Lane) justified as providing appropriate transition • The design fundamentally contradicts the importance of the heritage value and significance of the Gordondale HCA as explicitly noted by Council, violating several critical planning principles and the call for explicit preservation of this area (refer Appendix 2) • Whilst section 2.9 (43, EIS) seeks to address the EP&A Regulation on feasible alternatives, the option analysis undertaken fails to properly consider key alternatives as required by this. For example, 2.9.2 acknowledges that the option to develop on an alternative site “was not considered”, despite plentiful locations better suitable to this proposed development as outlined within Council’s Preferred Alternative Scenario • Further, the argument that the current design is the “most appropriate” given it locates the bulk away from the northern boundary demonstrates the Applicant’s scant regard to the impact of the development on the surrounding heritage listed items and the Gordondale HCA immediately south of the site. All else remaining equal, Option A better responds to the ‘call to action’ from
--	--------------------------	--

		the Community for stronger heritage and preservation measures ⁹ , given the orientation of the towers are furthest away from the high concentration of heritage listed properties directly to the south of the site
1.5 Density Over Design	<ul style="list-style-type: none"> 17, 54, 73 (EIS) 	<ul style="list-style-type: none"> The application demonstrates that all design aspects have been manipulated to maximise the project's scale at the expense of quality design outcomes in the site's context The applicant claims it will have a "minimal impact on surrounding uses and environments" which blatantly contradicts Council's recommendation that this area is excluded from development to avoid interface impacts on the adjacent heritage items and Gordondale HCA which is to be fully protected The proposal includes a breach of height limits (page 73 (EIS)) with minimum setbacks, further demonstrating a blatant disregard to the impact of the proposed structure on the local heritage setting and its significance, to ensure that a genuine transitional outcome between the development site and the surrounding context is achieved The flawed nature of the proposal is further exposed where the proposal claims it has considered the "future desired character to the south of Burgoyne Lane", however the Council and State have called for the preservation and protection of this area, with the Council specifically noting the high concentration of heritage listed dwellings and contributory houses in this location (refer Appendix 2)
1.6 Visual Privacy	18, 55 (EIS), 1, 3, 14, 15 (Visual Planning Impact Analysis)	<ul style="list-style-type: none"> Per slide 18 (Visual Planning Impact Analysis), from 230 documented views, only 7 were selected for detailed analysis with no clear rationale as to why these 7 were chosen. The report concludes that 6 of these showed "nil" or "negligible" impacts The impact to my property at 16 Park Avenue, directly south of the site is fundamentally inaccurate, misleading, and deceptive (refer Appendix 8) and therefore the conclusion from this analysis is erroneous Consideration is deceptively assessed from the lowest topographic point on my property, assuming one is standing on the tennis court with a digitally created fence structure incorporated into the assessment to likely understate the impact on our visual setting. Refer Appendix 9 which demonstrates the actual photo imaging from the same location and an overlay for the impact of the proposal The assessment has strategically ignored the fact that our home is positioned materially higher in elevation and therefore the visual privacy implications should be assessed as "high" given the wide, deep, continuous, and uninterrupted view of the tree canopy, including framing elements Refer Appendix 10, which provides photo imagery from key focal points across my home which should be used to accurately assess the detrimental visual privacy impacts from this proposal The privacy of my young family is set to be obliterated, with floor to ceiling windows and a disproportionate

⁹ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

		<p>structure visible from all areas of my back-garden and multiple living zones, including open plan kitchen, dining and living areas, multiple bedrooms (both adult / young children), and upstairs bathroom. Page 55 (EIS) explicitly mentions “windows and balconies will provide good passive surveillance of the surrounding streets”</p> <ul style="list-style-type: none"> • This is unacceptable, with justification based on what is considered the “future desired character of the precinct” and “anticipated planning controls”, again demonstrating a blatant disregard to the social impact of this proposal on the existing community and the context in which the site is located • The proposal's weakness is further exposed by its claim that “no elevations will be visible from medium to long distances”, which outright ignores the more significant privacy concerns prevalent at short-distance ranges. In addition to conclusions based on “proposed vegetation” that is likely to take up to 10 years to grow in height as depicted in what the assessment classifies as “final images” • The conclusion by Willowtree Planning that the proposal can be supported on visual grounds is therefore inaccurate, unsupportable, and could not be determined by the consent authority until such time as the relevant information is provided by the Applicant, having regard to section 4.15 of the Environmental Planning and Assessment Act 1979 • I welcome an accurate assessment to be undertaken from key locations across my property to appropriately assess the detrimental impact this proposal will inflict on my family's privacy
1.7 Overshadowing	99 (EIS), 25 (Environmental Amenity Assessment)	<ul style="list-style-type: none"> • The conclusion that the proposed development is “not considered to give rise to any unacceptable overshadowing” is misleading and deceptive • I have meticulously analysed the sunshine in my backgarden since this proposal has been on exhibition and we are set to lose the enjoyment of our winter sunshine from 3pm onwards each day across multiple zones within our home, including formal / informal living areas, open plan kitchen, and outside deck area • The claim per page 25 (Environmental Amenity Assessment) that this is only prevalent at 3pm and is a “good outcome” given the majority of the backyard will be in the sun throughout the day is insulting and again demonstrates the total disregard of the proposal on the existing community and biased nature of the assessment
1.8 Social Impact	50 (Social Impact Assessment)	<ul style="list-style-type: none"> • The Social Impact Assessment is grossly misleading, determining a ‘Low-Medium’ residual rating outcome for each of the assessed criteria • The subjective ‘Medium’ residual rating assigned to ‘Increased bulk, height, scale, and density’ is flawed as noted on page 48 (Social Impact Assessment) as this should be rated “high” • This proposal is set to dramatically alter the sense of community, heritage value, and environmental landscape of the surrounding area. The flawed Visual Planning Impact Analysis cannot be used as appropriate mitigation as the assessment undertaken is erroneous and inaccurately analyses the impact of the scale of the

		<p>development on the surrounding neighbourhood as highlighted within this submission (refer section 1.6 above). Furthermore, claims of “significant recesses and zones of articulation” are unsubstantiated, with claims of “minimum setbacks” insulting in its justification of “respecting the transitioning from low to high density” when TOD height limits are breached and the design creates a domineering and jarring interface, rising ~26-metres immediately adjacent and surrounding low-rise heritage listed dwellings</p> <ul style="list-style-type: none"> • The assessment's 'Medium' rating for 'Construction activities can cause a potential decline in amenities' is also inaccurate. The proposal will impose a prolonged period of significantly compromised living standards on surrounding neighbours, including excessive dust, dirt, and noise, for six days per week. Further, the impact on the traffic network, which is currently operating at capacity, was acknowledged but understated • Finally, the 'Medium' residual rating for 'Adequate communication and consultation with local community' is highly flawed. As detailed in the 'Community Engagement' section of this submission (refer section 1.11 below), the Developer has failed to adequately consult with the local community, breaching DPHI requirements, with community requests for specific information, along with expressions of frustration, including a formal complaint regarding the engagement process, blatantly ignored • Given the aforementioned points, the determination that the proposal is 'acceptable' on social grounds is therefore misleading and inaccurate
1.9 Environmental Impacts	38 (EIS)	<ul style="list-style-type: none"> • The report claims the proposal will have “minimal environmental impacts” yet 62 trees alone will be destroyed (>50% of trees on-site), including many native, mature, and exotic trees dating back to Federation, eradicating Ku-ring-gai's tree canopy (including Blue Gum High Forest), green-web, and vital wildlife habitats, contradicting the Council's commitment to environmental preservation of this site • Further it involves only planting 46 new trees, demonstrating a net loss of trees (page 49, EIS) • The removal of the entire visual tree-canopy from my residence, which is home to essential wildlife and mature trees with high landscape significance as noted, especially in the rear garden of 7 Burgoyne Street, is of significant concern
1.10 Traffic Impacts	18, 103 (EIS)	<ul style="list-style-type: none"> • The proposal states that “traffic modelling shows minimal impact” and it is “not expected to result in any noticeable traffic impacts on the surrounding road network” • This is disturbingly inaccurate and an independent peer review assessment is required. This proposal will only worsen an existing traffic choke point and related safety issues entering the Pacific Highway from Park Avenue, along with the Park Avenue / Werona Avenue intersection (refer Appendix 6 which illustrates daily traffic congestion on Park Avenue and Werona Avenue) • Community feedback via Ku-ring-gai Council's recent survey also notes traffic congestion and related safety issues around this area as a key concern, with 5 reported

		<p>accidents in recent years on Park Avenue, with 3 classified as serious¹⁰</p> <ul style="list-style-type: none"> • Further, the traffic impact assessment does not take into account the cumulative impact of this proposal with that at 3-9 Park Avenue, Gordon, which is also under assessment. The cumulative impact of these proposals must be considered on the surrounding network
1.11 Community Engagement	17, 84, 85, 86 (EIS), 33, 34, 39 (Social Impact Assessment)	<ul style="list-style-type: none"> • There has been a complete and utter failure of the Applicant to properly consult and engage with the community, contravening DPHI requirements, with the level of engagement disproportionate to the scale and impacts of the proposed development • The document notes a “comprehensive level of community and stakeholder engagement has been undertaken” which is misleading and inaccurate, with frustration by residents with the lack of detail provided noted (refer page 40, Social Impact Assessment), yet clearly disregarded • No community webinars have been held, no community briefings undertaken, nor an enquiry line provided to voice concerns, with requests for detail blatantly ignored • This failure to properly engage highlights the lack of consideration for the social impact of the project on the neighbouring community • The fact sheet distributed to residents (refer Appendix 5) provided high level information only and lacked sufficient detail for neighbouring residents to properly assess and comprehend the proposed development's impact on their respective residences • The attached emails (refer Appendices 3 and 4), including a formal complaint and request for further detail sent to Willowtree Communications in late April, received no response, despite the Social Impact Assessment report (page 33) stating the “dedicated project email” was “monitored on a daily basis” • Page 34 of the Social Impact Assessment claims all 7 emails sent were “acknowledged”, despite sending two emails per above and never receiving any acknowledgement. The 7 noted in this assessment contradicts the “less than 5” stated in the EIS report, casting serious doubts on the overall integrity of the EIS and Social Impact Assessment • Whilst the report states community members were able to contact Willowtree Communications via their business contact details, these details were not provided, and attempts at contacting them via details provided on the web went mostly unanswered • In relation to the survey results contained within the Social Impact Assessment (refer pages 36-39), it is acknowledged there is considerable community opposition to the proposal, including mostly project specific characteristics as noted (e.g. scale, height, density, lack of consistency with streetscape etc.) yet these concerns are dismissed as “concerns unrelated to the proposed building”, rather “more consistent with issues surrounding the TOD”. This is comical and disingenuous

¹⁰ Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

		<ul style="list-style-type: none"> • We did not receive any door-knocking, and we have no record of any attempt to engage with us, despite being home most of the time. A single day of door-knocking during business hours does not constitute a legitimate 'Doorknock Campaign' • Further, concerns regarding the impact of the proposal on the surrounding heritage properties and Gordondale HCA have been selectively excluded from Section 5.2 'Summary of community feedback'. Refer Appendix 3 which includes correspondence sent to Willowtree Communications in late April, noting the incompatibility of the development with the adjacent and surrounding heritage sites and Gordondale HCA, representative of the views of the local resident action group. The omission of these concerns again casts doubt on the overall integrity of the EIS assessment • In addition to the points raised above, the responses to consultation matters in Table 13 (pages 84-86, EIS) are factually incorrect, including: <ul style="list-style-type: none"> – The claim the "majority of on-site trees are retained" – when the report indicates 62 of the 115 trees, or >50% are set to be destroyed – It will not have an adverse impact on traffic movements (refer Appendix 6 which illustrates otherwise) – Claims responses were provided to requests for additional information, yet the email I sent directly to Willowtree Communications in late April (refer Appendix 4) received no response
1.12 Heritage Assessment	21 (Visual Impact Analysis), Statement of Heritage Impact	<ul style="list-style-type: none"> • The proposal has a clear disregard for the surrounding high concentration of heritage homes and the Gordondale HCA, with the report prioritising its approval by focusing on the Government's housing supply and affordability goals, exploiting emotional appeals • This proposal blatantly ignores critical planning principles and the Council's own Preferred Alternative Scenario, which specifically protected this site from development, due to the heritage significance and value of the surrounding area • The proposal blatantly disregards the Council's Preferred Alternative Scenario by claiming it is "yet to be finalised", despite the Council's explicit directive to fully protect this area given its heritage importance. This Scenario has now been formally endorsed and its considered planning approach must be recognised in an area underpinned by critical planning considerations (i.e. high value heritage / vital environmental elements) • The assertion that a 6-metre setback for Building A's Burgoyne Lane frontage constitutes a "sympathetic response" and provides a transition to the existing lower-scale dwellings within the Gordondale HCA is farcical • As noted above, the proposed design, with its concentrated massing, downplayed privacy concerns, underestimated overshadowing, insufficient setbacks, and poor transition, severely damages the heritage value and significance of the southern end of the site • What is proposed is an abrupt and jarring interface between high-rise apartment blocks and existing low-rise heritage dwellings immediately to the south of the site,

		<p>with no consideration for visual harmony, privacy, or heritage cohesion</p> <ul style="list-style-type: none"> • The conclusion that the development is “acceptable” is based on generalisations and unsupportable justifications, with tokenistic design considerations used as the basis to support their conclusion (e.g. bricks, vegetation), which fail to properly acknowledge the sites rich heritage context and significance • The proposal is of a magnitude and scale which is entirely disproportionate, unsympathetic, and out of character to the surrounding heritage context, HCA, and existing neighbourhood • The inadequacy of this assessment is further reinforced in the Statement of Heritage Impact where it states the character of the area where the site lies is “likely to undergone (sic) significant changes”, failing to acknowledge the surrounding listed heritage properties and Gordondale HCA which the State and Council have earmarked for protection and preservation • Further, the Statement of Heritage Impact attempts to justify the transition impacts of the high-rise towers by citing the “deep back yards, fencing, vegetation, and tennis courts” of surrounding private properties • This justification is clearly inappropriate, flawed, and unjustified, as these features are insufficient to mitigate the significant impacts of high-rise apartment towers on smaller heritage items • As noted earlier, my entire visual landscape, privacy, and livelihood of my young family is set to be eradicated by this proposal, with the “deep separation provided by the rear of my back garden” used as justification for its approval
1.13 Summary	56 (EIS)	<ul style="list-style-type: none"> • The proposal is littered with emotive language, demonstrating its attempt at leveraging the State's focus on housing supply and affordability as the primary justification for its approval. This approach demonstrates a disregard for fundamental planning principles and the significant social impact the development will inflict on the surrounding community. This is evident by the following statements: <ul style="list-style-type: none"> – “The proposal comprises the delivery of much-needed additional housing supply” – “Housing is the NSW Government’s top priority” • The report is littered with unsupported generalisations with flawed methodology to conclude that the “proposed design delivers a superior outcome” • Simplistically, the proposal seeks to exploit affordable in-fill housing and TOD planning legislation to have excessive and overbearing high-rise apartment towers fast-tracked for approval, aimed at emotionally targeting the Government’s housing supply and affordability angle as the imperative for its approval, having no regard to critical planning principles, the heritage value and environmental significance of the location, detrimental social impacts, and community concerns
1.14 Justification of the Project	13 (EIS)	<ul style="list-style-type: none"> • The proposal indicates it is “suitable for the local context and shall not result in any significant environmental impact”, and with “minimal impact on surrounding uses and environments”. This is blatantly incorrect

		<ul style="list-style-type: none"> • The high concentration of heritage listed properties in the vicinity of the proposed site, along with the biodiversity value of the area make this an unacceptable location for development as confirmed by Ku-ring-gai Council (refer Appendix 2) • The proposed development's towering height and expansive footprint are grossly out of scale with the adjacent low-rise streetscape and heritage environment. Moreover, the project's environmental impact is poised to inflict severe and lasting damage upon the established tree canopy and critical wildlife habitats. The proposal necessitates the destruction of 62 trees, representing over 50% of the on-site trees. This includes numerous native, mature, and exotic trees dating back to the Federation era, directly contradicting the Council's stated commitment to environmental preservation of the site • The report is biased towards what it believes is the 'future character' of the area, having no regard to the elements that will not change, being an existing HCA and several heritage items, with their aesthetic significance and historical value to Ku-ring-gai and NSW • Community views are discounted and misrepresented, revealing an opportunistic attempt to fast-track a poorly designed proposal under the guise of providing affordable housing near transport
--	--	---

Section 2. Direct negative implications on 16 Park Avenue, Gordon

After an eight-year search, we settled on the perfect heritage home located at 16 Park Avenue, Gordon, in December 2023 to raise our five young children. In recognition of the heritage values and significance of the area, we spent the past 12 months significantly restoring this home, not only for our benefit, but for the broader benefit of the community.

'Kelven', built 150-years-old with 19th-century bricks shipped from England as part of Ku-ring-gai's earliest subdivisions, and the preserved character of the surrounding streets, were key factors in our decision.

Whilst we acknowledge the need for increased housing, the proposed high-density development opposite our home is unacceptable. It demonstrates a blatant disregard for the impact of development on existing heritage, the environmental footprint, the surrounding streetscape, and the substantial personal investment we have made in purchasing, restoring, and maintaining our property, which is subject to stringent heritage regulations.

We are beholden to the Council for approval for even minor changes such as paint colour, yet the State Government can now approve developments that will irrevocably alter the character of our neighbourhood.

To say we've been let down by the State Government is an understatement. We're baffled how blanket planning legislation can be enacted which has scant regard to individual attributes of particular locations, including the historical significance and value of heritage dwellings in these areas.

Park Avenue, Gordon is about to be destroyed should this proposal, along with CPDM's proposal at 3-9 Park Avenue be approved, with all claims they are recognising the heritage and conservation of the area being farcical.

We're now exposed to being surrounded and overshadowed by multiple multi-storey apartment towers which are disproportionate, unsympathetic, and completely out of context to the surrounding

streetscape, heritage dwellings, and HCA, which the Government has made clear are to remain under all circumstances.

A suburb characterised by high-rise development is not what we were sold when we purchased this home 19 months ago.

My family's livelihood is set to be shattered, privacy obliterated, peace and tranquillity destroyed, along with extensive devaluation of our primary asset which we have worked tirelessly to afford and restore.

In terms of social impact, the daily stress and toll on my family's wellbeing is relentless. Each night I lie awake for hours pondering how I'm facing a situation which appears so undemocratic, unreasonable, and unjust for heritage owners who are preserving 'State significant' properties in a local context.

These are supposed to be my best years raising my five young children ranging from 1 - 11 years old; instead I face the daily stress of a short-sighted blanket approach to planning, which is set to destroy all facets of my family's livelihood for the next decade.

As per the State Government's website, any new development in a HCA **must improve and enhance**¹¹ the heritage values of those locations where development is proposed. How can this be ignored where a proposal is directly adjacent / opposite heritage properties and a HCA?

Develotek's proposal starkly illustrates a shift in the landscape. Developers now benefit from an expedited approval process. Conversely, heritage property owners face significant disadvantages, with their lifestyle concerns seemingly disregarded, despite their role in preserving assets of 'State significance'.

We didn't buy here 19 months ago to suffer a nightmare, disrespect and penalty, we are set to receive for investing in and preserving a piece of Sydney's history.

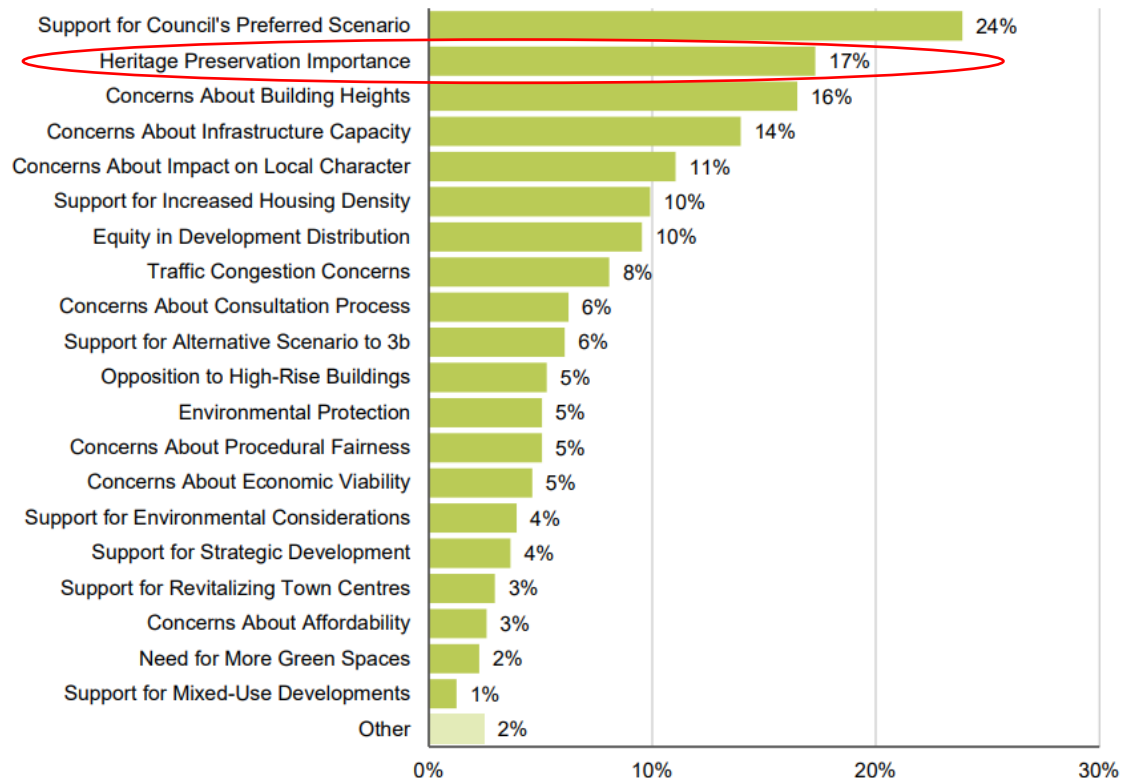
¹¹ <https://www.planning.nsw.gov.au/policy-and-legislation/housing/transport-oriented-development-program/transport-oriented-development/#-frequently-asked-questions-> (refer answer to question: 'Will the policy apply in heritage conservation areas?').

Appendix 1 - Extract from Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (refer Attachment 1 to Ku-ring-gai Council Agenda to Extraordinary Meeting to be held on Thursday, 22 May 2025), highlighting the community's advocacy for greater heritage preservation.


Figure 2: Comments about Council's preferred scenario

Q4 PLEASE PROVIDE ANY GENERAL COMMENTS ABOUT THE PREFERRED SCENARIO HERE. (IF YOU HAVE COMMENTS ABOUT AN INDIVIDUAL PROPERTY OR LOCATION, THESE CAN BE PROVIDED IN THE NEXT SECTION)

BASE: N=1,856



Appendix 2 - Extract from Ku-ring-gai Council's Preferred Alternative Scenario outlining the 'Reason for Exclusion and Detail Plan' in relation to the proposed development site.

Location	Site Refer Figure #	Description	Property Included in TOD	Property Included in Preferred Scenario	Reason for Exclusion and Detail Plan
Gordon	1	Portion of Burgoyne Street - Pearson Avenue	Yes	No	<p>This block consists of seven properties (3A, 3B, 5A, 7 Burgoyne Street, 1 & 3 Pearson Avenue, and 4 Burgoyne Lane). These properties are located on the edge of the revised TOD boundary neighbouring low density housing to their north and C12 Gordondale Estate Conservation Area to their east and south.</p> <p>There is a high concentration of Heritage Items adjoining this block which would likely limit its development potential. Furthermore, one of the properties (3A Burgoyne Street) contains biodiversity that supports core biodiversity land.</p> <p>Unlike TOD, the Preferred Scenario excludes these seven properties from high density development. This is to avoid interface impacts on the adjoining Heritage Items and C12 Conservation Area which is proposed to be fully protected. This is consistent with Principle 1 - Avoid Environmentally Sensitive Areas, Principle 2 - Minimise Impact on Heritage Items, Principle 3 - Preserve Heritage Conservation Areas, and Principle 5 - Manage transition impacts.</p> 

Appendix 3 - Email sent to Willowtree Communications on 28 April 2025 regarding community concerns which have been selectively excluded from the EIS assessment. No response or acknowledgment was provided to this email.

OBJECTION TO PROPOSED DEVELOPMENT: Burgoyne Street and Pearson Avenue, Gordon Inbox x

Sarah Watson <sarahjanewatson01@gmail.com>

Mon, Apr 28, 10:38 AM



to engage, councillors, krg, davidson

To whom it may concern:

Together with the local resident action group, this email expresses the objection to the proposed 7,000+ sqm complex on Burgoyne Street and Pearson Avenue, Gordon by Developer Develotek Property Group, featuring multiple 7-storey towers, over 100 apartments, and nearly 200 parking spaces.

This proposal is fundamentally flawed and incompatible with the adjacent and surrounding cherished heritage sites and Heritage Conservation Area. This "State Significant Development" application bypasses Ku-ring-gai Council, putting the area's heritage and environment at risk.

This proposal blatantly ignores community planning principles and Ku-ring-gai Council's own preferred alternative scenario, developed after extensive consultation with the community, which specifically protected this site from development due to the heritage significance and value of the area, together with the site's specific biodiversity value.

Specifically, this development:

Disregards Heritage: The excessive height and proximity to heritage sites within a Heritage Conservation Area will irrevocably damage the historical character of the neighbourhood, as specifically highlighted by Ku-ring-gai Council.

Environmental Destruction: Precious tree canopy and vital wildlife habitats will be destroyed, contradicting Ku-ring-gai Council's imperative to retain environmental preservation of this site.

Severe Devaluation of Neighbouring Heritage Homes: Local residents are set to suffer significant value destruction at the Developer's expense, on their major asset which they have worked tirelessly to acquire, maintain, and preserve for future generations.

Creates Overshadowing and Loss of Privacy: The excessive height and footprint will dominate the eastern side of Gordon, casting long shadows, disrupting views, loss of privacy, and overwhelming adjacent homes.

Exacerbates Traffic Congestion: The addition of over 100 apartments and the inclusion of nearly 200 car spaces reflects significant additional traffic which will result from the development and worsen traffic congestion in the Gordon Station Park Avenue / Werona Street area, and at the already strained intersection with the Pacific Highway.

Overloads Infrastructure: Local stormwater, transport (bus and train), and parking systems are already stretched and cannot accommodate this development's impact.

Causes Noise and Air Pollution: The likely construction period will subject residents to prolonged construction equipment, damaged and dirty roads, traffic congestion, parking issues, noise and air pollution associated.

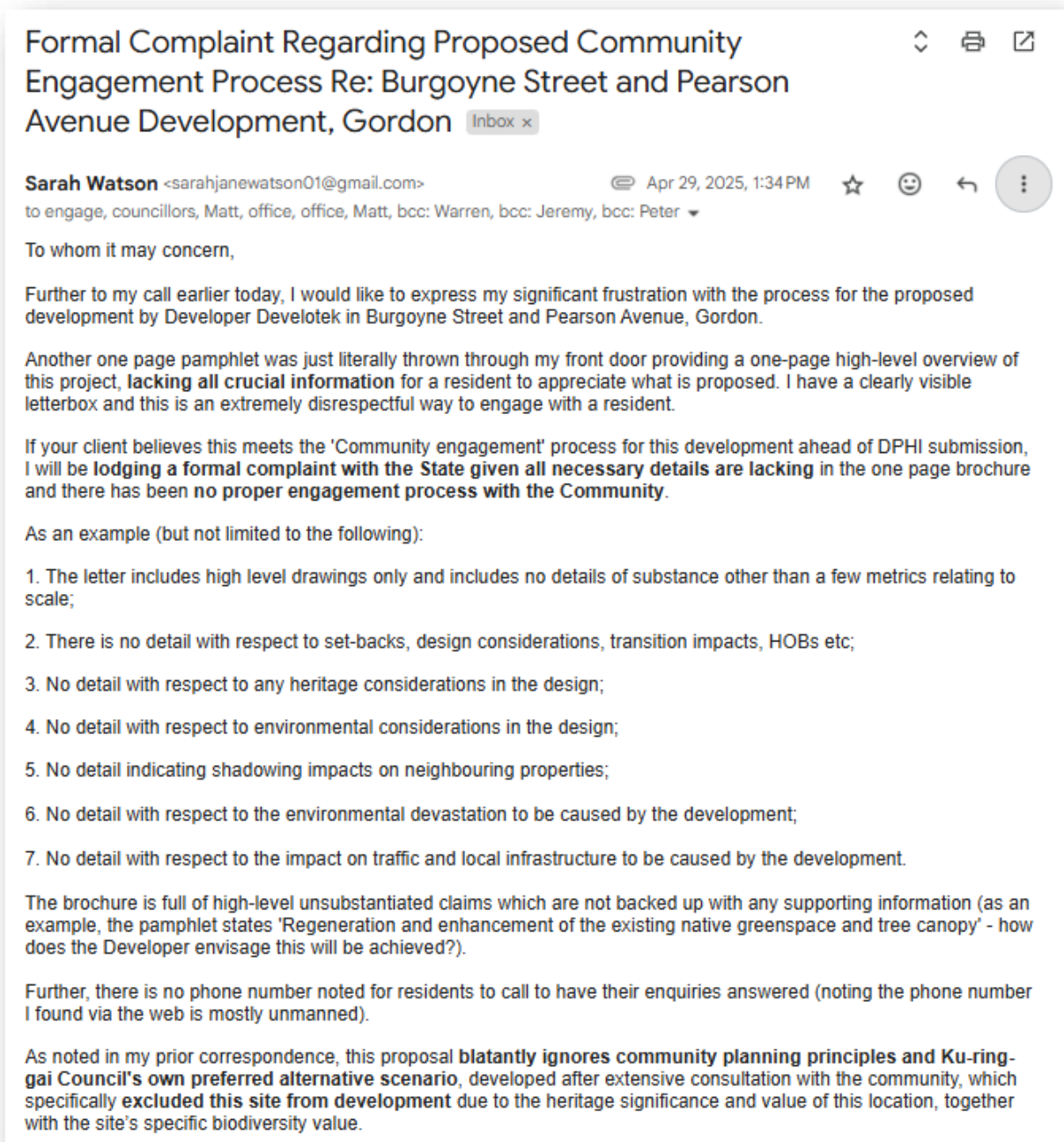
Offers No Community Benefits: The proposal offers no improvements to local amenities.

Alternative, under-utilized commercial sites along the Pacific Highway offer more suitable locations for high-density development without sacrificing the unique heritage and biodiversity value of Gordon.

This opportunistic proposal contradicts ongoing mediation between the Council and State Government regarding sustainable development and must be scrapped. Should this proposal persist, we will be exploring other alternative courses of action.

Regards,
Sarah

Appendix 4 - Formal email complaint sent to Willowtree Communications on 29 April 2025 regarding engagement process. This email was never responded to, despite the request for further information.



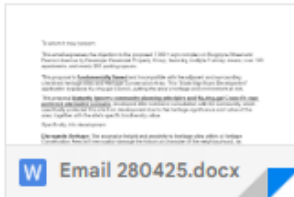
This proposal represents an **opportunistic attempt** at best to have something approved by the State Government before Ku-ring-gai Council has had the chance to embed a scenario which properly respects, preserves, and values the Gordon area, whilst at the same time meeting the Government's housing supply targets.

There is nothing 'State Significant' about this development other than its excessive and overbearing scale.



I look forward to a comprehensive response to the above (noting my prior correspondence outlining explicit issues with this proposal has been attached for ease of reference).

Regards,
Sarah

One attachment • Scanned by Gmail ⓘ



Appendix 5 - One page double sided letter received by residents by Willowtree Communication, providing high-level detail only, and lacking critical information required for residents to properly acknowledge and understand the proposal. No enquiry line was provided for residents to have their queries answered (noting the phone number I found via the web went mostly unmanned).



11 April 2025

COMMUNITY NEWSLETTER #1

Re: Residential Flat Building Proposal Burgoyne Street and Pearson Avenue, Gordon

Dear Community Member,

We are writing to advise you of an opportunity to provide feedback on a State Significant Development (SSD) application that is being prepared by Develotek Property Group for the proposed construction of a multi-storey residential flat development including communal open space, landscaping and car parking.

Develotek has engaged Willowtree Communications to facilitate community engagement and collect feedback on the SSD proposal. Feedback will provide insights into the community's perspectives and guide refinements to the proposal, prior to its submission and assessment by the Department of Planning, Housing and Infrastructure (DPHI).

The site is located at 3A, 3B, 5A, and 7 Burgoyne Street, 1 and 3 Pearson Avenue, and 4 Burgoyne Lane, Gordon and covers 7,093 square meters. The proposal is being prepared under the provisions of the State Environmental Planning Policy (Housing), which includes the consideration for Transport Oriented Development.

SSDA OBJECTIVES:

- To provide residential housing offering elevated amenities and facilities, while reflecting the community village atmosphere
- Regeneration and enhancement of the existing native greenspace and tree canopy
- Deliver high quality design features that respond to the local topography
- Provide basement car parking for all residents and visitors accessed from Pearson Avenue
- Incorporate best practice environmental sustainability including north facing tiered solar panels, high efficiency energy systems, waste management and natural ventilation
- High quality streetscape with landscaped setbacks on Pearson Avenue and Burgoyne Road
- Purpose built split building design creating more than 1,800 m² of communal / recreation space



Site Location Map: Burgoyne Street, Burgoyne Lane and Pearson Avenue, Gordon
Source: Nearmap/ 2025

Have Your Say



You are invited to provide feedback on the preliminary proposal by scanning the QR code to complete a short survey by Monday 5 May 2025. You can also register to receive project updates via the QR Code.

For further information or direct enquiries/feedback, please email us at engage@willowtc.com.au

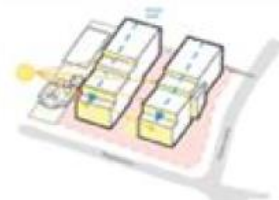


Project Details: Residential Flat Building Proposal, Gordon

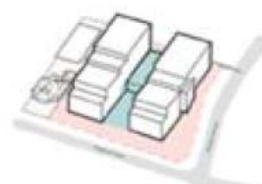
The proposal includes:

- Demolition of existing structures on the Site
- Construction of residential flat development (7-storeys) with 106 dwellings including:

11 x 1 bed	21 x 2 bed
42 x 3 bed	32 x 4+ bed
- Basement car parking with 191 spaces including:
 - 173 resident car spaces (including 16 adaptable)
 - visitor parking including 18 car spaces and 11 bike racks
 - car wash bay, car share spaces
- Recreation facilities including:
 - co-working space
 - lounge/café
 - gym/wellness centre
 - pool
- Landscaping and access paths including more than 1,800m² of communal open space
- Associated infrastructure and services including:
 - plant rooms
 - storage spaces
 - waste storage areas



STEPPING DOWN TO MAXIMISE SOLAR ACCESS



COMMON AREAS TO THE CENTRE



ACCESS FROM PEARSON AVENUE



VEGETATION CONNECTIVITY

Site Concept Layout Plan

Source: Marchese Partners, February 2025



Preliminary Design Concept

Pearson Avenue and Burgoyne Lane intersection

Source: Marchese Partners, February 2025
Subject to change and authority approvals

Next Steps

Following engagement with the community, Council and relevant agencies and authorities, the Project Team will refine the proposal for submission to the DPHI in mid-May-2025.

Additional community and stakeholder engagement will be undertaken as part of the DPHI's assessment process under Project Reference Number **SSD 82395459**

Appendix 6 - Illustrative examples of typical daily traffic choke points on Park Avenue / Werona Avenue, Gordon intersection entering Pacific Highway.



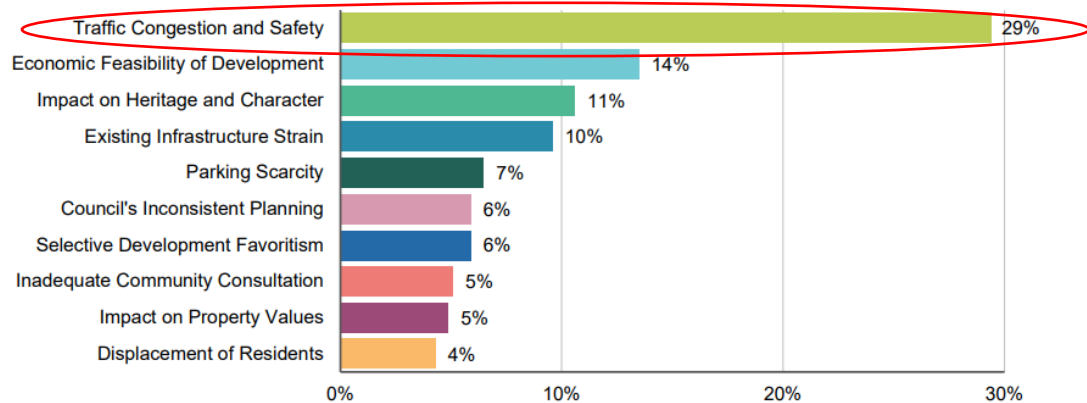
Appendix 7 - Extract from Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (refer Attachment 1 to Ku-ring-gai Council Agenda to Extraordinary Meeting to be held on Thursday, 22 May 2025).

6.7. OTHER CONCERNS

Summary

Some 517 respondents (26% of the total sample) noted other concerns. The largest of these – by a big margin – related to traffic congestion and related safety issues. These concerns came from residents among all suburbs and station proximities.

Figure 15: Other concerns (top 10)



Appendix 8 - Extract from Visual Privacy Assessment illustrating misleading and deceptive impact of proposed development on my property at 16 Park Avenue, Gordon.

VIEW 05A – REAR BACKYARD OF NO. 16 (I21 – KLEP 2015)

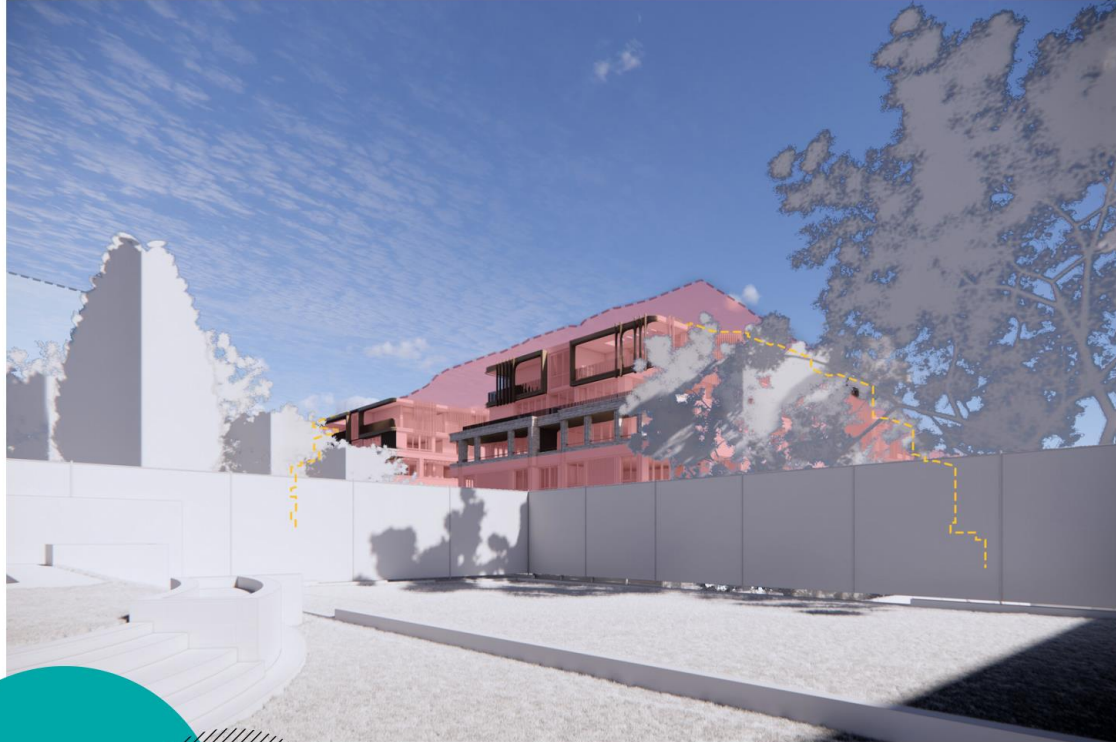


Figure 23 View 05a - With existing vegetation only - Courtesy of Marchese Partners

Appendix 9 - Actual view from same location per above, taken from my property at 16 Park Avenue, Gordon, representing the lowest topographic point on my land, ignoring the materially higher elevation of my home. Red dotted line illustrates scale of proposed development and therefore material and detrimental change in visual and privacy landscape from proposed development. Yellow dotted line illustrates impact to view of tree-canopy given proposed tree-removal. Blue dotted line denotes misleading fence structure incorporated into Visual Privacy Assessment (per Appendix 8 above) which does not exist, likely to downplay actual visual intrusion of proposal.

Denotes visual impact from development:



Illustrates impact to view of tree-canopy from proposed development, given proposed environmental destruction:



Denotes misleading fence structure which does not exist, yet incorporated into Visual Privacy Assessment, likely to downplay privacy impacts:



Appendix 10 - Illustrates 'High' visual impact of development from actual views taken from multiple living zones / bedrooms / kitchen area at my property. Red dotted line illustrates scale of proposed development and therefore material and detrimental change in visual and privacy landscape from proposed development. Yellow dotted line illustrates impact to view of tree-canopy from proposed development, given material environmental destruction proposed (62 trees to be removed, >50% of trees on site, including all of the trees within this image - mature, well-established Blue Gums, several dating back to Federation).

Denotes visual impact from development:



Illustrates impact to view of tree-canopy from proposed development, given proposed environmental destruction:





