

Jeremy 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 DEVELOTEK PROPERTY GROUP'S DEVELOPMENT PROPOSAL:  
BURGOYNE LANE, PEARSON AVENUE, BURGOYNE STREET, GORDON (SSD - 82395459)**

Dear Minister,

I have meticulously analysed the Applicant's submission pertaining to the proposed development in Burgoyne Lane, Burgoyne Street, and Pearson Avenue by Develotek Property Group, directly behind my home at 16 Park Avenue, Gordon and hereby submit my **strong objection**.

What is abundantly clear is this proposal is **disingenuous, misleading, and deceptive**. Methodologies deployed are flawed, assessments are unjustified and unsupported, and overall, the Applicant's application is **morally and ethically unjust**.

Visual privacy impacts are significantly downplayed, overshadowing effects are understated, setbacks are grossly inadequate, unacceptable transition impacts are not addressed, and community feedback and social impacts are blatantly disregarded. Further artist impressions are greatly distorted in support of the Applicant's proposal.

The proposal brazenly contravenes established planning principles and the Council's Preferred Alternative Scenario, which **specifically safeguarded the site due to its recognised heritage and biodiversity importance**. Under this scenario, **greater** housing supply and affordability targets are delivered when compared to TOD outcomes.

This proposal will essentially destroy the high concentration of heritage listed homes and the Gordondale HCA along Park Avenue, Gordon. **A 3m carriage laneway, back-fence, and proposed vegetation cannot be considered appropriate transitions between currently existing heritage-listed low-rise dwellings and high-rise apartment towers.**

What is proposed results in a jarring interface between an existing low-rise heritage-listed setting and HCA, and high-rise apartment towers, with a lack of consideration for visual harmony, heritage cohesion, transition impacts, privacy implications, overshadowing, environmental concerns, and social impacts.

The multiple multi-storey apartment towers are disproportionate, unsympathetic, and completely out of context to the surrounding streetscape, heritage dwellings, and the Gordondale HCA, as confirmed by independent Heritage Experts and Planners we have engaged at our own expense.

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

This 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', albeit in a local setting.

The NSW Heritage Manual<sup>1</sup> and relevant case law<sup>2</sup> mandate consideration of context, streetscape, and visual setting in development proposals. This position is further supported by the Community<sup>3</sup>, as evidenced by Ku-ring-gai Council's recent survey (Appendix 1), which advocates for stronger heritage protection and preservation measures, together with NSW Heritage Minister<sup>4</sup>.

**The table below highlights that the proposal is disingenuous, misleading, flawed, and unethical. Consequently, the proposal warrants rejection.**

Section	Applicant's Position	Key Issues
<b>Affordable Housing</b>	<ul style="list-style-type: none"><li>Provides "critical" affordable housing</li></ul>	<ul style="list-style-type: none"><li>Only minimum 2% of GFA to be provided - a negligible contribution, with majority set to remain unaffordable</li></ul>
<b>Ku-ring-gai Council's Preferred Alternative Scenario</b>	<ul style="list-style-type: none"><li>Dismissed on the basis it is "yet to be finalised"</li></ul>	<ul style="list-style-type: none"><li>Fails to acknowledge location is specifically excluded from Council's Preferred Alternative Scenario given interface impacts on high-concentration of surrounding heritage listed dwellings and HCA (which is to be fully protected), along with biodiversity value of the land (refer Appendix 2)</li><li>With formal endorsement secured on 5 June, the considered planning approach of this scenario must be recognised, ensuring this area remains undeveloped</li></ul>
<b>Design</b>	<ul style="list-style-type: none"><li>"Suitable in scale", "sympathetic"</li></ul>	<ul style="list-style-type: none"><li>Breaches TOD height controls rising to ~26m, significantly impacting sight-lines and privacy</li><li>No recognition of impact of structure on southern interface, which includes high-concentration of heritage listed dwellings and HCA. Bulk of design and massing shoved to this juncture, with lack of consideration for heritage</li></ul>

<sup>1</sup> NSW Heritage Manual (pages 4 and 7).

<sup>2</sup> 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.

<sup>3</sup> Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (representative of 2,516 respondents).

<sup>4</sup> Revealed: The plan to protect Sydney's heritage buildings, Julie Power, SMH, 18 May 2025.

		<p>cohesion (including appropriate transition impacts) and visual privacy</p> <ul style="list-style-type: none"> <li>• Biased towards claims of “future character” but fails to acknowledge the heritage context which is earmarked for preservation by State and Council</li> <li>• Claims of heritage features are tokenistic - e.g. bricks, vegetation</li> </ul>
<b>Site Context</b>	<ul style="list-style-type: none"> <li>• “Potential Future Envelope 22m”</li> </ul>	<ul style="list-style-type: none"> <li>• De-emphasises the importance of the surrounding heritage context by assuming development in the Gordondale HCA up to 22m immediately south of the site (Figure 19), yet the Council has explicitly called for this area to be “fully protected” (refer Appendix 2). The State Government has also confirmed any TOD development in these areas must be assessed by Council<sup>5</sup></li> <li>• This is therefore highly misleading and inaccurate</li> </ul>
<b>Heritage Impact</b>	<ul style="list-style-type: none"> <li>• “Reasonable”</li> </ul>	<ul style="list-style-type: none"> <li>• Blatantly ignores Council’s directive to fully protect this site given its heritage importance, value, and significance</li> <li>• High-rise towers and their domination on the surrounding low-rise heritage context and HCA justified by “deep backyards, fencing, vegetation, and tennis courts” of surrounding privately listed heritage dwellings</li> <li>• Ignores Community directives for greater heritage protection and preservation measures (refer Appendix 1)<sup>6</sup>, together with NSW Heritage Minister Penny Sharpe<sup>7</sup></li> </ul>
<b>Visual Privacy</b>	<ul style="list-style-type: none"> <li>• “Nil” or “Negligible” impacts</li> </ul>	<ul style="list-style-type: none"> <li>• “Proposed vegetation” used as basis of conclusion</li> <li>• Artist impressions of likely impact greatly distorted - disregards elevation of my home at 16 Park Avenue and digitally creates fence structure in tennis court setting to downplay impacts (refer Appendix 8 and Appendix 9)</li> <li>• Report acknowledges “windows and balconies will provide good passive surveillance of the surrounding streets”</li> <li>• Assessment further undermined by the claim that “no elevations will be visible from medium to long distances” - ignoring the more significant privacy concerns prevalent at short-distance ranges (refer Appendix 9 and Appendix 10)</li> </ul>

<sup>5</sup> <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?’).

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

<sup>7</sup> Revealed: The plan to protect Sydney’s heritage buildings, Julie Power, SMH, 18 May 2025.

		<ul style="list-style-type: none"> <li>Given the above, conclusion that the proposal can be supported on visual grounds is inaccurate and unsupportable</li> </ul>
<b>Transitions</b>	<ul style="list-style-type: none"> <li>“Respecting the transitioning from low to high density”</li> </ul>	<ul style="list-style-type: none"> <li>Minimum setbacks to high concentration of heritage listed dwellings immediately to the south of the site (only small nod of gesture to heritage-listed home at 9 Burgoyne Street)</li> <li>3m suburban carriage laneway (Burgoyne Lane) only transition buffer, resulting in direct overlooking into these properties along Park Avenue at an extensive scale (refer Appendix 10 in relation to my property at 16 Park Avenue), materially impacting the heritage significance and value of this historic context</li> </ul>
<b>Overshadowing</b>	<ul style="list-style-type: none"> <li>Wont give rise to any “unacceptable overshadowing”</li> </ul>	<ul style="list-style-type: none"> <li>Justification provided that the shadowing to my home at 16 Park Avenue is a “good outcome” given the majority of my back garden is in the sun throughout the day</li> <li>Only acknowledges shading at a point in time (i.e. 3pm), without acknowledging the duration of the shadowing impact – i.e. I’m set to lose all sun from 3pm onwards on a daily basis, not simply at 3pm</li> </ul>
<b>Social Impact</b>	<ul style="list-style-type: none"> <li>“Low-Medium” residual rating</li> </ul>	<ul style="list-style-type: none"> <li>Set to dramatically alter the heritage value and significance of the surrounding area, including low-rise heritage listed dwellings and a HCA, together with extensive environmental destruction (as noted by Council)</li> <li>Will impose a prolonged period of significantly compromised living standards on surrounding neighbours, including excessive dust, dirt, and noise, for six days per week</li> <li>Impact on traffic network, which is currently operating at capacity, acknowledged but understated (refer Appendix 6)</li> <li>Applicant failed to adequately consult and engage with the local community, breaching DPHI requirements (refer Appendix 3, Appendix 4, Appendix 5)</li> </ul>
<b>Community engagement &amp; consultation</b>	<ul style="list-style-type: none"> <li>“Comprehensive level of community and stakeholder engagement”</li> </ul>	<ul style="list-style-type: none"> <li>No community webinars, no community briefings undertaken, email requests for requisite detail blatantly ignored (refer Appendix 3, Appendix 4, Appendix 5), no enquiry line provided</li> <li>Contravenes DPHI requirements (level of engagement disproportionate to the scale and impacts of the proposed development), with frustration by residents with the lack of detail provided acknowledged in the report, yet disregarded</li> </ul>

<b>Environmental Impact</b>	<ul style="list-style-type: none"> <li>• “Minimal environmental impacts”</li> </ul>	<ul style="list-style-type: none"> <li>• 62 trees to be destroyed (&gt;50% of trees on-site), including many native, mature, and exotic trees dating back to Federation (eradicating precious tree-canopy, Blue Gum High Forest, green-web)</li> <li>• Only 46 new trees to be planted therefore net loss of trees</li> </ul>
<b>Traffic Impact</b>	<ul style="list-style-type: none"> <li>• “Minimal impact”</li> </ul>	<ul style="list-style-type: none"> <li>• 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)</li> <li>• Ignores Community feedback regarding traffic congestion in this area, together with safety concerns (refer Appendix 7)</li> <li>• Disregards cumulative impact of this proposal with that of 3-9 Park Avenue, which is also under assessment</li> </ul>

Key issues / background context as the proposal pertains to my heritage listed home at 16 Park Avenue are noted below:

After an eight-year search, we chose 16 Park Avenue, Gordon, in December 2023, as the perfect heritage home to raise our five young children. We have spent the last 12 months significantly restoring this home, recognising and honouring the area's heritage values, not only for our benefit, but for the broader community.

"Kelven," built 150 years ago with 19th-century bricks, and the preserved character of the surrounding streets were crucial factors in our decision.

While we recognise the need for more housing, the proposed high-density development directly behind our home is unacceptable, contravening Council's directive for this area to be preserved. It demonstrates a blatant disregard for the impact of the development on existing heritage, the surrounding streetscape, and the considerable personal investment we have made in purchasing, restoring, and maintaining our property, which is subject to strict heritage regulations.

We are deeply concerned that the State Government can approve developments that will irrevocably alter the character of our neighbourhood and significantly devalue our home, despite our commitment to preserving its heritage. We are baffled by the blanket planning legislation that disregards the historical significance and value of heritage dwellings.

The Applicant's proposal threatens to destroy Park Avenue, Gordon, rendering claims of heritage recognition and conservation completely disingenuous. We are now facing the prospect of being surrounded and overshadowed by disproportionate, unsympathetic, and out-of-context multi-storey apartment towers, despite the Government's stated commitment to preserving the HCA.

The suburb we were sold when we purchased our home 19 months ago is about to be irrevocably changed.

Our family's livelihood, privacy, peace, and tranquillity are all under threat, along with a substantial devaluation of our primary asset.

The daily stress and impact on our family's well-being is relentless. We are facing a situation that seems both undemocratic and deeply unjust for heritage owners who are actively preserving properties of 'State significance' in a local setting. Instead of enjoying these precious years raising our five young children (1-11 years old), we are forced to endure the daily stress of a short-sighted planning approach, which threatens to destroy all aspects of our family's life for the next decade.

The State Government's website clearly states that new developments in a HCA must enhance heritage values. How can this principle be ignored when a proposal is directly adjacent and immediately opposite heritage properties and a HCA, divided simply by a 3m carriage laneway?

**We did not buy here 19 months ago to suffer a nightmare and penalty for investing in and preserving a piece of Sydney's history. We deserve better.**

Regards,

Jeremy Watson

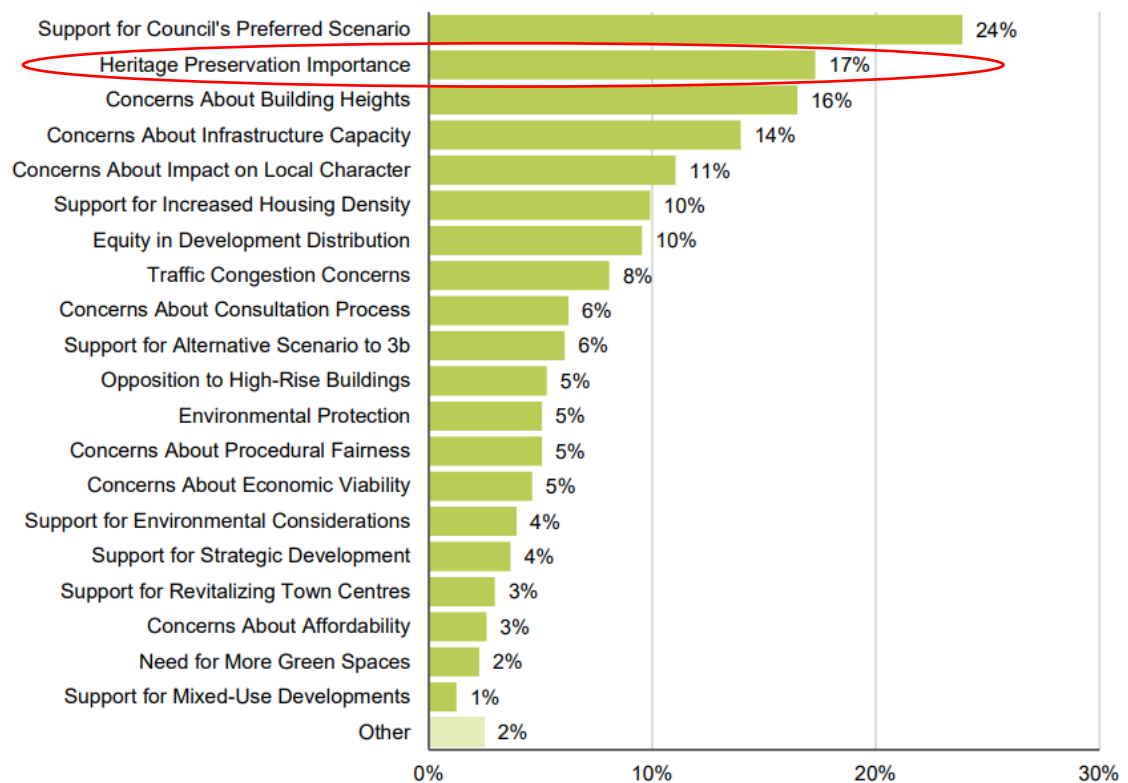
16 Park Avenue, Gordon

**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**

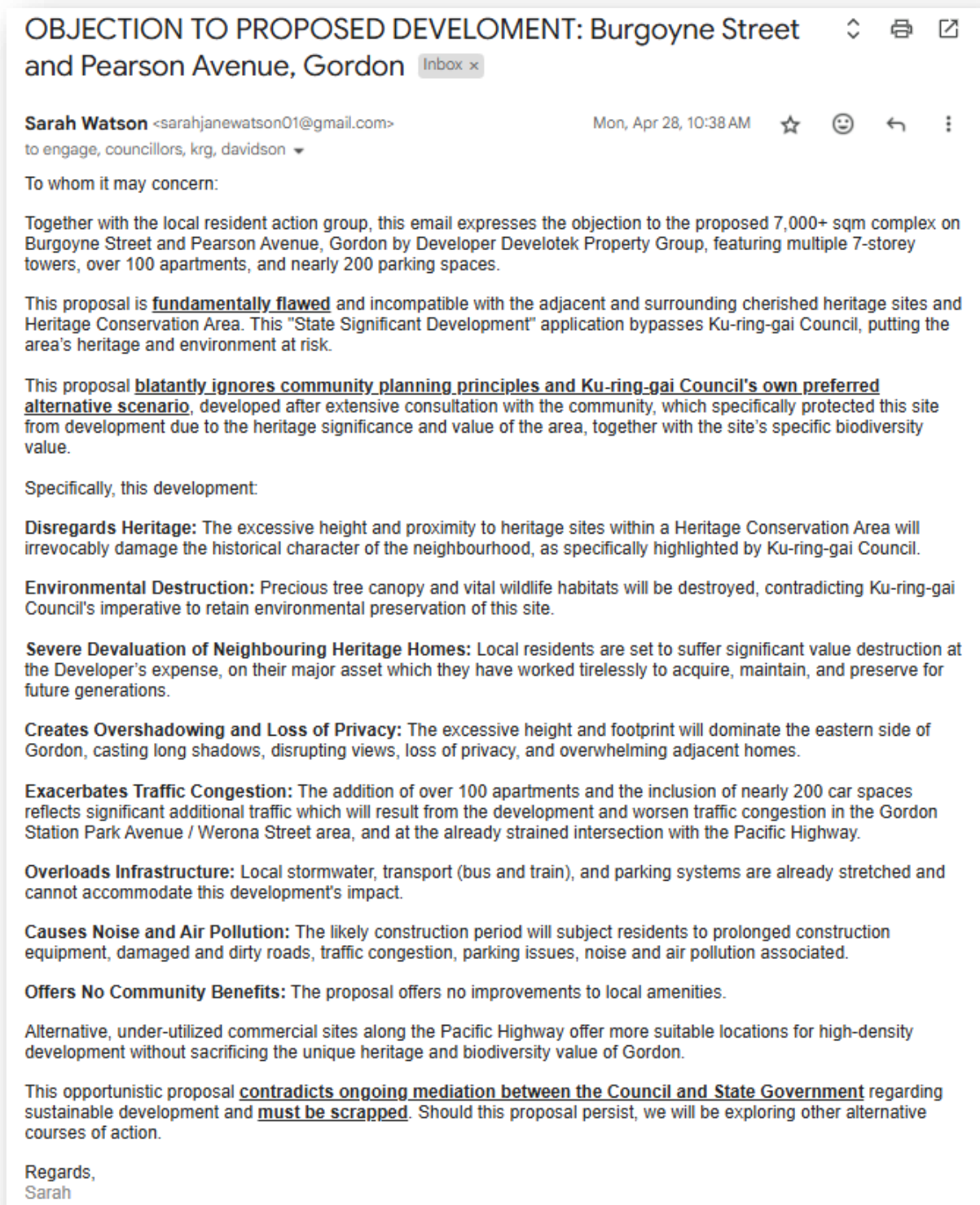


**Appendix 2 - Extract from Ku-ring-gai Council's Preferred Alternative Scenario outlining the 'Reason for Exclusion and Detail Plan' in relation to the proposed development site.**

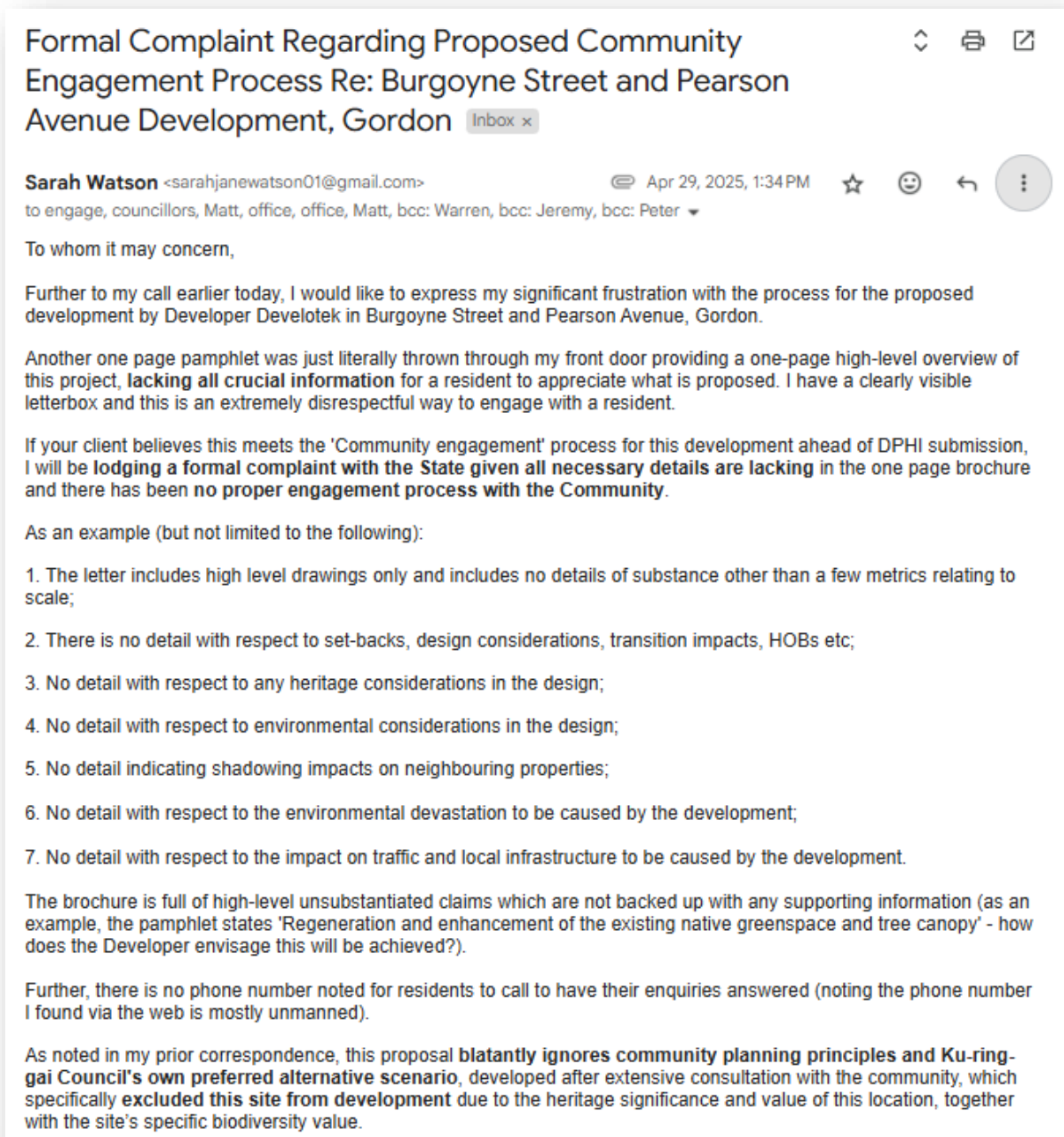
Location	Site Refer Figure #	Description	Property Included in TOD	Property Included in Preferred Scenario	Reason for Exclusion and Detail Plan
Gordon	1	Portion of Burgoyne Street - Pearson Avenue	Yes	No	<p>This block consists of seven properties (3A, 3B, 5A, 7 Burgoyne Street, 1 &amp; 3 Pearson Avenue, 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 <b>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.</b></p> 



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



**Appendix 4 - Formal email complaint sent to Willowtree Communications by my wife 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.

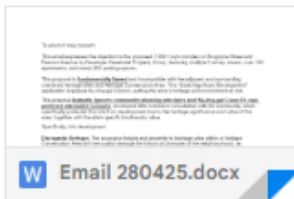
There is nothing 'State Significant' about this development other than its excessive and overbearing scale.

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 community webinars, no community briefings, no enquiry line was provided for residents to call 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 m<sup>2</sup> of communal / recreation space




**Site Location Map:** Burgoyne Street, Burgoyne Lane and Pearson Avenue, Gordon  
*Source: Neamap/ 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](mailto:engage@willowtc.com.au)**



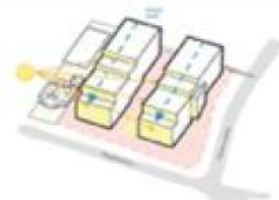


## Project Details: Residential Flat Building Proposal, Gordon

### 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 1,800m<sup>2</sup> 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.**



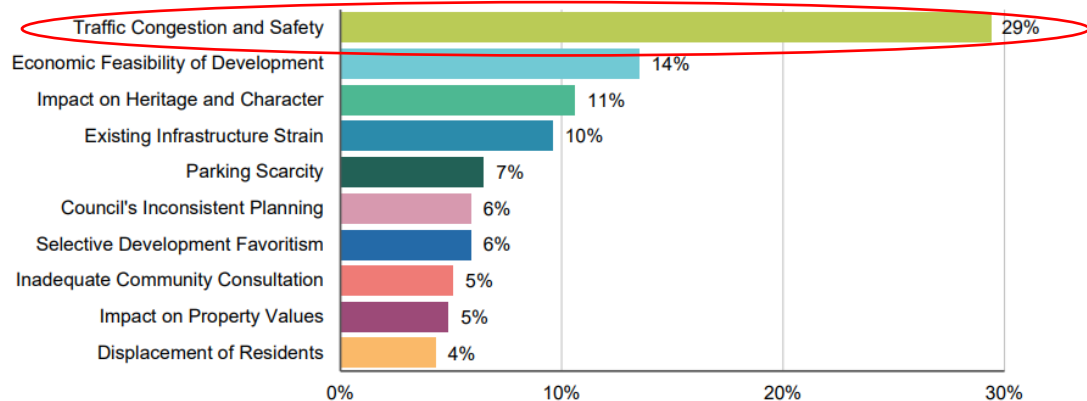
**Appendix 7 - Extract from Taverner Research Group TOD Alternative Preferred Scenario - Community Survey (refer Attachment 1 to Ku-ring-gai Council Agenda to Extraordinary Meeting to be held on Thursday, 22 May 2025).**

## 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.

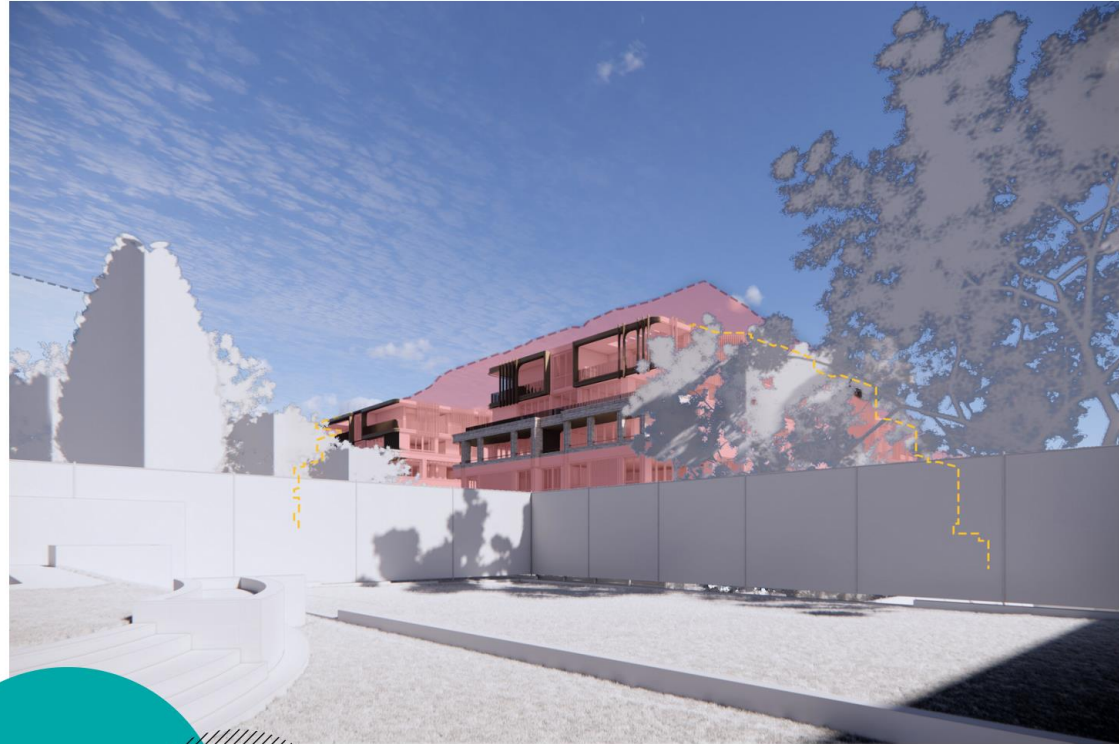
**Figure 15: Other concerns (top 10)**





**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:*









