

Mrs E Woodforde  
9A Nelson Road  
LINDFIELD NSW 2070

13 August 2025

Department of Planning Housing and Infrastructure  
Locked Bag 5022  
PARRAMATTA NSW 2124

Via: NSW Major Projects Portal

Dear Sir/Madam,

**RE: SUBMISSION TO SSD-82899468 FOR RESIDENTIAL FLAT BUILDING WITH INFILL AFFORDABLE HOUSING**

I refer to the State Significant Development Application SSD-82899468 for the purpose of a Concept Development Application (**Development**) seeking concept approval for the demolition of existing buildings and associated structures, tree removal and site clearing and construction of a multi-storey residential flat building with in-fill affordable housing above basement car parking and associated landscaping at No. 1-5 Nelson Road, Lindfield (**Site**).

For all the reasons stated below, I oppose the Development.

I have lived at 9A Nelson Road, Lindfield since 1993 with my husband and children. My home is a battle-axe property accessed from Nelson Road via a driveway running between nos. 7 and 9 Nelson Road. Being a battleaxe property, we have several immediate neighbours, including 5 Nelson Road, Lindfield. We share a dividing fence with 5 Nelson Rd.

Being a parent of two adult children, I am aware of the need to increase housing supply, and I am not against development. I understand the value of proximity to public transport, shops and schools which is what motivated my husband and I to move to 9A Nelson Lindfield 32 years ago and raise our family here. I do, however, consider what Lindfield needs is more appropriate housing choice for families and not simply more 1, 2 and 3 bedroom high-rise apartments.

Lindfield is a wonderful suburb that for decades has offered families a great place to live. Families living in Lindfield into the future deserve better housing choices than what is proposed by this Development.

My specific objections to the proposed Development are as follows.

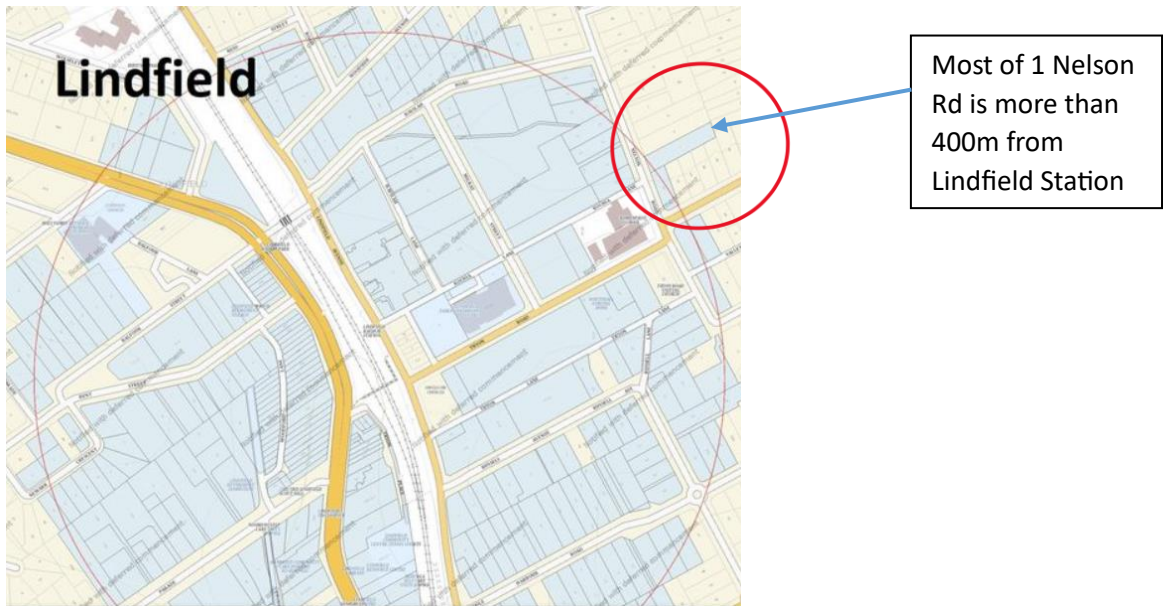
**1. ERRORS AND INADEQUACIES**

The Environmental Impact Statement (**EIS**) for SSD-82899468 together with its Appendices contain many errors and inconsistencies. I participated in the compilation of a list of errors and inconsistencies that was a collective effort by a group of residents. That list of Errors and Inconsistencies is attached to the submission by David Walker, and I wish to rely on it in support of my submission as well.

**2. THE SITE IS OUTSIDE THE TOD**

Only a small section of 1 Nelson Road, Lindfield was assessed as being within 400m of Lindfield Station, however the entire 1,636m block was included in the TOD map. This crude method of determining what properties do and do not lie within the TOD results in a strange "pan-handle" shape and it is very clear from

Planning NSW's own TOD map that almost all of 1 Nelson Road lies outside of the 400m radius from Lindfield Station, and that 3 and 5 Nelson Road (which make up two-thirds of the Site) lie fully outside the TOD:



In the EIS for SSD-82899468, the Applicant acknowledges that only part of the Site is within the TOD area. They state (at page 18 of the EIS) as follows:

*While only one of the properties (No. 1 Nelson Road) is mapped within the TOD areas, the Department of Planning Housing and Infrastructure has confirmed that where lots are consolidated, then the controls apply to all consolidated lots.*

This statement implies that the TOD planning controls automatically extend to 3 and 5 Nelson Road, Lindfield should they be amalgamated with 1 Nelson Road. The Applicant has not provided any legal advice to support this startling contention. It is essential that a proper assessment of the proposed Development require a formal and unambiguous legal opinion as to whether the TOD applies to the entire Site. In the absence of clear legal advice on this issue, it seems to me that:

- The TOD zoning is map-based and legally defined under the Housing SEPP. Only land within the mapped TOD area is eligible for TOD controls.
- 3 and 5 Nelson Road, Lindfield are outside the original TOD precinct boundary, hence the TOD planning controls do not automatically apply to them, even if they are amalgamated with 1 Nelson Road.
- Amalgamation alone does not extend TOD zoning. Even if the lots are consolidated into a single development site, the parts outside the TOD boundary remain subject to their original zoning which is R2 under the Ku-ring-gai LEP.

While the TOD planning controls do not automatically apply to the Site upon amalgamation, the Department of Planning, Housing and Infrastructure (DPHI) may allow TOD provisions to apply to the Site, however this is discretionary and not guaranteed. **It is impossible to see how DPHI can exercise what amounts to a discretion in relation to the proposed Development before it has even seen the supporting EIS and assessed whether the proposed Development meets the objectives of the TOD.**

I submit that TOD planning controls should not be extended to the Site as there are no compelling reasons for doing so. I make the following observations:

- Consistency in application of zoning rules is incredibly important to all landowners in NSW.

- When considering whether to exercise its discretion to extend the TOD zoning to the Site, DPHI should consider the other uses to which the Site can be put under its existing planning controls.
- The Site falls within the LMR as it is within 400m-800m of Lindfield Station. On its own website discussing the LMR, Planning NSW states that:

***More choice of homes***

*We need a variety of housing options to cater for different housing needs, preferences, and life stages. The diverse and well-located homes program will encourage more low rise and mid-rise housing to fill the gap between detached homes and high-rise apartments. This means better choices for the types of housing that suit people's changing needs.*

<https://www.planning.nsw.gov.au/policy-and-legislation/housing/low-and-mid-rise-housing-policy/benefits-for-you-and-your-community>

- High-rise apartments only offer one style of housing choice, and this is already being delivered under the TOD in Lindfield with 15 State Significant Development applications relying on the TOD that have been saved in Lindfield alone. This is more than 50% of the total number of TOD SSDs lodged within the Ku-Ring-Gai LGA as at 7 August 2025. This is in addition to the many high and mid-rise apartments that already exist in Lindfield which already provide ample apartment style housing.

There is no compelling case to extend the TOD planning controls to the Site. By leaving the current zoning and planning controls as they are, the potential for development of the Site in the future still offers an opportunity to increase housing availability while also expanding housing choice in Lindfield.

I submit that DPHI should reconsider any existing arrangement or understanding it has in place with the Applicant regarding the proposed Development. DPHI should properly exercise its discretion and refuse SSD-82899468 on the grounds that the Site is not identified within the TOD map and therefore the planning controls under the TOD do not apply to the Site.

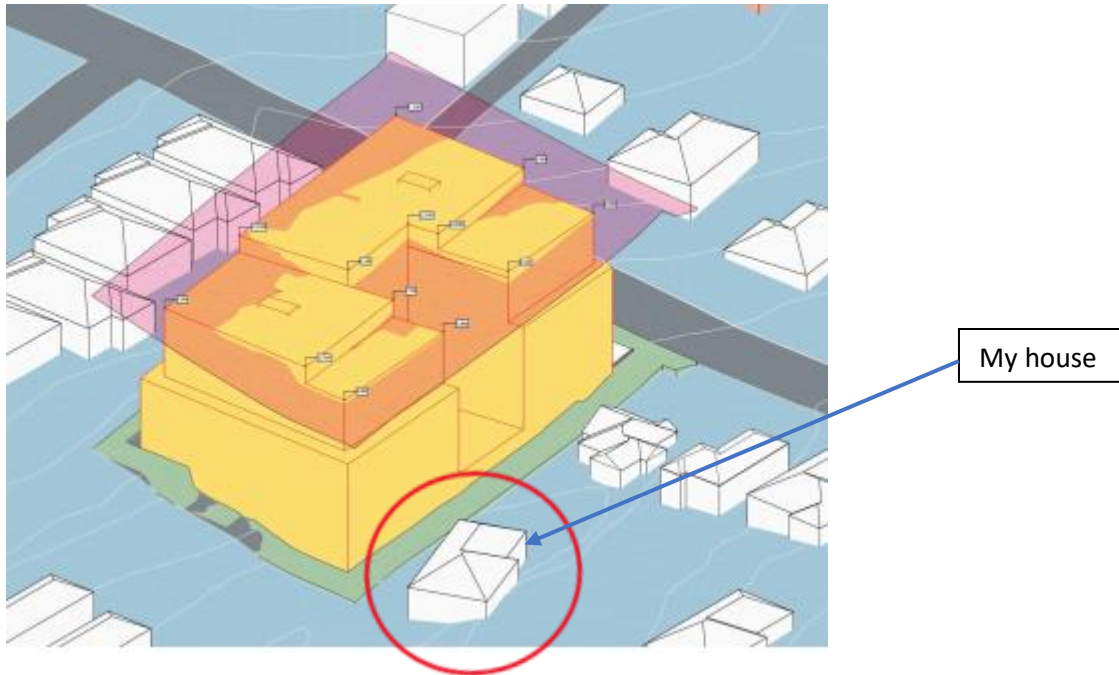
**3. FAILURE TO COMPLY WITH HEIGHT RESTRICTIONS UNDER THE HOUSING SEPP**

The proposed development is a non-compliant envelope as it has a maximum variation of 3.75m (13.1%) from the provisions of the Housing SEPP.

The Applicant states in the EIS that:

*The maximum variance in the height of buildings is directly attributable to the topography of the site which has a significant fall of approximately 10m from the south western corner of the site to north east.*

I dispute that the extra height is because of the topography at all, despite being used as justification for it. What is clear is that the topography will exacerbate the impact that the additional height will have on my amenity as an adjoining landowner. My house is located on adjoining land to the northeast of the site precisely where the height of the building is at its highest (11-storeys at the northeast corner). The following snip is Figure 2 Proposed Height Banket Diagram at page 5 of Appendix 31 – Clause 4.6 for Building Height. That is my house shown circled in red:



The Applicant asserts that compliance with the development standards in relation to height in this case would be unreasonable or unnecessary in the circumstances and that:

*Given the context and size of the site, it is considered suitable to accommodate the additional development density to support affordable housing without adversely impacting surrounding properties. (my underlining)*

I totally reject this assertion as it is patently untrue. If the proposed Development proceeds there will be an 11-storey building literally 6m away from our shared dividing fence. It will tower over my 2-storey house and be visible from everywhere outside my house as well as from most rooms inside.

The Applicant also states that:

*The maximum extent of the variation will not have any adverse impacts on the amenity of adjoining properties as the most affected properties to the south are largely impacted by compliant elements of the building on the southern elevation. (my underlining)*

This is simply not true. My property will clearly be impacted by the excessive height regardless of how it impacts on other neighbouring properties. The Applicant seems to be saying here that properties to the south of the site will be less affected by the excessive height, so it is appropriate to disregard the negative impact of extra building height on properties to the northeast, including my own property. I reject this argument.

If built, the development will tower over my property and will be visible from the garden (which it will loom over), as well as all 4 bedrooms and downstairs living area that face the Site. It will also completely block our view of sky when looking in the direction of the Site.

**The Applicant could make their building height work within existing planning controls under the TOD and still deliver the affordable housing. They just choose not to do so.**

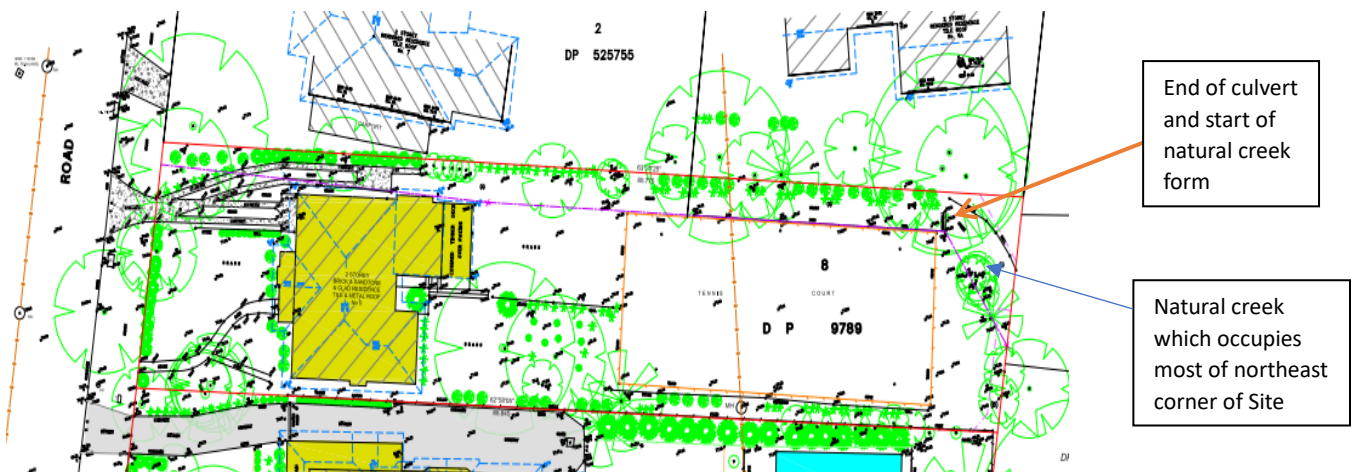
**The only reason which exists for making the building higher is the one that the Applicant does not want to say out loud – the Applicant will make less profit from this development if the development must meet the height requirements of the Housing SEPP.**

#### 4. SETBACKS SHOWN ON THE CONCEPT PLANS DO NOT ALLOW FOR CATEGORY 3 AND CATEGORY 3A RIPARIAN ZONES

There is a creek flowing through 5 Nelson Road that has its source uphill from the Site. The creek appears on the subdivision of the Belhelvie Estate in 1919 and on Sydney Water plans dating from 1927 at which time 5 Nelson Road was still undeveloped (see Figs. 11 and 12 in the Preliminary Historical Archaeological Assessment Report) (Appendix 15 to the EIS) where it was noted at page 18 that:

*The creek running through [5 Nelson Road] is a probable cause for this lack of development.*

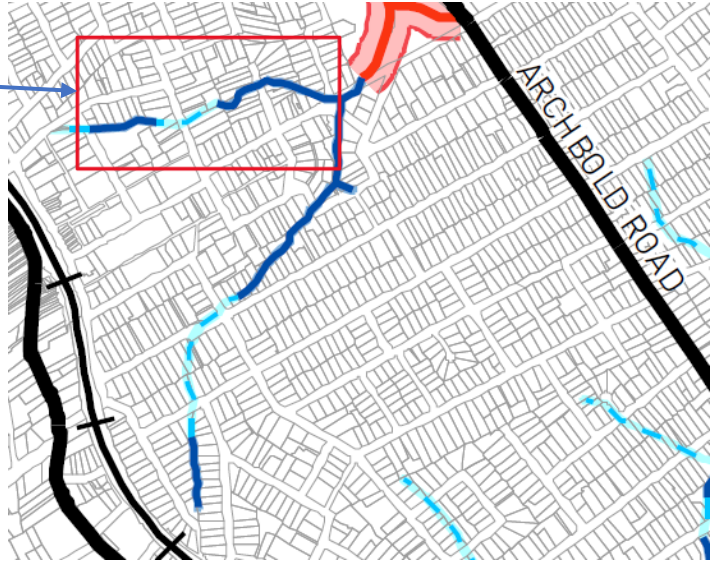
The creek has a continual flow, even in times of severe drought which I have personally observed having lived at 9A Nelson Road for the last 32 years. According to the current owner of 5 Nelson Road, the creek regularly flooded their land after heavy rain before an Easement for Drainage (J957907) was created which runs along the Site parallel to and along the boundary with nos. 7 and 9A Nelson Road. This easement is marked A on Survey Plan Sheet 2 (**Survey**) (Appendix 8 to the EIS). The creek was redirected from its natural course through a concrete culvert constructed underground along the easement. The culvert runs from Nelson Road beside the house and tennis court of 5 Nelson Road in line with the easement and ends at the Headwall (as shown on the following snip taken from Survey Plan Sheet 2 (**Survey**) (Appendix 8 to the EIS):



The culvert is a significant structure, being 4.57m at its widest point and is tall enough for a person to enter it from the Headwall at the end of the tennis court and then walk all the way up to the drain under Nelson Road. Most of the structure is, of course, underground with a shallow garden bed above it. After flowing through the underground culvert, the creek reemerges in its natural form with a well-defined bed and bank structure and the presence of riparian fauna and flora. Water dragons, frogs and brush turkeys are just a few of the fauna that happily coexist with humans living on properties on both sides of the creek.

Unsurprisingly, the creek is included on Ku-Ring-Gai Council's Map of Riparian Lands and is defined as "Category 3 and 3a Riparian Land under Clause 6.4 in KLEP 2015:

Clearly shows the creek running through the Site



The area in the red box on the above snip taken from the Council's Map of Riparian Lands shows the creek which continues to run above ground once it leaves the Site, past houses downstream from the Site where it joins in with Gordon Creek before eventually discharging into Middle Harbour.

The part of the creek beyond the culvert on the Site is defined as Category 3 Riparian Land (shown as dark blue on the map above).

As the creek reverts to its natural form after emerging from the culvert, it is a very attractive natural watercourse that takes up a considerable portion of the northeastern corner of the Site as shown on the Survey. Here are some photos of the creek taken from 9A Nelson Road looking in the direction of 5 Nelson Road:



Taken from 9A Nelson Rd looking towards the rear of 5 Nelson Rd showing water in creek flowing out of the culvert in lower right-hand corner of photo



Taken from 9A Nelson Rd looking towards 5 Nelson Rd showing where the creek bisects the northeastern corner of the Site

The creek has been enjoyed by generations of children in the local area including my own, but if the proposed development is allowed to proceed the creek will be, at worst, destroyed and at best it will be fenced off, overshadowed and overlooked by the proposed apartment building. Either way, the proposed Development will ruin this precious local amenity forever.

As part of its “pre-lodgement engagement process”, Ku-Ring-Gai Council quite properly raised concern that part of the Site is identified as Category 3 and 3a Riparian Land, and the Applicant’s response is set out in Appendix 17 - Biodiversity Development Assessment Report (**BDA Report**).

Unbelievably, the Applicant’s paid consultant makes no reference to the fact that the Site includes Category 3 and 3a Riparian Land in the BDA Report. They incorrectly state at page 7 that:

*The closest mapped stream to the development site is Gordon Creek, where its head is located in 295 metres to the south east. At that point it presents as a dry gully in a landscaped garden and as a first order stream, it attracts a protected riparian zone of 10 metres. The development site is located well outside of this area and therefore does not impose impacts to the hydrological function of this stream.*

*Stormwater is collected and piped from the catchment above the development site, and it exits at the site’s northern corner. At this exit point, the water is discharged into a more natural-looking watercourse (with a sandstone bed and almost vertical banks), passing through the gardens of adjacent downslope properties.*

At page 35 they state that:

***Water bodies, water quality and hydrological processes.*** *The development area does not have recognised drainage lines or other features associated with natural water bodies. However, there is a piped stormwater drain that exits at the site’s north eastern corner. This will be retained.*

This is patently wrong and wholly incorrect. The BDA Report completely ignores the creek running through the Site which has been mapped and categorised as Category 3a Riparian Land where it is has been redirected and confined to the concrete culvert and Category 3 Riparian Land where it returns to a fully functioning riparian corridor. To classify the culvert as a “piped stormwater drain” is wrong and should not be relied upon when determining SSD-82899468.

Category 3 Riparian Land requires a protected zone of 10m from the banks of the waterway, so 10m from the banks of the creek in this case would require a much wider setback from the northern and eastern boundaries than the proposed 6m setback on the current concept plan.

Category 3a Riparian Land requires a protected zone of 10m from the centre of the waterway, which would require a much greater setback from the northern boundary, not 6m as is currently being proposed.

Indeed, given the existence of the creek, I cannot understand how the concept plan can proceed as represented in the EIS since part of the building at the northeast corner will be built directly over the top of the creek.

### **What are the Applicant's true intentions as to how it proposes to deal with the creek?**

At page 1 of the EIS the Applicant states that:

*This application is submitted under Division 4.4 Concept Development Applications of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). It seeks approval for a concept site planning and built form arrangement which has been designed as a direct response to the constraints of the site and the surrounding context. Importantly, this application does not seek consent for any physical works. A separate Detailed Development Application ('Detailed SSDA') will follow the granting of the Concept SSDA consent.*

I dispute this. The Applicant's concept site planning and built form arrangement are not designed in direct response to the constraints of the Site, since the creek is a constraint and the design plan completely ignores the creek's existence.

What I find sinister is that the Applicant has attempted to downplay the existence of the creek and obfuscate their intentions regarding the creek. It is almost as if the Applicant wants those considering the proposed Development at this early concept phase to remain ignorant as to the creek's existence. Should the concept plan be approved, based on such blatantly misleading and arguably deceptive information, I fear the Applicant will seek to make the creek and all issues associated with the creek simply 'disappear'. I know for a fact that the Applicant is fully aware of the creek's existence and the challenges it presents to development of the Site, either at all or as proposed.

For this reason alone, I submit that the concept presented by the Applicant is fundamentally flawed and that the proposed Development should not be approved as it fails either to:

- include proper setbacks that allow for Category 3 and 3a Riparian Land on the Site, or
- clearly state the Applicant's plans concerning the creek.

### **5. FAILURE TO COMPLY WITH SEARS PARAGRAPH 19 FLOOD RISK**

The creek runs extremely fast and high during periods of heavy rain carrying enormous volumes of water draining from a large part of Lindfield through the Site and then down towards Middle Harbour. In my 30+ years living at 9A Nelson Road, I have observed the water in the creek reaching as high as the top of its banks on numerous occasions during periods of extremely heavy rain. While the creek has never flooded my land, I am aware that downstream of my property flooding has occurred to the properties in Lightcliffe Avenue adjoining the creek, including properties adjoining the Site.

The Applicant has provided a Flood Impact and Assessment Risk Assessment in support of its concept plan which totally fails to assess the flood risk of the development at all and simply states that this information is “To be detailed later”.

Given the known flood risk associated with the creek on the site, and the high likelihood that the development will lead to a higher flood risk, the failure to satisfy the Applicant’s obligations under the SEARS to address the flood risk provides sufficient grounds to deny approval for the proposed Development.

**6. SEARS PARAGRAPH 14 – TREES AND LANDSCAPING – FAILURE TO ALLOW FOR EXISTING CONCRETE CULVERT AND CREEK IN ITS DESIGN**

According to the EIS (at page 33) the Applicant states that:

*The Landscape Plan concentrates deep soil planting around the site boundaries. The landscaping will provide a balance between the natural and built features of the site and will assist in articulating the built form as viewed from the public domain.*

*Whilst subject to the detailed design resolution within a future Detailed SSDA, the amenity scheme provided demonstrates that the proposal is capable of providing approximately 3,352m2 or 67% of the site as landscaped area, with a deep soil landscaped area provision equating to approximately 26% of the total site area*

These statements cannot be relied upon as they do not take into consideration either the concrete culvert and/or the creek on the Site.

According to the Landscape Concept Report (Appendix 11 to the EIS), there is to be a deep soil landscaped area (shown as Area 11 on the Landscape Master Plan – Ground Floor). Area 11 cannot be used for deep soil planting due to the existence of the following on the Site:

- The concrete culvert running along the northeastern boundary of the site in line with a Council Easement shown as a hatched area on the plan.
- The creek taking up most of the northeastern corner of the site.

The following snip is taken from the Landscape Concept Report (Appendix 11):

LANDSCAPE MASTERPLAN - GROUND FLOOR



**You cannot plant trees over a concrete culvert. The existence of the culvert in Area 11 will prevent any planting deeper than a few centimetres below the surface on top of the culvert. As the total setback is only 6m along the boundary the narrow space left between the edge of the culvert and the building envelope will not be wide enough to permit deep soil planting.**

**You cannot plant trees in the middle of a creek. The existence of the creek will prevent deep soil planting in the northeastern corner of the Site.**

The Applicant's paid consultant clearly failed to carry out a site inspection to inform themselves about the site and consequently the Landscaping Plan cannot be relied on, which means the Applicant has failed to satisfy its obligations under the SEARS.

## **7. FAILURE TO COMPLY WITH SEARS PARAGRAPH 6 BUILT FORM AND URBAN DESIGN**

One of the assessment criteria in the SEARS under Paragraph 6 Built Form and Urban Design states that The Applicant must:

*Demonstrate that the proposal provides an appropriate interface with the adjoining low density residential zone and heritage conservation area.*

I respectfully submit that:

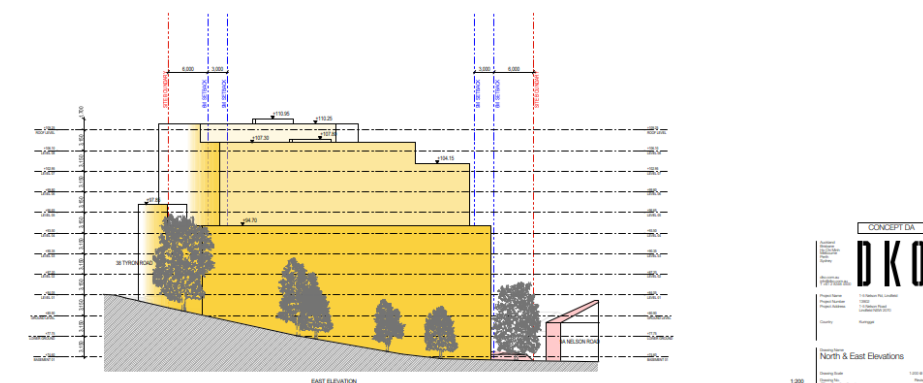
- an interface of an 11-storey apartment building directly next to my two-storey single dwelling home in a heritage conservation area is not appropriate, and
- the requirements of the SEARS in this regard have not been met by the concept plan.

The Applicant states (at page 33 of the EIS) that:

*Overall, the concept proposal will achieve a maximum height of 9 storeys as viewed from the street, responding to the topography of the land.*

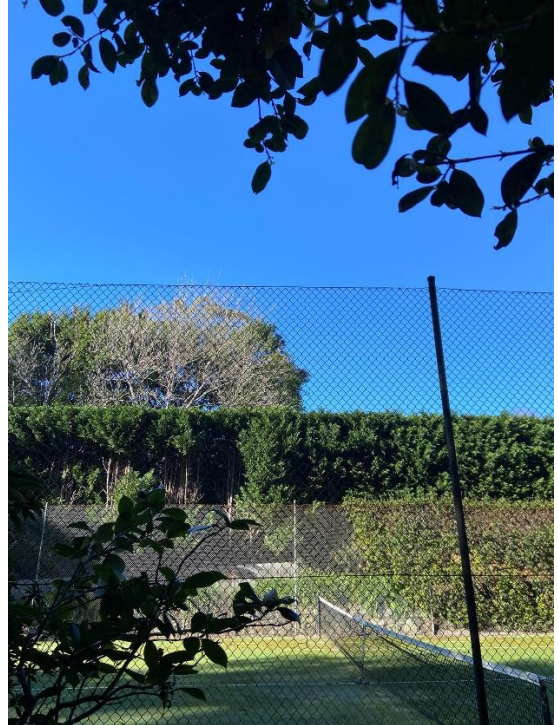
This is misleading, because it only focuses attention on the street elevation.

Given the sloping nature of the land, what is 9-storeys when viewed from Nelson Road is in fact 11-storeys when viewed from the north and east. I refer you to the Elevations in the Proposed Concept Masterplan (Appendix 9) showing my house (a two-storey residential dwelling) being towered over by an 11-storey building located on the other side of our shared boundary:



Whatever the Applicant and its paid consultant's might say to the contrary, there is simply no way that this can be assessed as being an appropriate interface with adjoining low density zoned properties, such as my own.

In addition, as my property is downhill from the Site, the impact is even worse since we will have to look up at the proposed Development from our property, as evidenced by these photos taken from my garden looking up and in the direction of the Site:



Where we currently see greenery and sky, we will only see an 11-storey apartment building from this aspect if the proposed Development goes ahead.

#### **8. FAILURE TO COMPLY WITH SEARS PARAGRAPH 7 ENVIRONMENTAL AMENITY**

One of the assessment criteria in the SEARS under Paragraph 7 Environmental states that the Applicant must assess amenity impacts on the surrounding locality. It is up to the Applicant to demonstrate a high level of environmental amenity for any surrounding residential or other sensitive land uses.

I draw your attention to the Applicant's assertion at page 33 of the EIS:

*The proposed built form has been carefully considered and designed to ensure it responds to the existing low density residential context of the locality whilst achieving the permitted bulk and scale in accordance with the new Housing SEPP initiatives. The proposed form has been designed to reduce the visual bulk of the development where possible to minimise the adverse impacts which inevitably result from increased density.*

Saying it is so does not make it so. I disagree with the Applicant's unsupported assertions regarding amenity for neighbouring properties.

The height, scale and bulk of the building will destroy our privacy and will forever change the existing amenity of my property and the other surrounding properties.

Loss of privacy will be a major issue for neighbouring properties, including my property, due to the height and bulk of the building and the grossly inadequate setbacks of only 6m from the boundary along all sides.

The concept plans shown in Appendices 9 & 10 to the EIS for SSD-82899468 do not demonstrate any regard for the adverse impacts that the height, bulk and scale will have on adjoining properties. As it is only a concept plan, the Applicant has not provided any details as to the location of windows, living spaces and bedrooms, and only a concept of where balconies are to be located, so it is impossible to determine exactly what impact the proposed development will have on the surrounding locality.

Loss of views will also grossly impact on my property, and those of other adjoining properties.

## **9. FAILURE TO COMPLY WITH SEARS PARAGRAPH 8 VISUAL IMPACT**

The SEARS Paragraph 8 Visual Impact requires the Applicant to:

*Provide a visual analysis of the concept building envelope from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.*

I refer to Appendix 23 and the frankly absurd attempt by the Applicant's paid consultant in the so-called Visual Impact Assessment (**VIA**) to persuade that:

*The assessment of view loss experienced by residents is assessed, overall, between Nil and Negligible, largely as a result of the dense, mature landscaping around the subject site and within the surrounding neighbourhood. Views from public recreation areas are also minimal, or nil, for the same reason.*

*Since the proposal is largely compliant, it satisfies the Council's guidelines (sic) for view sharing between neighbouring properties and for views from public locations.*

In reaching this conclusion, the Applicant's paid consultant only sought out locations which were some distance from the proposed Site including locations in the public domain which are:

- 1 km away from the Site in East Lindfield (e.g. Lindfield Oval),
- Located in the next suburb (e.g. Roseberry Road, Killara), or
- positioned with trees and buildings in the foreground to obstruct the view to the Site from closer locations (e.g. Tryon Road).

Obviously, a development will not have a high visual impact when assessed from a long distance away or when viewed from behind a building or tree. There was no attempt by the Applicant's paid consultant to meet the requirement of the SEARS to provide a visual analysis of the concept building from key public viewpoints, such as Tryon Road Uniting Church, Cromehurst School, or the corner of Nelson Road and Havilah Road (a busy traffic and pedestrian corner) which are in closer proximity to the Site.

At no time did the Applicant's paid consultant seek access to my own property to conduct a visual analysis of the concept building envelope from my own property. Hence a visual analysis of a key viewpoint – my property - has not been assessed at all.

I would argue that key viewpoints are ones that currently enjoy views that will be impacted by the proposed development. On that basis, the VIA cannot be relied on and the Applicant has failed to satisfy its obligations under the SEARS.

## 10. IMPACT OF MULTIPLE APARTMENT DEVELOPMENTS IN LINDFIELD ON TRAFFIC SAFETY AROUND CROMEHURST SCHOOL

I do not need a traffic impact assessment to know from personal experience that traffic in Tryon and Nelson Roads gets busy, particularly during daylight hours from Monday to Friday. Parking is at a premium during these hours. It was not always the case. Over my 32 years living in Nelson Road, I have witnessed a huge increase in both traffic and parking pressures. It was barely an issue when we purchased our home at 9A Nelson Road in 1993. Today, it can take several minutes before there is a sufficient break in the traffic to allow me to drive out of my driveway.

Surprisingly, there is no mention in the Traffic Impact Assessment Report (**TIA Report**) (Annexure 26 to the EIS) that Nelson Road is not very wide. It is a local road after all, as the TIA Report acknowledges at page 3 where it states that:

*Nelson Road is a local road under the control of Ku-Ring-Gai Council comprising of one traffic lane in each direction plus kerbside car parking.*

From my own experience I can say that turning left out of any driveway on Nelson Road between Tryon Road and Smith Street is difficult during peak traffic times. When doing so, it is necessary to travel well out onto the opposite side of the road before straightening up, especially when there are cars parked on the kerb. For this reason, one must wait until there is no traffic coming in either direction before pulling out of the driveway safely.

The TIA Report includes a Swept path analysis (page 9) which:

*...indicates that vehicles can simultaneously enter and exit the site satisfactorily from Nelson Road, with swept paths shown in Figure 9.*



Figure 9 Swept path analysis – site entry via Nelson Road

It is hard to believe that whoever prepared the TIA Report has ever actually visited the location in question. I strongly doubt that it is feasible for cars to simultaneously enter and exit the Site from Nelson Road safely as suggested by this diagram without causing general mayhem.

The following is additional information which the TIA Report does not address:

- The topography of Nelson Road runs downhill and uphill in both directions. The proposed Development is to have the entry and exit into the underground carpark located close to where the hill bottoms out travelling in both directions.
- Two cars can barely squeeze past each other travelling in opposite directions as it is. However, when cars are parked on both sides of the road, which is all day on most weekdays, the available road width is extremely narrow. I often see cars that speed down the hill narrowly miss cars speeding down the hill from the opposite direction. Placing the entry/exit into the carpark at the point in Nelson Road where cars are reaching their maximum speed (i.e. at the bottom of the hill) will only increase the risk of collisions.
- In addition to cars, Nelson Road is also used regularly by utility vans, trucks and buses which exacerbates the safety concerns. Nelson Road is not wide enough for vehicles of this size to pass other vehicles, particularly when cars are parked on both sides of the road.
- Nelson Road is a well-known local “rat run” used by locals to avoid congestion around the shops on Lindfield Avenue and when accessing the right hand turn into Archbold Road from Tyron Road.

While Nelson Road is a local road, it is not a quiet suburban street. With the increase in density in Lindfield over the last 10 years, I have observed a steady increase in the volume of traffic on and around the Site, yet none of this is mentioned in the TIA Report. It stands to reason that this will only worsen with each new high-rise apartment block that is built in Lindfield.

#### **Cromehurst School is across the road from the Site**

What I am most concerned about, however, is the impact this will have on Cromehurst School, which is located almost opposite the Site at 8 Nelson Road. Incredibly, no mention is made of Cromehurst School in the TIA Report.

Cromehurst School is a special government school that caters to students aged 4 to 18 with moderate to severe intellectual disabilities. The children who attend Cromehurst School are vulnerable and need our protection. Even in Year 12 many of them will never have the same capabilities and awareness of even your average 5-year-old. Many students of Cromehurst School will be prone to wandering off without any insight into the accompanying risks. While fences, gates and vigilant adults will prevent most accidents, none of these things are guaranteed to keep the students safe. Furthermore, the risk will not just be at drop-off and pick-up time. Teachers and parents of children with a disability live on high alert all the time. As a community, it is our responsibility to try to assist with this and not add to their safety concerns.

Locating a large high-rise development directly opposite Cromehurst School with all the increased traffic and car movements in and out of the apartment that this will entail is simply bad policy and should not be allowed to happen.

#### **CONCLUSION**

I strongly object to the proposed Development for the following reasons:

- The Site for the proposed Development is outside the TOD, so the TOD planning controls do not automatically apply to it.
- The Site lies within the LMR and there is no compelling case to extend the TOD planning controls to it since this would defeat the purpose of the LMR namely, to increase housing choice as well as housing availability for families in the Ku-Ring-Gai LGA.
- The EIS dated 27 June 2025 for SSD-82899468 is deficient in multiple ways as it has failed to address many if the items required by the SEARS dated 8 May 2025. In my letter I have attempted to identify

some of the many deficiencies and show how the proposed Development if it proceeds will have a direct and very serious negative impact on me as an adjoining landowner.

- As a concept plan, the Applicant has not been at all honest or transparent about its plans for the creek on the Site. What will happen to the creek must be made completely clear first before any concept plan can be properly considered.

Yours faithfully,

*E Woodforde*

Mrs E Woodforde