

STATEMENT OF HERITAGE IMPACT



State Significant Development Application SSD-83431958

Nos 16-20 Middle Harbour Road, Lindfield

June 2025 | J7425_01

**Weir
Phillips**
Heritage

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0 Executive Summary

This Statement of Heritage Impact (SoHI) has been prepared by Weir Phillips Heritage to accompany a detailed State Significant Development Application (SSDA) for the development for the demolition of existing dwellings, construction of a nine storey residential flat building with lower ground level, two levels of basement parking and associated landscaping and infrastructure at Nos 16-20 Middle Harbour Road, New South Wales.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) for In-fill Affordable Housing dated 5 May 2025 and issued for the SSDA (SSD-83431958). Specifically, this report has been prepared to respond to the SEARs requirements issued below.

SEARs Item	Description of Issue and Assessment Requirements	Section reference (this report)
22	Environmental Heritage Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.	Section 5

The site is located within the Municipality of Ku-ring-gai. The principal planning instrument for the site is the *Ku-ring-gai Local Environmental Plan 2015 (LEP 2015)*. No part of the site is listed as a heritage item or located within a Conservation Area listed by Schedule 5 Parts 1 and 2 of the *LEP 2015*. The site, however, adjoins a heritage item, No. 9 Middle Harbour Road, listed by Schedule 5 Part 1 of the *LEP 2015*. Given the massing and scale of the proposed new building it has the potential to be visible within the wider setting of several heritage items and conservation areas listed by Schedule 5 Parts 1 and 2 of the *LEP 2015*.

This report assesses the heritage impacts of a proposed residential flat building at 16–20 Middle Harbour Road, Lindfield. While the site itself does not contain any heritage listings, it is in the vicinity of the heritage-listed dwelling at No. 9 Middle Harbour Road, 19 Russell Avenue and lies within the broader context of nearby heritage items and conservation areas, including the Trafalgar Avenue Heritage Conservation Area to the north.

The proposal has been assessed within the framework of the *Transport Oriented Development State Environmental Planning Policy (TOD SEPP)*, which allows for increased building height and density near public transport nodes. Given the supremacy of the SEPP over local planning instruments, the heritage provisions of Part 19F of the Ku-ring-gai DCP have been considered holistically, with emphasis on the underlying objectives rather than strict compliance.

Key findings and mitigations measures include:

- No. 9 Middle Harbour Road:
The proposed development preserves key view corridors to and from the heritage dwelling. A 10-metre landscaped front setback and increased upper-level setbacks

help retain visibility of the heritage item and maintain its setting. The building design uses sensitive materials, colour schemes, and articulation techniques to reduce perceived mass and scale, referencing key elements of the Federation-style dwelling without imitating its form.

- **Trafalgar Avenue Heritage Conservation Area and 19 Russell Avenue:**
The proposed development will be visible in the background of the HCA and 19 Russell Avenue (which is located within the HCA). The proposal does not intrude upon the fabric, view corridors, subdivision pattern, or tree canopy of the Conservation Area or item. A 6-metre rear setback and further separation from adjacent lots ensure that visibility is minimal and impacts are moderated by distance and existing built form. Proposed planting on the northern rear boundary also acts to screen some of the development from the HCA at ground level.
- **More Distant Heritage Items and Areas:**
Impacts on these elements are considered acceptable, with no direct fabric or significant views affected. Visual impacts are softened by distance, existing and proposed vegetation, and the modulated design of the proposed development.

Overall, while the proposed building introduces a different typology which is consistent with the evolving context envisaged by the TOD SEPP. It has been thoughtfully designed by PTI Architects to manage its interface with adjacent heritage items. Through setbacks, articulation, landscaping, and materials, the development responds respectfully to its heritage context.

The proposal is compatible with the relevant heritage controls and adequately addresses environmental impacts and mitigation measures as required by Section 22 of the SEARs.

Report Preparation			
Principal	James Phillips B.Sc. (Arch.), B.Arch., M.Herit.Cons (Hons.)		
Associate Director	Anna McLaurin B.Envs (Arch) M.Herit.Cons., MURP		
Report Details			
Statement of heritage impact for:	Demolition of existing dwellings, construction of a seven-storey residential flat building with lower ground level, two levels of basement parking and associated landscaping and infrastructure at Nos 16-20 Middle Harbour Road, Lindfield NSW.		
Prepared for:	Ming Han Yang & John Wu		
Revision			
Revision	Date	Prepared by	Reviewed by
Draft 1	05.06.2025	AM	JP
Final	11.06.2025	AM	JP

We acknowledge that the land on which we live, learn and work as the traditional country of the Gadigal people of the Eora Nation. We acknowledge these traditional owners of this land and acknowledge their living cultures and the unique roles they have played in maintaining life, language, and culture in this region. We pay respect to their Elders past, present and emerging and all Aboriginal people.

Cover photo: The proposed new residential flat building at Nos 16-20 Middle Harbour Road, Lindfield, 2025.

PTI Architects

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1 INTRODUCTION

1.1 Preamble

This Statement of Heritage Impact (SoHI) has been prepared by Weir Phillips Heritage to accompany a detailed State Significant Development Application (SSDA) for the development for the demolition of existing dwellings, construction of a nine storey residential flat building with lower ground level, three levels of basement parking and associated landscaping and infrastructure at Nos 16-20 Middle Harbour Road, Lindfield New South Wales.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) for In-fill Affordable Housing dated 5 May 2025 and issued for the SSDA (SSD-83431958). Specifically, this report has been prepared to respond to the SEARs requirements issued below.

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The site is located within the Municipality of Ku-ring-gai. The principal planning instrument for the site is the *Ku-ring-gai Local Environmental Plan 2015 (LEP 2015)*. No part of the site is listed as a heritage item or located within a Conservation Area listed by Schedule 5 Parts 1 and 2 of the *LEP 2015*. The site, however, adjoins a heritage item, No. 9 Middle Harbour Road, listed by Schedule 5 Part 1 of the *LEP 2015*. Given the massing and scale of the proposed new building it has the potential to be visible within the wider setting of several heritage items and conservation areas listed by Schedule 5 Parts 1 and 2 of the *LEP 2015*.

This statement has been prepared at the request of Ming Han Yang & John Wu and accompanies plans prepared by PTI Architecture and documentation prepared by others.

1.2 Methodology

Site visits were undertaken in May 2025. Unless otherwise specified, all the photographs in this statement were taken on these occasions.

This SoHI has been prepared with an understanding of the requirements of SoHI set out by the Heritage NSW publication *Guidelines for preparing statements of heritage impact* (2023 update) and with an understanding of the objectives and controls of the planning instruments listed under Section 7 below.

1.3 Signed Declaration

We, the undersigned, declare that we have prepared this Statement of Heritage Impact in accordance with the Secretary's Environmental Assessment Requirements (SEARs No. 22) and all relevant state and local legislation, policies, and guidelines, including the *Ku-ring-gai Local Environmental Plan 2015* and the *Ku-ring-gai Development Control Plan 2024*.

We confirm that, to the best of our knowledge, none of the information contained in this Statement of Heritage Impact is false or misleading.



James Phillips

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Principal

Weir Phillips Heritage



Anna McLaurin

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Associate Director

Weir Phillips Heritage

1.4 Limitations

Given that neither building on site is subject to a statutory heritage listing assessments of significance for the properties comprising the site did not form part of the brief for this statement. An archaeological assessment did not form part of the brief for this statement – this report has been prepared by others.

The nearby heritage items, No. 9 Middle Harbour Road and 19 Russell Avenue, were viewed from the public domain only.

Community consultation has not been undertaken as part of this assessment.

1.5 Site Location

Nos 16-20 Middle Harbour Road, 'the site,' is located on the northern side of Middle Harbour Road towards the center of the block between Lindfield Avenue to the west and Trafalgar Avenue to east. The site is outlined in blue in Figure 1.

Property Address	Title Description
16 Middle Harbour Road, Lindfield	Lot 1 D.P. 569232
18-20 Middle Harbour Road, Lindfield	Lot 10 D.P. 5374 Lot 11 D.P. 5374
Project Site Area	3810.3m ²

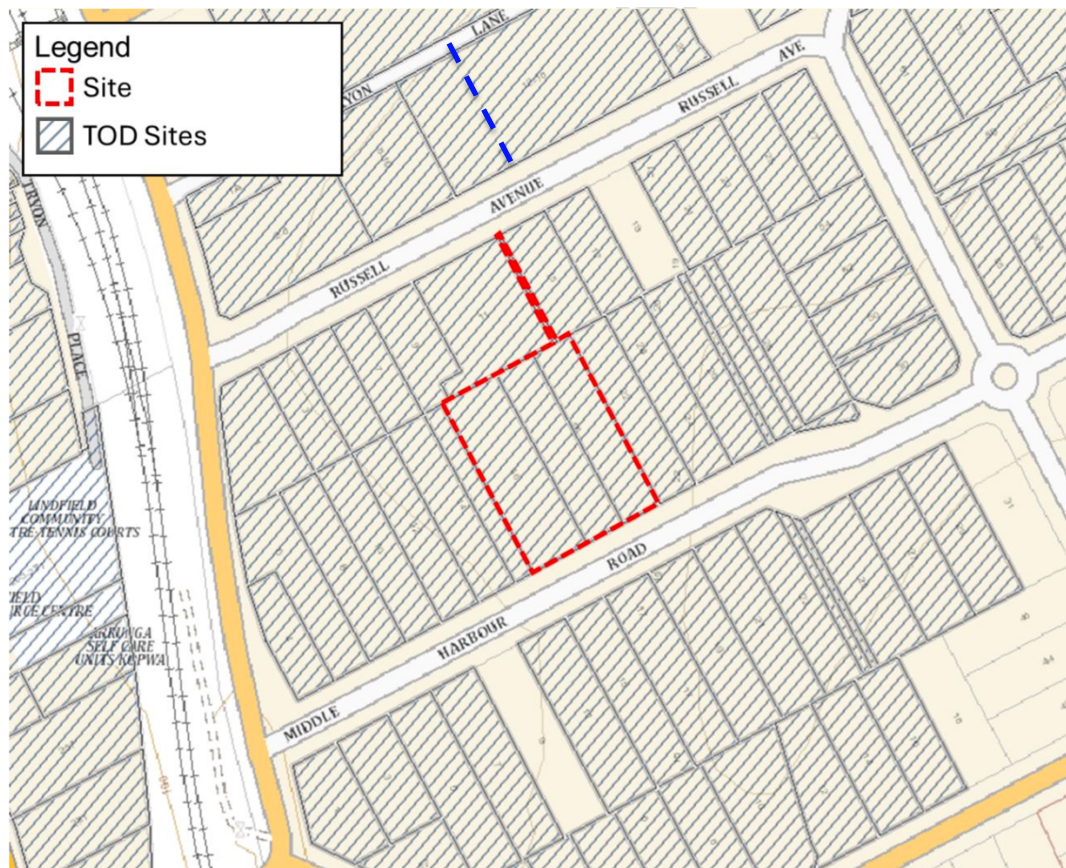


Figure 1: Site Location.
NSW Planning Portal; annotation in red by Keylan

2 THE SITE OF THE PROPOSED WORKS

This section briefly describes the site. For the following, refer to Figure 2, an aerial photograph over the site, which is outlined in solid blue.



Figure 2: Aerial photograph over the site.
Near Maps; annotations by Keylan

The site comprises two lots with a combined south western boundary to Middle Harbour Road of 53.34m (combined) and a depth of 70.41m (by survey). The site area is 3810.3m². The site has a crossfall from southwest to north east with an approximate height difference of 6.25m. There is a small battleaxe accessway off 18-20 Middle Harbour Road from Russell Avenue.

No. 16 Middle Harbour Road was viewed from the public domain only. There is a fence comprising stone pillars with timber picket infill across the front boundary. The dwelling on the site is set back from the street in line with its neighbours, providing for a small front lawn, which slopes in line with the street to the south east. .

The dwelling lies closer to its western boundary, providing for a concrete driveway on the north eastern side of the site. This driveway provides access to parking beneath the dwelling on the north eastern side.

Aerial photographs (Figure 2) reveals that there is an inground swimming pool within the large rear yard with tennis court on the northern boundary. This dwelling has an outlook onto the Lindfield Tennis Club.

The dwelling at No. 16 Middle Harbour Road is a free standing single storey (to the street) Federation period dwelling constructed of d brick on a stone base that has been altered and extended. The once face brickwork has been painted. The roof is hipped and gabled and clad in slate with terracotta ridge capping.



Figure 3: No 16 Middle Harbour Road as viewed from the street.

No. 18-20 Middle Harbour Road was viewed from the public domain only. There is a fence comprising stone pillars with modern metal palisade infill across the front boundary. The dwelling on the site is set back from the street in line with its neighbours, providing for a large front lawn, which slopes in line with the street to the southeast.

Aerial photographs (Figure 2) reveals that there is an inground swimming pool within the large rear yard with tennis court on the northern boundary. This dwelling has an outlook onto the Lindfield Tennis Club.

The dwelling is a much-altered Federation period dwelling set to the western side of the lot with a modern infill to the east. The dwelling is constructed from red face brick with a rusticated sandstone base. There is a hipped and gabled timber framed roof which is clad in terracotta ties.



Figure 4: 18-20 Middle Harbour Road from the public domain.



Figure 5: View of the rear of the site across the Lindfield Tennis Club at Russell Avenue. The red arrows indicate both sites.

3 THE SURROUNDING AREA

3.1 Existing Setting

This section describes the existing setting of the subject site, which is also the setting of the heritage items and conservation areas identified in Section 4 below.

For the following, refer to Figure 6, an aerial photograph over the site and the surrounding area. The arrow points to the site.



Figure 6: Aerial photograph over the site and the surrounding area. The arrow points to the site.

SIX Maps; annotation by WP Heritage.

The site is located within a predominately residential setting comprising free standing dwellings set within garden surrounds. These dwellings date from the Federation period onwards but are predominately Pre-World War II. There are more recent two-three storey residential developments in Russell Avenue to the north west and six storey plus mixed use buildings north west of Russell Avenue and within the Lindfield Town Centre. There are several areas where there are single or two storey buildings adjoining developments of a larger scale.

Middle Harbour Road falls steadily to the north east from its junction with Lindfield Avenue. The subject site lies within a the centre of the block. This part of the road is wide, with concrete kerb and guttering, wide nature strips and concrete footpaths to either side. The nature strips rise gently from the road. There is mixed street planting to either side, including Jacarandas and Brush Box directly outside of the subject site.

The dwellings within this part of Middle Harbour Road are free standing and one and two storeys in height. They predominately date from the Federation and Interwar periods and are of brick (face or painted) or rendered masonry construction, with hipped and gabled roofs clad in tile or slate. Most have undergone some form of alteration and many have later additions. Front setbacks vary; most are set closer to one side boundary than the other to provide for driveways. Most sites are well vegetated with several having tennis courts and swimming pools in rear yard. Front fence types vary and include rendered masonry, metal and timber picket fencing and low brick walls.

Russel Avenue sits higher topographically than Middle Harbour Road. Part of the street to the east is located within the Trafalgar Avenue Heritage Conservation Area. The dwellings fronting the eastern part of Russell Avenue early and late Federation period in the Queen Anne, Arts and Crafts and Bungalow styles with some inter-war Old English examples. Many of these houses include established gardens and mature trees. Immediately opposite the subject site to the north is the Lindfield Tennis Club. Part of the rear elevations of both sites are visible above the rear fence.

To the south west of the subject site is No. 9 Middle Harbour Road. This property is listed as a heritage item by Schedule 5 Part 1 of *LEP 2015* and is described in Section 4 below.

Figure 7 to Figure 15 illustrate the existing setting of the site. Refer to Section 4 below for photographs of the heritage item, No. 9 Middle Harbour Road.



Figure 7:
Looking north
east down
Middle Point
Road from
Lindfield
Avenue
showing the
tree lined
streetscape.



Figure 8: Brush
box and
jacaranda
street trees
outside of the
subject site.



Figure 9: Nos 11 and 13 Middle Harbour Road to the north east of the heritage item at No. 9 Middle Harbour Road and the site.



Figure 10: Continuing north east along Middle Harbour Road from Figure 17.



Figure 11: No. 3 Middle Harbour Road to the south west the site.



Figure 12: The heritage item at No. 9 Middle Harbour Road is concealed from Lindfield Avenue (orange arrow). This photograph also shows an angled view towards the site (red arrow) from Lindfield Avenue. .



Figure 13: The slope down Middle Harbour Road outside 18-20.



Figure 14: The Federation period dwellings at Russel Avenue within the Trafalgar Avenue HCA.



Figure 15: The Lindfield Tennis Club from Russell Avenue.

3.2 The Changing Setting

The character of the area in which the site lies is likely to undergo significant changes in the coming years. The *State Environmental Planning Policy (Housing) Amendment (Transport Orientated Development) 2024* (hereafter *TOD SEPP*) came into effect on 13 May, 2024. The TOD SEPP permits development of greater height and density within 400m of Lindfield Station than envisaged under the *LEP 2015* controls.

Figure 26 reproduces a detail from the NSW Planning Portal plan. This plan shows the sites in the vicinity of Lindfield Station to which the *TOD SEPP* applies (hatched in blue). The subject site, outlined in black, and the adjoining lots are among these sites. Under the *TOD SEPP*, the 9.5m height limit for the site under the *LEP 2015* is replaced with a height limit of 6 storeys and the FSR is increased from 0.3:1 to 2.5:1.

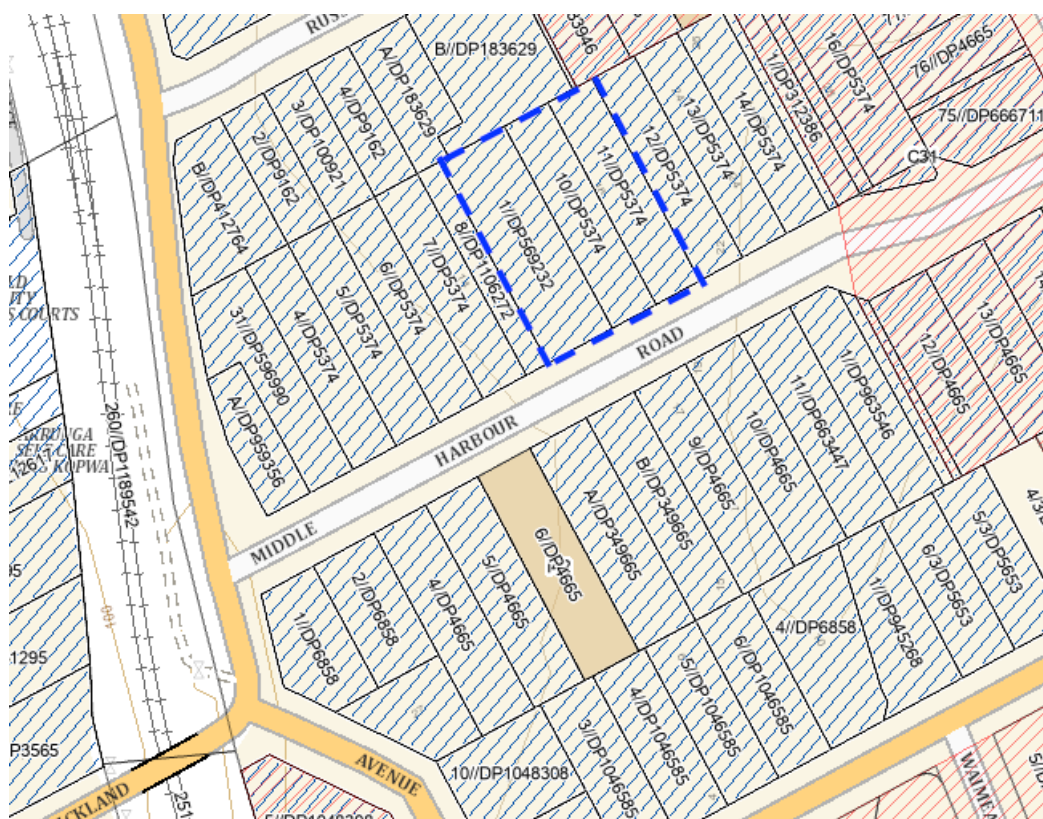


Figure 16: Detail of the *TOD SEPP* Plan Lindfield Station. TOD effected sites are hatched in blue. The site is outlined in blue. Note: sites coloured brown and/or hatched in red are heritage listed and are identified in Section 4 below.

NSW Planning Portal; annotation in blue by WP Heritage.

Ku ring gai Council is appealing the *TOD SEPP* provisions. In October 2024, the Councilors unanimously voted to consult the Ku-ring-gai community on five housing scenarios to meet the objectives of the *TOD SEPP* provisions, with one of the proposals being the TOD provisions as they have been prepared by the Government.

Following an Extraordinary Council Meeting held on 31 March, 2025, Council is seeking feedback on a preferred alternative scenario. The exhibited proposal for Lindfield around the subject site allows for a 29m height limit and FSR of 1.8:1.

4 HERITAGE ITEMS AND CONSERVATION AREAS IN THE VICINITY OF THE SITE

4.1 Identifying the Heritage Items in the Vicinity of the Site

For the following, refer to Figure 17 which provides a detail of a plan showing heritage items in the vicinity of Lindfield Station. In this plan, heritage items are coloured brown (Schedule 5 Part 1 *LEP 2015*) or blue (State Heritage Register under the *Heritage Act 1977*) and numbered and Conservation Areas are hatched red and numbered (Schedule 5 Part 2 *LEP 2015*). The numbers relate to the listing number provided by Schedule 5 Parts 1 and 2 of the *LEP 2015*. The subject site is outlined in blue.

There is no statutory definition for ‘in the vicinity’ regarding heritage items. For the following, ‘in the vicinity’ has been determined with reference to physical separation, existing and potential view corridors and the nature of the proposed new works.

Given the nature of the proposed works, it is acknowledged that the proposed buildings may be distantly visible from additional items not identified by Table 1 below, that are further

removed from the site. These distant views are mitigated by distance, the existing tree canopy and, in some instances, by topography.

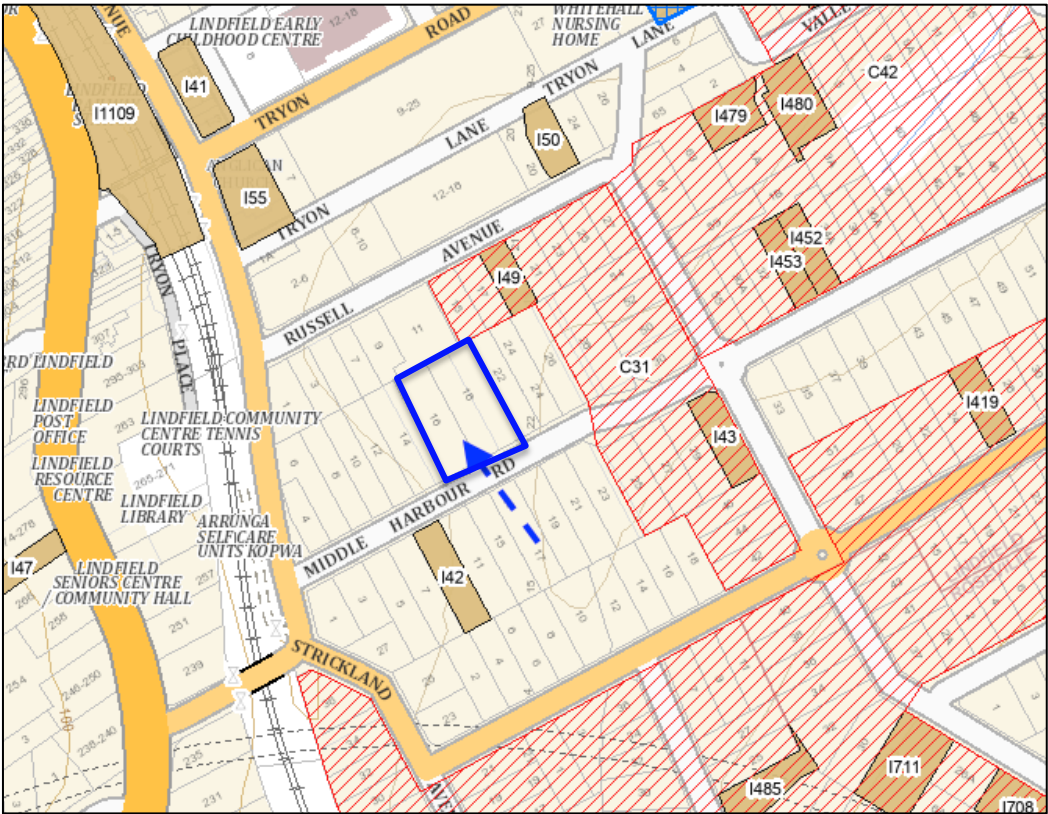


Figure 17: Detail, heritage map showing heritage items and Conservation Areas in relation to the subject site. The site is outlined in black and shaded dark blue.

NSW Planning Portal; annotations by Weir Phillips.

<i>Listing Type</i>	<i>Item Name and Address</i>	<i>Listing Number</i>
Located in the vicinity of items listed by the State Heritage Register or a s170 Register under the <i>Heritage Act 1977</i> (NSW).	<i>Tryon Uniting Church, No. 33 Tryon Road, Lindfield</i>	01672
Located in the vicinity of conservation areas listed by the State Heritage Register or a s170 Register under the <i>Heritage Act 1977</i> (NSW).	No	N/A
Located within the vicinity of local heritage items listed by Schedule 5 Part 1 of the <i>Ku-ring-gai LEP 2015</i>	<i>'Laurabada,' dwelling house, No. 9 Middle Harbour Road</i>	I142
	<i>Dwelling house, No. 24 Middle Harbour Road</i>	I452

<i>Listing Type</i>	<i>Item Name and Address</i>	<i>Listing Number</i>
	<i>Dwelling house, No. 31 Middle Harbour Road</i>	I43
	<i>Dwelling house, No. 32A Middle Harbour Road</i>	I453
	<i>Dwelling house, No. 19 Russell Avenue</i>	I49
	<i>Dwelling house, No. 22 Russell Avenue</i>	I50
	<i>St. Alban's Anglican Church, Nos 1-5 Tryon Road</i>	I55
	<i>Commercial block, Nos 1-21 Lindfield Avenue</i>	I41
	<i>Lindfield Railway Station Group, Lindfield Avenue</i>	I1109
	<i>Dwelling house, No. 23 Waimea Road</i>	I485
	<i>'Doralyn,' dwelling house, No. 16 Kelburn Road, Roseville</i>	I105
	<i>Dwelling house, No. 26 Trafalgar Avenue, Killara</i>	I711
Located within the vicinity of conservation areas identified by Schedule 5 Part 2 of <i>Ku ring gai LEP 2015</i> .	<i>Trafalgar Avenue Conservation Area</i>	C31
	<i>Clanville Conservation Area</i>	C32
	<i>Middle Harbour Road, Lindfield Conservation Area</i>	C42

Table 1: Table identifying heritage items in the vicinity of the site.

There are two items considered to be similar distances to the subject site which are 'Laurabada,' dwelling house, No. 9 Middle Harbour Road (I142) and Dwelling house, No. 19 Russell Avenue (I49), the closest Heritage Conservation Area is Trafalgar Avenue is considered in greater detail in Section 4.2 below.

The other items and conservation areas identified in Table 1 above are further removed from the site. They are identified because the proposed building may be visible within their general setting but are not considered in detail in this section because of the distance that separates them from the site. 'Laurabada,' dwelling house, No. 9 Middle Harbour Road

4.2 9 Middle Harbour Road, Lindfield

4.2.1 Brief History

The following is based on the information provided by the State Heritage Inventory (SHI) listing sheet for the site, which is supplemented by additional information from other sources as foot noted.¹

Ku ring gai lies in the land of the Darruragal people.

No. 9 Middle Harbour Road lies on part of a 400 acre grant made to free settler Daniel Dering Mathew on 15 July, 1819. The grant was the first formalised grant north of the Lane Cove River. Mathew occupied and developed his land before selling it to emancipist Richard Archbold in 1824, who was granted a further 600 acres adjoining Mathews grant the following year. Archbold, who called the land *Clanville*, also occupied the land, where he developed a fine orchard and a school. Archbold died in 1836. When his widow, Mary, died in 1850 the estate was divided into eight allotments for each of their children, with each lot being approximately 50 acres in size. The subject site is located on Lot 7 of the Clanville Estate, which ran from Lane Cove Road (Pacific Highway) west to Government Road (now Archbold Road).

On 11 April, 1889, the Anglo Australian Investment Finance and Land Company purchased Lot 7 of the Clanville Estate. The following year, the first section of the North Shore Railway Line opened. The railway (and suburb) were named for a cottage built by Francis List in the area in 1884.

A large portion of Lot 7 was subdivided and offered for sale as the Lindfield Grove Estate. Refer to Figure 29. The estate comprised 78 lots on either side of Middle Harbour Road and Trafalgar Avenue. The first lots were offered for sale in 1906, at which time it was advertised as being 'just far enough' and 'just high enough.'² The 'just far enough' refers to it being 'practically in the country,' whilst being 'only seven miles from Sydney'.³ The suburbs of the Upper North Shore was often cited as being healthy because of its height above sea level. The Estate also benefited from the 'good local shops' and 'frequent deliveries from Sydney'.⁴

¹ *Laurabada, 'dwelling house*, No. 9 Middle Harbour Road, Lindfield. State Heritage Inventory, Heritage Item ID: 1882381.

² 'Advertising ('Plans Ready Next Week),' *The Daily Telegraph*, 3 February, 1906, p.3.

³ 'Forthcoming Sales,' *The Sydney Morning Herald*, 3 March, 1906, p.15.

⁴ 'Forthcoming Sales,' *The Sydney Morning Herald*, 3 March, 1906, p.15.

What is now No. 9 Middle Harbour Road was transferred to John Edward Phillips of Lindfield, clerk, on 2 September, 1922, who is first listed on the site in *Sands' Directories* in 1924, at which time the property was known as *Kalimna*. Twenty years later, the property passed by transmission to Jessie Morrison Phillips, widow, registered October 1944, who was resident at her death in March 1949.¹⁰ When the property first became known as *Laurabada* is not known.

Figure 19 provides an aerial photograph over the site dated 1943, during the Thompson's period of ownership, which may be the original footprint of the dwelling. The dwelling has been extended and altered since this photograph was taken. The Brush Box street trees outside the site are clearly visible, indicating that they were likely planted in the Interwar period. Most of the trees within the site were planted well after this time.



Figure 19: Aerial photograph over No. 9 Middle Harbour Road in 1943 shaded yellow. The site is outlined in red.

NSW Spatial Portal 2025, annotation by WPH.

Ownership passed by transmission to Ethel May Magee, a spinster of Lindfield, in 1949, who sold it six years later, on 4 July, 1955, to Samuel Paddle, an advertising manager from Lindfield. The property was transferred to Fred Theophilus Sherborne, a naval officer of Lindfield, on 29 July, 1963, who was the last registered owner prior to the computerization of the land title.¹¹ A substantial addition was constructed to the rear of the dwelling in the 1980s.¹² When the property acquired its existing name is not known.

¹⁰ Transfer cited *Ibid*; 'Family Notices,' *The Sydney Morning Herald*, 5 March, 1949.

¹¹ Transfers cited *ibid*.

¹² With reference to aerial photographs.

The section of Lindfield around the Railway Station has changed significantly over the past twenty years as low density housing has been replaced with five storey (and higher) residential flat and mixed use buildings in streets to the north. No such buildings have yet been erected in Middle Harbour Road.

4.2.2 Description

The SHI listing sheet describes this heritage item as follows:

‘The property contains a single storey Federation period Bungalow constructed of painted brick with a hip roof clad in terracotta tile, Dutch gable with timber vents at the apex and brick chimneys. The main roof has a broken pitch which extends over a verandah across the front of the house. The verandah roof is supported on timber posts with decorative timber screen/ frieze and balustrades. The verandah also features a central gable with shingle finish to the gable end. The verandah is accessed via a flight of rendered brick steps and a timber boarded floor. The front entrance door is framed by two other doorways each with a screen door. The east and western ends of the verandah have been enclosed by large multipaned windows. A small hexagonal shaped tower with pyramidal roof clad in shingles rises above the roof of the western end of the verandah. The eastern façade of the house features hooded window openings. A deck with timber balustrade extends from the south eastern corner of the house and is elevated over an open carport. The house is setback from the street frontage which features a timber post and picket fence on brick base and timber gate. Stone flagged path and garden edging extends across the front of the house and yard which also features open lawn and perimeter planting with ornamental trees and planting. A brick paved driveway extends parallel to the eastern site boundary to the carport. The rear yard also features a swimming pool.’¹³

This description remains accurate but makes no reference to the large addition that has been built to the rear.

Figure 20 to Figure 21 illustrate the item.

¹³ ‘*Laurabada,*’ *dwelling house*, No. 9 Middle Harbour Road, Lindfield. State Heritage Inventory, Heritage Item ID: 1882381.



Figure 20: No. 9 Lindfield Avenue from Lindfield Avenue.



Figure 21: Driveway into No. 9 Lindfield Avenue from Lindfield Avenue.

4.2.3 Setting and View Corridors

The setting of this item is as described in Section 3 above, noting also the likely changes in the near future that will occur under the *TOD SEPP*, regardless of which scenario put forward by Ku ring gai Council is adopted.

The principal view corridors towards this item from the public domain are obtained from directly outside of it on Middle Harbour Road. Refer to Figure 31 above.

The dwelling at No. 9 Middle Harbour Road is concealed on approach from the south west and north east until close by, by the close set side setbacks of adjoining dwellings and/or vegetation, including street trees. The view is slightly more open on approach from the north east because of the dwelling's set back from this boundary.

There are no significant view corridors into the rear of this property from the public domain.

The most significant view corridors out of this item are over Middle Harbour Road. The view is currently of a single storey dwellings in garden settings. The dwelling was not designed to

have significant view corridors over the subject site to the south west and none have developed over time that help to explain its significance.

It is noted that this item is visually and physically isolated from other heritage items and conservation areas. There are no statutory protections for other Pre-World War II buildings in this part of Middle Harbour Road.

Refer to Figure 22 to Figure 26.



Figure 22: View towards the heritage item, marked by the arrow, on approach up Middle Harbour Road from the north east. The side of the roof and chimney of the heritage listed dwelling are visible. The item is not prominent on approach in this direction.



Figure 23: View towards the heritage item, marked by the arrow, on approach up Middle Harbour Road from the east and at a wider angle than Figure 36.



Figure 24: View towards the heritage item, marked by the arrow, on approach from the north east and at an acute angle.



Figure 25: View towards the heritage item, marked by the arrow, on approach from the south west. Little of the heritage listed dwelling is visible.



Figure 26: View towards the heritage item, marked by the arrow, on approach from the south west at a more acute angle. Little of the heritage listed dwelling is visible.

4.2.4 Significance

The SHI listing sheet provides the following statement of significance for this item:

‘The property has significance as part of the early residential development of the suburb of Lindfield during the second decade of the twentieth century when the subdivision of the larger holdings was at its peak. Although having undergone some modifications to the original building, the house remains largely intact externally with its original Federation Bungalow stylistic detailing. The largely intact and mature gardens at the front of the house contribute to the streetscape character as a significant curtilage to this early twentieth century residence.

The item is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.’¹⁴

This statement is accepted in so far as the dwelling is identifiable as a Federation period dwelling. Whilst having a garden setting, which contributes to its presentation to the street, the front fence and much of the planting within the front setback appears relatively recent in date. The painting of the once face brickwork, the addition to the rear and the partial glazing of the verandah have all impacted upon integrity. The timber detailing to the verandah may also have been replaced over time. It is noted that, although a listed item, there are better preserved examples of Federation period dwellings listed as heritage items (and others not subject to any statutory) in Ku-ring-gai.

4.2.5 Curtilage

The *LEP 2015* listing is for a lot boundary curtilage. This is an appropriate curtilage given that view corridors on approach are restricted. This heritage item is isolated from other heritage items/conservation areas, visually and physically. None of the other pre-World War II dwellings in this part of Middle Harbour Road are heritage listed.

¹⁴ *Laurabada, dwelling house*, No. 9 Middle Harbour Road, Lindfield. State Heritage Inventory, Heritage Item ID: 1882381.

4.2.6 Relationship to the Subject Site

The site is located to the north east of the item. The proposal will form part of its immediate setting and be visible in view corridors that include it. As noted above, the heritage listed dwelling does not have significant view corridors over the subject site that help to explain its significance.

4.3 19 Russell Avenue Lindfield

This item lies to the north east of the subject site within the Trafalgar Avenue Heritage Conservation Area.

4.3.1 Brief History

The following history has been summarized from the information contained on the NSW State Heritage Inventory:

The subject site was originally part of the 400-acre “Clanville” land grant to Daniel Dering Mathew in 1819, primarily used for timber-getting. In 1824, Mathew sold the land to Richard Archbold, a former convict turned schoolmaster. Archbold established a family home, orchard, and school on the site. After his death in 1836 and his wife Mary’s in 1850, the land was divided among their children, with the current subject site falling within Lot 8.

By 1900, William and Anna Cowan and Edith Swane consolidated over 12 acres, including the site, which was later subdivided as the “Bothwell Estate.” Lot 20 was purchased by William Robjohns in 1913, and the house—likely built then—was named “Tanglely.” Florence Eva Honey owned it from 1916, renaming it “Reemah.” George Wigram Stewart occupied and later owned the house from 1928 to 1963, with several subsequent ownership transfers.



Figure 27: Aerial photograph over No. 19 Russell Avenue in 1943 shaded yellow. The site is outlined in red.
 NSW Spatial Portal 2025, annotation by WPH.

4.3.2 Description

The property contains a single-storey late Federation Bungalow constructed of face brick on a sandstone base, with a high-pitched hip and gable roof clad in shingles and finished with unglazed terracotta ridge capping and finials. The main roof features a Dutch gable with a vent at the gable end, and a prominent square chimney of face brick with roughcast render.

A broken-pitch roof extends over the front verandah, which includes a timber floor, a timber-panelled front door with leadlight detailing, and a double-hung window with a toplight. At some stage, the front wall has been painted. The verandah is supported by paired timber posts and brackets resting on brick piers, and is enclosed with a timber picket balustrade. A timber-clad extension projects from the rear of the eastern side of the house.

The front façade features a gabled projection with half-timbering and roughcast render to the gable end, above a square bay window containing triple leadlight casement windows with toplights. The bay has a flat metal-clad roof and sits on a solid brick base. The main roof also extends over a small porch on the eastern side, which has marble treads, a terrazzo floor finish, and is supported by timber posts and brackets on a brick base and balustrade. The western façade also includes a gable with similar detailing. A gabled dormer has been added to the front slope of the main roof.

The building is set back from the street behind a square-top timber picket fence and gate, enclosing a front garden of ornamental shrubs and lawn. A concrete path curves around the lawn to the side entry. A concrete strip driveway runs parallel to the western site boundary,

leading to a basement-level carport located beneath a verandah at the rear, which has a slate-tiled gabled roof extending out to the western boundary.

4.3.3 View Corridors and Setting

This item, like the Trafalgar Avenue Heritage Conservation area is currently residential in character with many single and double story Federation era dwellings and some modern infill dwelling. The entire block that is bounded by Middle Harbour Road, Trafalgar Avenue and Russell Avenue is impacted by the provisions of the *TOD SEPP*.

The principal view corridor towards this item is from directly outside of it on Russell Avenue. There are limited oblique views towards the item due to the front setback of the dwelling and the vegetation within the site and on the street.



Figure 28:
View out of the
Trafalgar Avenue
Conservation Area
towards the subject
site, marked by the
arrow, from Russell
Avenue. The proposed
building will be visible
in this view corridor,
behind the No. 19
Russell Avenue.

4.3.4 Significance

The following statement of significance has been sourced from the NSW State Heritage Inventory:

The property has historic significance as part of the early residential development of the easterly section of the suburb of Lindfield. Although having undergone some modifications to the original building, the house remains largely intact externally with its original Federation Period stylistic detailing and has aesthetic significance as a good example of the style.

The mature shrubs at the front of the house tend to hide the building from the street, however, the character of this early twentieth century residence is intact.

The item is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.

This statement is adopted for the purposes of this assessment.

4.3.5 Relationship to the Subject Site

This item is located to the north east of the subject site. It is anticipated that the future building built to the provisions of the *TOD SEPP* will be visible behind the item. Due to the location of this item to the north of the subject site, there will be no overshadowing as a result of the built form.

4.4 Trafalgar Avenue Conservation Area

This area lies to the north east of the subject site. It is located to the rear boundary of 18-20 Middle Harbour Road.

4.4.1 View Corridors and Setting

The setting of that part of the Conservation Area that lies within Lindfield is residential. The entire block that is bounded by Middle Harbour Road, Trafalgar Avenue and Russell Avenue is impacted by the provisions of the *TOD SEPP*.

The principal view corridors that explain the significance of this Conservation Area are obtained along the streets located within it and to/from contributory properties. View corridors out of the Conservation Area in the direction of the subject site at street level are predominately of the skyline with trees above dwellings. This will change under all of the five *TOD SEPP* scenarios proposed by Council. The red arrows indicate the position of the site where the proposed building will be visible from those sites in the HCA from Russell Avenue and Trafalgar Avenue.

Refer to Figure 29 and Figure 32 below, view corridors out of the Trafalgar Avenue Conservation Area towards the subject site.

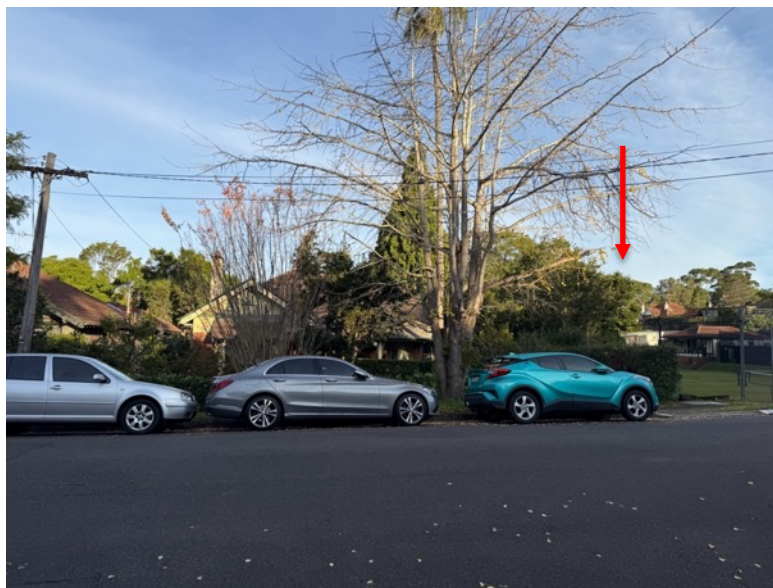


Figure 29:
View out of the Trafalgar Avenue Conservation Area towards the subject site, marked by the arrow, from Russell Avenue. The proposed building will be visible in this view corridor, behind the No. 15 Russell Avenue.



Figure 30:
View out of the
Trafalgar Avenue
Conservation Area
towards the subject
site, marked by the
arrow, from Russell
Avenue. The proposed
building will be visible
in this view corridor,
behind the No. 17
Russell Avenue.



Figure 31:
View out of the
Trafalgar Avenue
Conservation Area
towards the subject
site, marked by the
arrow, from Russell
Avenue. The proposed
building will be visible
in this view corridor,
behind the No. 19
Russell Avenue.



Figure 32:
View out of the
Trafalgar Avenue
Conservation Area
towards the subject
site, marked by the
arrow, from Russell
Avenue. The proposed
building will be visible
in this view corridor,
behind the No. 54
Trafalgar Avenue.

4.4.2 Significance

The SHI listing sheet provides the following statement of significance for the Trafalgar Avenue Conservation Area:

‘Historically, the area represents the residential development of Lindfield during the nineteenth and twentieth centuries. The construction of the North Shore rail line in 1890 brought about the subdivision of the Clanville Estate to create the Lindfield Grove, Fowler and Bothwell Estates, parts of which form the conservation area.

The area is a largely intact residential precinct of the Federation period, which developed alongside the railway. It includes houses in a variety of styles, dating from the 1900s to the 1920s. Mature trees on public and private land (including remnant native trees) are an integral part of the character of the area.

The area is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing..¹⁵

This statement is adopted for the purposes of this assessment.

4.4.3 Curtilage

The boundary of the Conservation Area is clearly defined by the *LEP 2015* heritage plan.

4.4.4 Relationship to the Subject Site

This Conservation Area lies north east of the subject. The proposed building is likely to be visible behind these properties and through/above the tree line.

4.5 Items Further Removed from the Site

Figure 33 to Figure 35 below illustrate view corridors from other heritage items and the Clanville HCA areas identified in Table 2 towards the subject site. Works of the proposed massing and scale may/will be visible in view corridors that include these items.

¹⁵ *Trafalgar Conservation Area, Lindfield*. State Heritage Inventory, Heritage Item ID: 1882628



Figure 33:
View from the overpass above Lindfield Station in the general direction of the site. The Station, No. 1-17 Lindfield Avenue (visible on the LHS) and St. Albans Church (visible in the centre) of the image are all listed as heritage items by the LEP 2015.



Figure 34:
View out of the Clanville Conservation Area towards the subject site, marked by the arrow, from Strickland Avenue. The proposed building may be visible in this view corridor, behind the No. 27 Strickland Avenue.



Figure 35:
Second view out of the Clanville Conservation Area towards the subject site, marked by the arrow, from Strickland Avenue. The proposed building may be visible in this view corridor behind the No. 27 Strickland Avenue.

5 HERITAGE IMPACT ASSESSMENT

5.1 Scope of Works

This report should be read in conjunction with the architectural package prepared by PTI.

It is proposed to remove the existing built structures on the site and several trees and to construct a nine storey residential flat building (RFB) with lower ground level, three levels of basement parking and associated landscaping and infrastructure.

The State Significant Development (SSD) application seeks consent for the demolition of existing dwellings at 16-20 Middle Harbour Road, Lindfield, to

The proposal incorporates over 17% affordable housing and seeks to utilise the incentive controls under Chapter 2, Part 2, Division 1, Section 16 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) to achieve 30% uplift in height and floor space ratio (FSR).

The proposed building is set back at least 6m from each of the boundaries, with an increased setback to 10m over part of the southern boundary. The proposed materials and finishes include light and dark coloured face brickwork; light coloured masonry screens; and metal framed doors, windows and balustrades with a natural anodized finish.

Landscaping includes new planting in the front, rear and side setbacks of varying scale including ground planting, shrubs and canopy trees, and hard and soft ground finishes. Planting will include native and adaptive species. Communal open spaces are provided at the centre of the site.

5.2 Pre-Lodgment Consultation

A Pre-DA was not held.

5.3 Method of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with numerical controls unless non-compliance will result in an adverse heritage impact. Refer to the planning documents that accompany this application.

The proposal is assessed with an understanding of:

- The objectives of the *LEP 2015* and the *State Environmental Planning Policy (Housing) Amendment (Transport Orientated Development) 2024*.
- *The Apartment Design Guide*.
- The objectives and controls for new works in the vicinity of heritage items set out by the *Ku-ring-gai LEP 2015* and the *Ku ring gai Development Control Plan (DCP)*.
- With an understanding of the requirements for SoHI provided by the Heritage NSW publication *Guidelines for preparing statements of heritage impact* (2023 update). Under 'matters for consideration,' the guidelines for works within the vicinity of a heritage item are simply to 'describe any direct or indirect impacts to the significance of other heritage items in the vicinity.'

5.4 Effect of Works on Heritage Items in the Vicinity of the Site

Part 19F of the *DCP* contains the primary objectives and controls for development in the vicinity of heritage items or heritage conservation areas. Given the applicability of the *TOD SEPP*, the heritage provisions of the *DCP* need to be considered alongside the planning objectives of this *SEPP*, notably increased height and density permitted close to public

transport. Consequently, the proposal is not assessed point by point under these controls but with a general understanding of their objectives, as well as those of the *SEPP*. It is noted that the DCP controls cannot override the *SEPP*.

5.4.1 No. 9 Middle Harbour Road

The principal view corridors to/from this item and the public domain are obtained when standing outside of the item on Middle Harbour Road. The proposed works will not block these view corridors. Given the retention of the fabric and the primary view corridor, the public will still be able to view and appreciate this dwelling as a Federation period and style dwelling, albeit altered.

The proposed works will not block view corridors towards the item on approach along Middle Harbour Road because of the proposed works as it is located on the northern side of street and there is a proposed 10m landscaped setback from the southern boundary which retains the view corridors in both directions. The impact is acceptable because:

- The existing view is largely screened by planting, including hedging within the heritage item and street trees, which are retained by the proposal. Increasing the setback to match the heritage item will not measurably expand the view corridor.
- The existing view is, at best, oblique and limited because of the close side setbacks of existing buildings and existing planting.
- As assessed above, this item does not have significant view corridors over the subject site. The principal view corridors out of this item are over Middle Harbour Road. These view corridors will remain unobstructed.

The impact is mitigated by:

- The provision of a greater front setback for the southern part of the proposed building. This allows for significant planting within this setback to provide a vegetative screen at Middle Harbour Road.

The above measures will help soften the building form and will maintain a landscape interface from Middle Harbour Road. The proposed works will be visible within the setting of this item and in view corridors towards it from the public domain. The following observations are made:

- Only minor changes are proposed to natural ground levels.
- As noted above, the front elevation of the proposed is stepped, widening the view corridor towards the heritage item when close to the site and increasing the area of planting within the front setback adjacent to the heritage item. A 'green' interface is provided at street level.
- The setback of the upper levels from the heritage item is increased to nine metres over the rear section of the proposed building. The upper most level- Level 9- has a consistent nine metres setback from the heritage item.
- The building mass is broken into smaller volumes through the careful use of setbacks and recesses. Although the proposed buildings is of a different massing and scale, these volumes relate to the existing dwellings, providing a transition between the surrounding low-rise dwellings and the proposed building. It is noted, however, that many of these dwellings are likely to be replaced with buildings of a similar massing and scale to that proposed on the site as the *TOD SEPP* is implemented.

The front and southern elevation, being the elevations visible in conjunction with the heritage item, are well articulated. The front elevation is broken into two stepped sections with shadow line, created by a fine recess, between. The use of darker brickwork at ground floor level creates a 'podium' that is of a human scale and that provides a direct reference to the scale of the adjoining heritage item.

Massing and scale are further broken through the use of strong vertical and horizontal elements. There are strong vertical elements in the vertical alignment of openings and in the vertical proportioning of windows and doors and balustrade detailing. The floor plates and balconies introduce horizontal elements. Massing and scale is also broken through the use of shadow created, for example, by the deeply recessed balconies and framed openings.

The limited material and colour palette makes for 'quiet facades' that relies on fine grain detail to break down massing and scale and provide variation, for example, in tonal variations in the brickwork, variations in the brick bond and recessed courses and detailing.

- The proposal is for a different building typology to the heritage item. It is appropriate that it develop its own form and not seek to replicate the pitched roof form of the heritage item, which would be inappropriate at the proposed massing and scale. Flat roof forms, for example, will be recessive against the pitched, tiled, roof forms of the heritage dwelling.

The proposed buildings, however, take 'cues' from the heritage item, and existing streetscape, as follows:

- The use of different brick colour for the ground floor and the upper levels. This echoes the distinct difference between the stone base of the heritage listed dwelling and the painted brickwork of the walls above. As set out above, it also provides a 'human' scale to the street-face that relates directly to the scale of the heritage item.
- Face brickwork is a material common in the setting of No. 9 Middle Harbour Road, which was itself once face brickwork. The darker colour of the base 'anchors' the building and provides a human scale at street level, consistent with the heritage item. The lighter colour of the upper levels will be recessive within the existing tree canopy and skyline.
- The use of strong horizontal lines in the balconies and floor slabs which references the strong horizontal lines of the front balcony of the heritage dwelling.
- Whilst the proposed buildings have a higher solid to void ratio than the heritage item, the glazing has a vertical emphasis thereby responding to the vertically proportioned openings of the heritage dwelling. The glazing gives the buildings a lightness against the solidity of the masonry of the heritage dwelling that is moderated by the recession of some of this glazing in deeply recessed balconies.
- The balustrades of the balconies and the front fence detail, whilst of a modern material and profile, reference the vertical timber pickets of the verandah of the heritage item.
- Fencing has been carefully located and integrated to ensure that it is not a dominant landscape element. The sandstone detailing references the use of this material in fences in the existing streetscape.
- The shadow diagrams indicate minimal overshadowing impacts.

5.4.2 Trafalgar Conservation Area and 19 Russell Avenue, Lindfield

The proposed works will not impact on the fabric of the Conservation Area or block view corridors the principal to/from them from the public domain, noting that the principal view corridors to/from these items are obtained from the streets within the Conservation Area. The proposal will be visible in the immediate background behind the building within the HCA and item which will have a visual impact. The public will still be able to view and appreciate these streetscape as fine predominately Federation period streetscapes. There will be no impact on the subdivision pattern or tree canopy within this area.

The proposed buildings will be visible from the Conservation Area and heritage item which form part of its setting. The following observations are made:

- The entire block that is bounded by Middle Harbour Road, Trafalgar Avenue and Russell Avenue is impacted by the provisions of the *TOD SEPP*. As such the immediate and future setting of the HCA and 19 Russell Avenue may change in the future and views to and from contributory buildings may be blocked or obscured by other development.
- A 6m ground floor setback is provided to the rear boundary of the site, which is further separated from the Conservation Area by properties fronting Russell Avenue, including No. 19 and Trafalgar Avenue itself.
- Given the site's location adjoining the Lindfield Tennis Club (which lies outside the HCA), the building is subject to a more open view than would typically occur if the street were developed in the usual residential pattern of the HCA. The incorporation of dense boundary plantings assists in mitigating some of the visual impact of the new building on the dwellings at Russell Avenue.
- The proposal presents a simply detailed, but balanced, elevation to the Conservation Area. The lighter brickwork of the upper levels will be recessive within the skyline.
- As discussed for No. 9 Middle Harbour Road, the proposal is for a different building typology to the heritage items. It is appropriate that it develop its own form and not seek to replicate the pitched roof form of the dwellings in the conservation area, which would be inappropriate at the proposed massing and scale. Flat roof form will recede against the pitched tile and slate clad roofs of the contributory items in the Conservation Area.
- Where the building will be most visible from within the HCA will be from Russell Avenue which sits higher than Middle Harbour Road. The height of the building from the HCA will be perceived as two levels lower from this vantage point, which will lessen some of the visual impact on the dwellings within the HCA.

5.4.3 More Distant Items and Conservation Areas

The impact on the more distant items and conservation areas identified in Table 2 above is acceptable because:

- No significant fabric will be impacted upon.
- No significant view corridors will be blocked.
- The proposed buildings will form part of wider setting of more distant heritage item and Conservation Areas from some viewpoints. The impacts are mitigated by distance; by the existing tree canopy, by the proposed planting; and by the careful articulation of the elevations of the proposed building.

6 SUMMARY

This Statement of Heritage Impact has assessed the impacts of a proposed new residential flat building at Nos 16-20 Middle Harbour Road, Lindfield. The site is not subject to any statutory heritage listings but is located within the vicinity of heritage items and heritage conservation areas listed by Schedule 5 of the *LEP 2015*.

The section of Lindfield in which the site is located will change significantly as sites are redeveloped in line with the *TOD SEPP*. The existing *TOD SEPP* provisions for the site and the immediately surrounding area and the advertised alternative scenarios prepared by Ku Ring Gai Council all envisage increased height and density for this part of Lindfield and thus within the setting of heritage items/conservation areas.

The proposal meets the objectives of the *TOD SEPP*, whilst managing impacts on the existing setting and the nearby heritage items, No. 9 Middle Harbour Road and 19 Russell Avenue. Buildings of a larger massing and scale will have an inherent impact on the setting of this item, which is physically and visually isolated from other heritage items and conservation areas.

No. 9 Middle Harbour Road and 19 Russell Avenue and more distant heritage items/areas will remain as visible from the public domain as they are today. Appropriately, the proposed building develops its own typology and does not seek to replicate the forms of the heritage item on a larger scale. The proposed elevations are restrained, well-modulated and well-articulated, with a darker base to provide a human scale, that relates directly to the heritage item, at ground floor level. The elevations are broken down into volumes that relate to the existing streetscape.

The proposal has carefully considered the potential impacts on the heritage item at No. 9 Middle Harbour Road, 19 Russell Avenue and the Trafalgar Avenue HCA and more distant heritage items within the context of a part of Lindfield that will change considerably as the *TOD SEPP* is implemented. The proposal is compatible with the relevant heritage controls and adequately addresses environmental impacts and mitigation measures as required by Section 22 of the SEARs.

7 REFERENCES

7.1 General References

'Advertising ('Plans Ready Next Week),' *The Daily Telegraph*, 3 February, 1906, p.3.

'Family Notices,' *The Sydney Morning Herald*, 5 March, 1949.

'Forthcoming Sales,' *The Sydney Morning Herald*, 3 March, 1906, p.15.

'Yesterday's Land Sales,' *Sunday Times*, 4 March, 1906, p.2.

7.2 Historic Maps and Plans

(Aerial photograph over the site and the surrounding area), 1943. SIX Maps.

Lindfield Grove Estate near Lindfield Station....., 3 March 1906 at 3.30pm. National Library of Australia.

Middle Harbour Road, Lindfield, 1908. Ku-ring-gai Library.

7.3 NSW LPI Records

Certificate of Title Volume 920 Folio 132; Volume 3365 Volume 91.

7.4 Heritage Inventory Sheets

Dwelling House, 19 Russell Avenue, Lindfield. State Heritage Inventory, Heritage Item ID 1882489

Laurabada,' dwelling house, No. 9 Middle Harbour Road, Lindfield. State Heritage Inventory, Heritage Item ID: 1882381.

Trafalgar Avenue Conservation Area, Roseville. State Heritage Inventory, Heritage Item ID: 1882728.

7.5 Planning Documents

Ku-ring-gai Development Control Plan.

Ku-ring-gai Local Environmental Plan 2015

State Environmental Planning Policy (Housing) Amendment) (Transport Orientated Development) 2024.