

Gail Pearson
8 Highfield Road
Lindfield NSW 2070

Department of Planning,
Housing and Infrastructure
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150
ATTENTION: Joe Somerville

17 February 2026

Dear Mr Somerville,

RE: OBJECTION SSD 85974227 9-17 Balfour St Lindfield Residential development with in-fill affordable housing

I object to this development.

Introduction

The proposal does not comply with planning controls.

The EIS has given limited attention to the impact of the height and bulk of 9 – 10 stories on properties to the rear, in particular over-shadowing and blocking cooling winds.

This is a Heritage Conservation Area. Within the precinct of Wallace Parade, Balfour St, the Pacific Highway and Highfield Rd there are two primary schools, a Church, and a large Coles Supermarket. The Heritage Report is wrong regarding the zoning of the Highfield Rd properties to the rear of the site.

The EIS presents a picture of positive development for the good of the community. The Appendices, containing inconsistencies and misleading statements tell a different story.

There is currently unused land adjacent to the western side of the Pacific Highway, behind the shops and close to the railway station suitable for development. Since the houses were demolished this has lain vacant for many years.

This Objection includes an analysis of the Geotechnical Report and other associated reports addressed below. This part (and others in part) were prepared for me by a consulting civil engineer with over forty years experience in international infrastructure.

Planning

Please see the Report submitted by BBC Planning on our behalf.

Please see the Comparative Planning Table at the end of this document .

Height, Bulk, Scale

The proposed building exceeds planning requirements and is inappropriate to the local residential area. The areas to the west of the site in Wallace Pde and to the adjoining rear of the site in Highfield have different FSRs (see Objection from BBC Planning.). It is misleading to portray the surrounds of the proposed building as high bulky as done in the diagram in the Architectural Plans when the rear is not zoned R4 and 19-25 Balfour St is not approved. It is also misleading to refer to 'commercial and residential use ' in Highfield Rd. Neither a church nor a school is commercial.

Based on the Table of Comparison of Planning Requirements (see the Table of Comparison of Planning Requirements below) and the BBC Planning Submission the building height exceeds the planning restrictions by a very large margin.

There are inconsistencies regarding the extent of the setback to the rear of the site. The Architectural Plans refer to a 9 m set back and a 12 m setback. The Site Context, Appendix 30, refers to a minimum 6m set back.

The **Architectural Design Report, App 5b** indicates, in Principle 9, that the proposed development "...responds to the existing and evolving character of the neighborhood. This is an obviously false and hence misleading statement because The proposal does NOT conform to the existing neighborhood in terms of form and height. ALL current neighborhood buildings, except those fronting the Pacific Highway and separated from the proposed development by some distance, are low rise of no more than 2 storeys.

Even if other developments are allowed in Balfour Street by the TOD planning requirements all new development applications will need to conform to the Ku-Ring-Gai Council LEP TOD requirements rather than the NSW State requirement. And hence the development as proposed will exceed the Council LEP allowable building height by a considerable margin.

The proposed building will block natural winds and impact on the environment. In **Architectural Plans App 5a, Dwg No PTW-DA-A200060** (page 8) the drawing clearly shows that the proposed development will shield neighboring properties to the North-West of the proposed development (ie 6 and 8 and possibly 2 & 4 Highfield Road) from the prevailing cool southerly summer winds. The existing layout of single dwelling houses allows these winds to currently flow through to the affected properties. The effective blockage of these winds will have a significant deleterious effect on the neighboring properties.

Architectural Plan App 5 a Dwg No PTW-TA-B1L0110 shows the Balcony to the Flat 3B-Lux, Level 01, encroaches into the 9m setback clearance to the North-West boundary of the site. Similarly for all levels up to (and including) Level 08. The balconies at the rear of the proposed site will impact the privacy of the neighbouring property directly behind.

Visual Impact

The proposed building lies wholly within a Heritage Conservation Zone.

In the **Visual Impact Assessment App 31 Chapter 4.4, Building Footprint** The report states that "The scale and footprint of the proposal are less dominant than the neighboring mixed use development at No 380 Pacific Highway,".

Balfour St is downhill from the Pacific Highway. The statement neglects to mention that the referred to mixed use development is NOT neighboring the site but rather is separated from it by some distance including a children's school playground and a single storey building.

The statement also neglects to mention that ALL neighboring and adjacent buildings on Balfour Street (including those across the road from the proposed development) are single or two storey buildings only.

The **Visual Impact Assessment** does not address the impact of the building from the aspect of residents of neighboring and adjacent buildings. These impacts will be substantial and wholly detrimental. The figures (photographs and Revit modeling photo view) in **Annex 2 to this objection** clearly show the extremely adverse impact the proposed development has on the views from neighboring properties.

Furthermore the report does not address the **shadow effect** of the building on neighboring properties. (See also the comments below on **Appendix 30 – Urban design** , in this regard). The shadow from the building image on the adjacent properties, especially in the summer months. At 0600 hours

(approximately an hour after sunrise) at the summer solstice the shadows from the proposed development cover most of the residential house at 8 Highfield Road. **See Annex 1 of this objection.**

Urban Design and Shadowing

The **Urban Design Report App 30** shows a streetscape character (see **sketch 4.5** Streetscape Character) shows the character of the street frontage with the assumption that a proposed development further along the road (19-25 Balfour Road) is approved and built. This is not currently the case. If the streetscape diagram showed the existing situation, an entirely different opinion of the acceptability of the streetscape presented by the proposed development imposing an inordinately large presence in the otherwise low rise neighborhood would be formed.

The report does not address the effect of the proposed development on adjacent properties. Specifically, the shadow study shows only shadows for the winter solstice and addresses shadows to the proposed development itself only.

If a shadows study is carried out using **the summer solstice**, it shows that the proposed development casts a large shadow over neighboring properties and adversely affects their aspects and current sunshine hours. See the sketches below for a shadow study affecting neighboring properties – and in particular 8 Highfield Road. See **Annex 1** of this objection for a view of the shadows cast by the proposed development on adjacent properties. The over shadowing and loss of sunlight have an environmental impact. It will affect the growth of grass and trees on neighbouring properties. It prevents natural heating of swimming pools (including ours) and prevents sunlit clothes drying. Perversely this would lead to increased electricity usage, a resource in short supply.

Heritage

The 9-17 Balfour St is in the Balfour St Highfield Rd Heritage Conservation Area. Heritage includes gardens and trees as well as houses. Balfour St is an area where settlers accommodated to the landscape which was long significant for Aboriginal people. The gardens retained the trees and were built around them. This heritage area links settlers with the Aboriginal past and settlers from diverse class and family backgrounds

The **Aboriginal Due Diligence Assessment App 8** says the area was traversed by Aboriginal people and that fauna and trees on the site are significant for Aboriginal people and represent a cultural connection to the land. There are Aboriginal archaeological sites with 3.5 kilometres of the site. The site, 9-17 Balfour St, is part of the Balfour St Highfield Rd Heritage Conservation Area. It is important to note that a Heritage Conservation Area protects trees irrespective of their species. The area was primarily settled after the railway which reached Lindfield in 1890. The earliest houses in Lindfield date from the 1870s and in the early period most were on the west side where Balfour St is located to be closer to the timber trade.

The **Historical Archaeological Assessment App 20** fails to refer to **Sands Directory** the standard historical reference for people and dwellings. The **Site Investigation Report** is misleading by emphasising land use since 1943 when records show residential use since at least 1908.

The earliest houses in Balfour St at what was later no 1 was in 1908. Sands Directory indicates that from 1908 to 1929 the number of houses was 2 (1908), 10 (1917), 11(1923),10 ((1929). The houses are first identified by name. The number of a house is not given until 1929 and these are No 1 to No-25. (There do not appear to be numbers for the even side, suggesting there were no houses there as yet). No 11 was built in or before 1917, and in 1929 inhabited by Mrs K Dent. The Dents appear to have occupied this site from an earlier time. C H Eldering, a builder, listed in a 1927 Building Directory as in Double Bay, was at No 17 Balfour St. The theatre at Lindfield on what became the Coles site at the corner of Balfour St and the Pacific Highway was built in 1926. This indicates Balfour

It was a vibrant area where some houses remained in the same family hands for a long period and others changed hands. Importantly these were large lots which preserved the turpentine forest and blue gums. The gardens in these houses particularly at the rear accommodated the trees. The gardens are typical of the era with native trees and introduced exotics.

The Greater City Regional Plan Eastern Harbour City envisages “more open space”. Open space and the trees form part of the Heritage Conservation area. The proposed demolition and structure on the site remove the aesthetically pleasing open space and tree canopy (albeit private) which has been privately maintained at considerable expense for over 100 years. As part of heritage, the open space and tree canopy provide a public benefit, particularly as the tree canopy which mitigates climate and provides for wildlife can be seen from the street.

The diversity of the housing type in 9-17 Balfour ie Queen Anne, Federation, and one with Californian features complement the Queen Ann house at 19-25 Balfour St. They also tell a slightly different story from the larger houses - Queen Anne, Federation, Californian Bungalow and Federation on Highfield Rd. Balfour St traditionally housed the middle classes and tradespeople well into the contemporary era. No 17 for instance was previously occupied by a school teacher and public servant and prior to this by an electrician. The adaptations of carports and renovations to the rear do not detract from the heritage values. The diversity in itself tells an important history for Lindfield. We object to the **Heritage Impact Statement App 19** and its argument that 9-17 Balfour St is not worthy of protection.

We object to the demolition of the houses, trees, gardens and open space on 7-19 Balfour St and the loss of the landscape. No mitigation measures can account for this loss. We are commissioning an independent Heritage Report.

Trees, Gardens, Birds. Animals

The trees and gardens of 9-17 Balfour St are an important community resource. They provide a green and wildlife corridor.-There are inconsistencies between the Site Context, the Architectural Plan, the Landscape Plans App 22, the Biodiversity Assessment Report App 13 and the Aboriginal Due Diligence Assessment Report App 8 and the Geotechnical Report App 18a.

The **Biodiversity Report 2.1** states the assessment area includes a 1500m from the property boundary. We are unaware of this and gave no permission with regard to our land. The Report emphasises planted yards and exotics whereas the site contains over 5 tall blue gums which together with the canopy are a living remnant of Sydney Turpentine Forest. (I can count 7 trunks from my back verandah). At one point this Report says 4 blue gums are to be removed at another it says 4 blue gums are to be retained.

The **Aboriginal Due Diligence Assessment** asks for mature trees to be retained as these “represent cultural connection to the land.” (1.6, 4.7) One mature tree at 11 Balfour St has scarring present but this is presented as natural tearing rather than cultural. The assessment refers to ringtail possums, flying fox bush rats long nosed bandicoots sulphur crested cockatoos, kookaburra, magpie, lorikeet, brush turkey and blue tongue lizards as significant for Aboriginal people (2.3) The trees, plants and animals and birds are significant for human well-being. Numbers 9-17 Balfour St contain a remnant forest supplemented by introduced trees shrubs and gardens. This area is closer to the station than other remnant of the Sydney Turpentine forest. We note that the turpentines on 19-25 have already been poisoned. The site contains over 5 Sydney Blue Gums. Together with the surrounding areas the site contributes to sustaining long nosed bandicoots, possums brush turkey and blue tongued lizards. It sustains birdlife notably sulphur crested cockatoo, kookaburra and lorikeets. On occasion there is a powerful owl in the area. Representations showing tree coverage along the rear boundary of the site as it adjoins No 8 Highfield Rd are in fact the tree canopy of the adjoining lots. Part of that canopy is directly over our grass tennis court garden area. The clay/antbed court was built before 1930. The now grassed court is classified by Kuring gai Council as hard surface. The grass surface contributes to the health of trees on neighbouring properties, particularly in times of drought.

It is misleading to claim that of the 5 high category trees “most are not readily visible from any prominent public viewpoint.” These are easily visible from the footpath on Highfield Rd. It is misleading to claim that particular trees will be retained when the **Geotechnical Report** says on p20 “following removal of all vegetation and trees (including their rootballs.”

The **Arboriculturalist report** throws doubt on preserving the high value trees on land not subject of the proposed development ie the land of the Heritage Item to the rear ie the north of the site.

We object to the destruction of the garden and trees for their own sake, and heritage value connecting Aboriginal, settler and contemporary communities. We object to the destruction of habitat for wildlife culturally significant for Aboriginal people and for the wider community and residents of the surrounding areas. As noted above gardens and trees and their canopy, along with the habitat they provide for indigenous wildlife contribute to mitigating the impacts of climate change and to human well-being.

We are sceptical of the claim that any trees will be retained, particularly as the **Geotechnical Report** says “removal of all vegetation and trees (including their rootballs.) The proposed **Landscape Plans** in the will not address this loss.

Transport and Parking

There are deficiencies with the **Transport Impact Assessment App 28**

Section 5. of the **Transport report** deal with **Access and Parking Layout**

Car Height Clearances

Whilst the clearances in the parking floor ramps indicated on the **Architectural Plans (Appendix 5a)** are shown as compliant at 2.2m the actual clearance is likely to be less due to the minimum clearance being at or near the ramp vertical change of grade. The clearances as designed are therefore very likely to be non-compliant.

The provided parking bay widths are the required minimum. But they do not appear to have provided for the required increase in width bays adjacent to columns and walls.

The parking bay aisle widths are generally 5.8m and 5.9m. The minimum requirement is 5.8m. But many 5.8m width bays have columns in their width thus reducing the width so that they NOT compliant.

Traffic

Section 7 of the Report is a **Traffic Impact Assessment**

There is a large Coles Supermarket, one Church, one primary school year kindergarten to year 6 and one preparatory and primary school from 2 day pre school to year 2 within the adjoining area. Young school aged children walk along the Pacific Highway, Balfour St, Wallace Parade and Highfield Rd.

Notwithstanding the theoretical calculations carried out it is considered that the Traffic Impact Assessment significantly underestimates the effects on local traffic conditions.

In addition, the **Urban Design Report** at p 12 is factually incorrect when it says that “school drop off and pick up is accessed via Highfield Rd.” While some families of children at Holy Family School do park on Highfield Rd cross the road and walk their children to school, there is a drive through drop off and pick up that is accessed from Balfour St.

There is no consideration of the traffic in Balfour St and Highfield Rd and in the cross street Wallace Parade in relation to Highfields Preparatory School which is on the corner of Wallace Parade and Highfield Rd.

Entry and exit on Highfield Rd are hazardous, especially during commuter and school peak times. Turning at Wallace Parade is similarly risky.

In evaluating the proposed number of car spaces for 121 new dwellings, it appears that the allocation in the development is insufficient. The average car ownership per household in Lindfield is two vehicles per dwelling. Furthermore, street parking near Lindfield rail station and the local centre is increasingly constrained, as many streets are already at capacity with both commuter and resident parking.

The study does not take into account the increase in traffic (and parking) caused by the development at the corner of Balfour Street and the Pacific Highway (Coles).

It is likely that many building occupants may choose to park on the roadside because their vehicle's height will be too great for the clearance provided. This will exacerbate the already difficult parking on Balfour Street, which, again, will be made worse by the Coles development and potentially by the other developments proposed for the area. These parking issues will likely affect the level of service of both the street (Balfour Street) and the Balfour Street/Pacific Highway intersection. There will also be an increase in parked cars on Highfield Rd as it is currently used by flats in the area, commuters, some Coles shoppers, (despite the car park), Churchgoers, and by the two local schools.

The cumulative impact of all the proposed lodged applications for new apartments must be considered particularly with the amount of additional traffic and parking shortfall which is now proposed for Lindfield's narrow local roads and laneways to Pacific Highway intersections and other arterial roads. This is on top of existing issues with the traffic congestion in the Lindfield centre and on the Pacific Highway and collector roads.

The argument that residents living close to the railway line will travel by bus or train to work and other day to day activities is not realistic or practical. Most of the families in Lindfield area have at least two cars per residence and in most cases, workers do not travel to work by train or bus, but by car. The traffic impact assessment makes no mention of the effects of the increased population on the commuter traffic on the North Shore Railway Line.

It is considered that a comprehensive new Traffic Impact Assessment should be carried out to include all of the extant and proposed developments in the area. This study should include up to date traffic and parking surveys (including traffic movement counts at the Balfour Street/Pacific Highway intersection and surveys of traffic to establish origins and destinations). These surveys must include the effects of the Coles development.

Community Engagement

This heading is in itself a misnomer. We did not know about the flyer, the meeting or the project website. Neither did neighbours.

The survey of the local community in **Engagement Outcomes Report App 16** is reported as having only two (2) respondents. This appears extraordinary given that the proposed development is very large and obtrusive compared to all of the existing properties in the area of the proposal and it would be most likely that many local residents would have some strong views on the proposal. This is especially more so given that there were many objections to the proposed development at 19-25 Balfour Street. The lack of community views, given the anticipated strong views that would likely be received, appears to indicate that the community engagement was very limited and may have not been conducted properly.

Construction

"proceed with caution" warns the Aboriginal Due Diligence Assessment (p42).

It says a representative of the Land Council should be present for any subsurface work and that all mature trees should be retained. The **Geotechnical Report** assumes all vegetation and trees will be removed.

The demolition and construction times indicate work only until 6pm. But the **Biological Diversity Report** says roofs must be demolished in the evening.

There are further inconsistencies in Geotechnical Report App 18a. It is judged deficient. The following comments are from a senior consulting civil engineer with over forty years extensive global infrastructure experience.

“Geotechnical Report App 18a

Section 1.2

Depth of Basement excavations is described as to FFL 75.9m AHD. This appears to have been modified in architectural drawings to 78.9m AHD. This should not affect the results of the report but may affect the foundation type required and or excavation depths required below the design basement level to achieve the required bearing strength of the foundations.

Section 2.4 – Previous [GI] Investigations

The report indicates no previous investigations within 500m were available. This seems not likely given the extent/size of the redevelopment to Coles just up the road (380 - 386 Pacific Highway).

Section 3.2 Groundwater Observations

The report states that pump of testing was carried out in the groundwater monitoring wells but does not indicate any groundwater seepage rates. Current water levels measured on 7 October 2025 (or 9 October 2025 as given in the table ?) indicate water levels generally a 2.96m to 5.3m below existing ground levels. That is 87.74m AHD to 79.58m AHD. Seepage rates (as indicated in Section 5.5.1 and Section 6 of the report should be determined to establish if any mitigation against groundwater drawdown – caused by the proposed excavated depth of the basement - is required.

Section 1.4 - Fieldwork Methodology, and Figure 2 – Location of Boreholes

The Fieldwork Methodology indicates, or at least implies, that the Geotechnical Investigations covered the whole of the site. But the Figure shows that the locations of boreholes cover only approximately the Eastern half of the site (ie the Eastern-most two Lots of the four Lots covered by the site). And given the dashed lines on the Figure, combined with the change in basement levels noted above, the investigation appears to have been performed for a different development from that proposed. As such it considered that the Geotechnical Investigation – and hence the Geotechnical Report – needs to be revisited to include proper investigations covering the whole of the site to be developed.

Section 1.4 Fieldwork Methodology

The report indicates that Standard Penetration Test (SPT) testing was performed. SPT results are presented in relevant the Borehole logs (BH3, BH4, and BH5). No correlation of SPT results and soil strength properties is presented.

The report indicates that Dynamic Cone Penetrometer (DCP) testing was carried out but the results are not presented or included in the summary of soil properties. The DCP results are given in the relevant borehole logs (BH1 & BH2, only). But no correlation of blows and soil strength is indicated. Note that it would be normal for DCP results to be correlated with other testing regimes such as triaxial testing of undisturbed samples (for clayey soils), but this does not appear to have been carried out.

The recommended value of effective cohesion for the residual soils is given as 5kPa. Based on the DCP testing this value seems unreasonably high. But appears reasonably conservative based on the SPT testing.

Hence there appears to be a discontinuity in the results of the DCP and SPT which leads to uncertainty about the recommendations of the report.

Section 5 Discussion and Recommendations

Section 5.5 Excavation Methodology

Vibration Monitoring

The report indicates the need for vibration monitoring and control. However the “control” given in Appendix C is very generic and does not indicate either any sensitive receivers or applicable vibration limits to be applicable to these receivers.

Furthermore the Noise and Vibration Assessment Report given in Appendix 23 of the submission makes only cursory mention of vibration effects from either the proposed development or the development’s functioning.

Note that many of the neighboring buildings to the proposed development are of brick construction – presumably on spread footings or rafts – and hence may be particularly sensitive to vibrations. An adjacent property contains a sandstone block retaining wall adjacent to the lot boundary at the proposed development. This wall is also likely to be sensitive to any vibrations.

It is considered that vibration sensitive receivers (ie adjacent/neighboring permanent structures, such as retaining walls, garden sheds and residential buildings), which may be affected by vibrations of the proposed development’s construction should be explicitly indicated in both this Geotechnical Report (Appendix 18a) and the Report on Noise and Vibration Assessment Report (Appendix 23). And further that the applicable limits for each of the sensitive receivers should be explicitly determined and noted.

Section 5.5 Excavation Methodology

Deflection and Settlement Monitoring

The report recommends settlement monitoring but gives no indication of expected settlements (based on the recommended excavation method and excavation support); and the report does not indicate adjacent facilities or structures that may be sensitive to settlement.

As the soil depth to be excavated is 4.7m to 6m deep and the rock to be excavated is a further 4m to 5m the extent of soil settlement, from movement of the excavation support combined with rock relaxation, may mean that the zone of settlement extends over 10m from the excavation face which will be outside of the Lot boundaries of the proposed development. Further settlement may be expected from the permanent drawdown of the water table, as indicated in the report Appendix 18b – Groundwater Seepage Analysis.

The retaining wall at the boundary of 8 Highfield Road is likely to be sensitive to and affected by the settlement of the excavation. The playing surface of the tennis courts in 8 Highfield Road and other neighboring properties may be affected by the settlements induced by the excavation.

Other facilities such as sewerage, drainage and water supply underground pipes and manholes etc should be identified. Based on the “Before You Dig Australia” information received, there are many services in Balfour Street adjacent to the proposed development, including sewerage, water supply, stormwater drainage, and Telstra, NBN and AusGrid power cables with junction pits.

The report should indicate expected settlements, sensitive structures or other facilities to be monitored and the allowable movements at the sensitive structures. Monitoring should also be indicated to the excavation support structure.

Allowable (lateral) movement and settlement values should be agreed with the owners of sensitive structures (such as for the retaining wall at 8 Highfield Road) and for owners of other facilities with “Alert”, “Action”, and “Alarm” values clearly specified.

5.7.1 Excavation Retention Support Systems

Recommended surcharge loads (eg for heavy equipment 20kPa is normally used) should be indicated in the report.

Soil nails are recommended to be used. But, based on the configuration of the site and the excavation depths, it is highly likely that these will need to extend beyond the Lot boundaries of the site.

The owner of 8 Highfield Road will **NOT** give permission for soil nails to extend into his property.

5.8 Foundations

The report recommends that the foundations for the develop be spread footings but indicates also that piling may be required in some areas. It is considered that the preliminary bearing pressures from the columns and load bearing walls of the development should be known at this stage and that a definitive statement of recommendation of foundation type should be made, because, if deep foundations are required, this may adversely affect vibration assessments (not done in any case) and noise assessments.

And hence this and other associated reports are considered inadequate.

Overall Conclusion and Objection to the Geotechnical Report

Based on the comments above it is considered that the report is deficient in many respects and hence should be rejected.

App 18b - Groundwater Seepage Analysis

3.3 Groundwater Drawdown

The prediction of water drawdown extending approximately 6.7m from the basement wall is not consistent with the cone of depression (of groundwater) estimated in Section 2.4 (of 16m), nor consistent with the Plaxis modeling results which show the drawdown extending out to approximately 15m.

This will induce permanent settlement of ground outside the lot boundary and affect the structures and facilities in neighboring properties. In particular the sandstone block wall and the tennis court in 8 Highfield Road will be adversely affected, as well as, likely, structures in 19 Balfour Street and the school playground to the north east of the development.

It is considered that

- a) Water recharge wells should be installed and used to control the water table at the lot boundary of the proposed development during the construction stage, and
- b) The permanent basement construction should be “tanked” – that is designed as a water resisting structure to allow minimal (if any) water ingress and hence induce minimal (if any) permanent water drawdown.

Appendix 21a – Integrated Water management Report

The report makes no mention of the increased sewerage and water supply demand of the proposed development.

Given the known poor state of the Lindfield sewerage pipes the combined additional population of this and other proposed developments in the area is likely to impose an burden on the system which it cannot sustain.

Similarly the potable water supply pressure has been reducing in Lindfield over the recent years. This and other proposed developments will reduce the pressure further (to a possibly unacceptable level) if the system is not upgraded – at great expense to the authority. Fire fighting services will also be adversely affected.”

Impact on our lives and property

We are a multigenerational household with 2 kitchens and multiple separate living areas. We have owned the house since 1969 and four generations have lived here. The current occupants of three generations range from age 9 to age 85. The older occupants plan to age in place with the support of younger generations. It is also the base for a widely dispersed family. The height and bulk of this proposal and the consequent loss to the landscape and houses in the heritage conservation area impact directly on us. We plan to maintain the house for future generations. This is a historically and culturally significant house. The height and bulk of this proposal and the consequent loss to the landscape and houses in the heritage conservation area impact directly on us.

Arguments about selling at profit are meaningless for us . We could not build to the same height as 7-19 Balfour St. In the current development oriented market this impacts on the value and means that we could not sell and replace the amenity we have.

We lose :

Sunlight (including solar access for heating and drying); **Cooling winds; Sky; Tree canopy** (cooling in summer, warming in winter) ; **Birdlife and Wildlife; Quiet** (the comparatively quiet oasis at the back of our house) ; **Privacy** (in the back garden/tennis court, swimming pool; back of house with kitchens, living areas and bedrooms. This impacts particularly on children); Ease of ingress and exit from our property..

Conclusions

The proposed development does not appear to respect the heritage constraints of the area for which it proposed. Overall the proposed typology of the development is markedly out of keeping with the heritage aesthetic of the area, nor –with Ku-ring-gai Council's draft planning instrument, the Housing SEPP or the Apartment Design Guidelines (ADG).

The proposed development does not respect the Ku-ring-gai Councils LEP TOD requirements.

The proposed building massing does not provide a well-considered visual transition between the development and the established homes within the visual catchment of the site leading to a dominant abrupt and overwhelming bulk and scale impacts on neighbouring properties.

The proponent has shown no genuine commitment to respond to neighbours' concerns over the impact of the proposed development on *their* privacy, amenity, heritage, neighbourhood character and how the development proposal will drastically diminish their property values particularly heritage listed 6 Highfield Road.

The Report is blatantly incorrect in stating that the styling and materials of a 9 storey building can mitigate its impact of this Heritage Conservation Area.

The proposed building provides poor solar access to many of the apartments. And it reduces solar access to neighboring properties.

The setbacks indicated in the Design Report are not adhered to in the architectural plans.

The privacy of neighboring residences will be severely adversely impacted by the proposed development.

The noise and vibration impacts of the proposed development have not been adequately considered in the reports. This development does not meet the **DCP23.7/8 Acoustic and Visual Privacy requirements** of minimising the impact of noise and privacy loss on neighboring buildings and their occupants.

- Private open spaces and principal living spaces of the adjacent dwellings are to be protected from direct or unreasonable overlooking from all new residential developments.
- When designing and siting active open space areas (eg BBQ areas, communal areas etc) regard is to be paid to potential noise impacts on adjacent buildings.

The geotechnical study and groundwater seepage study appear to be flawed, and it is considered that the basement should be “tanked” and not allow water ingress so as to reduce the permanent impact of water drawdown on adjacent properties.

The layout of car parking spaces appears to be non-compliant with requirements.

The cumulative impact of this and other local proposed developments is likely to impose greater local parking and traffic impacts than have been indicated in the reports.

The integrated water study does not address the effects of the proposed development on sewerage and potable water supply; both of which are likely to be adversely affected.

Summary

In summary, the proposed development is extremely adverse to the local area and the local population in many different ways.

The Development Application was submitted based on the state TOD requirements but should have used the Ku-ring-gai Council TOD requirements.

The reports in support of the application are in some instances inaccurate and in other misleading.

The proposed development is objected to for the reasons mentioned above.

Gail Pearson BA (Hons) LLB PhD

A handwritten signature in black ink, appearing to read 'Gail Pearson', with a long horizontal flourish extending to the right.

Additional Material

Annex 1

Figure 1 – Revit Model Plan

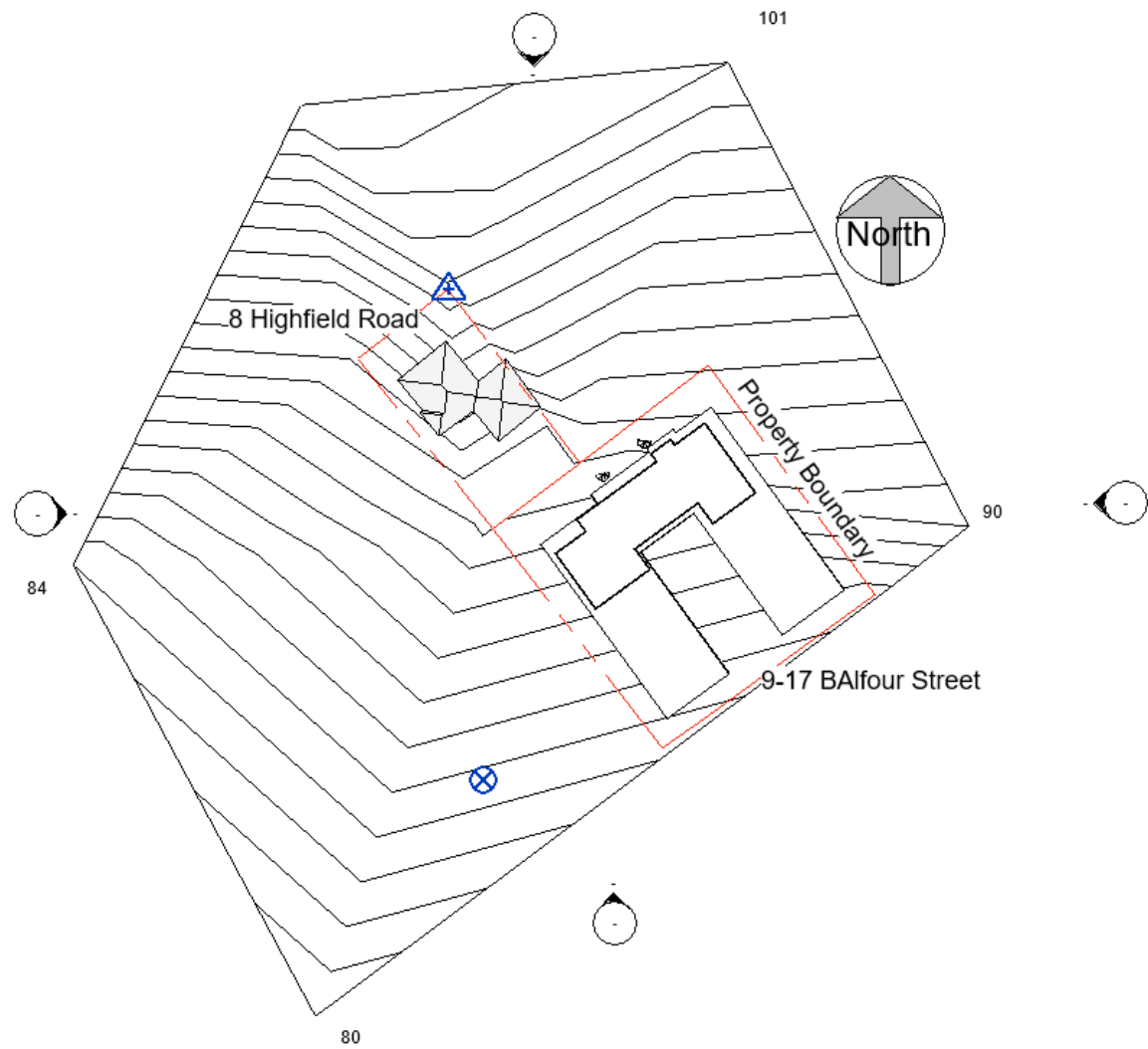


Figure 2 – Revit Model 3D View

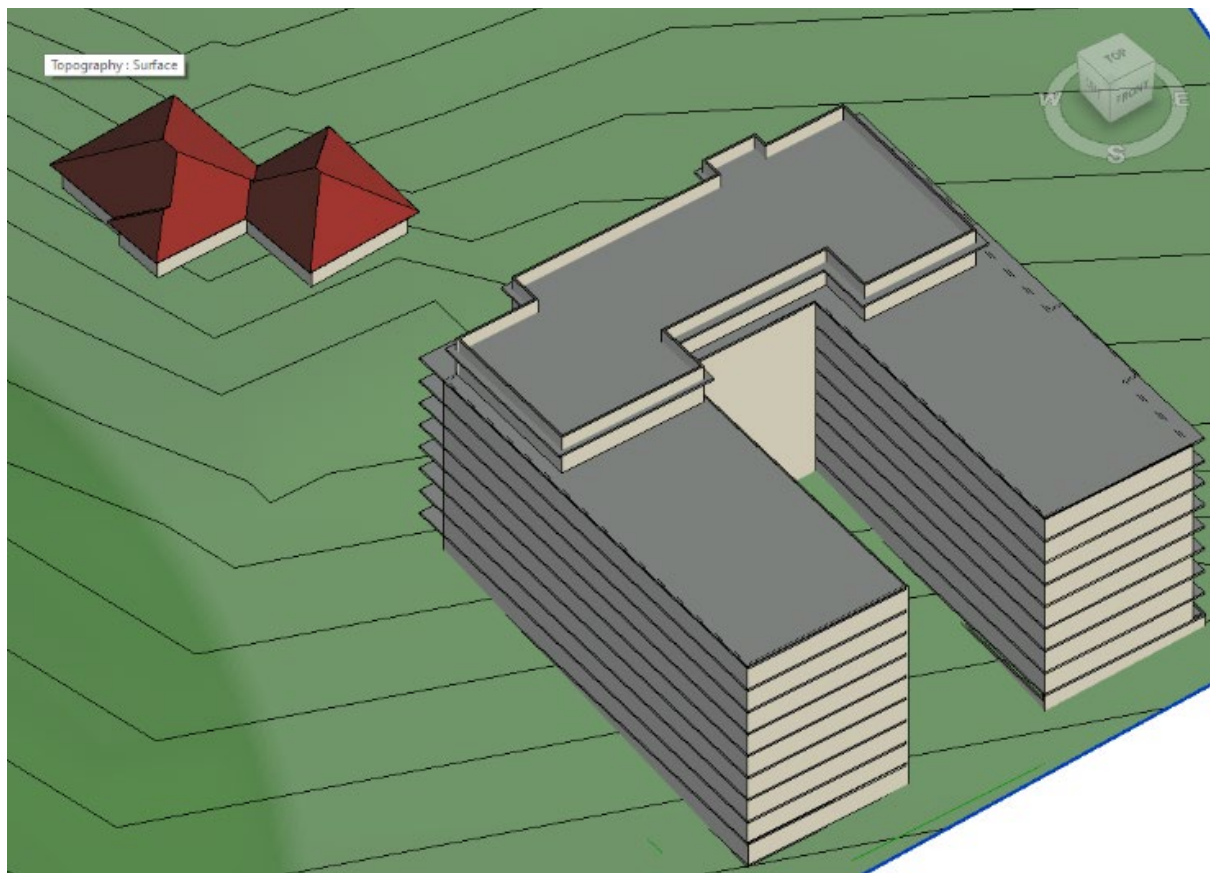
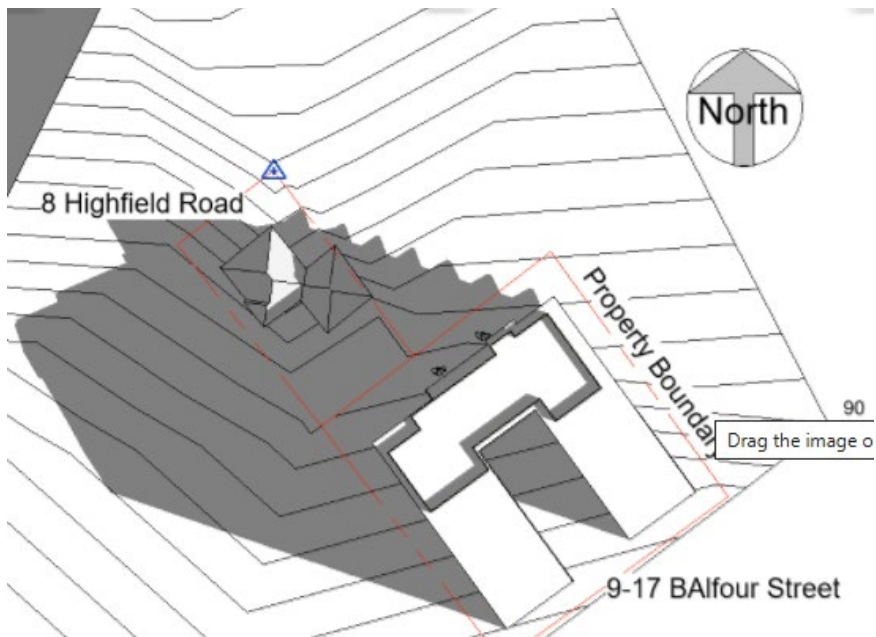
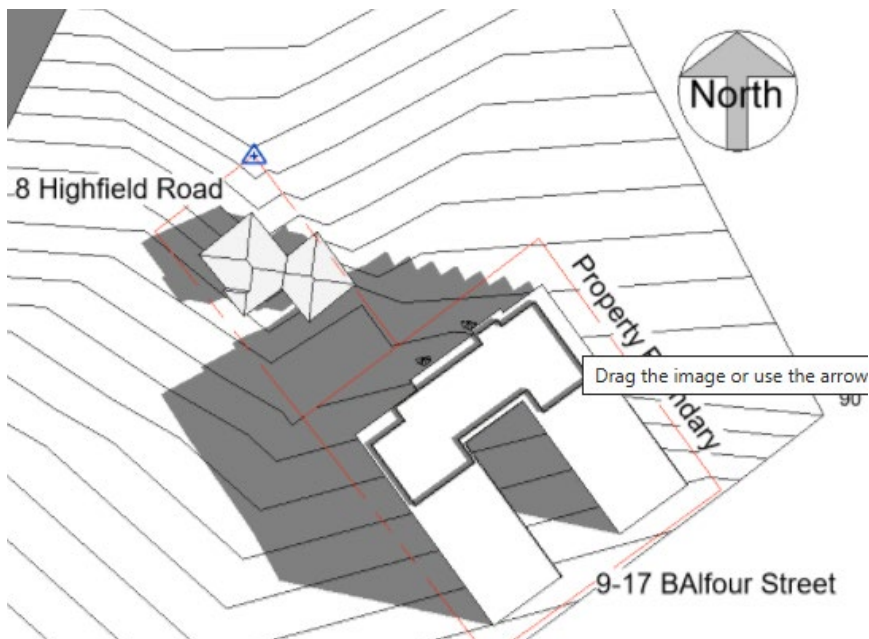


Figure 3 – Shadows



0600 Hrs Summer Solstice



0700 Hrs Summer Solstice

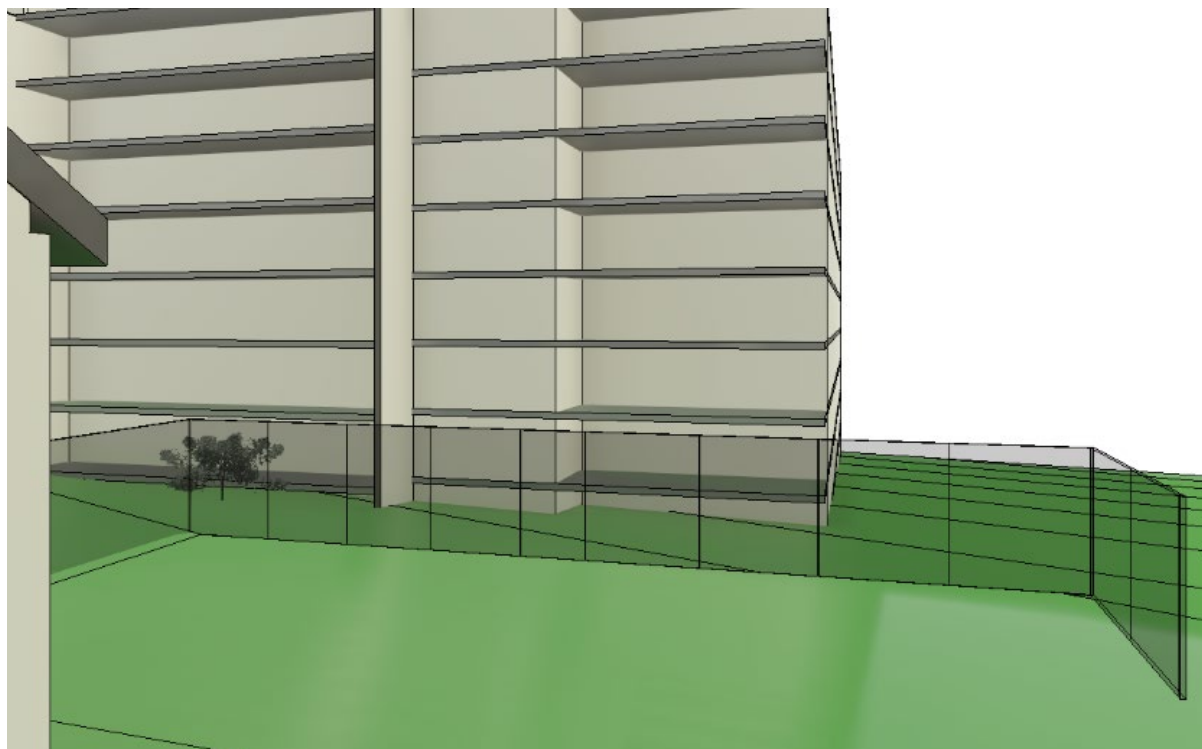
Annex 1

Current View from Back Porch of 8 Highfield Road Lindfield



Revit Model 3D View from the Back Porch of 8 Highfield Road Lindfield

See Annex 1 for figures of the Revit model used.



Planning Comparative Table

“Council Controls applied from November 2025” for Development Applications made before 25 June 2025.

The request for SEARS was applied for before 25 June 2025, BUT the response letter for the SEARS clearly indicates that the Development Application (DA) is “not taken to be lodged until the DA fee is paid. However the DA fee is contingent on submission of the proposal Cost Report. As the Cost Report is dated 15 January 2026 it is unlikely that the DA fee was paid before 25 June 2025. The planning requirements are based on the Ku-ring-gai Council TOD requirements for Lindfield, rather than the basic NSW TOD requirements.

Table of Comparison of Planning Requirements (noting there are difficulties in confirming planning controls)

Attribute	Ku-ring-gai Maps	Ku-ring-gai TOD Lindfield	TOD Basic	Proposed Development
Zone	R4	R4		R4
Basic Floor Space Ratio	1.3:1	1.3: 1	2.5:1	1.3:1
Affordable Housing Rate (AFD)	0%	0% (3% ¹)	30%	30%
Calculated Applicable AFD	1.3:1	1.3:1	3.25:1	3.25:1
Height of Building	18.5	18.5	22	22
Building Height Increase for AFD	0	0	30%	30%
Calculated Height of Building	18.5	18.5	28.6	31.57²

1. The Plan is not clear but it appears that the 3% AFD applies ONLY to the Lot adjacent to No 9 Balfour Street (Lot9 DP4195), ie to the school playground (Lot 30 DP1009022). This assumption would be consistent with the AFD for the Lot which is 1.8 compared to 1.3 for 9 – 17 Balfour Street.
2. The building height of 31.57m is measured from *Notional Existing Ground Level at the location of measurement*. It should be ascertained whether the building height level should be measure from a fixed point on the lot – eg the lowest (or highest) point on a lot, the or low (or high) point on the lot boundary facing a road.

Other Requirements

Heritage Conservation Area

Contains areas of Biodiversity Significance

Acid Sulphate Soils Class 5

Class 5 Acid Sulfate Soils (ASS) in NSW represent areas within 500 meters of mapped Class 1, 2, 3, or 4 land, where the risk of actual ASS is lower, but high-risk activities (e.g., deep excavation, groundwater extraction) can still affect surrounding, more sensitive land. These zones require further investigation if development lowers the water table below 1 metre Australian Height Datum (AHD).