

Mr Joe Somerville
 Senior Planning Officer
 Major Projects NSW
 Submitted via portal

8 July 2026

Dear Mr Somerville

Re: SSD 82709458, 19-25 Balfour Street Lindfield

**RELATING TO AMENDED STATE SIGNIFICANT DEVELOPMENT APPLICATION
 RESIDENTIAL FLAT BUILDING WITH IN -FILL AFFORDABLE HOUSING AT 19-25
 BALFOUR STREET, LINDFIELD**

Thank you for the opportunity to provide a second submission on the State Significant Development Application AMENDED proposal at 19-25 Balfour Street Lindfield.

Friends of Ku-ring-gai Environment Inc (FOKE) reiterates its objections to the proposed development which seeks development consent for a new residential flat development with in-fill affordable housing within the Balfour Street/Highfield Road Conservation Area C29 and a local heritage item at 6 Highfield Road, Lindfield.

FOKE reiterates that the proposed development represents an unacceptable overdevelopment of the site. Its excessive scale, bulk and height are incompatible with the character of the surrounding area and would result in significant adverse impacts on the Balfour Street/Highfield Road Conservation Area C29, the natural environment, local amenity and the established streetscape. The proposal is therefore contrary to the principles of good planning and ecologically sustainable development and should be refused.

FOKE requests that this submission on the Amendment Report be read in conjunction with its original submission dated 9 September 2025 (attached) which sets out in detailed planning, heritage and environmental grounds why the Department of Planning, Housing and Infrastructure (DPHI) should refuse SSD-82709458.

The proposed amendments include the following:

- reconfigures the unit mix and improve floorplate efficiency, facilitating an increase in the total number of dwellings from 98 to 120 apartments
- increases the affordable housing provision from 27 to 30 dwellings
- reduces the total gross floor area (GFA) from 15,499.4m² to 15,401m²
- reduces the floor space ratio (FSR) from 3.25:1 to 3.23:1
- increases the central podium by two storeys, resulting in a six-storey podium form, together with a minor reduction in the maximum building height from 32.7m to 32.6m
- increases communal open space (COS) from 987.8m² to 1,199.5m²
- reduces the total car parking from 193 to 184 spaces
- achieves a 12m setback requirement for level 8

FOKE's core objection as outlined in its original submission dated 9 September 2025 remains - the excessive FOKE's core objection, as outlined in its original submission dated 9 September 2025, remains unchanged: the excessive mass, scale and height of the proposed development. The amended proposal fails to address the fundamental concern that two 10-storey towers are inappropriate for this location, particularly given the site's

interface with a low-density residential neighbourhood, its immediate proximity to the Balfour Street/Highfield Road Conservation Area C29 with its significant tree canopy, and its adjacency to environmentally sensitive remnant vegetation. The scale and intensity of the development remain incompatible with the established character, heritage values and environmental significance of the surrounding area.

The amended proposal also fails to adequately address the significant cumulative impacts on residential amenity, tree canopy, biodiversity, the established character of the locality, traffic and local infrastructure. Furthermore, the proposal does not deliver a meaningful long-term public benefit through affordable housing, as it fails to provide permanent, secure affordable housing in perpetuity.

The amendments fail to:

- improve the urban design as the height, bulk, setbacks still are grossly disproportionate to their rear neighbours in Highfield Road and are intrusive on the Balfour Street/Highfield Road Conservation Area C29.
- address the glaringly overwhelming amenity impacts on surrounding residential properties, that disrespects privacy, presents unacceptable overshadowing and overwhelmingly visual bulk with setbacks that are inadequate.
- respond to the community feedback that was provided during the original public exhibition period, including FOKE's submission.

FOKE Comments on Amendment Report, 19-25 Balfour Street, Lindfield, SSD 82709458, Prepared for Balfour Group Pty Ltd, Submitted to DPPI, June 2026

Page	Amendment Report	FOKE Comment
5	Traffic	The Amendment report is 'silent' on traffic and parking and refers it to Appendix 9. FOKE strongly disputes the claim that the projected traffic generation "is considered minor and would have minimal impacts on the surrounding road network." (Transport Impact Assessment Executive Summary, Appendix 8) This conclusion is not supported by on the ground existing traffic conditions and fails to acknowledge the cumulative impacts of traffic being generated from the Ku-ring-gai Council Alternative Transport Oriented Development plan and other State Significant Developments. The surrounding road network is already under considerable pressure. The site already experiences high traffic volumes generated by two schools, a church, a major supermarket and Lindfield town centre. Traffic conditions are particularly difficult along the steep sections of Highfield Road and Balfour Street, while Wallace Parade is narrow and frequently experiences severe congestion. Both Balfour Street and Highfield Road lead to the major Pacific Highway that experiences high traffic flows. Balfour Street also serves as a key underpass beneath the North Shore railway line, providing an important access to the eastern side of the railway line and where Lindfield Avenue/Balfour Avenue intersect at the Pacific Highway a key junction. Congestion regularly occurs at this critical junction, particularly during peak periods, with traffic queues extending through the underpass, Lindfield Avenue, Werona Avenue and other surrounding streets. In addition, Highfield Road functions as a significant through-route between the Pacific Highway and Lady Game Drive. It carries commuter traffic from Ryde, Epping Road and the M2 Motorway, as well as traffic travelling from Chatswood. The proposal fails to adequately assess the cumulative effect of

		adding further vehicle movements to an already constrained and heavily trafficked road network. Accordingly, FOKe considers that the Traffic Impact Assessment underestimates both the existing traffic constraints and the additional congestion that would result from a development of this scale,
7	“An assessment of environmental impacts confirms that the proposal (as amended) does not introduce new or materially greater impacts beyond those previously assessed. In several respects, the amended scheme improves the planning outcome when compared to the exhibited proposal.”	FOKE strongly disputes this assertion. The amended proposal does not overcome the fundamental deficiencies identified in the original submission. The development remains excessively large in scale, bulk and height for the site and continues to represent an overdevelopment that is incompatible with its surrounding context that is predominantly low-density residential homes. Rather than improving the planning outcome, the amended scheme would continue to have significant adverse impacts on the character and significance of the Balfour Street/Highfield Road Conservation Area C29, as well as the environmental sensitivity of the site and its surrounding locality. The amendments do not adequately address the unacceptable heritage, landscape and environmental impacts previously identified and therefore cannot reasonably be characterised as introducing no new or materially greater impacts or as delivering a superior planning outcome.
8	“The proposed amendments seek to: • provide an improved urban design outcome through enhanced building design, including redistribution of building heights, increased building setbacks and additional building articulation”	FOKE submits that the proposed amendments will not result in an improved urban design outcome. The development remains fundamentally unacceptable because of its excessive scale, height and bulk, which are wholly inconsistent with the character of the site and its surrounding context. FOKE does not accept the assertion that the revised building design represents a meaningful improvement. The redistribution of building heights does not materially reduce the visual bulk or improve the development's compatibility with the surrounding neighbourhood. Similarly, the increased building setbacks and additional architectural articulation do not overcome the excessive scale of the proposal or mitigate its adverse impacts. The proposed building would continue to dominate neighbouring properties and the streetscape, resulting in unacceptable impacts on residential amenity, including overshadowing, visual intrusion, loss of privacy, and the degradation of outlook and the aesthetic qualities of the surrounding area.
8	“The proposed amendments seek to: • minimise amenity impacts on surrounding residential properties, with	FOKE has undertaken a site inspection of 19–25 Balfour Street, Lindfield, together with the adjoining residential properties to the rear of the site in Highfield Road. The inspection confirmed that the proposal would have severe and unacceptable impacts on the amenity of those neighbouring properties. The proposed development would dominate the outlook from homes and rear gardens in Highfield Road through the presence of two 10-storey towers immediately adjoining the residential interface. The excessive height, scale and

	respect to privacy, overshadowing and visual bulk through increased building setbacks”	visual bulk of the buildings would result in significant visual intrusion, loss of privacy, reduced solar access and increased overshadowing, substantially diminishing the residential amenity currently enjoyed by these properties. These impacts are readily understood from existing conditions. The six-storey Coles development on Balfour Street already casts extensive and prolonged shadows across adjoining areas, demonstrating the significant overshadowing effects that buildings of this scale can have. The proposed 10-storey towers would be considerably taller and more imposing, resulting in even greater adverse impacts on neighbouring properties and the surrounding residential environment.
8	“The proposed amendments seek to: respond appropriately to agency, Council and community feedback received during the public exhibition period”	FOKE submits that the proposed amendments fail to adequately respond to the concerns raised during the public exhibition period, including the issues identified in FOKE's original submission. FOKE therefore urges the Department of Planning, Housing and Infrastructure (DPHI) to refuse the proposal. The development has attracted substantial community opposition, reflecting widespread concern about its excessive scale, height and bulk, and its unacceptable impacts on local amenity, heritage character and the surrounding environment.
8	“The proposed amendments seek to: It is considered that the proposed amendments are acceptable as: the exceedance of the building height above the bonus height control is centralised, and the impacts of the exceedance will be imperceptible.”	FOKE strongly disputes this statement. This conclusion is not supported by the physical characteristics of the proposal or the surrounding context. A 10-storey building is excessive for this site, and the exceedance of the approved building height cannot reasonably be described as "imperceptible". The additional height would be readily apparent from surrounding streets, neighbouring residential properties and on the Balfour Street/Highfield Road Conservation Area C29. It would contribute to the visual dominance, bulk and scale of the development and would exacerbate its adverse impacts on the streetscape, heritage character, residential amenity and the broader landscape setting. Accordingly, FOKE rejects the assertion that the impacts of the building height exceedance would be imperceptible. In FOKE's view, this conclusion is unsupported by the evidence and significantly understates the proposal's visual and environmental impacts.
8	“It is considered that the proposed amendments are acceptable as: the proposal, as amended, will not result in any adverse environmental impacts beyond those considered	FOKE strongly rejects this. In FOKE's view, this conclusion substantially understates the environmental significance of the site and the likely impacts of the amended proposal. The site is environmentally sensitive and forms part of an important landscape connecting the Lane Cove National Park. The proposed development would have significant environmental consequences, including the removal of mature canopy trees that contribute to the ecological integrity of the locality. Many of these trees are exceptional specimens, including large Sydney Blue Gums that are characteristic of the critically endangered Blue Gum High Forest ecological community. These mature trees provide important habitat, contribute to the area's biodiversity, and play a vital role in maintaining the local microclimate.

	within the original EIS.”	The loss of these canopy trees would fundamentally alter the site's environmental character. The combined effects of extensive vegetation removal, increased building bulk, greater areas of hard surfaces and reduced permeability would contribute to changes in the local microclimate, including increased heat retention, reduced shading, and altered wind patterns. FOKE is also concerned that the assessment fails to adequately consider the site's topography and the cumulative impacts of stormwater runoff on the downstream catchment, including the environmentally significant Lane Cove National Park. Nor does it properly assess the role of the site as part of a broader wildlife movement corridor connecting surrounding bushland with the Lane Cove National Park. The fragmentation of habitat and loss of mature vegetation would adversely affect native fauna that rely on these ecological linkages. Furthermore, FOKE is concerned by the apparent decline of several mature trees on or adjoining the site. There have been allegations that some trees may have been deliberately poisoned, and these matters have reportedly been the subject of investigation by Ku-ring-gai Council. Given these concerns, every remaining significant tree should be afforded the highest level of protection, and any assessment of the proposal should proceed with particular caution. For these reasons, FOKE submits that the statement that the amended proposal would not result in additional adverse environmental impacts is not supported by the available evidence. On the contrary, the proposal would result in substantial and long-term impacts on biodiversity, tree canopy, the critically endangered Blue Gum High Forest ecological community, wildlife connectivity, stormwater management, the local microclimate and the environmental values of the adjoining Lane Cove National Park.
	“It is considered that the proposed amendments are acceptable as: the amendments will facilitate development that is substantially the same as that for which consent was originally requested.”	In FOKE's view, this statement amounts to an acknowledgement that the amended proposal remains substantially the same development that was originally exhibited. If the amendments do not materially alter the proposal, they likewise do not address the fundamental planning, heritage and environmental concerns raised by FOKE and other objections during the public exhibition process. It is noted that of “ the 32 public submissions received, there were 2 in support and 30 objections” (page 9).
8	“It is considered that the proposed: will facilitate the orderly economic development of the land.”	FOKE strongly disputes the assertion that the proposal will facilitate the orderly economic development of the land. Rather than promoting orderly development, FOKE submits that the proposal would result in fragmented and uncoordinated development through what is effectively a site-specific or "spot rezoning" outcome. The proposal is inconsistent with a strategic, precinct-wide planning approach and fails to adequately consider its broader impacts on the surrounding neighbourhood. In particular, the assessment gives insufficient consideration to the economic consequences for neighbouring property owners in Highfield Road. The development's excessive height, bulk and scale would significantly diminish residential amenity through loss of sunlight, increased overshadowing, reduced

		privacy, visual intrusion and domination of outlook. These adverse impacts have the potential to reduce the attractiveness and value of adjoining residential properties, representing a significant economic impact on existing residents that has not been properly addressed. Furthermore, FOKE submits that the proposal would undermine Ku-ring-gai Council's alternative Transit-Oriented Development (TOD) strategy, which seeks to achieve well-planned, coordinated and orderly growth across the precinct. By approving this isolated State Significant Development of this scale outside a comprehensive planning framework, DIPH risks setting a precedent for ad hoc development that is inconsistent with sound strategic planning and the principles of orderly urban development.
8	“This report concludes that the proposed amendments will not result in any significant environmental impacts. Accordingly, we recommend that the proposed amendment be supported by DPHI and approved.”	FOKE strongly disputes the Keylan Amendment Report's conclusion that the proposed amendments will not result in any significant impacts. In FOKE's view, this conclusion is not supported by the physical characteristics of the site or the surrounding residential environment. During FOKE's site inspection of 19–25 Balfour Street and the adjoining properties in Highfield Road, FOKE observed that the proposal would have significant adverse impacts on neighbouring residents. The excessive height, bulk and scale of the proposed development would dominate the outlook from adjoining properties, resulting in increased overshadowing, loss of solar access, reduced privacy, visual intrusion and a substantial decline in residential amenity. These impacts would be particularly pronounced for properties immediately adjoining the site in Highfield Road. Accordingly, FOKE submits that the Amendment Report significantly understates the proposal's impacts on neighbouring properties. The amended proposal continues to result in unacceptable planning, heritage and environmental impacts and should therefore be refused.
16	<i>A City of Great Place</i> “the proposed development strongly aligns with this direction as it: contributes to and complements the Lindfield precinct. promotes social connection within walkable, human-scale neighbourhoods. It is sensitive to heritage items	FOKE disputes the assertion that the proposed development contributes to and complements the Lindfield precinct. On the contrary, FOKE submits that the development would fundamentally undermine the established character of the precinct. Its excessive 10-storey height, overwhelming bulk and excessive scale are incompatible with the area's established human-scale neighbourhood and would erode the character and liveability that define Lindfield. Furthermore, the proposal is not sensitive to the contributory heritage items or the Balfour Street/Highfield Road Conservation Area C29 in the vicinity of the site. Rather than responding sympathetically to the historic streetscape and built form, the development would visually dominate its heritage setting, diminishing the significance, character and appreciation of nearby heritage buildings and the surrounding Balfour Street/Highfield Road Conservation Area C29. Accordingly, FOKE submits that the proposal neither complements the Lindfield precinct nor achieves an appropriate planning outcome. Instead, it represents an overdevelopment that is inconsistent with the area's established character, heritage values and urban form.

	within the vicinity of the site.”	
16	<i>A City in its landscape</i> “this SSD application strongly aligns with this direction as it: provides for an appropriate development within an urban area. provides significant deep soil and landscaping areas on site.”	FOKE submits that the proposal fails to recognise the unique historical, landscape and environmental character of this part of Lindfield. This is not an appropriate location for a development of this scale. The locality developed as part of Sydney's historic garden suburb movement following the opening of the North Shore railway in 1890. It is characterised by generous landscaped gardens, mature tree canopy, spacious residential allotments and many homes designed by distinguished architects. These qualities collectively contribute to the area's heritage significance, environmental values and highly regarded residential character. The proposed 10-storey development is fundamentally incompatible with this established context. FOKE also strongly disputes the assertion that the proposal provides significant deep soil landscaping (. The deep soil area has increased from 1,433.98m² (30% of the site area) to approximately 1,474m² (31%) (page 27). This conclusion is erroneous. The survival and long-term health of the locality's mature tree canopy—including the magnificent Sydney Blue Gums that are characteristic of the critically endangered Blue Gum High Forest ecological community—depend upon extensive areas of genuine, uninterrupted deep soil. The expansive canopy of these mature trees demonstrates the substantial root zones and soil volumes required to sustain them. FOKE submits that a landscape setting of at least 50% permeable deep soil is necessary to retain the existing canopy cover and maintain the ecological integrity of the site. The two levels of basement excavation required beneath much of the development footprint would dramatically reduce the amount of available deep soil, sever root systems, constrain future tree growth and compromise the long-term viability of existing and replacement canopy trees.
20	Affordable Housing increased from 27 affordable housing units to 30 affordable housing units	The provision of only three additional affordable housing units (total 30) is tokenistic and fails to make a meaningful contribution towards addressing the broader housing affordability crisis. This limited increase does not represent a genuine affordable housing outcome and remains an inadequate response to the stated objectives of the policy framework. Furthermore, the affordable housing bonus fails to compensate for the additional and ongoing impacts that this development will impose on the local community in perpetuity. The proposal only provides affordable housing for a 15-year period, after which these dwellings will revert to market housing. This does not deliver a long-term affordable housing outcome and will not contribute to sustained housing affordability in the area. There are no affordable rental units proposed to be retained in perpetuity. The limited affordable housing contribution must therefore be weighed against the permanent impacts of the development, including its excessive height, bulk and scale, increased density, loss of tree canopy, heritage impacts, biodiversity impacts and additional pressure on local infrastructure.
20	Reduction in maximum building height from 32.7m (10 storeys) to	The reduction in building height from 32.7 metres (10 storeys) to 32.6 metres (10 storeys) is negligible and does not constitute a meaningful design change. Both buildings remain 10-storey towers, with virtually the same visual bulk, scale and development intensity. As a result, the proposal continues to be incompatible with the adjoining low-density residential neighbourhood and the

	32.6m (10 storeys)	Balfour Street/Highfield Road Conservation Area C29. It will continue to have unacceptable impacts on neighbouring properties through loss of privacy, overshadowing and reduced solar access, while also diminishing the environmental quality, landscape character and heritage significance of the surrounding area.
20	Increase in the central podium element by two storeys from 4 storeys to six storeys	The amended proposal increases the height of the central podium element from four storeys to six storeys. This represents a significant increase in built form that will further intensify the development and exacerbate its impacts on the surrounding area. The additional height will increase overshadowing of properties in Balfour Street, diminish residential amenity, and contribute to a more imposing streetscape that is out of character with the surrounding low-density neighbourhood and the Balfour Street/Highfield Road Conservation Area C29.
20	Reduction in total GFA from 15,499.4m ² to 15,401m ²	The reduction in total Gross Floor Area (GFA) from 15,499.4m² to 15,401m² is negligible and tokenistic. It does not address the significant adverse impacts associated with the excessive scale and intensity of the development. The proposal will continue to have unacceptable impacts on the streetscape, neighbouring residents' privacy, overshadowing and loss of solar access. The excessive bulk and scale of the buildings will also adversely affect the local microclimate by creating a heat island effect, increasing heat retention and diminishing the environmental amenity of surrounding homes, gardens and public spaces. FOKE reiterates that these amendments do not result in any meaningful reduction in the overall development intensity. The amended proposal fails to substantially reduce the Gross Floor Area or the excessive height and bulk of the two 10-storey towers. As a consequence, the proposal remains an overdevelopment of the site and continues to generate unacceptable impacts on the surrounding neighbourhood and the Balfour Street/Highfield Road Conservation Area C29.
20	Reduction in floor space ratio (FSR) from 3.25:1 to 3.23:1	FOKE submits that the reduction in the Floor Space Ratio (FSR) from 3.25:1 to 3.23:1 is negligible and does not materially improve the proposal. The reduction represents only a 0.02:1 decrease in FSR—less than one per cent of the total permissible floor area. Such a minor change does not result in any meaningful reduction in the building's overall scale, bulk or visual mass. The development remains an excessively large 10-storey building that is incompatible with the character of Lindfield and continues to dominate its surroundings. In practical terms, the amended FSR does not alter the fundamental planning outcome or improve the building's design, setbacks, or architectural articulation. The proposal remains an overdevelopment of the site, with unacceptable impacts on neighbouring residential amenity, the Balfour Street/Highfield Road Conservation Area C29, tree canopy and the environmentally sensitive setting adjoining Lane Cove National Park. Accordingly, FOKE submits that the reduction in FSR is cosmetic rather than substantive and does not address the fundamental concerns raised in FOKE's original submission.
21	Increase in Bicycle parking: From 10 visitor spaces and	The bicycle parking proposal assumes that each of the 120 residential apartments will require a bicycle parking space. This assumption is unrealistic and should be challenged. It is far more likely that many of these so-called "bicycle parking spaces" will simply be used as general storage by residents. If

	98 residential spaces to 12 visitor bicycle parking spaces and 120 residential bicycle parking spaces	this is the intended outcome, it should be honestly acknowledged rather than presented as a genuine transport initiative. It should also be recognised that Balfour Street is a steep incline, making cycling an impractical transport option for many residents. Walking is likely to be a more convenient and realistic choice for travelling up the hill. The proposal also assumes that cycling will be safe despite the surrounding streets already being heavily lined with parked cars and the development itself providing 184 car parking spaces. The significant increase in vehicle numbers generated by the development is likely to make cycling more hazardous, not less. As traffic volumes increase, the safety and attractiveness of cycling as a mode of transport will inevitably decline.
	Proposed Development (as exhibited) Communal open space: 987.8m2 (20.6%) Proposed Development (as amended) Communal open space 1,199.5m2 (25.14%)	While the proposal for 1,199 square metres of communal open space appears substantial at first glance it must be considered in the context of the number of residents (120 units x 2.6 persons = >> residents) sharing the space. There is no evidence that the proposed communal open space will provide sufficient safe and functional play areas for children. Children require open, level, well-supervised spaces where they can run, play and interact safely, away from vehicle movements and other hazards. If the communal open space is fragmented into pathways, landscaped garden beds, seating areas and circulation routes, the amount of usable recreation space may be significantly less than the headline figure suggests. The proposal also fails to demonstrate that the communal open space will be large enough to support meaningful landscaping capable of offsetting the visual bulk and scale of the development. High-quality landscaping requires sufficient deep soil areas to accommodate the planting and long-term growth of large canopy trees. Without generous deep soil zones, landscaping is likely to consist primarily of small ornamental plantings that provide limited shade, biodiversity or cooling benefits. Communal open space should perform multiple functions. It should provide opportunities for recreation, informal social interaction, children's play, passive enjoyment, and environmental benefits such as urban cooling and habitat creation. In this proposal, there is a real concern that the available space will be required to perform too many competing functions, resulting in compromises that satisfy none of them well. FOKE submits that the proposal has not demonstrated that 1,199 square metres of communal open space is sufficient to meet the recreational, social and environmental needs of future residents. The applicant fails to provide genuinely functional play space for children, the lack of deep soil planting, canopy tree provision, and the long-term capacity of the landscaping to soften the building's bulk and contribute to neighbourhood amenity.

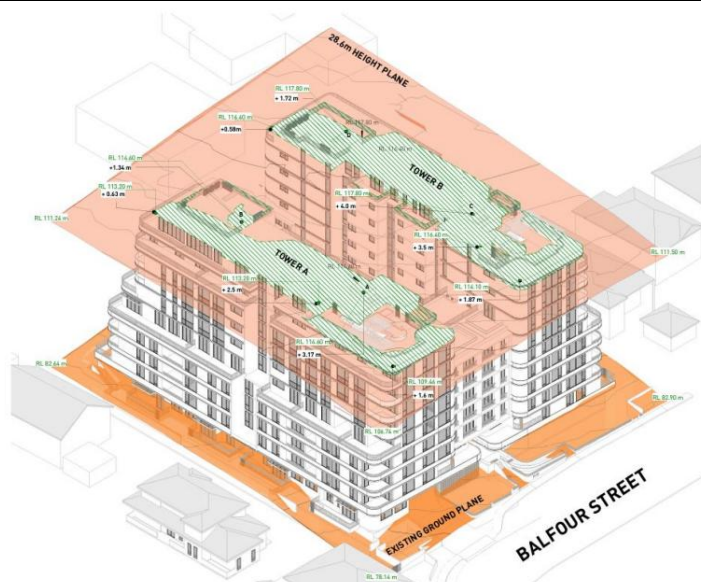


Figure 5: Southwestern view of refined height plane (Source: Giles Tribe)



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The proposed communal open space is located within the internal areas between the two 10-storey towers and behind the six-storey podium. As a result, it is likely to be heavily overshadowed for much of the day, offer limited privacy, and provide little opportunity for the establishment of a substantial tree canopy. Rather than functioning as an attractive, usable green space, it risks becoming an enclosed and uninviting area dominated by the surrounding built form.

The revised Community Open Space (COS) is distributed across the site as follows:

- primary communal open space is provided at Levels 8 and 9, totalling approximately 311m²
- secondary communal open space is retained at ground level and level 1, totalling approximately 890m²

890m² for Community Open Space for 240+ residents is not particularly generous, especially if much of that space is constrained by building form, overshadowing, or landscaping that is not usable.

FOKE considers that:

- 240 residents sharing 890 m² equates to about 3.7 m² of communal open space per resident.
- If the actual resident population is closer to 260–300 people, this falls to around 3.0–3.4 m² per resident.
- Nor will all of the 890 m² be usable recreation space. Some of it will be taken up by pathways, planting beds, retaining walls, building setbacks, and circulation areas. The amount of flat, sunny, functional space available for children to play or adults to gather could be substantially less.

The communal open space is located between two 10-storey towers and behind a six-storey podium raises legitimate concerns that it will be:

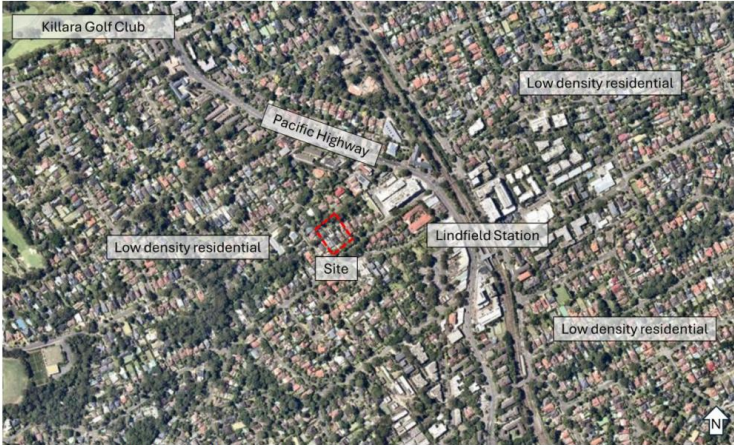
- heavily overshadowed;
- enclosed by tall buildings;
- overlooked from numerous apartments, reducing privacy;

		limited in its ability to support mature trees and provide meaningful green relief. The proposed 890 m² of communal open space is inadequate for a development expected to accommodate more than 240 residents. This equates to less than 4 m² of communal open space per resident before allowing for landscaping, pathways and other non-usable areas. The space is also constrained by its location between two 10-storey towers and behind a six-storey podium, resulting in overshadowing, limited privacy, and reduced opportunities for large canopy trees. Rather than providing a generous, functional green space that supports recreation, children's play and community interaction, the communal open space is likely to feel enclosed, crowded and dominated by the surrounding built form. The applicant identifies the "primary" communal open space on Levels 8 and 9, totalling approximately 311 m², and claims that "the inclusion of additional communal open space (COS) at Levels 8 and 9 provides elevated communal areas with improved solar access while maintaining landscaped communal areas at the lower levels of the development" (page 26). However, there is considerable doubt as to whether this elevated space will function as meaningful and well-used communal open space. As it can only be accessed via lifts, it is likely to be inconvenient for many residents and may therefore be underutilised. Elevated roof-level spaces do not provide the same accessibility, spontaneity, or usability as ground-level open space. Furthermore, the suitability of this area for families with young children is questionable. An elevated communal space cannot provide the same opportunities for safe, informal play as a secure, accessible ground-level open space. Parents may be reluctant to allow children to play in a rooftop setting, regardless of safety barriers, reducing its value as functional recreational space for residents. Accordingly, the provision of 311 m² of elevated communal open space should not be regarded as an adequate substitute for generous, accessible, and usable ground-level communal open space that promotes everyday recreation, social interaction, and a healthy living environment. The site plan also illustrates how closely this communal open space is positioned to neighbouring residential properties on Wallace Street and Highfields Road, raising further concerns about overlooking, privacy impacts, and the adequacy of landscape buffers between the development and existing homes. The revised design introduces stepped setbacks at the upper levels, with the applicant claiming these provide greater separation distances, achieve a 12-metre building separation, and represent an improvement to the proposal. However, this claim is questionable. While the stepped setbacks may marginally increase separation between parts of the building, they do not reduce the overall height or bulk of the development. Consequently, the proposal will continue to have significant adverse impacts on surrounding properties, particularly those to the rear of the site in Highfield Road. Residents are likely to experience ongoing impacts from overshadowing, visual intrusion, loss of privacy, and the overwhelming scale of the development.
43-44	"Street setbacks should respond	It is unacceptable that the proposal involves a reduction of the street setback by 2 metres along Balfour Street, resulting in a corresponding loss of landscaping

	to the existing streetscape and provide adequate landscaping transition to neighbouring developments DCP Control (10m street setback) Comment: 8m front setback”	potential in the street frontage. Given the established character, quality, and consistent setbacks of existing contributory heritage houses in the area, this reduction will significantly diminish the extent of green cover on the site. It will also erode the landscaped streetscape interface that currently contributes to the area’s garden suburb character.
44	“Importantly, the upper levels of the building now achieve 12m setbacks where required for buildings above eight storeys. This represents an improvement over the originally submitted scheme, which achieved only 9m setbacks at the upper levels.”	The 12-metre setback on the upper levels of the two towers above eight storeys will make only a marginal difference to the impacts of the bulk of the development and still have significant negative impacts on the amenity, privacy, and solar access of adjoining properties.
55	“the proposal will have an acceptable heritage impact.”	FOKE disputes this claim that “the proposal will have an acceptable heritage impact”. The site is located within the Balfour Street/Highfield Road Heritage Conservation Area (HCA) (C29). Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 recognises this heritage conservation area (HCA) for its historical and aesthetic significance, particularly its intact Federation Queen Anne streetscapes and landscape character. The HCA also contains individually listed heritage items, including Item I39, located approximately 30 metres from the site. If approved in its current form, the proposed development would have a significant and irreversible adverse impact on the heritage significance of the Balfour Street/Highfield Road Heritage Conservation Area, including the setting, curtilage and visual relationships of its contributory buildings and heritage items. The proposed two 10-storey towers would dominate and overwhelm the adjacent Federation-era houses, fundamentally altering the scale, character and spatial qualities of the Balfour Street/Highfield Road Conservation Area C29. The development would be particularly intrusive when viewed from the Highfield Road streetscape, where the towers would loom above the low-scale heritage buildings, disrupting established sightlines and diminishing the

	cohesive historic character that defines this conservation area. Rather than preserving or enhancing the heritage significance of the precinct, the proposal would erode its integrity and substantially diminish its heritage values. Despite the updated Statement of Heritage Impact (SoHI) prepared by GBA Heritage acknowledging that the Balfour Street/Highfield Road Conservation Area C29 has experienced change over time and that its character is likely to continue evolving, it fails to adequately assess the extent to which the proposed two 10-storey towers will fundamentally undermine the heritage significance of the area. The SoHI does not sufficiently explain how buildings of this scale and bulk, together with the extensive removal of mature trees and landscaped gardens, will erode the established heritage ambience and destroy the landscape character that is integral to the significance of the Balfour Street/Highfield Road Conservation Area C29. Rather than representing a gradual evolution of the precinct, the proposal would result in a substantial and irreversible transformation of its heritage and landscape values. FOKE wishes to comment on the amendment's negative impact on the heritage of the 'Balfour Street Group' proposals comprises of four contributory heritage items that form an intact streetscape of Federation Queen Anne-style houses. This architectural style is of exceptional heritage significance because it represents the emergence of a distinctly Australian architectural identity during the Federation period, with most examples constructed between 1895 and 1910. These houses are characterised by face brickwork, steeply pitched and complex gabled roofs, deep verandahs, decorative timber fretwork, stained-glass windows, and motifs depicting native Australian flora and fauna. Their generous verandahs, asymmetrical forms and well-ventilated floor plans were specifically designed to respond to the Australian climate, representing an important departure from earlier Victorian housing. The Federation Queen Anne style marks a defining transition from the darker, more enclosed architecture of the Victorian era to a brighter, healthier indoor-outdoor lifestyle that reflected the optimism of the newly established Australian Commonwealth. The Balfour Street Group is therefore significant not only because of the individual heritage value of its contributory buildings but also because of its collective streetscape, mature gardens and landscape setting. Together, these elements provide a rare and highly intact example of a Federation-era suburban environment. The proposed SSD 82709458 would if approved overwhelm this setting through excessive height, bulk, tree removal, visual intrusion and would diminish the heritage significance of the Balfour Street/Highfield Road Conservation Area C29 and erode the qualities that make the Balfour Street Group an important component of Ku-ring-gai's architectural and cultural heritage.  25 Balfour Street, Lindfield Contributory Heritage item
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		 23 Balfour Street, Lindfield Contributory Heritage item  21 Balfour Street, Lindfield Contributory Heritage item  19 Balfour Street, Lindfield Contributory Heritage item
56	“The overall impact on local tree canopy and amenity is assessed as moderate.”	FOKE strongly disputes the claim that “the overall impact on local tree canopy and amenity is assessed as moderate.” During FOKE's site inspection, it was evident that the site and adjoining rear gardens contain significant remnant Blue Gum High Forest vegetation that warrants the highest level of protection. It is also noted that numerous trees at 19–25 Balfour Street have been unlawfully removed or have died following what appears to be deliberate poisoning, including a significant <i>Angophora</i> tree at 23 Balfour Street. These incidents raise serious concerns about the management of the site and the protection of its tree canopy. FOKE understands that these alleged unlawful tree removals and the suspected poisoning have been reported to Ku-ring-gai Council for investigation. The apparent loss of protected trees should be given significant weight in the assessment of this proposal, particularly given its reliance on the removal of mature vegetation and its impacts on the area's landscape and environmental values. The proposed removal of 38 trees represents a substantial and unacceptable loss of tree canopy. This loss is a direct consequence of the excessive scale, bulk and height of the proposed two 10-storey towers. The development leaves only 1,474 square metres (31%) of deep soil landscaping, an area that is inadequate to support the planting and long-term growth of replacement canopy trees.

		Consequently, the proposal will result in a significant and enduring reduction in tree canopy, biodiversity, urban cooling, and the established landscape character of the locality.
56	Biodiversity “The Biodiversity Development Assessment Report (BDAR) concludes that the proposal will not result in serious irreversible impacts on biodiversity values.	FOKE strongly disputes the claim that the site has "low ecological integrity". This conclusion is based on an unduly narrow assessment that fails to consider the ecological significance of the surrounding landscape, including areas of critically endangered Sydney Turpentine-Ironbark Forest and Blue Gum High Forest. The ecological assessment is therefore inadequate and does not provide a reliable evaluation of the site's environmental context. As evidenced by FOKE's site inspection, the applicant has failed to recognise the high biodiversity values of both the site and its surrounding landscape. By overlooking these important ecological connections, the assessment significantly understates the proposal's likely impacts on native vegetation, habitat connectivity and the ecological integrity of the broader area.  Figure 4 of the Amendment Report (24/052, Amendment Report, 19–25 Balfour Street, Lindfield, SSD 82709458, June 2026, p.14) Figure 4 clearly demonstrates the significant tree corridor located to the west and downslope of the site. This aerial image highlights the important role of the existing vegetation network in providing habitat connectivity and maintaining a wildlife corridor within the broader landscape. The proposed two 10-storey buildings would be visually dominant within this sensitive vegetated setting and would significantly disrupt the relationship between the site and the adjoining tree corridor. The scale, height and bulk of the development are incompatible with the ecological significance of the surrounding landscape and would contribute to habitat fragmentation and the degradation of wildlife movement pathways. The photographic evidence provided on pages 15–23 further demonstrates the extent and significance of the existing mature tree canopy, including critically endangered Blue Gum High Forest remnants. These photographs clearly illustrate the ecological, landscape and visual values of the site and reinforce why the proposed development, with its substantial vegetation removal and excessive built form, should not be approved. 9-25 Balfour Street Lindfield is set within a landscape of critically endangered remnant Turpentine and Blue Gum High Forest and its associated fauna. This remnant forest has a strong presence within the Balfour Street/ Highfield Road Conservation Area.

58	“the amendments do not result in any material increase in previously assessed impacts and in several respects improve the overall design outcome when compared with the exhibited scheme. In several respects, the amended proposal improves the environmental performance of the development and amenity of the design outcome, including increased COS, improved setback compliance and a reduction in overall GFA and FSR. The amended development therefore represents an improved design outcome while maintaining consistency with the strategic and statutory planning framework.”	FOKE considers these statements to be unsupported by the evidence and contrary to the actual impacts of the amended proposal. The claimed improvements are marginal and do not address the fundamental planning concerns arising from the excessive scale, bulk and height of the two 10-storey towers. Nor do they mitigate the significant adverse impacts on the Balfour Street/Highfield Road Conservation Area C29, tree canopy, biodiversity, neighbourhood character, residential amenity, or the cumulative effects of overdevelopment. The minor reductions in gross floor area (GFA) and floor space ratio (FSR), together with limited changes to setbacks and communal open space, do not materially alter the development's overall impact. The proposal remains an over-scaled development that is incompatible with its suburban context. Accordingly, FOKE considers the developer's claims of an improved environmental performance and design outcome to be unsupported and overly optimistic, rather than an objective assessment of the proposal's likely impacts.
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Photographic Evidence Demonstrating Why SSD-82709458 Should Be Refused



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

The view from Highfield Road towards the 23 Balfour Street property clearly demonstrates the substantial tree canopy that characterises the distinctive landscape setting of the area. This established canopy contributes significantly to the heritage character, visual amenity and environmental quality of the precinct. The proposed two 10-storey towers, together with the associated removal of mature trees, would substantially diminish this canopy and fundamentally alter the landscape character of the locality. This visual evidence reinforces why the application should be refused.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

Evidence of bandicoots at 14 Highfield Road demonstrates that this area provides habitat suitable for native fauna and highlights the ecological connectivity of the broader landscape. Given the proximity of 14 Highfield Road to 19–25 Balfour Street, it is highly likely that bandicoots also utilise, or move through, the subject site and adjoining gardens.

The proposed development fails to adequately consider the potential impacts on this vulnerable local fauna, including the risk that the loss of habitat, vegetation removal, fragmentation and increased disturbance could contribute to local population decline and, in the worst case, local extinction of this species. The ecological assessment should recognise the importance of protecting remaining habitat corridors and the cumulative impact of removing established vegetation within this environmentally significant area.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

This image of a magnificent Blue Gum High Forest tree in Highfield Street is representative of the type of remnant vegetation that historically characterised Balfour Street and its surrounding landscape. These mature trees, together with their associated seedbank, are important remnants of the area's original ecological communities and provide valuable habitat, biodiversity support and landscape character.

This outstanding example highlights the ecological significance of the locality and demonstrates why the site's environmental values have not been adequately assessed. The proposed development, with its excessive height, bulk and scale, would tower over this sensitive landscape and contribute to the loss and fragmentation of ecological values. It would diminish not only the ecological capacity of the area but also the distinctive aesthetic character created by the relationship between mature vegetation, gardens and the established low-scale suburban setting.

It must be reiterated that the risk posed by this development within the Balfour Street/Highfield Road Conservation Area C29 extends beyond heritage impacts alone. FOKE is deeply concerned about the impacts on this environmentally sensitive, containing remnant critically endangered Sydney Turpentine-Ironbark Forest and Blue Gum High Forest communities, together with their associated fauna and ecological values.

Both Sydney Turpentine-Ironbark Forest and Blue Gum High Forest are classified as critically endangered ecological communities under national and state environmental legislation and this gives the DPIH reasons to reject this proposal. The Balfour/Highfields conservation area contains rare ecosystems that provide essential habitat for a diverse range of native species, including threatened fauna, and their continued decline has significant ecological consequences.

These remnant forests are a vital component of the area's natural heritage, contributing to biodiversity conservation, habitat connectivity, air quality improvement, carbon storage and climate regulation. The removal and fragmentation of this vegetation for an over-scaled development would result in the further degradation of an already threatened ecological system.

Approving intensive development in such an environmentally and culturally significant location would fail to recognise the importance of protecting these irreplaceable natural assets and would undermine the responsibility to conserve them for current and future generations.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

This view demonstrates the prominent location of the proposed development site at 19–25 Balfour Street, which occupies a high point within the local topography and slopes down towards the Lane Cove National Park. The site's elevated position significantly increases the visual prominence and potential impact of the proposed development.

The landform falls approximately 11.4 metres from the north-east to the south-west, meaning the proposed 10-storey towers would be positioned on a visually exposed ridgeline location and would dominate surrounding streetscapes and views. The combination of the site's elevated position, the steep topography and the proposed building height would result in an imposing built form that is incompatible with the established low-scale suburban character and landscape setting of the area.

The heat generated and retained by the proposed two 10-storey towers would contribute to changes in the local microclimate by increasing heat absorption and reducing the cooling benefits currently provided by the established tree canopy. The loss of mature vegetation, combined with the introduction of a large built form with extensive hard surfaces, would exacerbate the urban heat island effect and increase local temperatures.

This is particularly concerning in the context of climate change and the increasing frequency of extreme heat events. The proposal would reduce the area's natural capacity for cooling, shade and carbon storage, resulting in a less resilient environment for existing and future residents. The removal of established canopy and

replacement with intensive high-rise development is inconsistent with the need to create climate-resilient communities and reduce the impacts of climate change.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

The recently developed Coles supermarket/apartment building on Balfour Street is 6-storeys which represents a substantial scale of development within the Lindfield local centre. In contrast, the proposed two 10-storey towers at 19–25 Balfour Street would significantly exceed the height, bulk and built form of surrounding development, creating an unprecedented scale transition within the low-density Federation Balfour Street/Highfield Road Conservation Area C29.

The impacts of this height transition are already evident from the existing Coles development. Despite being only 6 storeys, the Coles building has a dominant visual presence and substantially overshadows the townhouses located opposite it on Balfour Street. The existing loss of sunlight and amenity experienced by these properties demonstrates the significant consequences of introducing buildings of this scale into the local context.

If a 6-storey development can already result in such substantial overshadowing and visual impacts, the proposed 10-storey towers would inevitably create a far greater level of dominance, overshadowing and loss of amenity. This highlights why the proposed development is inappropriate in scale and incompatible with the adjoining low-rise residential area and Heritage Conservation Area.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

The view looking down Highfield Road further demonstrates the established garden and tree-canopy landscape that defines the character of this locality. The area is highly vegetated, with mature trees and landscaped gardens contributing significantly to its visual amenity, ecological values and heritage conservation area.

If approved, the proposed 19-25 Balfour Street ten storey towers would introduce a built form that is completely out of scale with this established landscape setting. Their height, bulk and visual prominence would dominate the streetscape, substantially diminish the existing canopy character and diminishing the visual character of the area.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

This view illustrates the existing skyline and established tree canopy character that would be fundamentally altered by the proposed two 10-storey buildings. The current landscape setting, defined by mature vegetation and a low-scale housing, would be replaced by a dominant built form that is inconsistent with the existing character of the area.

It is also important to note the presence of dead trees within the properties at 19–25 Balfour Street, indicating that substantial canopy loss has already occurred on the site. The further removal of remaining vegetation to facilitate the proposed development would result in a significant and cumulative loss of tree canopy, biodiversity values and landscape character.

The proposed amendment would undermine Ku-ring-gai Council's and indeed Australia's commitment to achieving net zero emissions target by facilitating the loss of significant mature trees that act as important carbon sinks. Retaining established canopy trees is essential for climate resilience, as mature trees store carbon, reduce urban heat, improve air quality and contribute to the long-term sustainability of urban environments.

The giant canopy trees within the Balfour Street/Highfield Road Heritage Conservation Area are also critical ecological assets. These mature trees provide essential habitat, including nesting hollows and food resources for native birds, possums, microbats, insects and reptiles. Their ecological value extends beyond individual trees, forming part of an interconnected habitat network that supports local biodiversity.

In addition, this established tree canopy provides essential cooling benefits, particularly as climate change intensifies the frequency and severity of extreme heat events. The removal of these trees would reduce the area's capacity to mitigate urban heat and would result in the permanent loss of environmental, ecological and climate resilience values that cannot be replaced through landscaping associated with the proposed development.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

The photograph shows an Inter-War bungalow at 8 Highfield Road, which directly adjoins the rear of 19–25 Balfour Street. This contributory building forms part of the established low-scale residential character of the Heritage Conservation Area and would be significantly impacted by the proposed 10-storey towers.

The height, bulk and scale of the proposed development would dominate this Inter-War dwelling, resulting in substantial visual intrusion, overshadowing and a loss of the amenity and setting that contribute to its heritage value. The proposal would diminish the contribution of this property and surrounding contributory buildings to the character and significance of the Balfour Street/Highfield Road Conservation Area C29.

The photograph also shows a dead tree in the background within the 19–25 Balfour Street site. FOKE understands that this tree has been reported to Ku-ring-gai Council as an allegedly illegally poisoned tree. This matter raises serious concerns regarding the management and protection of significant vegetation on the site, particularly given the critical role mature trees play in maintaining local biodiversity, habitat connectivity and the landscape character of this locality.

In late 2024, mature trees were reportedly removed from the combined properties, with suspected poisoning of additional trees also occurring on the site. These matters were reported by neighbouring residents to Ku-ring-gai Council. The affected vegetation reportedly included two *Eucalyptus saligna* (Sydney Blue Gums), an *Angophora costata* (Sydney Red Gum), and two *Syncarpia glomulifera* (Turpentine trees), all of which are significant mature native species.

The loss of these trees has already compromised the ecological function of the wildlife corridor along the shared boundary. This existing damage highlights the vulnerability of the remaining vegetation and the potential for further irreversible loss of ecological, landscape and biodiversity values if the proposed development proceeds.



Photograph taken by Janine Kitson during a site visit to the Balfour Street/Highfield Road Heritage Conservation Area, 4 July 2026.

This photograph provides an outstanding example of the mature Blue Gums that form part of the critically endangered remnant Blue Gum High Forest community within this locality. These trees are not merely landscape features; they are essential ecological assets that provide nesting sites, hollows, food sources and habitat for native birds and other fauna. In their own right, these magnificent trees represent a natural heritage value worthy of protection.

The proposed 10-storey towers would overwhelm and dominate these significant trees, fundamentally altering the relationship between the built environment and the natural landscape.

Rather than residents experiencing the existing canopy and garden character of the neighbourhood, future occupants of the towers would look down upon this mature vegetation from above, transforming this natural landscape into a high-rise outlook.

The proposal would result in a significant loss of existing neighbourhood amenity, including valued views, privacy, landscape character and the connection residents currently have with the natural environment. This represents a loss of irreplaceable environmental and landscape values — a form of “stolen amenity” from the existing community.

Conclusion

The State Significant Development Application amended proposal remains not compliant with bulk and scale, height, setbacks and is inconsistent with Ku-ring-gai's Draft LEP, DCP and Housing SEPP (2021). Combined they will have a negative impact on heritage, environment, traffic, parking, urban design, neighbourhood character, visual amenity and privacy, liveability, tree canopy, biodiversity, open space, infrastructure and community benefit.

The SSD risks unsustainable development, straining local roads, street parking and infrastructure and exacerbating environmental and biodiversity decline.

As such the SSD development application is an over development and should be rejected as it neither adequately addresses and fails to incorporate the exhibited draft amendments to the KLEP 2015, DCP and all standards of the SEPP (Housing 2021) and ADG into the proposed development.

The resulting TOD SSD development if approved, will negatively impact the net zero emissions target that council is proposing to achieve by 2040.

The proposed development is a poor planning outcome which is not in the public interest as it does not demonstrate public benefit or strategic merit but a significant profit for the developer.

The use of the TOD SSD pathway appears to be a deliberate tactic to circumvent local and state planning controls to add additional high-density housing which will be more than the current demand for luxury apartment blocks in Lindfield.

The 30 'affordable' apartments proposed for 19-25 Balfour Street will not solve or assist with the affordability or housing crisis but likely to keep increasing luxury apartment costs. We understand that most apartments in Ku-ring-gai are bought by foreign and local investors or downsizers and not those in the community that need housing the most.

In summary the proposed development:

1. Not compatible with the desired future character
2. Fails to comply with KLEP 2015, KDCP, SEPP (Housing) 2021 and ADG standards.
3. Overshadows and overwhelms neighbourhood properties and dominates heritage listed properties.
4. Inadequate setbacks, building separation and visual privacy.
5. Impacts on the development potential of adjoining sites.
6. Inadequate solar access to dwellings and inequitable solar access to affordable housing.
7. Inadequate deep soil zones for planting canopy trees.

FOKE reiterates that the State Significant Development Application amended proposal at 19-25 Balfour Street, Lindfield is not compliant in height, setbacks and should be rejected as it will have a negative and detrimental impact on local heritage, environment, traffic, urban design, neighbourhood character, visual amenity, liveability, tree canopy, open space, infrastructure and community benefit.

Thank you for the opportunity to make this submission. FOKE respectfully requests that the Department gives careful and rigorous consideration to the evidence and planning issues raised in both our original and supplementary submissions. The Department should critically assess whether the amended proposal genuinely addresses these concerns. For the reasons set out above, FOKE submits that it does not, and respectfully requests that the proposal be refused.

Yours faithfully,

Kathy Cowley

Kathy Cowley

PRESIDENT

cc Mayor and councillors Ku-ring-gai Council

cc General Manager Ku-ring-gai Council

cc Matt Cross MP Member for Davidson

cc The Hon Chris Rath MLC Shadow Minister for Planning

cc Nicolette Boele MP Member for Bradfield