



IRF20/2111

Mr John McKee  
General Manager  
Ku-ring-gai Council  
Locked Bag 1056  
PYMBLE NSW 2073

Dear Mr McKee

I refer to Council's request for a Gateway determination review for the planning proposal for 149 Livingstone Avenue, Pymble to include the property on the site as a local heritage item under schedule 5 of *Ku-ring-gai Local Environmental Plan 2015*.

The Department has considered the Independent Planning Commission's advice on the Gateway determination review and accepts the Commission's findings that the site may not be listed as a local heritage item under schedule 5 of the Ku-ring-gai LEP, as it does not fulfil the criteria for heritage items in NSW. I have enclosed the Commission's advice for your information. As a result of the Commission's advice, the Minister's delegate will not be altering the refused Gateway Determination, dated 30 June 2019.

This decision does not preclude Council from exploring other opportunities to preserve and record valued aspects of the site, and the Commission also recommends that the house and grounds at 149 Livingstone Avenue should be archivally documented before any future changes are made. The Department encourages Council to consider undertaking these works.

If you have any more questions, please contact Ms Ashley Richards, Specialist Planning Officer, North District at the Department of Planning, Industry and Environment on 8289 6776.

Yours sincerely

10 June 2020

**Malcolm McDonald**  
**Executive Director, Eastern Harbour City**  
**Greater Sydney, Place and Infrastructure Division**

Encl: Independent Planning Commission's Advice