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Mr Antony Fabbro  
Manager Urban & Heritage Planning  
Ku-ring-gai Council  
Locked Bag 1056  
PYMBLE NSW 2073

Attention: Alexandra Plumb  
Send via email: [aplumb@kmc.nsw.gov.au](mailto:aplumb@kmc.nsw.gov.au)

**RE: Planning Proposal to include Middle Harbour Road, Lindfield Heritage Conservation Area within the Ku-ring-gai Local Environmental Plan (KLEP) 2015**

Thank you for your letter dated 5 August 2016, seeking comments on the abovementioned planning proposal to the Heritage Division, Office of Environment & Heritage (OEH) for comments.

As delegate of the Heritage Council of NSW, I raise no objection to the listing of a new heritage conservation area where it is supported by a robust and up-to-date heritage assessment. In this regard, I note from the planning proposal documentation that Perumal Murphy Alessi undertook a Middle Harbour Road, Lindfield Heritage Conservation Area Review dated January 2015. This review is also accompanied by a Heritage Inventory Sheet for each proposed heritage item.

I would recommend that internal investigations be carried out on all the properties to be located within the conservation area to determine levels of significance and intactness. Inspections should include interiors and gardens. This would allow for significant interiors and gardens to be identified within the name of the heritage item in Schedule 5, adding further protection.

If you have any queries, please contact Bronwyn Smith, Heritage planning officer at the Heritage Division, Office of Environment and Heritage on 02 9873 8604 or by email at [Bronwyn.smith@environment.nsw.gov.au](mailto:Bronwyn.smith@environment.nsw.gov.au).

Yours Sincerely

**Rajeev Maini**  
Acting, Manager, Conservation  
Heritage Division, Office of Environment & Heritage  
**As Delegate of the Heritage Council of NSW**  
8 August 2016



Mr Antony Fabbro  
Manager Urban & Heritage Planning  
Ku-ring-gai Council  
Locked Bag 1006  
**GORDON NSW 2072**

Dear Mr Fabbro

**RE: Planning Proposal to include Middle Harbour Road Heritage Conservation Area in Ku-ring-gai Local Environmental Plan 2015**

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Thank you for referring the abovementioned planning proposal to the Heritage Division, Office of Environment and Heritage for comment. The proposal is to include the Middle Harbour Road Heritage Conservation Area at Lindfield within 'Schedule 5 – Environment heritage' of *Ku-ring-gai Local Environmental Plan 2015*.

The Department of Planning and Environment (DPE) have noted that Ku-ring-gai Council wrote to the NSW Heritage Council for its comments prior to submitting the planning proposal for gateway determination. DPE have stated that "*while objections have not been raised to the proposal on behalf of the Heritage Council, given local interest in the proposal, the determination has been conditioned for further consultation with the Office of Environment and Heritage prior to community consultation*".

The Heritage Council raised no objection to the inclusion of the Middle Harbour Road Heritage Conservation Area because it was supported by a robust and up-to-date assessment prepared by Perumal Murphy Alessi dated January 2015. However, previous correspondence recommended that internal investigations be carried out to determine levels of significance and intactness, and the investigations should also include interiors and gardens.

I have reviewed the current planning proposal and note that there is no change to the proposed conservation area boundaries. It is also noted that additional external site inspections have been undertaken, the Heritage Council notes the justification provided for not undertaking internal inspections of the property and raises no objection. Given the justification provided no further recommendations are considered necessary for the internal investigations to be undertaken.

If you have any questions regarding the above matter please contact Lily Chu, Heritage Officer, at the Heritage Division, Office of Environment and Heritage on 9873 8595 or at [lily.chu@environment.nsw.gov.au](mailto:lily.chu@environment.nsw.gov.au).

Yours sincerely



**Rajeev Maini**  
Manager, Conservation  
Heritage Division  
Office of Environment & Heritage  
**As Delegate of the NSW Heritage Council**  
27 March 2017



# NSW RURAL FIRE SERVICE



The General Manager  
Ku-ring-gai Council  
Locked Bag 1056  
PYMBLE NSW 2073

Your reference: S11160/2017/051214  
Our reference: L12/0035  
DA17030606302 KV  
21 March 2017

**Attention:** Alexandra Plumb

Dear Sir/Madam,

## **Planning Proposal to include Middle Harbour Road, Lindfield Heritage Conservation Area within the Ku-ring-gai Local Environmental Plan 2015**

Reference is made to Council's correspondence dated 28 February 2017 seeking comment in relation to the above planning proposal which seeks to conserve the cultural and environmental heritage of Ku-ring-gai by including an area of Middle Harbour Road, Lindfield and adjoining areas as a Heritage Conservation Area in Schedule 5 of the *Ku-ring-gai Local Environmental Plan 2015* and on the accompanying heritage maps.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the proposal with regard to Section 4.4 of the directions issued in accordance with Section 117(2) of the *Environmental Planning and Assessment Act 1979*.

The objectives of the direction are:

- (a) *to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
- (b) *to encourage sound management of bush fire prone areas.*

The direction provides that a planning proposal must:

- (a) *have regard to Planning for Bushfire Protection 2006,*
- (b) *introduce controls that avoid placing inappropriate developments in hazardous areas, and*
- (c) *ensure that bushfire hazard reduction is not prohibited within the APZ.*

Based upon an assessment of the information provided, the NSW RFS raises no objection to the proposal. Any future development on lots classified as bush fire prone on Ku-ring-gai Council's bush fire prone land maps needs to demonstrate compliance with the relevant requirements of *Planning for Bushfire Protection 2006*.

If you have any queries regarding this advice, please contact Kalpana Varghese, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Jason Maslen  
Team Leader, Development Assessment and Planning  
Planning and Environment Services (East)

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