

Ku-ring-gai Council

PLANNING PROPOSAL - HERITAGE HOUSEKEEPING

To correct or clarify local heritage listings in Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 and the associated heritage mapping.

AUGUST 2022

FOR EXHIBITION

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EXECUTIVE SUMMARY

Overview

This Planning Proposal contains the justification for the proposed amendments to Schedule 5 and the heritage maps within the *Ku-ring-gai Local Environmental Plan 2015* ('KLEP 2015') to correct or clarify a number of heritage listings.

This Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' (December 2021).

Council will request the plan making delegation under section 3.36 of the Environmental Planning and Assessment Act for this Planning Proposal.

This Planning Proposal includes:

- Existing sites and surrounding context
- Existing planning controls applying to the sites
- The objective of the amendments to the Ku-ring-gai Local Environment Plan 2015
- An explanation of provisions that are to be included in the amendment to the Ku-ring-gai Local Environment Plan 2015
- Justification for the objective and provisions to be included in the amendment to the Ku-ringgai Local Environment Plan 2015
- · Mapping amendments
- Community consultation
- Project timeline

Background

A number of errors and anomalies in Schedule 5 – Environmental Heritage and the associated heritage maps have been identified throughout the operation of the KLEP 2015. As part of this Planning Proposal, the Schedule 5 heritage list and its related maps were reviewed in order to identify any inaccuracies or errors.

The review identified:

- 81 sites of heritage significance that require amendments in the Schedule 5 of the LEP,
- 27 heritage mapping changes that are required, and
- 15 existing heritage conservation areas require a name change and amalgamation into 9 heritage conservation areas to reflect the consolidation of the former KLEP 2012 (Local Centres) with the current KLEP 2015.

The review involved:

- A desktop review of the information included in Schedule 5, such as a review of the property information for each heritage item.
- A review of individual properties where a change is required in response to an issued development consent, for example where land containing a heritage item has been subdivided and built upon and a curtilage needs to be amended.
- A comparison of Schedule 5 against the State Heritage Register

A detailed table of the proposed amendments is outlined in **Appendix A.**

With the exception of 21 Cleveland Street, Wahroonga, this housekeeping amendment has been limited to administrative corrections where no independent studies are considered necessary to inform the changes. No new heritage items are proposed as part of these amendments. These changes will ensure that Schedule 5 and the associated maps are as accurate and clear as possible in order to appropriately identify and protect our items and conservation areas of local heritage significance.

21 Cleveland Street, Wahroonga

The proposed amendment for 21 Cleveland Street, Wahroonga (St Lucy's School) is the sole amendment based on merit in terms of assessed heritage significance because of prior landowner engagement and submitted supporting justification. A pre-planning proposal meeting was held on 28 May 2020, in which the owners of the site proposed an amendment to the KLEP 2015 to amend the extent of the heritage listing to reflect the current heritage significance of the site. Council recommended a preparing a conservation management plan to assess the significance of the site, to inform the proposed curtilage adjustment and ongoing conservation of significant features. In 2021, Council advised St Lucy's School of the intention to prepare a Heritage Housekeeping Planning Proposal, with an offer to include the School's proposal as part of the Council-led Planning Proposal, should sufficient information in the form of a conservation management plan be provided to the satisfaction of Council's heritage specialist. The conservation management has been reviewed and supported by Council's heritage specialist. The conservation management plan for St Lucy's School is included as **Appendix B**.

Land to which the Planning Proposal applies

The Planning Proposal affects numerous properties across the Ku-ring-gai Local Government Area. The proposed amendments apply to the heritage listings of the following properties, with government owned land noted in brackets where applicable:

- 1. Seven Little Australian Park Tryon Road, East Lindfield (Ku-ring-gai Council, Department of Planning and Environment and Crown)
- 2. 62A Tryon Road, East Lindfield (Ku-ring-gai Council and Crown)
- 3. 22 Sydney Road, East Lindfield
- 4. 12-14 Cecil Street, Gordon
- 5. 10 Edward Street, Gordon
- 6. 25 Henry Street, Gordon (Transport NSW)
- 7. 24-26 Nelson Street, Gordon
- 8. 41-41A Nelson Street, Gordon
- 9. 724-726 Pacific Highway, Gordon
- 10. 799 Pacific Highway, Gordon (Ku-ring-gai Council)
- 11. 16 Park Avenue, Gordon
- 12. 16-18 Rosedale Road, Gordon
- 13. 49 Werona Avenue, Gordon
- 14. 9A Arnold Street, Killara
- 15. 41 Buckingham Road, Killara
- 16. 8-10 Lynwood Avenue, Killara
- 17. 1 Marian Street, Killara
- 18. 556 Pacific Highway, Killara
- 19. 17 Springdale Road, Killara
- 20. 100 Eton Road, Lindfield (Minister for Education)
- 21. 6 Highfield Road, Lindfield
- 22. 47 Highfield Road, Lindfield
- 23. 25-27 Polding Road, Lindfield
- 24. 23 Treatts Road, Lindfield
- 25. 1-5 Tryon Road, Lindfield
- 26. 33 Tryon Road, Lindfield
- 27. 17 Waimea Road, Lindfield
- 28. 2 Westbourne Road, Lindfield
- 29. 1 Avon Road, Pymble
- 30. 40 Avon Road, Pymble
- 31. 10 Carinya Road, Pymble
- 32. 62-64 Mona Vale Road, Pymble
- 33. 950 Pacific Highway, Pymble
- 34. 982 Pacific Highway, Pymble
- 35. 5 Station Street, Pymble
- 36. 7 Taunton Street, Pymble
- 37. 2C Telegraph Road, Pymble (Sydney Water)
- 38. 6 Addison Avenue, Roseville
- 39. 3 Bancroft Avenue, Roseville
- 40. 9 Bancroft Avenue, Roseville
- 41. 19 Bancroft Avenue, Roseville
- 42. 15 Belgium Avenue, Roseville

- 43. Roseville Park including the Firs Estate Cottage Clanville Road, Roseville (Ku-ring-gai Council)
- 44. 48 Duntroon Avenue, Roseville
- 45. 54 Duntroon Avenue, Roseville
- 46. 16 Kelburn Road, Roseville
- 47. 83 Pacific Highway, Roseville
- 48. 10 Roseville Avenue, Roseville
- 49. 12 Roseville Avenue, Roseville
- 50. Echo Point Park Babbage Road, Roseville Chase (Ku-ring-gai Council)
- 51. 17 Ancona Road, Turramurra
- 52. 18-22 Gilroy Road, Turramurra
- 53. 34 Eastern Road, Turramurra
- 54. 62 Kissing Point Road, Turramurra
- 55. 62 Boundary Road, Wahroonga
- 56. 69 Braeside Street, Wahroonga
- 57. 21 Cleveland Street, Wahroonga
- 58. 25B Cleveland Street, Wahroonga
- 59. 69 Clissold Road, Wahroonga (Minister for Heritage)
- 60. 62-66 Coonanbarra Road, Wahroonga
- 61. 68 Coonanbarra Road, Wahroonga
- 62. 25 Fox Valley Road (1526 Pacific Highway), Wahroonga
- 63. 35 Fox Valley Road, Wahroonga
- 64. 40 Fox Valley Road, Wahroonga
- 65. 148 Fox Valley Road, Wahroonga
- 66. 81-83 Grosvenor Street, Wahroonga
- 67. 21 Lucinda Avenue, Wahroonga
- 68. 33 Lucinda Avenue, Wahroonga
- 69. 108 Lucinda Avenue, Wahroonga
- 70. 1536 Pacific Highway, Wahroonga (Ku-ring-gai Council)
- 71. 1544 Pacific Highway, Wahroonga
- 72. 1548 Pacific Highway, Wahroonga
- 73. 1614-1634 Pacific Highway, Wahroonga
- 74. 1676 Pacific Highway, Wahroonga (Sydney Water)
- 75. 9A-17 Railway Avenue, Wahroonga
- 76. 25 Illoura Avenue, Wahroonga
- 77. 1 Warwilla Avenue, Wahroonga (Transport NSW)
- 78. 28-30 Woodville Avenue, Wahroonga
- 79. 4-10 Neringah Avenue, Wahroonga
- 80. 24 Woonona Avenue, Wahroonga
- 81. 42 Bangalla Street, Warrawee

Existing planning controls

Under the KLEP 2015, items and areas of heritage significance are protected under section 5.10 of the LEP. They are listed under Schedule 5 – Environmental Heritage and shown on the associated Heritage (HER) maps.

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

A statement of the objectives and intended outcomes of the proposed instrument

The objective of the Planning Proposal is to improve the operation and accuracy of the KLEP 2015 by correcting errors found in Schedule 5 and the associated Heritage maps in the KLEP 2015. The proposed amendments will ensure that Ku-ring-gai's heritage items and conservation areas are correctly identified and protected in the LEP.

These changes will provide appropriate protection of Ku-ring-gai's heritage places and will contribute to the ongoing conservation of Ku-ring-gai's valued landscape and garden suburbs. Correct and accurate identification of heritage items can also facilitate clarity of appropriate development choices in relation to heritage items and in the vicinity of heritage items.

The zoning and existing development standards applying to these sites are not proposed to change as a result of this Planning Proposal.

The Planning Proposal proposes the following amendments:

1. Schedule 5 – Environmental Heritage text and map amendments

The planning proposal seeks to amend schedule 5 as follows.

a. Part 1 - Heritage items

The text amendments are minor, and are based on the existing merit assessment of heritage significance from prior listing, and generally fall into the following categories:

- Amendment of Lot and DP numbers to reflect current legal descriptions
- · Updates to property addresses and listed suburbs
- Updates of heritage item names where historically or logically appropriate
- Consolidation or division of listings for clarity
- Updates to reflect state listings
- Appointment of new heritage item numbers in place of duplicate item numbers
- Correction of administrative errors
- Correction of the Schedule to ensure all mapped items are listed
- Removal or adjustment of heritage listings as a result of approved and completed demolition and redevelopment to exclude contemporary features of no assessed heritage significance
- Removal or adjustment of heritage listings in cases where administrative errors have occurred

The planning proposal seeks to amend the associated heritage maps. The mapping amendments are minor in nature, and based on the existing merit assessment of heritage significance from prior listing, and generally fall into the following categories:

- Consolidation or division of listings for clarity
- Updates to reflect state listing
- Appointment of new heritage item numbers in place of duplicate item numbers
- Adjustment of mapped extent due to road widening
- Removal or adjustment of heritage listings as a result of road widening

 Removal or adjustment of heritage curtilage as a result of approved and completed demolition and redevelopment to exclude contemporary features of no assessed heritage significance

One merit based amendment is proposed for 21 Cleveland Street, Wahroonga, to:

• Reduce curtilage to reflect the significance of the item based on the supported conservation management plan.

b. Part 2 - Heritage conservation areas

The Planning Proposal seeks to amend a number of heritage conservation areas with no change to the boundaries based on the existing assessment of significance including changes to:

 Names of previously separated areas across two LEPs to reflect the consolidation of the former KLEP 2012 (Local Centres) with the current KLEP 2015.

PART 2 – EXPLANATION OF PROVISIONS

An explanation of the provisions that are to be included in the proposed instrument

The Planning Proposal has been prepared to enable the following amendments to the Ku-ring-gai LEP 2015 maps and instrument.

An overview of the amendments is outlined in the table below. A detailed table of the Schedule 5 amendments is outlined in **Appendix A.** A detailed table of the mapping amendments are outlined in Part 4 of this Planning Proposal.

1. Schedule 5 – Environmental Heritage and heritage map amendments

a. Part 1 - Heritage items

The table below outlines the proposed amendments to Schedule 5 of the KLEP 2015 written instrument and heritage maps.

Site number	Property address	Reason for amendment
1.	Seven Little Australians Park,	Updates and clarifies property description. No
	Tryon Road, East Killara	changes to mapped listing extent.
2.	Lindfield Soldiers Memorial Park, 62A Tryon Road, East Lindfield	Updates and clarifies property description and street address. Allocates new item number 1172 to resolve item number duplication, with 6 Beechworth Road, Pymble. No changes to mapped listing extent. See heritage map amendment.
3.	22 Sydney Road, East Lindfield	Removes subdivided redeveloped land at side from listing. See heritage map amendment.
4.	12-14 Cecil Street, Gordon	Removes redeveloped land at rear from listing. See heritage map amendment.
5.	10 Edward Street, Gordon	Updates and clarifies property description. No changes to mapped listing extent.
6.	25 Henry Street, Gordon	Clarifies property description. No changes to mapped listing extent.
7.	24-26 Nelson Street, Gordon	Updates street address. No changes to mapped listing extent.
8.	41-41A Nelson Street, Gordon	Merges related heritage items into one listing with the item number I215. No changes to mapped listing extent. See heritage map amendment.
9.	724-726 Pacific Highway, Gordon	Corrects administrative error in Schedule 5 and heritage map. 724 Pacific Highway previously identified as I74. Listed together as related properties under I12. No changes to mapped listing extent. See heritage map amendment.

10.	799 Pacific Highway, Gordon	Updates property description to include SP. Removes addition on the side from listing to reflect state listing. See heritage map amendment.
11.	16 Park Avenue, Gordon	Updates property description. No changes to mapped listing extent.
12.	16-18 Rosedale Road, Gordon	Updates property description and street address. Corrects mapped listing extent to capture significant building and setting. See heritage map amendment.
13.	49 Werona Avenue, Gordon	Updates property description. No changes to mapped listing extent.
14.	9A Arnold Street, Killara	Updates property description. No changes to mapped listing extent.
15.	41 Buckingham Road, Killara	Updates property description. No changes to mapped listing extent.
16.	8-10 Lynwood Avenue, Killara	Updates property description and street address. Corrects mapped listing extent to capture significant building and setting. See heritage map amendment.
17.	1 Marian Street, Killara	Clarifies property description. No changes to mapped listing extent.
18.	556 Pacific Highway, Killara	Clarifies property description. No changes to mapped listing extent.
19.	17 Springdale Road, Killara	Updates and clarifies property description. No changes to mapped listing extent.
20.	100 Eton Road, Lindfield	Clarifies property description and clarifies item name to reflect state listing. Changes significance to state. No changes to mapped listing extent.
21.	6 Highfield Road, Lindfield	Updates property description. No changes to mapped listing extent.
22.	47 Highfield Road, Lindfield	Removes redeveloped land at front from listing. Updates and clarifies property description to include SP. See heritage map amendment.
23.	25-27 Polding Road, Lindfield	Updates street address. No changes to mapped listing extent.
24.	23 Treatts Road, Lindfield	Updates property description. No changes to mapped listing extent.
25.	1-5 Tryon Road, Lindfield	Updates property description. No changes to mapped listing extent.
26.	33 Tryon Road, Lindfield	Updates property description. No changes to mapped listing extent.
27.	17 Waimea Road, Lindfield	Updates property description. No changes to mapped listing extent.
28.	2 Westbourne Road, Lindfield	Updates property description. No changes to mapped listing extent.
29.	1 Avon Road, Pymble	Removes redeveloped land at rear and side from listing. See heritage map amendment.
30.	40 Avon Road, Pymble	Clarifies property description. No changes to mapped listing extent.

31.	10 Carinya Road, Pymble	Updates property description and street address. No changes to mapped listing extent.
32.	62-64 Mona Vale Road, Pymble	Updates property description. No changes to
	•	mapped listing extent.
33.	950 Pacific Highway, Pymble	Delists demolished heritage item. Removes
		mapped listing extent. See heritage map
		amendment.
34.	982 Pacific Highway, Pymble	Updates street address. No changes to mapped
	3 ,, ,	listing extent.
35.	5 Station Street, Pymble	Updates property description. No changes to
	, ,	mapped listing extent.
36.	7 Taunton Street, Pymble	Updates property description. No changes to
	, ,	mapped listing extent.
37.	2C Telegraph Road, Pymble	Clarifies item name to reflect state listing.
	- 1 3 3 p	Changes significance to state. No changes to
		mapped listing extent.
38.	6 Addison Avenue, Roseville	Updates property description. No changes to
		mapped listing extent.
39.	3 Bancroft Avenue, Roseville	Updates property description. No changes to
		mapped listing extent.
40.	9 Bancroft Avenue, Roseville	Updates property description. No changes to
.0.	e Banerent / tvende, rtesevinie	mapped listing extent.
41.	19 Bancroft Avenue, Roseville	Updates property description. No changes to
	To Barlorott / Worldo, 1 Noseville	mapped listing extent.
42.	15 Belgium Avenue, Roseville	Updates property description. No changes to
12.	To Bolgian 7 (vende, 100eville	mapped listing extent.
43.	Roseville Park including the Firs	Clarifies item name and updates street address.
10.	Cottage, Clanville Road, Roseville	No changes to mapped listing extent.
44.	48 Duntroon Avenue, Roseville	Updates property description. No changes to
	To Burnicon Avonac, Accessing	mapped listing extent.
45.	54 Duntroon Avenue, Roseville	Updates property description. No changes to
40.	54 Builtioon Avenue, Roseville	mapped listing extent.
46.	16 Kelburn Road, Roseville	Updates property description. No changes to
40.	To Reibuitt Road, Roseville	mapped listing extent.
47.	83 Pacific Highway, Roseville	Updates property description. No changes to
47.	03 Facilie Highway, Noseville	mapped listing extent.
48.	10 Roseville Avenue, Roseville	Updates property description. No changes to
40.	To Roseville Averlue, Roseville	mapped listing extent.
40	12 Roseville Avenue, Roseville	
49.	12 Noseville Averlue, Roseville	Updates property description. No changes to mapped listing extent.
50.	Echo Point Park, Babbage Road,	Updates street address and item number. No
50.	Roseville Chase	·
	1705eville Chase	changes to mapped listing extent. Allocate new item number I183 to resolve item number
		duplication, with 1 Avon Road, Pymble. See
	47 Annana Daart Torr	heritage map amendment.
51.	17 Ancona Road, Turramurra	Clarifies property description. No changes to
	10.00.00	mapped listing extent.
52.	18-22 Gilroy Road, Turramurra	Updates street address and clarifies item name.
		No changes to mapped listing extent.

53.	34 Eastern Road, Turramurra	Updates property description. No changes to mapped listing extent.
54.	62 Kissing Point Road, Turramurra	Removes subdivided redeveloped land at side
	3 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	from listing. See heritage map amendment.
55.	62 Boundary Road, Wahroonga	Clarifies item name to reflect state listing.
		Changes significance to state. No changes to
		mapped listing extent.
56.	69 Braeside Street, Wahroonga	Corrects administrative error. No changes to
		mapped listing extent.
57.	21 Cleveland Street, Wahroonga	Updates street address. Updates and clarifies
		property description. Clarifies item name.
		Removes redeveloped land on side from listing.
	055 01 1 100 1 111	See heritage map amendment.
58.	25B Cleveland Street, Wahroonga	Clarifies item name and updates street address,
		Merges related heritage items into one listing with
		the item number I886. No changes to mapped
59.	69-71 Clissold Road, Wahroonga	listing extent. See heritage map amendment. Updates street address. No changes to mapped
59.	69-71 Clissold Road, Wanfoonga	listing extent.
60.	62-66 Coonanbarra Road,	Updates property description. No changes to
00.	Wahroonga	mapped listing extent.
61.	68 Coonanbarra Road,	Remove from Schedule 5 and heritage map to
01.	Wahroonga	correct historical listing error carried over from the
	Train ouiga	Ku-ring-gai Planning Scheme Ordinance. See
		heritage map amendment.
62.	25 Fox Valley Road (1526 Pacific	Updates property description and street address.
	Highway) Wahroonga	Removes land for road widening at front from
		listing. Clarifies item name. See heritage map
		amendment.
63.	35 Fox Valley Road, Wahroonga	Removes subdivided redeveloped land at rear
		from listing. See heritage map amendment.
64.	40 Fox Valley Road, Wahroonga	Removes subdivided redeveloped land at rear
		from listing. See heritage map amendment.
65.	148 Fox Valley Road, Wahroonga	Updates and clarifies property description and
		includes local significance. No changes to mapped
		listing extent.
66.	81-83 Grosvenor Street,	Updates street address. No changes to mapped
07	Wahroonga	listing extent.
67.	21 Lucinda Avenue, Wahroonga	Updates property description. No changes to
60	22 Lugindo Avanua Wahraanaa	mapped listing extent.
68.	33 Lucinda Avenue, Wahroonga	Updates property description. No changes to mapped listing extent.
60	108 Lucinda Avenue Wahroonga	Updates property description. No changes to
69.	108 Lucinda Avenue, Wahroonga	mapped listing extent.
70.	1536 Pacific Highway, Wahroonga	Updates property description and clarifies item
70.	1000 i domo i ngriway, warnoonga	name. Removes land for road widening at front
		from listing. See heritage map amendment.
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71.	1544 Pacific Highway, Wahroonga	Updates property description. Removes land for
		road widening at front from listing. See heritage
		map amendment.
72.	1548 Pacific Highway, Wahroonga	Updates property description. Removes land for
		road widening at front from listing. See heritage
		map amendment.
73.	1614-1634 Pacific Highway,	Updates property description, street address and
	Wahroonga	clarifies item name. Removes land for road
		widening at front from listing. See heritage map
		amendment.
74.	1676 Pacific Highway, Wahroonga	Updates street address. Removes land following
		demolition at side from listing. See heritage map
		amendment.
75.	9A-17 Railway Avenue,	Merges related heritage items into one listing with
	Wahroonga	item number (Merging 1978. 1979, 1980 with 1982)
		No changes to mapped listing extent. See heritage
		map amendment.
76.	25 Illoura Avenue, Wahroonga	Clarifies item name and updates street address.
		No changes to mapped listing extent.
77.	1 Warwilla Avenue, Wahroonga	Clarifies property description. No changes to
		mapped listing extent.
78.	28-30 Woodville Avenue,	Updates property description. No changes to
	Wahroonga	mapped listing extent.
79.	4-10 Neringah Avenue,	Updates and clarifies property description and
	Wahroonga	street address. Clarifies item name. No changes to
		mapped listing extent.
80.	24 Woonona Avenue, Wahroonga	Updates property description. No changes to
		mapped listing extent.
81.	42 Bangalla Street, Warrawee	Removes subdivided redeveloped land at side
		from listing. See heritage map amendment.
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b. Part 2 - Heritage conservation areas

The table below outlines the proposed amalgamation of heritage conservation areas formerly separated across Ku-ring-gai's two LEPs. The amalgamation of the HCAs reflects the consolidation of the former KLEP 2012 (Local Centres) with the current KLEP 2015. There are no proposed changes to the boundaries of the heritage conservation areas.

Amendment Number	Existing heritage conservation area/s	Proposed amendment
82.	Clanville Conservation Area C32B and Clanville Conservation Area C32C	Amalgamation of conservation areas to form to form Clanville Conservation Area C32. No changes to mapped listing extent.
83.	Gordondale Estate Conservation Area C12B	Amalgamation of conservation areas to form Gordondale Estate Conservation Area C12. No changes to mapped listing extent.
84.	Ku-ring-gai Avenue Conservation Area C6A and Ku-ring-gai Avenue Conservation Area C6B	Amalgamation of conservation areas to form Ku-ring-gai Avenue Conservation Area C6. No changes to mapped listing extent.
85.	Lindfield West Conservation Area C30A	Amalgamation of conservation areas to form Lindfield West Conservation Area C30. No changes to mapped listing extent.
86.	Orinoco Street Conservation Area C10A and Orinoco Street Conservation Area C10B	Amalgamation of conservation areas to form Orinoco Street Conservation Area C10. No changes to mapped listing extent.
87.	Pymble Heights Conservation Area C8A and Pymble Heights Conservation Area C8B	Amalgamation of conservation areas to form Pymble Heights Conservation Area C8. No changes to mapped listing extent.
88.	Smith Grant Conservation Area C19B	Amalgamation of conservation areas to form Smith Grant Conservation Area C19. No changes to mapped listing extent.
89.	St Johns Avenue Conservation Area C16A and St Johns Avenue Conservation Area C16B	Amalgamation of conservation areas to form St Johns Avenue Conservation Area C16. No changes to mapped listing extent.

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90.	Stanhope Road Conservation Area C25A and	Amalgamation of conservation
	Stanhope Road Conservation Area C25B	areas to form Stanhope Road
		Conservation Area C25. No
		changes to mapped listing
		extent.

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE SPECIFIC MERIT

Justification of strategic and potential site specific merit, outcomes and the process for their implementation

A. Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The majority of the amendments are not the result of a strategic study or report. These amendments are to address errors and inconsistencies identified through the operation of the KLEP 2015 and through undertaking a desktop study across the LGA.

A number of amendments are the result of subdivisions or development applications that have been approved and realised. Others are obvious errors, but it is considered that they require public exhibition as they involve privately owned properties. Whilst these amendments are not a result of a strategic study or report, they are consistent with Council's policy position and will ensure Schedule 5 and the associated mapping within the KLEP 2015 are accurate so that Ku-ring-gai's heritage items and conservation areas are protected appropriately.

21 Cleveland Street, Wahroonga

The proposed amendment for 21 Cleveland Street, Wahroonga (St Lucy's School) is based on the assessed heritage significance merit, justified by a conservation management plan, reviewed and supported by Council's heritage specialist. The conservation management plan for St Lucy's School is included as **Appendix B**.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the best and only means of achieving the intended outcome. An amendment to the KLEP 2015 is required to correct the errors and inaccuracies that have been identified in Schedule 5 of the written instrument and associated mapping. Schedule 5 is the only way to provide statutory recognition of the heritage significance of those items.

B. Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal is broadly consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant actions of the *North District Plan* (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Planning Proposal is consistent with the directions and objectives of the Plan, particularly Objective 13:

'Environmental heritage is identified, conserved and enhanced'.

North District Plan

Yes. The Planning Proposal is generally consistent with the directions, priorities and objectives of the *North District Plan*, and more specifically with:

Planning Priority N6. Creating and renewing great places and local centres and respecting the District's heritage

Action 21. Identify, conserve and enhance environmental heritage by:

- a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place
- b. applying adaptive re-use and interpreting of heritage to foster distinctive local places c. managing and monitoring the cumulative impact of development on the heritage values and character of places.

Action 55. Consider the following issues when preparing plans for tourism and visitation:

e. protecting heritage and biodiversity to enhance cultural and eco-tourism

Action 67. Identify and protect scenic and cultural landscapes

Q4. Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Ku-ring-gai Community Strategic Plan 2038

Yes. The Planning Proposal is consistent with Ku-ring-gai's Community Strategic Plan 2038 (2018) ('CSP'). In particular, the Planning Proposal gives effect to the identified priorities:

- P1.1 Ku-ring-gai's unique visual character and identity is maintained
- P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai
- P5.1 Ku-ring-gai's heritage is protected, promoted and responsibly managed.

The Planning Proposal also gives effect to Theme 3 of the CSP, 'Places, spaces and infrastructure' which identifies the long-term objective 'Ku-ring-gai's heritage is protected, promoted and responsibly managed' as well as the 20 Year Vision: Our diverse indigenous and non-indigenous cultural heritage is conserved and celebrated.

Ku-ring-gai Local Strategic Planning Statement

The Planning Proposal is consistent with Ku-ring-gai's Local Strategic Planning Statement (2020) ('LSPS') giving effect to a number of Ku-ring-gai Local Planning Priorities identified within the LSPS, including:

Local Character and Heritage

K12. Managing change and growth in a way that conserves and enhances Ku-ringgai's unique visual and landscape character K13. Identifying and conserving Ku-ring-gai's environmental heritage

Ku-ring-gai Heritage Strategy

The Planning Proposal is consistent with the Ku-ring-gai Heritage Strategy (2021), giving effect to a number of priorities, including:

Review existing and identify new heritage items and HCAs;

Conservation of significant 20th century development; and

Continue to identify and correct heritage anomalies.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

None are applicable.

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The following table identifies the key applicable SEPPs and outlines this Planning Proposal's consistency with those SEPPs.

SEPP	Comment on Consistency
SEPP (Biodiversity and Conservation) 2021	Applicable.
Chapter 2: Vegetation in non-rural areas	Consistent. This SEPP contains provisions in respect to vegetation that is
Chapter 4: Koala habitat protection 2021	or forms part of a heritage item or that is within a heritage conservation area. The heritage listing of properties may alter
Chapter 6: Bushland in urban areas	whether development under the SEPP may be carried out on that site, but this
Chapter 7: Canal estate development	Planning Proposal would not contravene the SEPP in any way.
Chapter 9: Hawkesbury-Nepean River	
Chapter 10: Sydney Harbour Catchment	
SEPP (Resilience and Hazards)	Applicable.
Chapter 2: Coastal management	Consistent. There is no indication that previous uses at the subject sites would
Chapter 3: Hazardous and offensive development	trigger site remediation requirements. The subject properties are not located
Chapter 4: Remediation of land	within the coastal areas identified by this SEPP.
SEPP (Industry & Employment) 2021	Applicable.
SEFF (Industry & Employment) 2021	Applicable.
Chapter 3: Advertising and signage	Consistent. The Planning Proposal does not contain a provision which is contrary to the operation of this policy.
SEPP 65 Design Quality of Residential Flat Development	Applicable.

SEPP	Comment on Consistency
	Consistent. The Planning Proposal does not contain a provision which is contrary to the operation of this policy.
SEPP Building Sustainability Index : Basix 2004	Applicable.
	Consistent. The Planning Proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Transport and Infrastructure) 2021	Applicable.
Chapter 2: Infrastructure	Consistent. The Planning Proposal does not contain a provision which is contrary
Chapter 3: Educational establishment and child care facilities	to the operation of this policy.
SEPP (Precincts-Eastern Harbour City) 2021	Applicable.
Chapter 2: State significant precincts	Consistent. The Planning Proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing) 2021	Applicable.
	Consistent. The affected properties are not known to contain affordable housing. The heritage listing of properties may alter whether development under the former ARH SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
SEPP Exempt and Complying Development Codes 2008	Applicable.
	Consistent. The heritage listing of properties may alter whether development under the Codes SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table identifies applicable section 9.1 Directions and outlines this Planning Proposal's consistency with those Directions.

Directions under S9.1	Objectives	Consistency	
1. PLANNING SYST	1. PLANNING SYSTEMS		
1.1 Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Consistent. The Planning Proposal is consistent with the objectives of the Greater Sydney Regional Plan: A Metropolis of Three Cities.	
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. The Planning Proposal will not contain provisions which require the concurrence, referral or consultation of other public authorities, nor identify any use as designated development. The planning proposal does not contain a provision which is contrary to the operation of this direction.	
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	Consistent. This Planning Proposal is not for the purpose of facilitating a particular development proposal.	
3. BIODIVERISTY AND	CONSERVATION		
3.1 Conservation zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Consistent. The Planning Proposal will not affect the conservation standards of any environmentally sensitive land.	
3.2 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent. This will be achieved through ensuring Council's heritage listings and associated mapping are accurate and reflect current data on the sites. The Planning Proposal will result in the conservation of properties that have satisfied the NSW Heritage Council's criteria for local heritage significance. Where parts of items are proposed to be removed, it is either the result of a previous administrative error or physical changes to the item that has altered its heritage significance.	

Directions under S9.1	Objectives	Consistency	
4. RESILIENCE AND HAZARDS			
4.1 Flooding	The objectives of this direction are to: (a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.	Consistent. The Planning Proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property.	
4.3 Planning for Bushfire Protection	The objectives of this direction are to: (a) 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) encourage sound management of bush fire prone areas.	Consistent. The Planning Proposal will not rezone bushfire affected land or affect the application of controls that ensure that development on bushfire prone land will not result in risk to life or damage to property.	
4.4 Remediation of Contaminated Land	The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	The Planning Proposal does not rezone or permit a change of use of the land. The Planning Proposal does not contain a provision which is contrary to the objective of this direction.	
4.5 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Existing acid sulfate soils provisions will not be altered by the planning proposal.	
5. TRANSPORT AND INFRASTRUCTURE			
5.1 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:	The Planning Proposal does not alter the land zoning, and as such, would not affect travel demand or the availability of transport options.	
	(a) improving access to housing, jobs and services by walking, cycling and public transport, and		

Directions under S9.1	Objectives	Consistency	
	(b) increasing the choice of available transport and reducing dependence on cars, and		
	(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and		
	(d) supporting the efficient and viable operation of public transport services, and		
	(e) providing for the efficient movement of freight.		
6. HOUSING			
6.1 Residential Zones	The objectives of this direction are to:	Consistent. The Planning Proposal does not seek to amend the zoning or range of permissible uses on the sites.	
	(a) encourage a variety and choice of housing types to provide for existing and future housing needs,		
	(b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and		
	(c) minimise the impact of residential development on the environment and resource lands.		
6.2 Caravan Parks and Manufactured Home Estates	The objectives of this direction are to:	Consistent. The Planning Proposal will not affect any caravan parks or manufactured housing estates.	
	(a) provide for a variety of housing types, and		
	(b) provide opportunities for caravan parks and manufactured home estates.		
7. INDUSTRY AND EMPLOYMENT			
7.1 Business and Industrial Zones	The objectives of this direction are to: (a) encourage employment growth in suitable locations,	Consistent. The Planning Proposal does not contain a provision which is contrary to the objective of this direction. The Planning Proposal does not seek to rezone business or industrial land or reduce permissible floor space in these zones.	
	(b) protect employment land in business and industrial zones, and		
	(c) support the viability of identified centres.		

C. Environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal only affects Schedule 5 Environmental Heritage and the associated heritage maps. The Proposal is largely administrative in nature. There will be no adverse impact upon any critical habitat, threatened species, populations or ecological communities, or their habitats as a result of the Planning Proposal.

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no environmental impacts envisaged as a result of the heritage amendments proposed by the Planning Proposal. Protection of all items will be required if development is proposed for the sites or in the vicinity of the sites. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process. The environmental sustainability benefits afforded by the retention and conservation of heritage places includes the substantial reduction in building demolition and new construction waste, and the conservation of embodied energy in the existing buildings.

Q10. Has the planning proposal adequately addressed any social and economic effects?

The identification and protection of Ku-ring-gai's heritage places contributes to the ongoing conservation of Ku-ring-gai's community-valued historic landscape and garden suburbs. The Planning Proposal will not adversely impact on existing social infrastructure, such as schools and hospitals. Any potential effects resulting from the Planning Proposal are considered positive, as having clear and accurate identification of heritage items will benefit social and cultural connection in the Ku-ring-gai Community. Correct and accurate identification of heritage items could also facilitate clarity of appropriate development choices in relation to heritage items and in the vicinity of heritage items.

D. Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the planning proposal?

The planning proposal does not involve amendments to the planning controls that will facilitate intensified development. No additional demand for public infrastructure or services is anticipated as a result of this planning proposal.

E. State and Commonwealth interests

Q12. What are the views of state and federal public authorities consulted in accordance with the Gateway determination?

Should the Planning Proposal proceed to public exhibition, consultation with the relevant public authorities will be conducted. Council intends to notify Heritage NSW, Department of Premier and Cabinet during the public exhibition of the Planning Proposal. Any other authorities nominated by the Department of Planning and Environment as part of the requirements of the Gateway Determination will be consulted.

PART 4 - MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

The planning proposal seeks to amend the KLEP 2015 Heritage Map. The map sheets to be amended are:

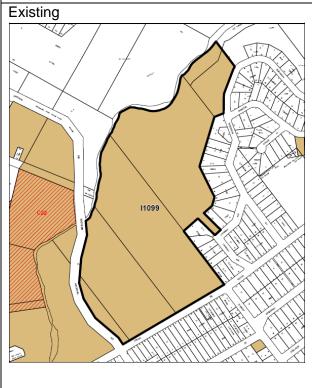
- HER_001
- HER_002
- HER_006
- HER_007
- HER_008
- HER_014
- HER_015
- HER_019
- HER_020

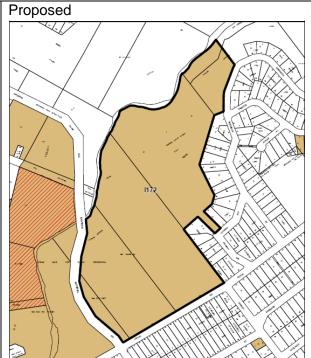
The below table provides further details of the proposed amendments to the KLEP 2015 Heritage Map.

62A Tryon Road, East Lindfield

Reason for amendment: Updates and clarifies property description. Allocate new item number I172 to resolve item number duplication, with 6 Beechworth Road, Pymble. No changes to mapped listing.

Map sheet: HER_019 and HER_014





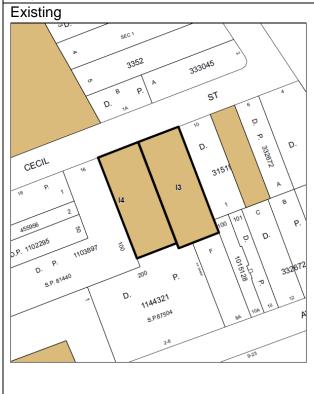


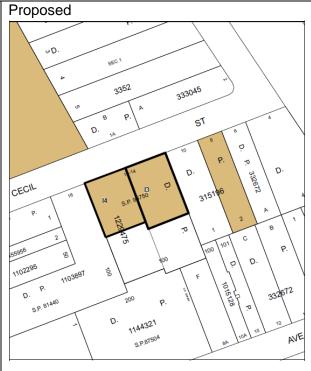
Site 22 Sydney Road, East Lindfield 3 Reason for amendment: Removes subdivided redeveloped land at side from listing. Map Sheet: HER_019 and HER_020 Existing Proposed Aerial

12-14 Cecil Street, Gordon

Reason for amendment: Removes redeveloped land at rear from listing. New listing boundary is to the building line of the new development, to exclude new building/s and retain extant setting of the item in the listing. Updates property description to include SP.

Map Sheet: HER_014





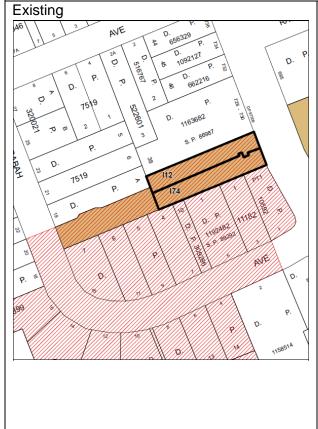


Site 41 & 41A Nelson Street Gordon 8 Reason for amendment: Merges related heritage items into one listing with the item number I215. No changes to mapped listing extent. Map Sheet: HER_014 Proposed Existing Aerial

724-726 Pacific Highway Gordon

Reason for amendment: Merges related heritage items into one listing with the item number I12. 724 Pacific Highway previously identified as I74. No changes to mapped listing extent.

Map Sheet: HER_014





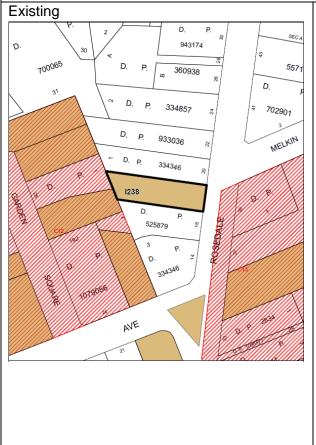


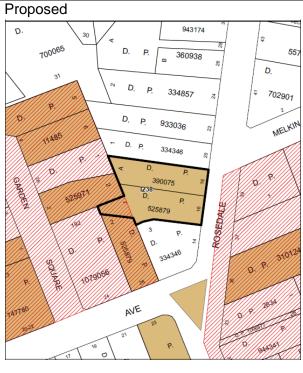
Site 799 Pacific Highway, Gordon 10 Reason for amendment: Updates property description to include SP. Removes addition on the side from listing to reflect state listing. Map Sheet: HER_014 Existing Proposed Aerial BURGOYNE 1232492 11 HIGHWAY HIGHNAY PARK

16-18 Rosedale Road, Gordon

Reason for amendment: Updates property description and street address. Corrects mapped listing extent to capture significant building and setting that was omitted when the listing was transferred from the planning scheme ordinance format to the standard instrument.

Map Sheet: HER_014



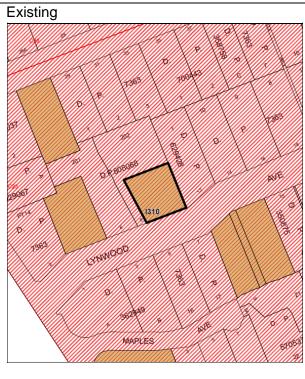


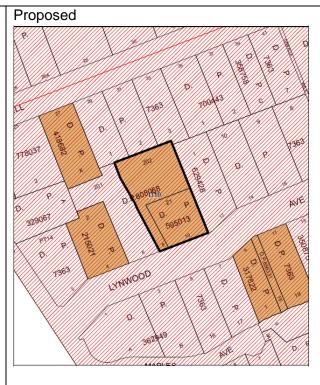


8-10 Lynwood Avenue, Killara

Reason for amendment: Updates property description and street address. Corrects mapped listing extent to capture significant building and setting that was omitted when the listing was transferred from the planning scheme ordinance to the standard instrument.

Map Sheet: HER_014







Site 47 Highfield Road, Lindfield 22 Reason for amendment: Removes redeveloped land at front from listing. New boundary follows strata lot boundary. Updates and clarifies property description to include SP. Map Sheet: HER_015 Existing Proposed Aerial

1 Avon Road, Pymble

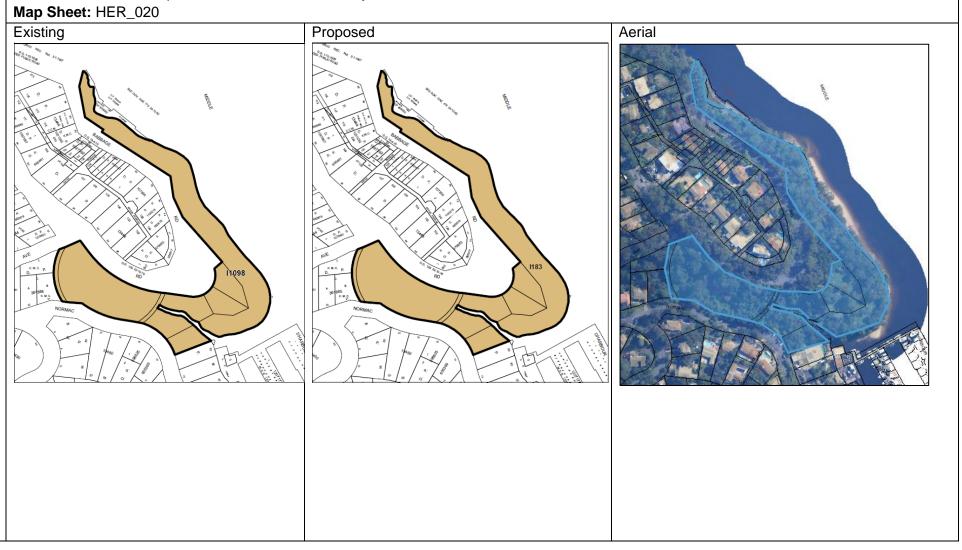
Reason for amendment: Removes redeveloped land at rear and side from listing. New listing boundary is to the building line of the new development, to exclude new buildings and retain extant setting of the item in the listing. Updates property description to include SP.



Site 950 Pacific Highway, Pymble 33 Reason for amendment: Delists demolished heritage items. Removes mapped listing extent and item number. Map Sheet: HER_008 Proposed Existing Aerial

Echo Point Park Babbage Road, Roseville Chase

Reason for amendment: Updates street address and item number. No changes to mapped listing extent. Allocate new item number I183 to resolve item number duplication, with 1 Avon Road, Pymble.

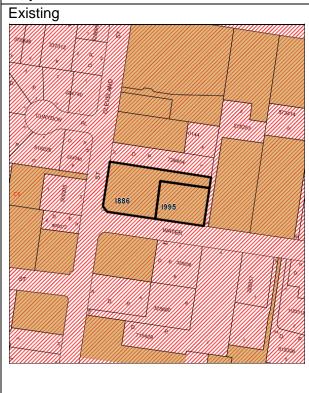


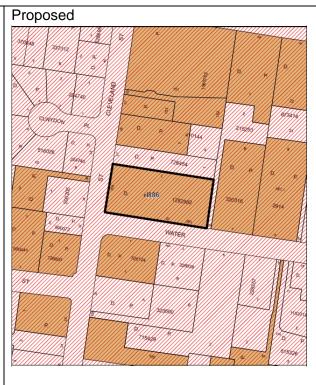
Site **62 Kissing Point Road, Turramurra** 54 Reason for amendment: Removes subdivided redeveloped land at side from listing. Map Sheet: HER_007 Proposed Existing Aerial Site 21 Cleveland Street, Wahroonga 57 Reason for amendment: Updates street address. Updates and clarifies Property description. Removes redeveloped land on side from listing Heritage Map: HER_006 Existing Proposed Aerial 1881 1880 715428 1255204 1825 BILLYARD

25B Cleveland Street, Wahroonga

Reason for amendment: Clarifies item name and updates street address, Merges related heritage items into one listing with the item number 1886. No changes to mapped listing extent.

Map Sheet: HER_006



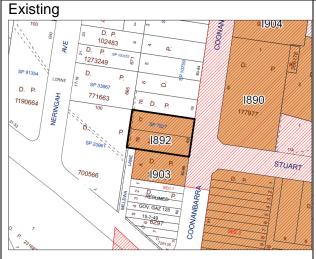


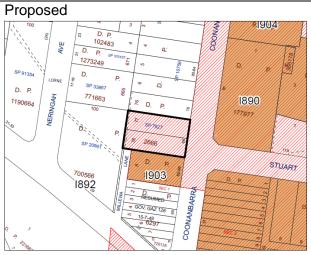


68 Coonanbarra Road, Wahroonga

Reason for amendment: Remove from Schedule 5 and heritage map to correct historical listing error carried over from the Ku-ring-gai Planning Scheme Ordinance. The item identified as a shop building is located on the neighbouring site, I903. The removed site now contains a late twentieth century residential development unrelated to the significant Federation shops. See heritage map amendment.

Map Sheet: HER_006







Site 25 Fox Valley Road (1526 Pacific Highway), Wahroonga 62 Reason for amendment: Updates property description and street address. Removes land for road widening at front from listing. Map Sheet: HER_007 Existing Proposed Aerial 1913

Site 35 Fox Valley Road, Wahroonga 63 Reason for amendment: Removes subdivided redeveloped land at rear from listing. Map Sheet: HER_002 and HER_007 Existing Proposed Aerial Site 40 Fox Valley Road, Wahroonga 64 Reason for amendment: Removes subdivided redeveloped land at rear from listing. Map Sheet: HER_002 Existing Proposed Aerial 1267632 354762 1201181 529194 25536 D. P. 8 9458 25536 D. P. 8\9458

Site 1536 Pacific Highway, Wahroonga 70 Reason for amendment: Updates property description and clarifies item name. Removes land for road widening at front from listing. Map Sheet: HER_007 Existing Proposed Aerial

Site 1544 Pacific Highway, Wahroonga 71 Reason for amendment: Updates property description. Removes land for road widening at front from listing. Map Sheet: HER_007 Existing Proposed Aerial

Site 1548 Pacific Highway, Wahroonga 72 Reason for amendment: Updates property description. Removes land for road widening at front from listing. Map Sheet: HER_007 Existing Proposed Aerial

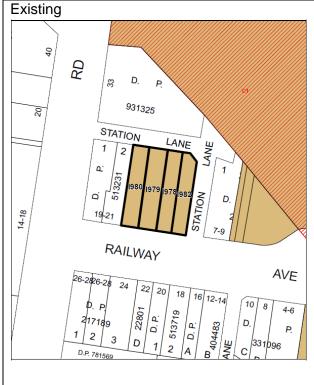
Site 1614-1634 Pacific Highway, Wahroonga 73 Reason for amendment: Updates property description, street address and clarifies item name. Removes land for road widening at front from listing. Map Sheet: HER_006 and HER_001 Existing Proposed Aerial 3312 3312 1976 D. P. 410419 D. P. 410419 MUNDERAH MUNDERAH

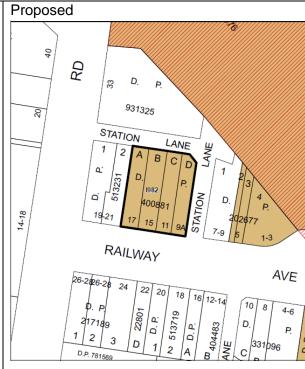
Site 1676 Pacific Highway, Wahroonga 74 Reason for amendment: Updates street address. Removes land following demolition at side from listing. Map Sheet: HER_001 Existing Proposed Aerial D.P.925176 S.P. 86495 D.P.925176 S.P. 86495 D.P.864080 M.W.S. & D. B. RESERVIOR 439443

9A-17 Railway Avenue, Wahroonga

Reason for amendment: Merges related heritage items 1978, 1979 and 1980 into one listing with item number 1982. No changes to mapped listing extent.

Map Sheet: HER_006







Site 42 Bangalla Street, Warrawee 81 Reason for amendment: Removes subdivided redeveloped land at side from listing. Map Sheet: HER_006 Proposed Existing Aerial

PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Community Consultation for this Planning Proposal will be consistent with the requirements of the Gateway Determination, the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the consultation guidelines contained within the NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals* (December 2021) and the *Local Environmental Plan Making Guideline* (December 2021).

In accordance with the Guide, the public exhibition of a Planning Proposal is generally undertaken in the following manner:

- Notification on Council's website on the 'Have my say' exhibition page
- Notification in writing to the affected and adjoining landowners

During the public exhibition period, the following material is made available for viewing:

- The Planning Proposal
- The Gateway Determination
- Information and technical reports relied upon by the Planning Proposal

As determined by the *Local Environmental Plan Making Guideline* (December 2021), the Planning Proposal falls within the 'basic' category, and therefore will be exhibited for a maximum period of 10 working days.

At the conclusion of the public exhibition period, a report will be prepared and presented to Council to allow for the consideration of submissions received from the community during the exhibition period.

PART 6 – PROJECT TIMELINE

Stage	Timing
Council resolution	28 June 2022
Anticipated commencement date (date of Gateway determination)	August
Commencement and completion dates for public exhibition period	August-September 2022
Post exhibition review and reporting	September-October 2022
Council consideration of submission	15 November 2022
Legal drafting of LEP	November 2022
Anticipated date RPA will make the plan (if delegated)	November 2022
Notification of Plan on Legislation website	December 2022

APPENDIX A – Detailed Table of Schedule 5 Amendments

APPENDIX B – St Lucy's School – Conservation Management Plan