



Ku-ring-gai Council

PLANNING PROPOSAL

Heritage Housekeeping

To remove anomalies from Schedule 5 Environmental Heritage, Part 1 of the Ku-ring-gai Local Environmental Plan 2015 and associated heritage mapping.

August 2025

CONTENTS

EXECUTIVE SUMMARY	1
PART 1 – OBJECTIVES AND INTENDED OUTCOMES	3
PART 2 – EXPLANATION OF PROVISIONS	5
PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT	7
A. Need for the Planning Proposal	7
B. Relationship to Strategic Planning Framework	7
C. Environmental, Social and Economic Impact	15
D. Infrastructure (local, state and commonwealth)	15
E. State and Commonwealth Interests	15
PART 4 - MAPS	16
PART 5 – COMMUNITY CONSULTATION	1
PART 6 – PROJECT TIMELINE	2

ATTACHMENT 1: Table of Proposed Amendments to Schedule 5 Environmental Heritage (KLEP 2015) & Maps

EXECUTIVE SUMMARY

Ku-ring-gai Council's last heritage house-keeping Planning Proposal was undertaken in 2022. To ensure the accuracy of the KLEP 2015 Schedule 5 Environmental heritage, Council maintains records of required updates and has identified five heritage listings where changes are needed to:

- Amend the property description and mapped extent of a heritage item, which has altered due to an approved subdivision (Table 1: No. 1).
- Remove two (2) heritage listings from Schedule 5 Environmental Heritage Part 1, and the accompanying maps due to approved subdivisions and subsequent re-development of the land (Table 1: Nos 2 & 3).
- Amend the item name, property description and mapped extent of a heritage item, which has altered due to an approved subdivision and re-development of the subject land (Table 1: No. 4).
- Remove a heritage listing from Schedule 5 Environmental Heritage Part 1, and the accompanying maps due to a historic administrative error. (Table 1: No. 5).

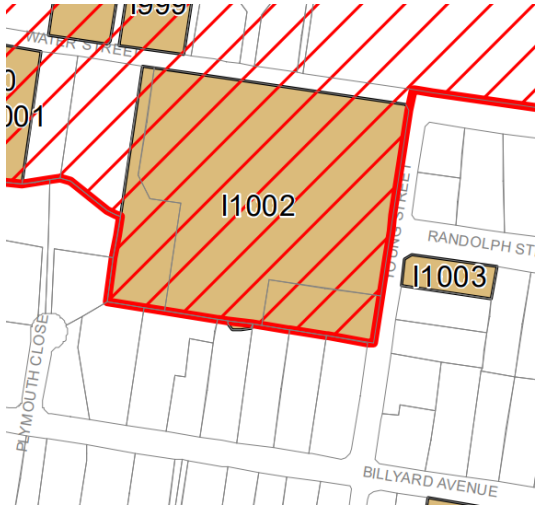
The planning proposal does not alter the zoning or development standards applying to the subject sites. A detailed explanation of each of the proposed amendments is included as Attachment No. 1.

Table 1. – Existing Heritage Listings to which this Planning Proposal Applies

No.	Address	Suburb	Lot & DP	Amendment
1.	35 Water Street	Wahroonga	Lots 1 and 2, DP 375262	Amend the property description and extent of heritage mapping to exclude subdivided and developed land.



No. 35 Water Street Wahroonga

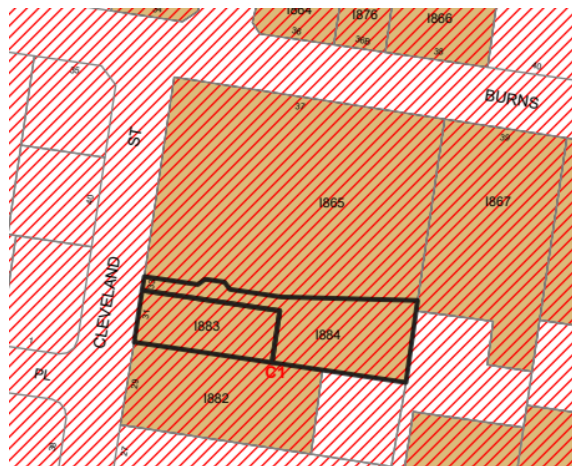


Existing Map: HER_006

No.	Address	Suburb	Lot & DP	Amendment
2.	31 Cleveland Street	Wahroonga	Lot 153, DP 1060782	De-list
3.	33 Cleveland Street	Wahroonga	Lot 152, DP 1060782	De-list



Nos. 31 & 33 Cleveland St Wahroonga

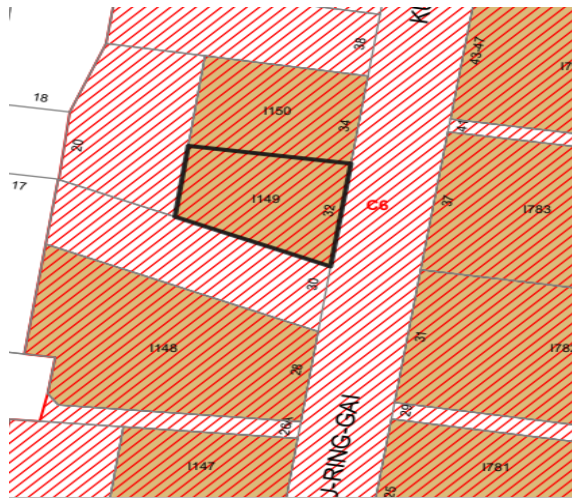


Existing Map: HER_006

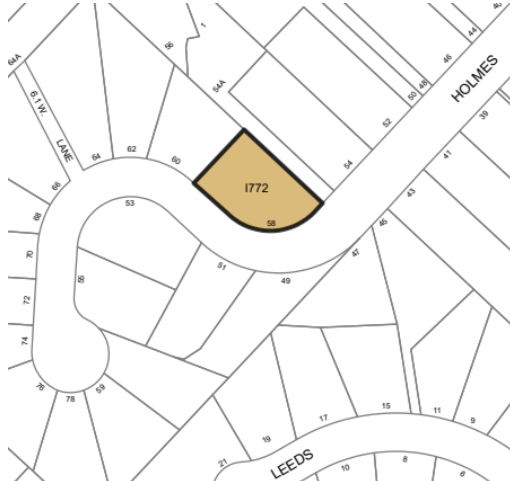
No.	Address	Suburb	Lot & DP	Amendment
4.	32 Ku-ring-gai Avenue	Turramurra	Lot B, DP445910	Amend the item name, property description & extent of heritage mapping to apply only to the front boundary wall.



No. 32 Ku-ring-gai Avenue, Turramurra



Existing Map: HER_007

No.	Address	Suburb	Lot & DP	Amendment
5.	58 Holmes Street	Turramurra	Lot 1, DP 229779	Remove I772 due to administrative error.
 No. 58 Holmes Street, Turramurra  Existing Map: HER_007				

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

Objective

The objective of the Planning Proposal is to correct anomalies found in Schedule 5 Environmental Heritage, Part 1 and the associated heritage maps.

The Planning Proposal proposes the following amendments:

1. Schedule 5 – Environmental Heritage, Part 1 Heritage Items

- Amend the property description and mapped extent of a heritage item, which has altered due to part of the mapped land being excised and developed with an approved dwelling. (Table 1: No. 1).
- Remove two (2) heritage listings from Schedule 5 Environmental Heritage Part 1, and the accompanying maps due to an approved subdivision and subsequent redevelopment of the land with two approved dwellings. Post subdivision and redevelopment the land and new dwellings were incorrectly listed as heritage items. (Table 1: Nos 2 & 3).
- Amend the item name, property description (Lot & DP) and extent of heritage mapping to apply to the front boundary wall only. No. 32 Ku-ring-gai Avenue, Turramurra was listed as a heritage item when it was subdivided from the neighbouring property which is a local listed item (I150 'Ypriana' – No. 34 Ku-ring-gai Avenue). However, the property has subsequently been re-developed with and modern dwelling. (Table 1: No. 4).

- Remove a heritage listing from Schedule 5 Environmental Heritage Part 1, and the accompanying maps due to a historic administrative error. (Table 1: No. 5).

2. Ku-ring-gai LEP 2015 Associated Heritage Maps

- The Ku-ring-gai heritage maps HER_006 & HER_007 need to be amended. For all five proposed amendments mapping changes are required.

Intended outcomes

The proposed amendments will increase the accuracy and integrity of Schedule 5 Environmental Heritage in Ku-ring- gai LEP 2015 (KLEP 2015). Maintaining a robust and accurate schedule will contribute to the ongoing conservation of Ku-ring-gai's valued historic garden suburbs.

PART 2 – EXPLANATION OF PROVISIONS

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

KLEP 2015 Changes Proposed to Instrument and Mapping

An overview of the amendments is outlined in the table below including the map number requiring amendment. Further details of the mapping amendments are included in Part 4 of this Planning Proposal.

Table 2. – Changes proposed to KLEP 2015 Instrument and Maps

#	Address	Suburb	Existing Lot & DP	Reason for Amendment	Item	Instrument Amendment	Mapping Amendment
1	35 Water Street	Wahroonga	Lots 1 & 2, DP 375262	Two properties were excised from No. 35 Water Street. The property No. 28 Young Street (Lot 101 DP 1278904) and No. 35A Water Street Lot 2 DP 1235875. Development at No. 28 Young Street has subsequently been completed.	I1002	Update property description to Lot 100, DP 1278904; Lot 2, DP 1235875	On map HER_006 update extent of heritage mapping for I1002 to exclude No. 28 Young Street. Lot 101, DP 1278904.
2	31 Cleveland Street	Wahroonga	Lot 153, DP 1060782	The subject site was excised from a listed property. In the early 2000s a dwelling was erected on the site. The dwelling and site were listed in error when Council undertook the mapping of their heritage items (Standard Instrument Order 2006).	I883	Remove the listing from Schedule 5, Part 1.	Remove I883 from map HER_006
3	33 Cleveland Street	Wahroonga	Lot 152, DP 1060782	The subject site was excised from a listed property. In the early 2000s a dwelling was erected on the site. The dwelling and site were listed in error when Council undertook the mapping of their heritage items (Standard Instrument Order 2006).	I884	Remove the listing from Schedule 5, Part 1.	Remove I884 from map HER_006
4	32 Ku-ring-gai Avenue	Turramurra	Lot B, DP 445910	The land was excised from a listed property I150. A dwelling was erected on the land in 2000. The subject site was listed in error when Council undertook the mapping of their heritage items	I149	Amend - item description to 'front boundary wall' and property description to part of Lot B, DP445910	Reduce mapping for I149 on HER_007 to the front boundary wall.

				(Standard Instrument Order 2006). Council's Heritage Specialist has advised the listing may be reduced to apply to front boundary wall.			
5	58 Holmes Street	Turramurra	Lot 1, DP 229779	Corrects a historic administrative error.	I772	Remove the listing from Schedule 5, Part 1.	Remove I772 from map HER_007

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

A. Need for the Planning Proposal

- Q1. *Is the planning proposal a result of an endorsed local strategic planning statement (LSPS), strategic study or report?***

The amendments are not the result of a strategic study or report. These amendments primarily address changes to the built environment identified through the development application process. During this process Heritage Impact Statements were provided, where relevant, to accompany applications for the subdivision and development of land.

Although the 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 KLEP 2015 are accurate so that Ku-ring-gai's heritage items and conservation areas are protected appropriately.

- 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 outcomes. An amendment to the KLEP 2015 is required to provide corrections to the listings in Schedule 5 of the written instrument and associated mapping.

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)?***

CONSISTENCY WITH GREATER SYDNEY REGION PLAN 2056		
Directions	Objectives	Consistent
Liveability		
5. A city of great places	Objective 12. Great places that bring people together.	The planning proposal is consistent with the Greater Sydney Region Plan 2056, particularly Direction 5, objectives 12 & 13. The planning proposal will maintain the integrity of KLEP 2015 Schedule 5 Environmental Heritage. Conservation of heritage items and heritage areas adds to the interest, vitality and identity of a city.
	Objective 13. Environmental heritage is conserved and enhanced.	

CONSISTENCY WITH THE NORTH DISTRICT PLAN 2056	
Planning Priority	Consistent
Liveability	
N6. Creating and renewing great places and local centres and respecting the district's heritage.	The planning proposal is consistent with Planning Priority N6 of the North District Plan 2056, as it will assist with the conservation of heritage in Ku-ring-gai.

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?*

CONSISTENCY WITH THE KU-RING-GAI LOCAL STRATEGIC PLANNING STATEMENT 2036	
Planning Priority	Consistent
Local Character and Heritage	
K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character.	The Planning Proposal is consistent with Ku-ring-gai's Local Strategic Planning Statement 2036 ('LSPS'). Improving the overall accuracy of KLEP 2015, Schedule 5 Environmental Heritage assists with conserving Ku-ring-gai's heritage.
K13. Identifying and conserving Ku-ring-gai's environmental heritage.	

CONSISTENCY WITH KU-RING-GAI HOUSING STRATEGY 2036 (KHS)		
Housing Priority	Objectives	Consistent
H3. Increasing liveability, sustainability, and area character through high-quality design.	1. To encourage housing that contributes to healthy and active neighbourhoods. 2. To facilitate high quality housing that is responsive to Ku-ring-gai's local character. 3. To promote housing that meets high sustainability performance targets.	Improving the overall accuracy of KLEP 2015, Schedule 5 Environmental Heritage assists with conserving Ku-ring-gai's existing stock of heritage housing. This facilitates sustainability and an identifiable local character.

CONSISTENCY WITH DEPARTMENT OF PLANNING INDUSTRY & ENVIRONMENT - APPROVAL LETTER FOR KLHS	
Approval Letter	Consistent
On 16 July 2021 the Department of Planning Industry and Environment approved the KHS, subject to a number of conditions. Link to NSW Govt Tracker - Letter of Approval	The Planning Proposal is generally administrative in nature and does not alter any zoning or development standards applying to land. The Planning Proposal seeks to maintain the integrity of the Schedule 5 Environmental Heritage in the

	KLEP 2015. The Planning Proposal is not inconsistent with the directions provided in DPIE'S approval letter.
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CONSISTENCY WITH KU-RING-GAI COMMUNITY STRATEGIC PLAN 2038	
Outcomes	Consistent
Outcome 2: Sustainable Urban Growth and Change. U4 - Protect Ku-ring-gai's heritage and character through appropriate planning controls	The Planning Proposal gives effect to outcome 2 of the KCSP 2035. Maintaining an accurate Schedule 5 – Environmental Heritage in the KLEP 2015, ensures the history of Ku-ring-gai is respected and conserved.

CONSISTENCY WITH KU-RING-GAI HERITAGE STRATEGY	
Outcome	Consistent/ Inconsistent
<i>Review existing and identify new heritage items and HCAs; Conservation of significant 20th century development; and continue to identify and correct heritage anomalies.</i>	The Ku-ring-gai Heritage Strategy was adopted in 2021. The Planning Proposal is consistent with this strategy, as it seeks to correct anomalies identified in Schedule 5, Environmental Heritage of the KLEP 2015.

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

None are applicable given the minor nature of this planning proposal.

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

SEPP	Comment on Consistency
SEPP (Planning Systems) 2021 Chapter 4: Concurrences and consents	Consistent. The minor amendments proposed to KLEP 2015 Schedule 5 Environmental Heritage, do not involve concurrence authorities.
SEPP (Biodiversity and Conservation) 2021 Chapter 2: Vegetation in non-rural areas Chapter 4: Koala habitat protection 2021	Consistent. The planning proposal will not result in any physical changes in the environment and therefore does not threaten biodiversity, habitat or landscape qualities of existing

SEPP	Comment on Consistency
Chapter 6: Bushland in urban areas Chapter 7: Canal estate development Chapter 9: Hawkesbury-Nepean River Chapter 10: Sydney Harbour Catchment	land. The planning proposal is consistent with the provisions of the relevant SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent. The Codes SEPP outlines assessment pathways for building works. The Planning Proposal which is administrative in nature does not contravene the provisions of the SEPP in any way.
SEPP (Housing) 2021	Consistent. The properties addressed in this Planning Proposal include single free-standing dwellings. The Planning Proposal which is administrative in nature does not contravene the provisions of the SEPP in any way.
SEPP (Industry & Employment) 2021 Chapter 3: Advertising and signage	Consistent. The Planning Proposal does not contain any provisions which contravene this policy as the amendments proposed are administrative in nature and relate wholly to Schedule 5 Environmental Heritage of the KLEP 2015.
SEPP (Resilience and Hazards) 2021 Chapter 2: Coastal management Chapter 3: Hazardous and offensive development Chapter 4: Remediation of land	Consistent. The properties covered by this planning proposal are not mapped as coastal management land. The planning proposal will not result in changes to the existing built or natural environment. Accordingly, the planning proposal does not contravene any aspects of this policy.
SEPP (Sustainable Buildings) 2022	Consistent. The planning proposal will not result in changes to the existing built environment. The planning proposal does not contravene any provisions of this policy.

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

Directions under S9.1	Objectives	Consistency
1. PLANNING SYSTEMS		
1.1 Implementation of Regional Plans	The objective of this direction is to give legal effect to the relevant Regional Plan.	Consistent. The Planning Proposal is consistent with the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities 2056</i> .
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient assessment of development.	Consistent. The Planning Proposal does not contain provisions which require the concurrence, referral or consultation of other public authorities.
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	Consistent. This Planning Proposal is administrative in nature and does not facilitate a particular development proposal.
1.4A Exclusion of Development Standards from Variation.		Consistent. This Planning Proposal does not impact any development standards and is not contrary to the operation of this direction.
3. BIODIVERSITY AND CONSERVATION		
3.1 Conservation zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Consistent. This Planning Proposal does not propose any amendments to conservation standards for 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 objective will be achieved through ensuring Council's heritage listings and associated mapping are accurate.

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 <i>Floodplain Development Manual 2005</i>, 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 does not seek to rezone flood liable land or impact the application of controls applying to flood liable land.
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 properties addressed by this Planning Proposal are not mapped as Bushfire Prone land. Additionally, no changes to zoning or permissible uses are being sought.
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.	Consistent. The Planning Proposal does not rezone or permit a change of use of the land. The Planning Proposal does not contain any provisions contrary to the objective of this direction.

Directions under S9.1	Objectives	Consistency
4.5 Acid Sulphate Soils This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulphate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulphate soils as shown on the Acid Sulphate Soils Planning Maps held by the Department of Planning and Environment.	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Consistent. The planning proposal will not alter or contravene existing acid sulphate soils provisions.
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 efficient movement of people, vehicles and freight.	Consistent. The Planning Proposal does not alter the land zoning, and as such, would not affect travel demand or the availability of transport options.
6. HOUSING		
6.1 Residential Zones	The objectives of this direction are to: (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	Consistent. The Planning Proposal does not seek to amend zoning or the range of uses permissible on the subject properties.

Directions under S9.1	Objectives	Consistency
	development on the environment and resource lands.	

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 because of the proposal?***

The Planning Proposal is administrative in nature. There will be no adverse impact upon any critical habitat, threatened species, populations or ecological communities, or their habitats due to the Planning Proposal.

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

There are no environmental impacts envisaged due to the Planning Proposal.

The impacts of any development proposed on the subject sites or in their vicinity of the sites will be managed through the development assessment process. Correct and accurate identification of heritage items will facilitate clarity of appropriate development choices.

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

The correct identification and protection of Ku-ring-gai's heritage places contributes to the ongoing conservation of Ku-ring-gai's community-valued heritage listed buildings and garden suburbs. As the Planning Proposal is administrative in nature it will not adversely impact on existing social infrastructure, such as schools and hospitals.

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 zoning, permissible uses or development standards which may facilitate intensified development. No additional demand for public infrastructure or services is anticipated because of this planning proposal.

E. State and Commonwealth Interests

- Q12. *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?***

Council has not undertaken any consultation with other government agencies to date, given the minor and administrative nature of the Planning Proposal. Should the Planning Proposal proceed to public exhibition, Council will carry out consultation as required by the Gateway Determination.

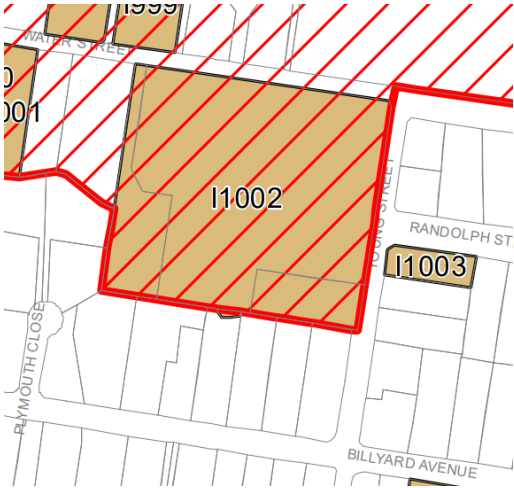
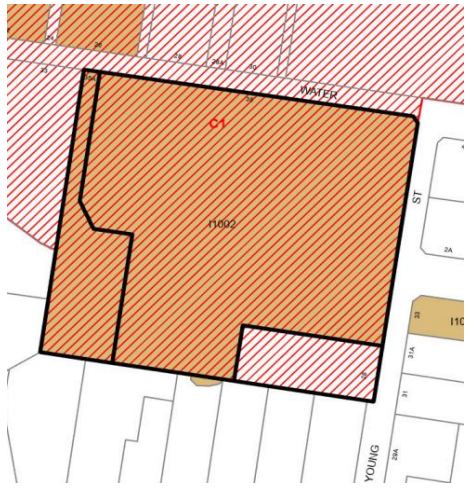
PART 4 - MAPS

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

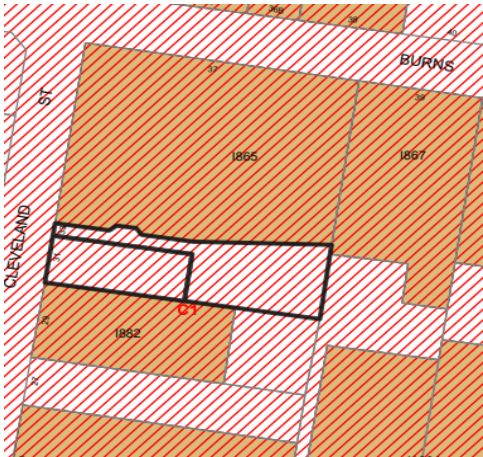
- HER_006
- HER_007

Further details of the proposed amendments to the KLEP 2015 Heritage Maps are provided below.

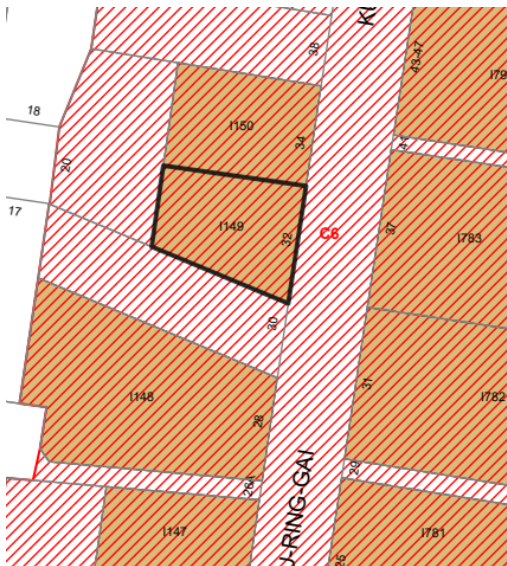
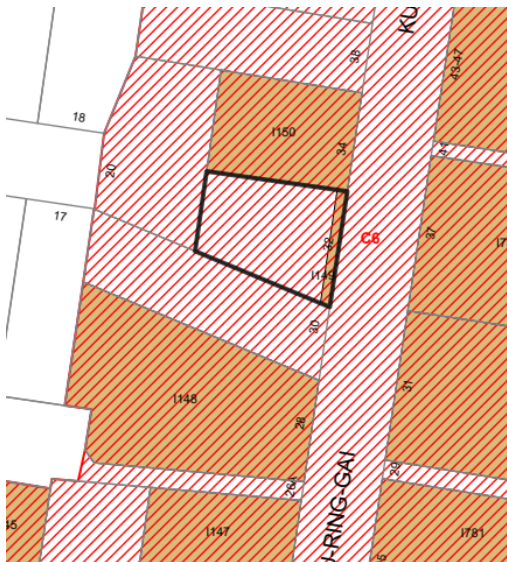
1. No. 35 Water Street, Wahroonga (Rippon Grange) I1002

Existing Map HER_006	Proposed Amendment HER_006
	

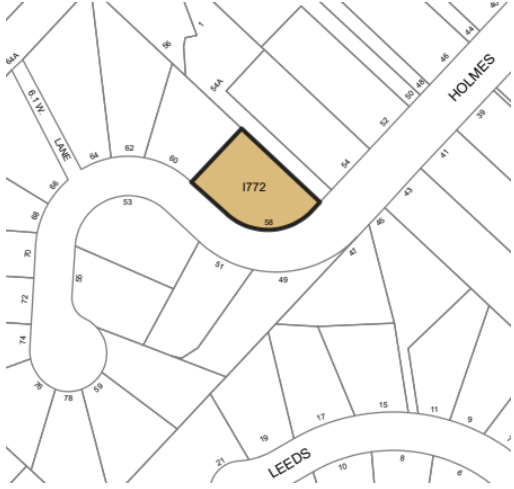
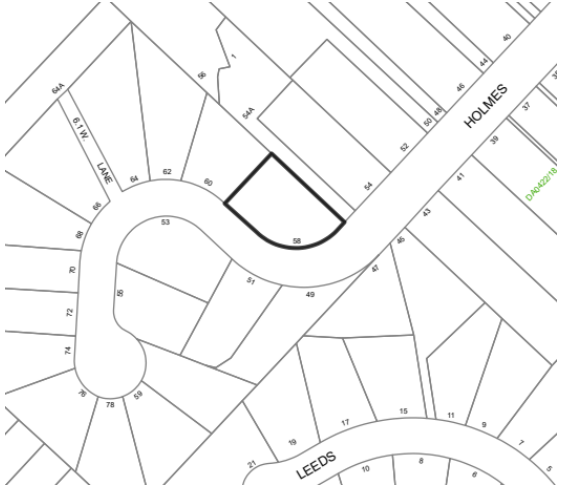
2. No. 31 Cleveland Street, Wahroonga 1883, and
3. No. 33 Cleveland Street, Wahroonga 1884 (battleaxe property)

Existing Map HER_006	Proposed Amendment HER_006
	

4. No. 32 & 33 Ku-ring-gai Avenue, Turramurra 1149

Existing Map HER_007	Proposed Amendment HER_007
	

5. No. 58 Holmes Street, Turramurra 1772

Existing Map HER_007	Proposed Amendment HER_007
 The existing map shows a residential street layout. A central lot, labeled 1772, is highlighted in orange. It is situated between Holmes Street to the north and Leeds Street to the south. The lot is bounded by Lane to the west and another lot to the east. The map includes various lot numbers and street names.	 The proposed amendment map shows the same residential street layout. The central lot, labeled 58, is now highlighted in black. The map includes the same lot numbers and street names as the existing map, but with the highlighted lot's status changed.

PART 5 – COMMUNITY CONSULTATION

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 '*LEP Making Guideline*' (August 2023).

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

- Notification on the 'Have my say' exhibition page of Council's website.
- 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
- Any information and reports relied upon by the Planning Proposal.

As determined by the '*LEP Making Guideline*' (August 2023), 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 any submissions received from the community.

PART 6 – PROJECT TIMELINE

Stage	Timeframe and/or date
Date submitted to Department for a Gateway	
Anticipated commencement date - date of Gateway determination (4 weeks)	
Gateway determination	
Commencement and completion of public exhibition period	
Post exhibition review and reporting	
Council meeting / consideration	
Legal drafting of LEP	
Anticipated date RPA will make the plan (if delegated)	
Notification of Plan on Legislation website	