Submission Summary Table - Planning Proposal to consolidate Ku-ring-gai LEPs

Property / Matters raised in submission	Council Comment	Recommendation
1 Vista Street, Pymble • Change of heritage item name from '*Robyn Hill'* to *'Tarquinia'* • What grounds to change name? • Have no knowledge of the relevance of name '*Tarquinia*' • Why proposal to change the heritage name of property with strong history and connection to local community. • Request for reasoning behind name change • Oppose change to name	1 Vista Street, Pymble, was constructed c. 1933. Media articles from the 1930s (The Sydney Morning Herald, Tue 23 Feb 1937, page 10) indicate that the property was named *"Robin Hill"*. Another article on the property from 1985 indicates that the property was named by the owners (and original architect) after a house in the novels *The Forsyte Saga (*which is spelt Robin Hill). The Deposited Plan for the site dated 1987 also notes the name of the property as "*Robin Hill*". This is also confirmed in DP 220613 from 1964 which relates to land adjustments related to the widening of Mona Vale Road at this time and shows the site as named "*Robin Hill*". It is not known when or why the spelling for the property was amended from "*Robin Hill*" to "*Robyn Hill'*. However, available evidence indicates that the property's name was originally spelt "*Robin Hill*". Field research has identified another property in the near vicinity named "*Tarquinia*". This property is located at 2 Vista Street (also known as 115 Mona Vale Road). Based on the above information, it is likely that the request for Council to amend the name of 1 Vista Street, Pymble to '*Tarquinia*' was based on incorrect information. It is recommended that Schedule 5 of the KLEP 2015 be amended for 1 Vista Street, Pymble (I656) to show the Item Name "*Robin Hill*" to reflect the original name for the property.	Revise Planning Proposal to amend heritage item name from: • *Robyn Hill* to • *Robin Hill*
Site 91- 2B Havilah Road, Lindfield • Disappointed to find out the land adjacent is to be rezoned to R4 • Wrong that land can be rezoned at any time by Council. • Rezoning will devalue property and spoil village atmosphere and lead to more cars parked in the adjacent streets. • Nothing has been done to relieve traffic problems in Lindfield	The Planning Proposal does not propose to rezone any land around 2B Havilah Road, Lindfield. The proposed mapping amendment sought by the Planning Proposal to correct an error in the Minimum Lot Size map – where properties 59 Lindfield Avenue, 1,3,11,15 and 17 Woodside Avenue, A2, 2 and 2B Havilah Road, Lindfield currently do not have any minimum lot size. It is proposed to add a minimum lot size of 1200sqm to these properties, which is consistent with the minimum lot size applied to other R3 and R4 zoned land within Ku-ring-gai.	No amendment to Planning Proposal.

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	 Existing Zoning Map Excerpt – Showing exiting R3 Medium Density and R4 High Density surrounding 2B Havilah Road, Lindfield.	
Ravenswood – 691 Pacific Highway, Gordon – *Iolanthe* • Current heritage listing and mapping of "*Iolanthe*" dwelling house (I10) contains an error and should be corrected. • Listing in KLEP Local Centres 2012 identifies as being of State Heritage Significance, and is listed as applying to whole Lot 100 DP776508. • State Heritage Register identified property description as being *Part Lot 100* and mapping in State Heritage Register only applies to part of Lot 100 • Seek that mapping of *Iolanthe* be corrected as part of this Planning Proposal so that it is consistent with the State Heritage mapping and applies to only part of Lot 100.	The Consolidating LEPs Planning Proposal never contemplated any site specific amendments to this site or heritage item. The amendments requested by the submission have not been publically exhibited, nor have they been subject to consultation with state agencies. As *Iolanthe* is a State Heritage Item, the requested amendments would require consultation with Heritage NSW. Post exhibition amendments, such as this request to amend the heritage listing for *Iolanthe*, would necessitate the re-exhibition of the Planning Proposal, leading to delays in finalising the Planning Proposal and subsequent combined LEP. There is no compelling reason why this amendment should be included within this Planning Proposal at this late stage within the process. Should Ravenswood wish to pursue the amendment to the heritage map and property description for *Iolanthe,* they have the option to either lodge a private planning proposal or request that it be addressed by Council within a future LEP review within the next few years. This	No amendment to Planning Proposal.

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	would enable proper consideration of the amendments requested, as well as state agency and community consultation.	
Site 18 – Part of 8 Muttama Street, Wahroonga • Currently forms vegetated land link to the endangered ecological communities on the eastern SAN land. • Should retain zoning as E2 • Council would get little value if land was rezoned and sold to neighbouring properties. • If R2 zoning is required, then a portion of the adjoining park off The Comenarra Parkway should be retained as E2 to improve the biocorridor linkage to the eastern SAN land.	The Planning Proposal does not propose any changes to the existing zoning of 8 Muttama Street, Wahroonga. The site is currently zoned part E2 Environmental Conservation and part E4 Environmental Living. The Planning Proposal seeks to apply Height of Buildings 9.5m and FSR 0.2:1 development standards only to the part of the site zoned E4 Environmental Living. This is consistent with all other land zoned E4 throughout Ku-ring-gai. The proposed amendments do not impact on the biodiversity values of the existing vegetation on the site. Council currently does not have any plans to sell the E4 portion of the site to neighbouring residential properties.	No amendment to Planning Proposal

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Schedule 3 – Complying Development • Complying Development under the General Housing Code does not apply to land zoned E4 and this exclusion should be retained for bushfire prone areas. • Provisions in KLEP LC 2012 should apply and not those in the KLEP 2015 as proposed in the exhibited documents. • Most bushfire prone properties slope downwards to bushland, and stormwater from development discharges into bushland which promotes the invasion of weeds which become added fire hazard. The Complying Development SEPP does not achieve careful development and co-ordination of landscape and water management. • Complying Development approved by private certifiers has a history of poor compliance. Not suited to development that has special requirements that could ultimately endanger neighbouring properties.	The SEPP Exempt and Complying Development Codes 2008 does not permit complying development within the E4 zone. Council has specifically included complying development provisions within Schedule 3 of the KLEP 2015 to allow complying development on land zoned E4, so long as the development is not located on parts of the site identified as biodiversity, riparian of acid sulphate soils. The Schedule 3 complying development provisions for E4 zoned land have been in place since 23 October 2015. The complying development provisions for E4 zoned land were specifically included in the KLEP 2015, as the ability to undertake complying development within the E4 zone was considered to not be unreasonable, as the main land use within this zone is 'dwelling house' – the same as the R2 Low Density Residential zone. The ability to undertake complying development to a dwelling house within the E4 zone does not result in any increase to bushfire risk. The Schedule 3 complying development provisions for E4 land within the KLEP 2015 require that Clause 3.4 Complying Development on Bushfire Prone Land, Part 3 General Housing Code also apply to all complying development on E4 zoned land within Ku-ring-gai.	No amendment to Planning Proposal.
Site 80 - 31 Karranga Avenue, Killara • Lot 1 and Lot 2 DP233232 • What is the situation if the existing house is inconsistent with the A3 minimum floorspace ratio requirement for Lot 1? • Lot 1 rezoned to permit dual occupancy. How is the proposed A3 FSR for Lot 1 consistent with the dual occupancy zoning? • Pay escalated rates based on value of land which reflects dual occupany and this is inequitable if it were not practical to develop the block.	**Existing Dwelling** The Floor Space Ratio of the existing dwelling would be calculated over the entire property (comprising both Lots 1 and 2 DP233232), which has a total lot size is 2,129.8sqm. The Floor Space Ratio would only be a matter for consideration if future development, such as alterations and additions, were proposed to the existing dwelling. A Floor Space Ratio of 0.3: 1 is the standard floor space ratio applied to all low density residential properties within Ku-ring-gai. **Dual Occupancy** Lot 1 DP233232 is listed within Schedule 1 Additional Permitted Uses of the KLEP 2015, and development for the purposes of a dual occupancy is permitted with development consent. There are not many properties within Ku-ring-gai which benefit from the additional permitted use of dual occupancy. The properties which are identified were specifically chosen due to their:	No amendment to Planning Proposal.

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	• Dual frontage/corner allotment • Size (generally over 1200sqm) As outlined above, a floor space ratio of 0.3:1 is the standard floor space ration applied to all low density residential properties within Ku-ring-gai. Despite the proposed 0.3:1 Floor Space Ratio on the FSR Map, Clause 4.4(2B) of the KLEP 2015 written instrument overrides this and sets out that if dual occupancy (detached) is permitted on the land, the floor space ratio for the dual occupancy (detached) is 0.4:1. The site has the capacity to be developed for a dual occupancy development.	