



**HERITAGE REFERENCE COMMITTEE
TO BE HELD ON THURSDAY, 3 APRIL 2025 AT 12:30 PM
TEAMS / LEVEL 3 ANTE ROOM**

AGENDA

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WELCOME BY CHAIRPERSON COUNCILLOR WHEATLEY

APOLOGIES

DECLARATIONS OF INTEREST

NOTING OF MINUTES

Minutes of Heritage Reference Committee

File: CY00413/12
Meeting held 5 December 2024
GB.1 to GB.3

GENERAL BUSINESS

GB.1 **Low and Mid Rise housing SEPP changes**

3

File: CY00413/13

To outline the State Government rezoning under the recently announced stage two of the Low and Mid Rise Housing State Environmental Planning Policy (SEPP) as it relates to heritage, which came into effect on 28 February 2025.

Recommendation:

That the Heritage Reference Committee receive and note this report and provide comments.

GB.2 **Her-story Project Update** **29**

File: S13598

To update the Heritage Reference Committee on Ku-ring-gai's latest online inventories uploaded to the State Heritage Inventory.

Recommendation:

That the Heritage Reference Committee receive and note the heritage items with the uploaded inventories at **Attachment A1** since the last report and comment on promotion and education options.

GB.3 **Heritage strategy ongoing projects update** **38**

File: CY00413/13

To update the Heritage Reference Committee on further strategic heritage projects underway.

Recommendation:

That the Committee receive and note this report.

GB.4 **Transport Oriented Development and Council Alternative proposal update** **50**

File: CY00413/13

To outline the status of the Transport Oriented Development (TOD) State Environmental Planning Policy (SEPP) as it relates to heritage, and Council's proposal for an alternative that better protects heritage conservation areas and heritage items.

Recommendation:

That the Heritage Reference Committee receive and note this report and provide comments.

OTHER BUSINESS

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LOW AND MID RISE HOUSING SEPP CHANGES

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To outline the State Government rezoning under the recently announced stage two of the Low and Mid Rise Housing State Environmental Planning Policy (SEPP) as it relates to heritage, which came into effect on 28 February 2025.

BACKGROUND:

Stage two of the Low and Mid Rise Housing SEPP replaces existing low density residential development standards in R2 zones within 800 metres of 7 stations and the St Ives shops. This impacts listed heritage conservation areas and the setting of heritage items. The new controls permit townhouses, terraces and apartments to 9.5 metres in height at more than double the current density.

COMMENTS:

The changes will impact the majority of Ku-ring-gai's listed heritage buildings and areas, particularly Ku-ring-gai's intact and distinctive heritage conservation areas. The Department's information about this SEPP does not address heritage other than to exclude heritage items.

While a development application and heritage impact assessment under the general heritage provisions will likely be required, it is not clear that the specific heritage controls within Council's Development Control Plan will apply to guide and assess development within the subject conservation areas or adjacent to heritage items. The available State guidelines for development in a heritage context do not address this scale of increased density. It is also not clear how permitted development that is inconsistent with the heritage conservation objectives will be determined with the SEPP's non-discretionary development standards. Council is in the process of drafting DCP controls.

RECOMMENDATION:

(Refer to the full Recommendation at the end of this report)

That the Heritage Reference Committee receive and note this report and provide comments.

PURPOSE OF REPORT

To outline the State Government rezoning under the recently announced stage two of the Low and Mid Rise Housing State Environmental Planning Policy (SEPP) as it relates to heritage, which came into effect on 28 February 2025.

BACKGROUND

The first stage of the Low and Mid-Rise Housing State Environmental Planning Policy (SEPP) was introduced in 2024. This permitted dual occupancy in all low density residential areas within certain lot sizes. Within 800 metres of stations, where most of Ku-ring-gai's heritage conservation areas are located, dual occupancies are permitted on lots of 450 square metres, plus potentially larger lots beyond these inner areas for lot sizes to be determined following Council input.

The second stage of this SEPP for low and mid-rise housing, beyond dual occupancy, was announced on 21 February 2025 and the SEPP notified on 28 February 2025. This introduces new planning controls that allow three or more dwellings, in the form of terraces, townhouses ('multi-dwelling housing') and apartments (residential flat buildings and shop top housing), within all residential zones within 800 metres of identified town centres and stations.

For Ku-ring-gai, the local housing areas where these controls apply include 800 metres around the St Ives shops and all stations except Warrawee including: Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra and Wahroonga. An indicative map of these local housing areas where the SEPP applies is over the page. This change excludes the TOD 'upzoned' land within 400 metres of four of these stations where higher density apartments are permitted under the separate TOD SEPP. The Department's fact sheet is included at **Attachment A1** with some more detail.

In summary, the non-discretionary development standards permit multiple dwellings on sites where only one house was permitted before these SEPPs to the same maximum height as before, at more than double the density, on smaller lots. Development standards in R2 for the heritage conservation areas include:

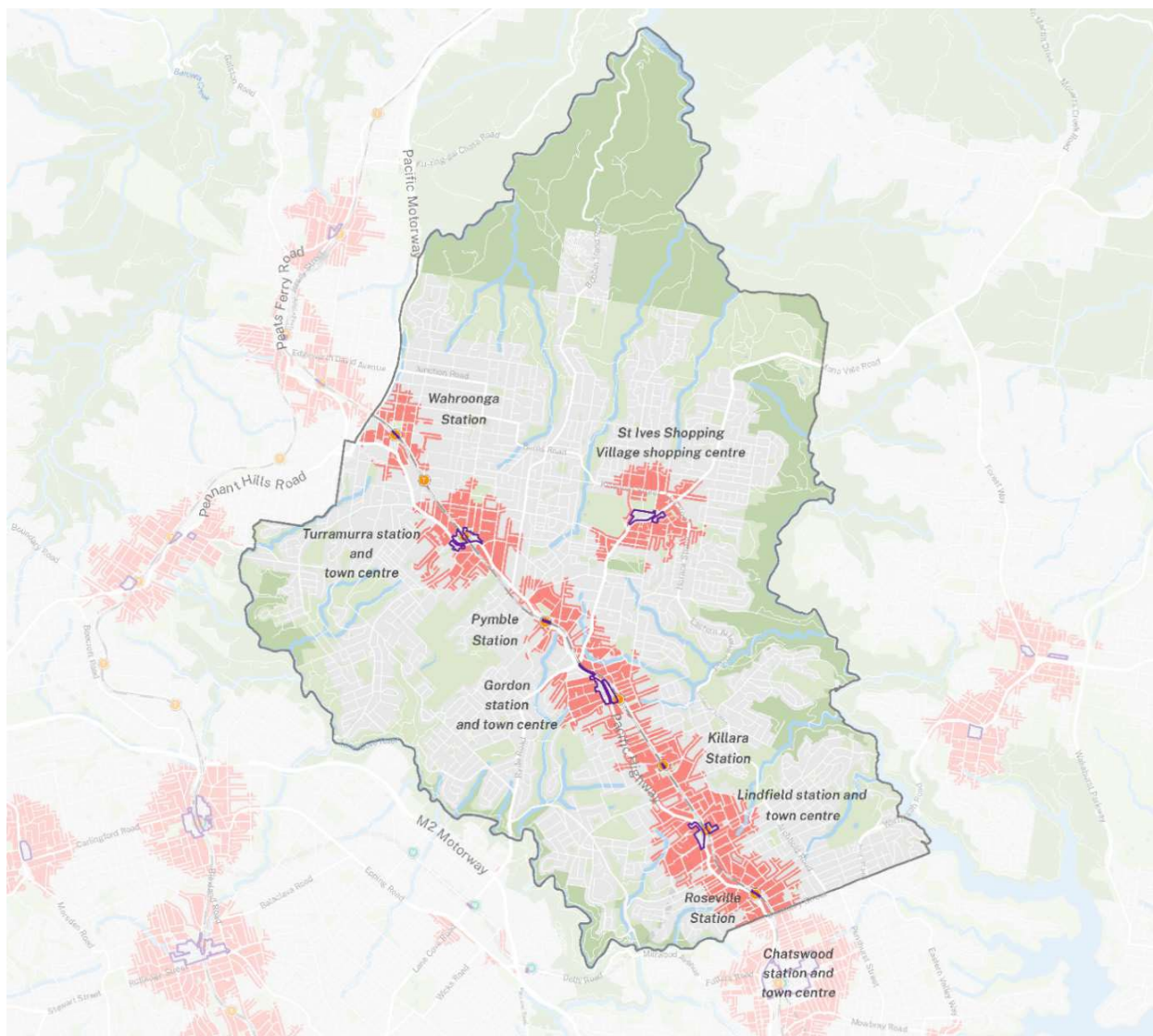
- Maximum heights of 9.5 metres (unchanged);
- Floor space ratio from 0.7:1-0.8:1 for different building types (from 0.3:1 previously); and
- Reduced minimum lot sizes from 500-600 square metres (from 790-1200 sqm) with a minimum 6-18 metre front building line.

Further available detail is provided on the:

- Planning provisions at [Summary of key provisions | Planning](#).
- Indicative map of applicable land at [LMR Viewer](#).
- Full SEPP at [epi-2025-81](#) and at **Attachment A2**.
- Area selection: [Site selection | Planning](#)

This impacts 38 of Ku-ring-gai's 46 heritage conservation areas and the setting of heritage items in these locations. This is in addition to the 4 conservation areas fully contained within the separate TOD upzoning for 6-7 storey apartments within 400 metres of 4 stations: Gordon's Gordondale Estate Conservation Area (C12), Robert Street/Khartoum Avenue Conservation Area (C39), Gordon Park Conservation Area (C17), and Killara's Marian Street Conservation Area (C24).

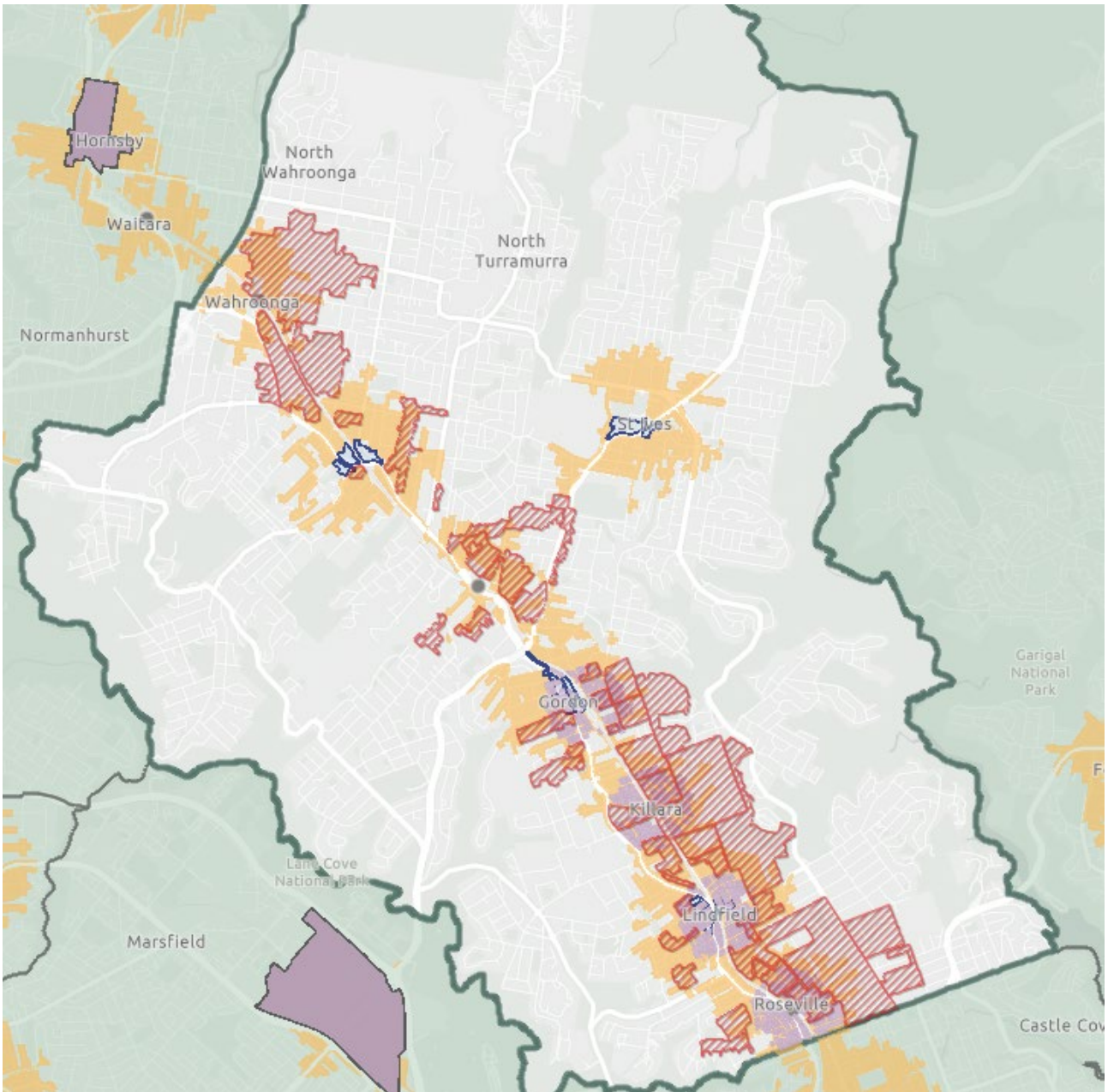
Only four conservation areas appear to be fully excluded from the indicative 800 metre radius around the 7 train stations: Wahroonga's Mahratta Conservation Area (C4), Pymble's Bobbin Head Conservation area (C41), and Roseville's Earl of Carnarvon Conservation area (C33) and Archbold Farms Conservation area (C34). Some other areas have only one or two sites included. However, noting the extent of these applicable areas may change in practice beyond the available indicative mapping. The dual occupancy provisions will apply to the excluded heritage conservation areas.



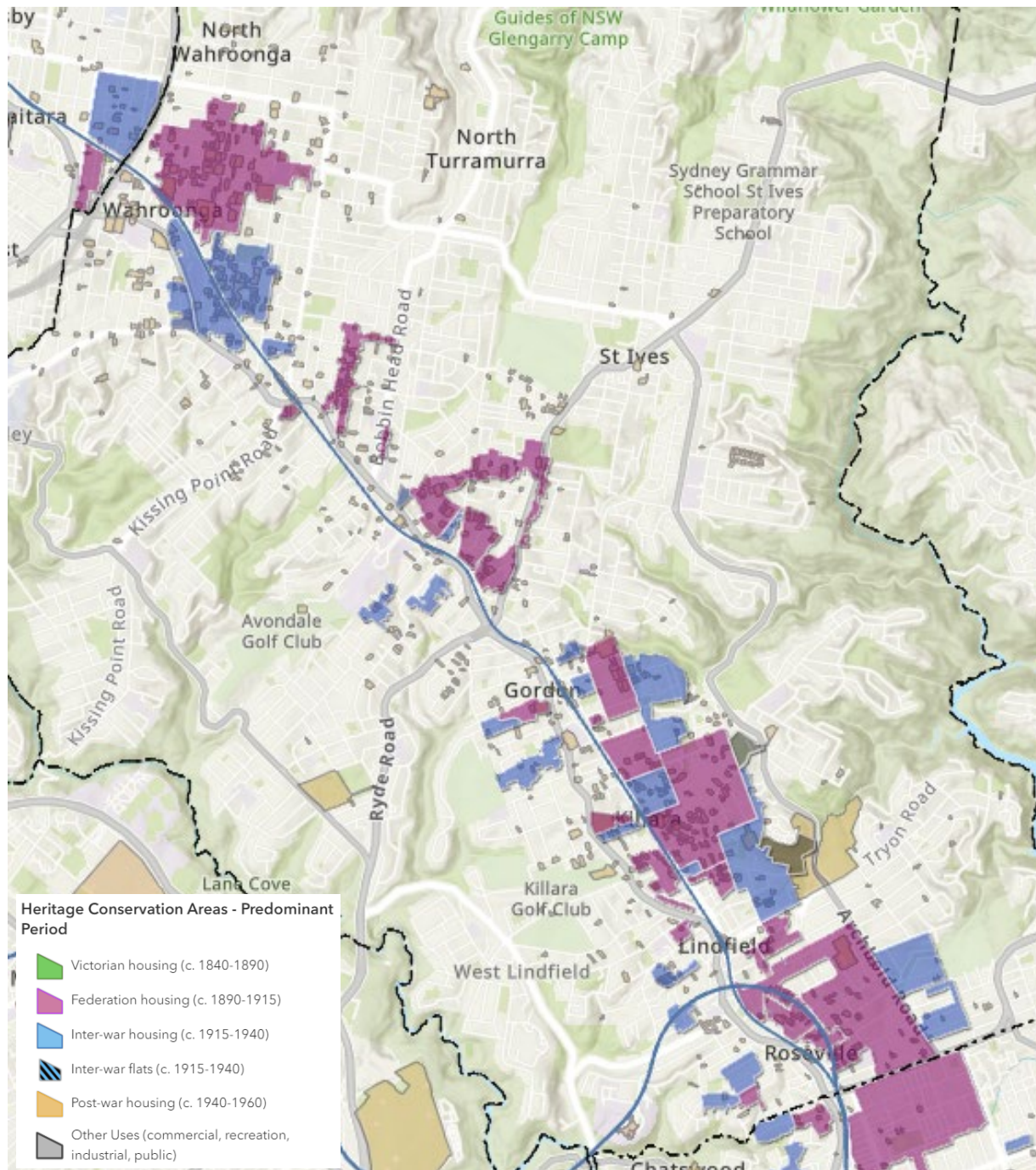
KU-RING-GAI

- Low and mid-rise centre/station
- Indicative low and mid-rise housing area
- Local Government Area

Above: Indicative map from the NSW Department of Planning Housing and Infrastructure.



Above: Location of conservation areas (hatched red) relative to the indicative housing area extent (shaded yellow) and TOD sites (shaded purple).
Map source: Ku-ring-gai Council.



Above: Location of Ku-ring-gai's heritage including conservation areas (shaded purple, blue, grey according to typology and period) and heritage items (shaded brown).
Map source: Ku-ring-gai Council, Comparative Analysis.

COMMENTS

The Low and Mid-Rise Housing State Environmental Planning Policy (SEPP) impacts the remaining 46 Ku-ring-gai heritage conservation areas, not already impacted by the TOD SEPP, for every suburb along the train line from Wahroonga to Roseville and the setting of hundreds of heritage items within these locations. The housing SEPPs together impact most of the identified heritage buildings and areas of Ku-ring-gai. The disproportionate impact on heritage is because of Ku-ring-gai's distinctive pattern of historic development that is concentrated along the trainline.

Heritage aspects of the SEPP

The main change to the SEPP affecting heritage, following exhibition of the proposal early last year and nearly 8,000 Council and community submissions to the State Government, is exclusion of heritage items and lower heights in low density residential R2 zones. The SEPP does not alter the substantial density increase in Ku-ring-gai's heritage conservation areas or adjacent to heritage items that incentivises complete demolition in established heritage house-and-garden areas. The development standards are the same for conservation areas as for unlisted areas without heritage considerations. This creates uncertainty for both conserving Council's identified heritage and the development assessment process.

The Department's indicative map of housing areas does not identify the heritage listings within the subject areas and no information is provided in the attached or online addressing heritage management in this SEPP, other than to exclude heritage items. The one reference to heritage conservation areas in the online Department material is in the identified screening factors. This identifies the amount of heritage in the catchment and its potential to impact on the delivery of new homes as one of five further final screening factors.

Heritage development assessment

A development application (DA) will be required in conservation areas, on the assumption that complying development is not permitted for private certification in conservation areas. The DA assessment provides for heritage impact assessment under the general heritage provisions of the Local Environmental Plan (LEP) in clause 5.10. However, there are no binding specific heritage controls to achieve the LEP heritage conservation objectives, while the development standards for maximum building forms are designated as non-discretionary (non-refusal) by the SEPP.

It is not clear that the specific heritage controls within the Development Control Plan (DCP) will apply to guide and assess development within the subject conservation areas or adjacent to heritage items. Council's current DCP also has no specific controls for previously prohibited forms of development in the low-density residential areas for dual occupancy, townhouses, terraces or apartments.

The available state guidelines for development in a heritage context do not address this scale of density increase from house-and-garden low density heritage areas to three or more dwellings and apartment buildings. It is also not clear how permitted development that is inconsistent with the LEP objectives for heritage conservation will be determined with the SEPP's non-discretionary (non-refusal) development standards.

Council is in the process of preparing development controls for the DCP for these new forms of development in the event these controls can apply to the extent they are not inconsistent with the development standards in the SEPP.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Ku-ring-gai's heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets.	Implement, monitor and review Ku-ring-gai's heritage planning controls and Heritage Strategy. Promote local heritage in consultation with key stakeholders.

GOVERNANCE MATTERS

The Heritage Reference Committee includes Councillors, heritage practitioners and community members. The Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

RISK IMPLICATION STATEMENT

Consisting of seven members, the Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee nevertheless plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

FINANCIAL CONSIDERATIONS

The costs of running the Heritage Reference Committee are covered by the Strategy and Environment Department's budget.

SOCIAL CONSIDERATIONS

The aims of the Heritage Reference Committee are to provide advice to Council on heritage matters and to provide assistance to Council in promoting an understanding and appreciation of heritage, including matters of social heritage significance.

ENVIRONMENTAL CONSIDERATIONS

A role of the Heritage Reference Committee is to support Council in identifying and managing Ku-ring-gai's Cultural Heritage.

COMMUNITY CONSULTATION

The Heritage Reference Committee meets on a monthly basis or as required and notification of meetings is provided on Council's website.

INTERNAL CONSULTATION

The Heritage Reference Committee includes Councillors and heritage practitioners and is facilitated by Council staff. Where relevant, consultation with other Departments may occur in particular with Council's heritage advisors in Development & Regulation.

SUMMARY

Stage two of the Low and Mid Rise Housing State Environmental Planning Policy (SEPP) permits three or more dwellings on low density residential sites at more than double the previously permitted density and smaller lots, across the majority of Ku-ring-gai's heritage conservation areas located within 800 metres of the subject train stations.

RECOMMENDATION:

That the Heritage Reference Committee receive and note this report and provide comments.

Claudine Loffi
Heritage Specialist Planner

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Low and Mid Rise Housing SEPP Fact Sheet of 21 February 2025	2025/055852
	A2	Notified Low and Mid Rise housing SEPP - 28 February 2025	2025/064957

Department of Planning, Housing and Infrastructure
Fact sheet



Low and Mid-Rise Housing Policy – Stage 2

What do the changes to low and mid-rise housing mean for the Ku-ring-gai local government area?

The Low and Mid-Rise Policy will deliver up to 112,000 homes across the state, supporting the NSW [National Housing Accord](#) target of 377,000 new homes by 2029.

This policy creates more housing choice for people at different stages of life.

Housing diversity means creating more homes to suit different lifestyles across the whole community.

The NSW Government is committed to supporting a choice of well-designed and sustainable homes in well-located areas within walking distance of shops, services and frequent public transport.

Stage 1 of the policy has been in place since 1 July 2024, allowing dual occupancies and semi-detached dwellings in all R2 low density residential zones across NSW, except for excluded areas.

Stage 2 of the policy will allow more low and mid-rise housing options in local government areas across Greater Sydney, the Hunter, Central Coast and Illawarra regions.

The second stage of the low and mid-rise policy introduces new planning controls to allow terraces, townhouses, low and mid-rise apartments and shop-top housing within 800 metres of identified town centres and train or light rail stations.

Why is the Low and Mid-Rise Policy important?

Low and Mid-Rise housing has been a part of NSW's housing make-up since Sydney was built, however over the last few decades these types of homes have been slowly disappearing from lots of local areas. New South Wales has less housing diversity now than there was a hundred years ago.

These changes will reintroduce different housing types such as terraces, townhouses, and low to mid-rise apartment buildings, back into our cities and suburbs.

The NSW Government wants everyone to have a choice of the type of home that they want to live in, that suits their lifestyle, in the community that they love.

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Department of Planning, Housing and Infrastructure Fact sheet



These homes will be close to transport, open spaces and services that people need, meaning better connected and more liveable neighbourhoods.

Where do these changes apply in Ku-ring-gai local government area?

In Ku-ring-gai local government area, the second stage of the Low and Mid-Rise Policy will apply to all residential zones within 800 metres walking distance to the following town centres or train stations:

- Gordon station and town centre
- Killara station
- Lindfield station and town centre
- Pymble station
- Roseville station
- St Ives Shopping Village shopping centre
- Turramurra station and town centre
- Wahroonga station

On the next page is an overview of affected areas. You can also view an [indicative LMR mapping viewer](#) on the Department's website.

How were these Low and Mid-Rise Housing areas selected?

The Low and Mid-Rise Housing areas were identified based on the capacity of existing infrastructure and provision of services, as well as public feedback and consultation with councils.

Criteria for how areas were identified include:

- Access to a wide range of goods and services, particularly a supermarket.
- Frequency of public transport services and travel time to major employment centres.
- Capacity of existing transport, roads, water and sewer infrastructure in the area.
- Constraints on the area from natural disasters and potential hazards.

What will encouraging housing in these areas mean?

Encouraging diverse housing options in these areas will mean that people in these local communities have a range of housing options available to them, and have a choice of the type of home they want to live in.

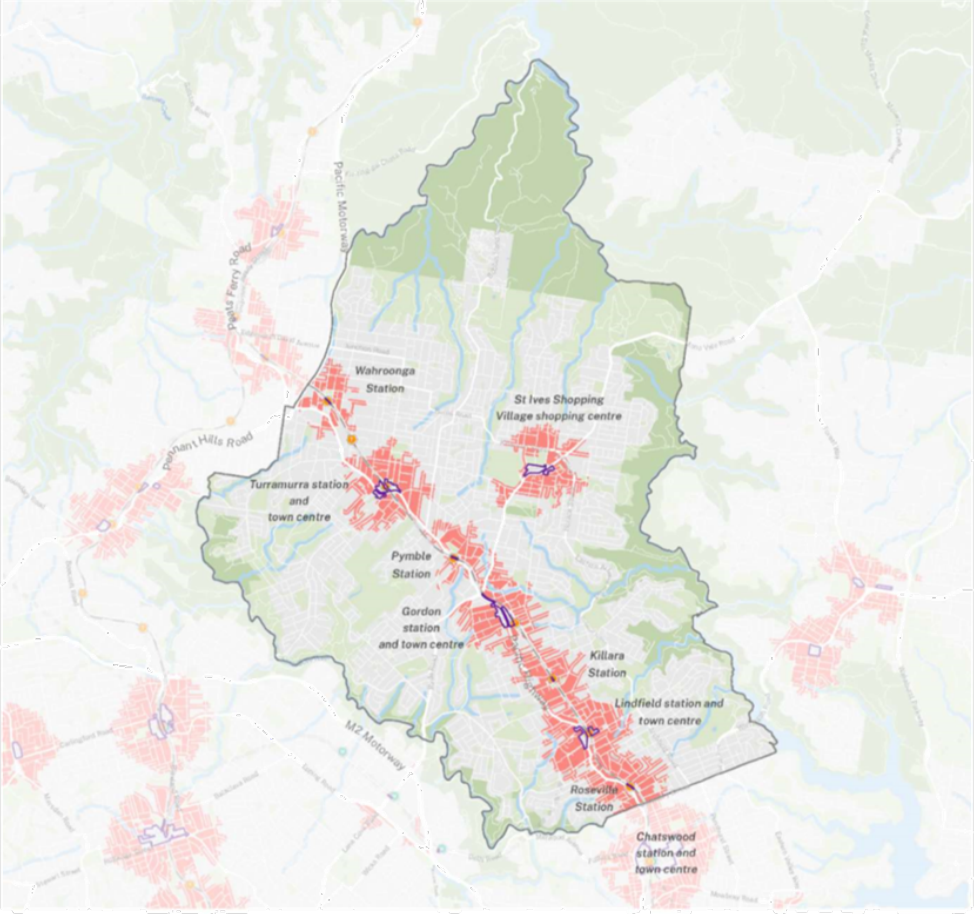
By encouraging a more diverse range of housing options, we can fill the gap of the

Department of Planning, Housing and Infrastructure
Fact sheet



'missing middle' in new housing supply and create human-scale density in more liveable neighbourhoods.

To help build liveable communities, a new Tree Canopy Guide for Low and Mid-Rise Housing will apply to low and mid-rise housing development in these areas, which has provisions for tree planting, deep soil area and tree canopy cover.



KU-RING-GAI



- Low and mid-rise centre/station
- Local Government Area
- Indicative low and mid-rise housing area

Please note that this map is a guide only

You can view an [indicative map of the low and mid-rise housing areas](#) on the Department's website.

Department of Planning, Housing and Infrastructure
Fact sheet



What is low and mid-rise housing?

Low-rise housing is generally 1-2 storeys and includes dual occupancies (2 dwellings on the same lot), terraces, townhouses and low-rise apartment buildings. It does not include freestanding houses.



Mid-rise housing is generally 3-6 storey apartment buildings.



The low and mid-rise changes will also introduce new development standards for these housing types, including allowable heights, floor-space ratios and lot sizes.

Policy rollout

The Low and Mid-Rise Policy has been introduced in two stages:

Stage 1: Permitting dual occupancies (from 1 July 2024)

Dual occupancies and semi-detached dwellings must be permitted with consent on all R2 low density residential zones across NSW, except for excluded areas (see below).

Stage 2: Encouraging low and mid-rise housing (from 28 February 2025)

The second stage introduces new planning controls to allow terraces, townhouses, mid-rise apartments and shop-top housing within 800 metres of identified town centres and train or light rail stations.

You can view an [indicative map of the low and mid-rise housing areas](#) on the Department's website.

Department of Planning, Housing and Infrastructure
Fact sheet



The policy allows for a range of housing types in these areas, including:

Dual occupancy	2 homes on 1 lot
Multi-dwelling housing	3 or more homes on 1 lot, in any arrangement
Multi-dwelling housing (terraces)	3 or more attached homes on 1 lot, (all facing the street)
Residential flat building	3 or more apartments in a building with 2 + storeys
Shop-top housing	1 or more apartments above ground-floor shops

Detailed information about housing types is available on the Department's website under [key provisions summary](#).

How does this policy relate to the Transport Oriented Development?

The Low and Mid-Rise Policy does not apply in Transport Oriented Development (TOD) areas. However, it may apply to land immediately surrounding TOD Precincts. This will help avoid similar policy settings applying to the same land.

Use the Department's [indicative mapping viewer](#) to see the boundaries for Low and Mid-Rise Areas and the Transport Oriented Development areas.

Learn more

For detailed information on the Low and Mid-Rise Policy, visit the [Department's website](#) where you'll find resources such as:

- Low and Mid-Rise Housing Policy
- State Environmental Planning Policy (Housing) 2021
- Benefits of low and mid-rise housing
- Site selection
- Policy key provisions
- Policy exclusions
- Tree Canopy Guide for Low and Mid-Rise Housing
- Feedback on the Low and Mid-rise Housing Policy
- Frequently asked questions



New South Wales

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

Published LW 28 February 2025 (2025 No 81)

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025 [NSW]

**State Environmental Planning Policy (Housing) Amendment
(Low and Mid Rise Housing) 2025**

under the

Environmental Planning and Assessment Act 1979

1 Name of policy

This policy is *State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025*.

2 Commencement

This policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of policy

This policy is repealed at the beginning of the day following the day on which this policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Housing) 2021

[1] **Section 72 Development for the purposes of build-to-rent housing permitted with consent**

Insert after section 72(2)(a1)—

- (a2) on which development for the purposes of multi dwelling housing, residential flat buildings or shop top housing is permissible under Chapter 6, or

[2] **Chapter 3, Part 12 Dual occupancies and semi-detached dwellings in Zone R2**

Omit the part.

[3] **Chapter 6**

Insert after Chapter 5—

Chapter 6 Low and mid rise housing

Part 1 Preliminary

162 **Aim of chapter**

The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.

163 **Definitions**

In this chapter—

Deferred Transport Oriented Development Areas Map means the State Environmental Planning Policy (Housing) 2021 Deferred Transport Oriented Development Areas Map.

low and mid rise housing area means land within 800m walking distance of—

- (a) land identified as “Town Centre” on the Town Centres Map, or
(b) a public entrance to a railway, metro or light rail station listed in Schedule 11, or
(c) for a light rail station listed in Schedule 11 with no public entrance—a platform of the light rail station.

low and mid rise housing inner area means land within 400m walking distance of—

- (a) land identified as “Town Centre” on the Town Centres Map, or
(b) a public entrance to a railway, metro or light rail station listed in Schedule 11, or
(c) for a light rail station listed in Schedule 11 with no public entrance—a platform of the light rail station.

low and mid rise housing outer area means land between 400m and 800m walking distance of—

- (a) land identified as “Town Centre” on the Town Centres Map, or
(b) a public entrance to a railway, metro or light rail station listed in Schedule 11, or

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025 [NSW]
Schedule 1 Amendment of State Environmental Planning Policy (Housing) 2021

- (c) for a light rail station listed in Schedule 11 with no public entrance—a platform of the light rail station.

strata subdivision means subdivision by the following, within the meaning of the *Strata Schemes Development Act 2015*—

- (a) a strata plan,
- (b) a strata plan of consolidation,
- (c) a strata plan of subdivision.

Town Centres Map means the State Environmental Planning Policy (Housing) 2021 Town Centres Map.

164 Land to which chapter applies

- (1) This chapter applies to the whole of the State, other than the following—
 - (a) bush fire prone land,
 - (b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of *State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 2,
 - (c) land to which Chapter 5 applies,
 - (d) land that is a heritage item or on which a heritage item is located,
 - (e) the following local government areas—
 - (i) Bathurst Regional,
 - (ii) City of Blue Mountains,
 - (iii) City of Hawkesbury,
 - (iv) Wollondilly,
 - (f) flood prone land in the Georges River Catchment and Hawkesbury-Nepean Catchment under *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 6,
 - (g) land in a flood planning area in the following local government areas—
 - (i) Armidale Regional,
 - (ii) Ballina,
 - (iii) Bellingen,
 - (iv) Byron,
 - (v) City of Cessnock,
 - (vi) Clarence Valley,
 - (vii) City of Coffs Harbour,
 - (viii) Dungog,
 - (ix) Goulburn Mulwaree,
 - (x) Kempsey,
 - (xi) Kyogle,
 - (xii) City of Lismore,
 - (xiii) City of Maitland,
 - (xiv) Nambucca Valley,
 - (xv) City of Newcastle,
 - (xvi) Port Stephens,
 - (xvii) Queanbeyan-Palerang Regional,
 - (xviii) Richmond Valley,

- (xix) City of Shoalhaven,
 - (xx) Singleton,
 - (xxi) Tweed,
 - (xxii) Upper Hunter Shire,
 - (xxiii) Walcha,
 - (h) land in an ANEF contour or ANEC contour of 20 or greater,
 - (i) land within 200m of a relevant pipeline within the meaning of *State Environmental Planning Policy (Transport and Infrastructure) 2021*, section 2.77,
 - (j) land identified as “Deferred Transport Oriented Development Areas” on the Deferred Transport Oriented Development Areas Map,
 - (k) land within 800m of a public entrance to a railway, metro or light rail station listed in Schedule 12.
- (2) This chapter does not apply to land identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map.
- (3) In this section—
ANEC contour has the same meaning as in *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, section 4.17.
ANEF contour has the same meaning as in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
flood planning area has the same meaning as in the *Flood Risk Management Manual*.

165 Non-discretionary development standards—the Act, s 4.15

Sections 168, 169, 172, 173, 179, and 180 identify non-discretionary development standards for the Act, section 4.15(2).

Part 2 Dual occupancies and semi-detached dwellings

Division 1 Preliminary

166 Development permitted with development consent

Development for the purposes of dual occupancies or semi-detached dwellings is permitted with development consent on land to which this chapter applies in Zone R2 Low Density Residential.

167 Landscaping—dual occupancies

- (1) This section applies to development for the purposes of dual occupancies in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential,
 - (d) Zone R4 High Density Residential.
- (2) Before granting development consent to development to which this section applies, the consent authority must consider the *Tree Canopy Guide for Low and Mid Rise Housing*, published by the Department in February 2025.

Division 2 Non-discretionary development standards—the Act, s 4.15

168 Non-discretionary development standards—dual occupancies

- (1) This section applies to development for the purposes of dual occupancies in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential,
 - (d) Zone R4 High Density Residential.
- (2) The following non-discretionary development standards apply—
 - (a) a minimum lot size of 450m²,
 - (b) a minimum lot width at the front building line of 12m,
 - (c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking spaces per dwelling—a minimum of 1 car parking space per dwelling,
 - (d) a maximum floor space ratio of 0.65:1,
 - (e) a maximum building height of 9.5m.

169 Non-discretionary development standards—subdivision for dual occupancies

- (1) This section applies to development involving subdivision for the purposes of dual occupancies on land in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential.
- (2) This section applies only if—
 - (a) development consent was granted for the dual occupancy on or after 28 February 2025, or
 - (b) the development results from a development application made on or after 28 February 2025 for the subdivision of the land and the erection of a dual occupancy on the land.
- (3) The following non-discretionary development standards apply—
 - (a) each resulting lot must contain no more than 1 dwelling,
 - (b) each resulting lot must be at least 6m wide at the front building line,
 - (c) each resulting lot must have lawful access and frontage to a public road,
 - (d) each resulting lot must have an area of at least 225m²,
 - (e) each resulting lot must not be a battle-axe lot.
- (4) This section does not apply to strata subdivision.

Part 3 Attached dwellings, multi dwelling housing and multi dwelling housing (terraces)

Division 1 Preliminary

170 Development permitted with development consent

Development for the purposes of multi dwelling housing or attached dwellings is permitted with development consent on land to which this chapter applies in a low and mid rise housing area in Zone R2 Low Density Residential.

171 Landscaping—multi dwelling housing or multi dwelling housing (terraces)

- (1) This section applies to development for the purposes of multi dwelling housing or multi dwelling housing (terraces) in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential,
 - (d) Zone R4 High Density Residential.
- (2) Before granting development consent to development to which this section applies, the consent authority must consider the *Tree Canopy Guide for Low and Mid Rise Housing*, published by the Department in February 2025.

Division 2 Non-discretionary development standards—the Act, s 4.15

172 Non-discretionary development standards—multi dwelling housing

- (1) This section applies to development for the purposes of multi dwelling housing on land in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential,
 - (d) Zone R4 High Density Residential.
- (2) The following non-discretionary development standards apply in relation to development for the purposes of multi dwelling housing—
 - (a) a minimum lot size of 600m²,
 - (b) a minimum lot width at the front building line of 12m,
 - (c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking spaces per dwelling—a minimum of 1 car parking space per dwelling,
 - (d) a maximum floor space ratio of 0.7:1,
 - (e) a maximum building height of 9.5m.
- (3) The following non-discretionary development standards apply in relation to development for the purposes of multi dwelling housing (terraces)—
 - (a) a minimum lot size of 500m²,
 - (b) a minimum lot width at the front building line of 18m,
 - (c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking

spaces per dwelling—a minimum of 0.5 car parking spaces per dwelling,

- (d) a maximum floor space ratio of 0.7:1,
- (e) a maximum building height of 9.5m.

173 Non-discretionary development standards—subdivision for multi dwelling housing (terraces)

- (1) This section applies to development involving subdivision for the purposes of multi dwelling housing (terraces) on land in a low and mid rise housing area in the following zones—
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential.
- (2) This section applies only if—
 - (a) development consent was granted for the multi dwelling housing (terraces) on or after 28 February 2025, or
 - (b) the development results from a development application made on or after 28 February 2025 for the subdivision of the land and the erection of multi dwelling housing (terraces) on the land.
- (3) The following non-discretionary development standards apply—
 - (a) each resulting lot must contain no more than 1 dwelling,
 - (b) each resulting lot must be 6m wide at the front building line,
 - (c) each resulting lot must have lawful access and frontage to a public road,
 - (d) each resulting lot must have an area of at least 165m².
- (4) This section does not apply to strata subdivision.

Part 4 Residential flat buildings and shop top housing

Division 1 Preliminary

174 Development permitted with development consent

Development for the purposes of residential flat buildings is permitted with development consent on land to which this chapter applies in a low and mid rise housing area in Zone R2 Low Density Residential or R3 Medium Density Residential.

175 Development standards—low and mid rise housing inner area

- (1) This section applies to land in a low and mid rise housing inner area in Zone R3 Medium Density Residential or R4 High Density Residential.
- (2) Development consent must not be granted for development for the purposes of residential flat buildings with a building height of up to 22m unless the consent authority is satisfied the building will have 6 storeys or fewer.
- (3) Development consent must not be granted for development for the purposes of a building containing shop top housing with a building height of up to 24m unless the consent authority is satisfied the building will have 6 storeys or fewer.

176 Development standards—low and mid rise housing outer area

- (1) This section applies to land in a low and mid rise housing outer area in Zone R3 Medium Density Residential or R4 High Density Residential.
- (2) Development consent must not be granted for development for the following purposes if a resulting building will have a building height of up to 17.5m unless the consent authority is satisfied that the building will have 4 storeys or fewer—
 - (a) residential flat buildings,
 - (b) buildings containing shop top housing.

177 Landscaping—residential flat buildings or shop top housing

- (1) This section applies to land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.
- (2) Development consent must not be granted for development for the purposes of residential flat buildings or shop top housing unless the consent authority has considered the *Tree Canopy Guide for Low and Mid Rise Housing*, published by the Department in February 2025.

178 Minimum lot size for residential flat buildings or shop top housing

- (1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.
- (2) A requirement specified in another environmental planning instrument or development control plan in relation to the following does not apply to development that meets the standards in section 180(2) or (3)—
 - (a) minimum lot size,
 - (b) minimum lot width.

Division 2 Non-discretionary development standards—the Act, s 4.15

179 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R1 or R2

- (1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R1 General Residential or R2 Low Density Residential.
- (2) The following non-discretionary development standards apply—
 - (a) a minimum lot size of 500m²,
 - (b) a minimum lot width at the front building line of 12m,
 - (c) if no environmental planning instrument or development control plan that applies to the land specifies a maximum number of car parking spaces per dwelling—a minimum of 0.5 car parking spaces per dwelling,
 - (d) a maximum floor space ratio of 0.8:1,
 - (e) a maximum building height of 9.5m.

180 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R3 or R4

- (1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.
- (2) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing inner area—
 - (a) a maximum floor space ratio of 2.2:1,
 - (b) for residential flat buildings—a maximum building height of 22m,
 - (c) for a building containing shop top housing—a maximum building height of 24m.
- (3) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing outer area—
 - (a) a maximum floor space ratio of 1.5:1,
 - (b) a maximum building height of 17.5m.

[4] Schedule 10 Dictionary

Insert in alphabetical order—

Deferred Transport Oriented Development Areas Map, for Chapter 6—see section 163.

low and mid rise housing area, for Chapter 6—see section 163.

low and mid rise housing inner area, for Chapter 6—see section 163.

low and mid rise housing outer area, for Chapter 6—see section 163.

strata subdivision, for Chapter 6—see section 163.

Town Centres Map, for Chapter 6—see section 163.

[5] Schedules 11 and 12

Insert after Schedule 10—

Schedule 11 Low and mid rise housing area stations

section 163, definitions of “low and mid rise housing area”, “low and mid rise housing inner area” and “low and mid rise housing outer area”

Adamstown station

Arncliffe station

Artarmon station

Ashfield station

Banksia station

Bankstown station

Bella Vista station

Beverly Hills station

Bexley North station

Canley Vale station

Cardiff station

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025 [NSW]
Schedule 1 - Amendment of State Environmental Planning Policy (Housing) 2021

Concord West station
Crows Nest station
Croydon station
Doonside station
Dulwich Hill station
Flemington station
Glenfield station
Granville station
Gymea station
Hamilton station
Hills Showground station
Homebush station
Hornsby station
Kellyville station
Kensington light rail station
Killara station
Kingsford Juniors light rail station
Kotara station
Lidcombe station
Lilyfield light rail station
Liverpool station
Macquarie Park station
Marrickville station
Meadowbank station
Milsons Point station
Minto station
North Ryde station
North Strathfield station
Oatley station
Penshurst station
Petersham station
Pymble station
Redfern station
Regents Park station
Roseville station
Seven Hills station
St Leonards station

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025 [NSW]
Schedule 1 - Amendment of State Environmental Planning Policy (Housing) 2021

St Peters station
Stanmore station
Turrella station
UNSW Anzac Parade light rail station
Victoria Cross station
Wahroonga station
Waitara station
Waverton station
Westmead station
Wollstonecraft station
Woolooware station

**Schedule 12 Deferred Transport Oriented Development
stations**

section 164(1)(k)

Belmore station
Canterbury station
Cockle Creek station
Lakemba station
North Wollongong station
Punchbowl station
St Marys station
Wiley Park station

State Environmental Planning Policy (Housing) Amendment (Low and Mid Rise Housing) 2025 [NSW]
Schedule 2 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Schedule 2 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

[1] Clause 1.19 Land on which complying development may not be carried out

Omit “Chapter 3, Part 12” from clause 1.19(3B)(c).

Insert instead “Chapter 6, Part 2, Division 1”.

[2] Clause 3B.8 Lot requirements

Insert “, other than *State Environmental Planning Policy (Housing) 2021*, Chapter 6, Part 2, Division 2,” after “instrument” in clause 3B.8(1)(b).

[3] Clause 3B.21 Lot requirements

Insert “, other than *State Environmental Planning Policy (Housing) 2021*, Chapter 6, Part 4, Division 2,” after “instrument” in clause 3B.21(a)(ii).

[4] Clause 3B.21(b)(ii)

Insert “, other than *State Environmental Planning Policy (Housing) 2021*, Chapter 6, Part 2, Division 2,” after “instrument”.

[5] Clause 3B.33 Lot requirements

Insert “, other than *State Environmental Planning Policy (Housing) 2021*, Chapter 6, Part 3, Division 2,” after “the environmental planning instrument” wherever occurring in clause 3B.33(1)(a) and (b).

HER-STORY PROJECT UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To update the Heritage Reference Committee on Ku-ring-gai's latest online inventories uploaded to the State Heritage Inventory.

BACKGROUND:

Ku-ring-gai Council's project named 'her-story' is progressively improving the online heritage inventories on the State Heritage Inventory for Ku-ring-gai's existing heritage items and conservation areas.

Council's adopted Heritage Strategy set two priority actions for updating inventories. This project commenced in 2021. The April 2022 report to HRC detailed the project process and priorities. Updates and sample inventories have been provided to HRC at subsequent meetings.

COMMENTS:

To improve public access to information about Ku-ring-gai's 46 conservation areas and nearly 1,000 heritage items, Council is continuing to update its online heritage inventories.

Attachment A1 identifies the heritage items with updated online inventories since the last HRC report. The inventories are available by searching the State Heritage Inventory at [HMS - Start your search \(nsw.gov.au\)](https://www.nsw.gov.au/heritage/heritage-inventory).

The majority were prepared earlier, however had not yet been uploaded to the State Heritage Inventory through completion of the final online steps. A total of 227 inventories for all 46 conservation areas and some heritage items have now been completed online, with 809 remaining.

RECOMMENDATION:

(Refer to the full Recommendation at the end of this report)

That the Heritage Reference Committee receive and note the heritage items with the uploaded inventories at **Attachment A1** since the last report and comment on promotion and education options.

PURPOSE OF REPORT

To update the Heritage Reference Committee on Ku-ring-gai's latest online inventories uploaded to the State Heritage Inventory.

BACKGROUND

Ku-ring-gai Council's project named 'her-story' is progressively improving the online inventories on the State Heritage Inventory for Ku-ring-gai's existing heritage items and conservation areas.

The [State Heritage Inventory](#) (SHI) is a NSW government online database established and managed by Heritage NSW, with information and updates inputted by NSW councils for locally listed places.

An online inventory is not a mandatory requirement for listed places because it does not form part of the statutory listing or mandated planning process. Nevertheless, these online inventories become the first source of information about Ku-ring-gai's heritage places, used by multiple stakeholders. These inventories collectively tell the story of Ku-ring-gai's heritage or 'her-story'.

Before commencing this project, Ku-ring-gai's inventories and research was only accessible to the public by request to Council and this information was not searchable on the online State Heritage Inventory. As many of Ku-ring-gai's listings predate the creation of the internet and SHI, most online inventories were near empty, generally just with an address, photo and general statements. Completing these online inventories has become standard best practice in NSW under the guidance of Heritage NSW.

Council's adopted Heritage Strategy set two priority actions for updating inventories. This project commenced in 2021. The April 2022 report to HRC detailed the project process and priorities. Updates and sample inventories have been provided to HRC at subsequent meetings.

COMMENTS

To improve public access to information about Ku-ring-gai's 46 conservation areas and nearly 1,000 heritage items, Council is continuing to update its online heritage inventories. **Attachment A1** identifies the heritage items with updated online inventories since the last HRC report. The inventories are available by searching the State Heritage Inventory at [HMS - Start your search \(nsw.gov.au\)](#). Full inventories are not attached due to size and online availability.

The majority were prepared earlier, however had not yet been uploaded to the State Heritage Inventory through completion of the final online steps by Council or Heritage NSW staff. This oversight was identified following a review of internal record-keeping against the online State Heritage Inventory. Some earlier reported tallies may have mistakenly counted some of these inventories as complete online ahead of time.

Following review, tallies are now updated as a total of 227 inventories completed online for all 46 conservation areas and some heritage items, with 809 remaining item inventories to complete online. The newly completed inventories are marked in the attached with an asterix.

As part of this review, a number of previously completed and reported inventories were also corrected for formatting or basic editorial, such as spacing, without substantive change. Council is

also endeavouring to add or improve the online illustrations for completed inventories, as resources permit. These minor or graphic updates are not included in the attached list.

This project seeks to deliver the widest intended benefit through fewer near-empty inventories, in order to assist more stakeholders conserve listed places with better information and reduced research costs. The updated inventories provide information about the place including a researched history, summary description and significance statement, general management recommendations and illustrations. They also include standard content addressing common misconceptions about inventories.

It should be noted that these non-statutory inventories are not a comprehensive assessment and do not alter the legal listing, as set out in 'further comments' added to updated inventories, and Council's webpage at [Listing heritage Ku-ring-gai \(nsw.gov.au\)](https://www.nsw.gov.au/listing-heritage-ku-ring-gai). Changes to the statutory listing or further assessment requires a separate planning process and/or report. Owners or their consultants can provide more detail or assessment to Council when proposing development or a planning proposal.

Community information and case studies

As a group of inventories are now complete, with a focus on the conservation areas covering many properties, as well as heritage items across Gordon, Killara, Lindfield and Roseville, there may be an opportunity to raise public awareness about this available resource and the stories these inventories tell. The following provides draft content to share, based on select case studies, for potential uses such as for a historical interest article:

Property owners, the community and consultants can now find out more historic and other information about many listed places in Ku-ring-gai by searching the online State Heritage Inventory. Online inventories are now available with histories, descriptions, significance assessments and illustrations for all 46 heritage conservation areas and nearly 200 heritage items in Ku-ring-gai. Freely provided by council and accessible online, the completed online inventories help to reduce the research costs for the property owners and consultants when proposing development. This also makes it easier for the community to make comparisons and connections between sites, such as to find other works by an architect or associated with a prominent person, as more inventories are progressively updated.

The inventories tell the stories of the local heritage of Ku-ring-gai houses, streets and neighborhoods. As described in these inventories you can discover, for instance, in one short Gordon street of Park Avenue, the listed home of National Trust of Australia founder, Annie Wyatt, referred to by some as the 'birthplace of conservation in Australia', as well as the home of Sydney Harbor Bridge engineer, John Bradfield, and a home of the stationer's Penfold family. The same street contains a rare memorial garden to Bradfield, and the work of prominent Sydney architects, Carlyle Greenwell and Leith McCredie and Richardson, from the Inter-war and Post-war periods.

Whereas, in one Killara street of Marian Street, you can find domestic architecture by renowned architects, Robertson and Marks, Walter Burley Griffin and Peddle Thorp & Walker, amongst other prominent architects, with multiple buildings in this street featured in architectural publications of their time. Also found in Marian Street is the listed home of the significant local figure, JG Edwards, dubbed the 'father of Killara', who was responsible

Item GB.2

S13598

for major subdivisions, advocated for the construction of the railway line and Killara's tennis courts, bowling greens and churches.

Both the Gordon and Killara streets are also listed in conservation areas of 'Gordondale; and 'Marian Street', demonstrating the significant garden suburb development that followed the construction of the North Shore rail line, through the streets, subdivisions and primarily houses and some other building types from the Federation and Inter-war periods. These conservation areas also have their own inventories.

People can search the State Heritage Inventory at [State Heritage Inventory | Heritage | Environment and Heritage](#).

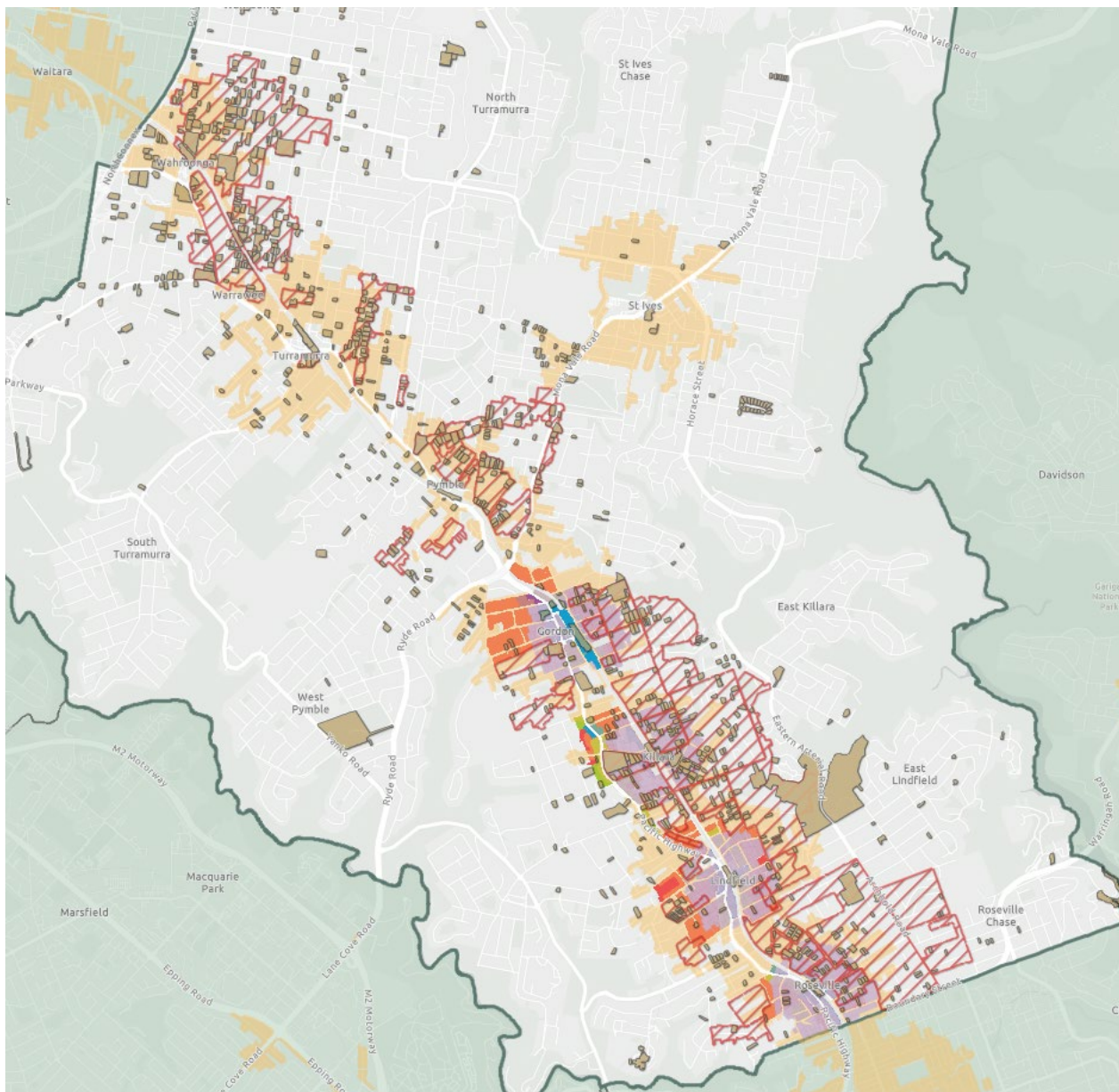
Inventory priorities

Conservation areas were prioritised as the inventories affecting most properties for the widest benefit. In the past year, the items affected by the housing SEPPs for increased permissible development have been prioritised for completed inventories, starting with heritage items in the TOD locations identified in April 2024, followed by the items affected by the Low and Mid Rise SEPP known since February 2025, then Council's TOD alternative of March 2025. These inventory priorities are a work in progress as the upzoned land impacting heritage has increased rapidly in the past year. Inventories for all conservation areas and items impacted by TOD are now mostly complete. Further inventories area also prioritised due to other proposals.

To gain an understanding of the resulting inventory priorities, the following map shows the location of increased densities in Ku-ring-gai through coloured shading, relative to the location of conservation areas (hatched red) and heritage items (shaded brown).

In the following map of increased densities and heritage, the purple shading indicates TOD sites permitting multi-storey apartments. Yellow shading is the indicative location for permitting 2-storey apartments. Orange and red shading is for Council's alternative density locations. Dual occupancy is also permitted in most unshaded areas. Note that heritage items are excluded from these increases but indirectly affected by surrounding increases. Refer to other reports for more information on these housing planning changes.

As noted above, the completed online inventories equip owners, consultants and the public with accessible information and research about the impacted heritage items and heritage conservation areas, without any change to the existing statutory listing.



Above: Heritage and increased density locations in Ku-ring-gai, as of March 2025, noting the density locations may change.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Ku-ring-gai’s heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai’s heritage assets.	Implement, monitor and review Ku-ring-gai’s heritage planning controls and Heritage Strategy.

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
		Promote local heritage in consultation with key stakeholders.

GOVERNANCE MATTERS

The Heritage Reference Committee includes Councillors, heritage practitioners and community members. The Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

RISK MANAGEMENT

Consisting of seven members, the Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee nevertheless plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

FINANCIAL CONSIDERATIONS

The costs of running the Heritage Reference Committee are covered by the Strategy and Environment Department's budget.

SOCIAL CONSIDERATIONS

The aims of the Heritage Reference Committee are to provide advice to Council on heritage matters and to provide assistance to Council in promoting an understanding and appreciation of heritage, including matters of social heritage significance.

ENVIRONMENTAL CONSIDERATIONS

A role of the Heritage Reference Committee is to support Council in identifying and managing Ku-ring-gai's Cultural Heritage.

COMMUNITY CONSULTATION

The Heritage Reference Committee meets on a monthly basis or as required and notification of meetings is provided on Council's website.

INTERNAL CONSULTATION

The Heritage Reference Committee includes Councillors and heritage practitioners and is facilitated by Council staff. Where relevant, consultation with other Departments may occur in particular with Council's heritage advisors in Development & Regulation.

SUMMARY

Attachment A1 identifies the heritage items with updated online inventories since the last HRC report.

RECOMMENDATION:

That the Heritage Reference Committee receive and note the heritage items with updated online inventories at **Attachment A1** since the last report.

Claudine Loffi
Heritage Specialist Planner

Antony Fabbro
Manager Urban & Heritage Planning

Attachments: A1 Updated online inventories to 30 January 2025 2025/015467

State Heritage Inventory updates 6 December 2024 – 30 January 2025

The following conservation area and heritage items inventories are now available on the State Heritage Inventory by searching [HMS - Start your search \(nsw.gov.au\)](https://www.nsw.gov.au/heritage) using the following name or address.

The majority below were prepared in earlier reporting periods, however had not yet been uploaded to the State Heritage Inventory. The exceptions that were finalised more recently are noted below with an asterisk.

Heritage items

Bradfield Memorial Garden, Intersection Park Avenue and Rosedale Road, Gordon ([HMS - ViewItem](#))*

Seven Little Australians Park, Tryon Road, East Killara ([HMS - ViewItem](#))

15 Damour Avenue, East Lindfield ([HMS - ViewItem](#))

23 Karoo Avenue, East Lindfield ([HMS - ViewItem](#))

20 Melbourne Road, East Lindfield ([HMS - ViewItem](#))

29 Pleasant Avenue, East Lindfield ([HMS - ViewItem](#))

22 Sydney Road, East Lindfield ([HMS - ViewItem](#))

28 Sydney Road, East Lindfield ([HMS - ViewItem](#))

96 Wellington Road, East Lindfield ([HMS - ViewItem](#))

72 Woodlands Road, East Lindfield ([HMS - ViewItem](#))

17A Edward Street, Gordon ([HMS - ViewItem](#))

23 Park Avenue, Gordon ([HMS - ViewItem](#))*

707 Pacific Highway, Gordon ([HMS - ViewItem](#))

8 Pearson Avenue, Gordon ([HMS - ViewItem](#))*

64 St Johns Avenue, Gordon ([HMS - ViewItem](#))

3 Arnold Street, Killara ([HMS - ViewItem](#))

6 and 8A Arnold Street, Killara ([HMS - ViewItem](#))

7 Arnold Street, Killara ([HMS - ViewItem](#))

9 Arnold Street, Killara ([HMS - ViewItem](#))

9A Arnold Street, Killara ([HMS - ViewItem](#))

9B Arnold Street, Killara ([HMS - ViewItem](#))
11 Arnold Street, Killara ([HMS - ViewItem](#))
15 Arnold Street, Killara ([HMS - ViewItem](#))
6 Lorne Avenue, Killara ([HMS - ViewItem](#))
6 Springdale Road, Killara ([HMS - ViewItem](#))
64 Rosebery Road, Killara ([HMS - ViewItem](#))
3 Lindel Place, Lindfield ([HMS - ViewItem](#))
4 Lindel Place, Lindfield ([HMS - ViewItem](#))
26 Bancroft Avenue, Roseville ([HMS - ViewItem](#))*
28 Bancroft Avenue, Roseville ([HMS - ViewItem](#))*
16 The Grove, Roseville ([HMS - ViewItem](#))
397 Bobbin Head Road, North Turramurra ([HMS - ViewItem](#))*
36 Burns Road, Wahroonga ([HMS - ViewItem](#))

Total tally: 227 inventories completed, 809 remaining

HERITAGE STRATEGY ONGOING PROJECTS UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To update the Heritage Reference Committee on further strategic heritage projects underway.

BACKGROUND:

Council's adopted Heritage Strategy establishes the priority heritage strategy projects and focus.

COMMENTS:

In addition to other reported matters, the following update is provided:

1. National Trust Heritage Awards 2025 – Council's comparative study of heritage conservation areas was nominated for an award in the 'resources and publications' category, included at **Attachment A1**.
2. Modern heritage study stage 1 – The consultant is preparing the final draft report, with draft inventories to follow, for modern architecture recommended for listing consideration within Wahroonga, Warrawee and Turramurra.
3. NSW heritage grant – Council has completed its submission for a NSW heritage grant of \$25,000 for a heritage study in the next grant period of 2025-27.
4. Heritage Home Grants 2025-26 – Council is promoting the next local heritage home grants open for applications from 10 March to 12 May 2025.
5. Seidler Family Precinct state heritage listing – Council provided comments in support of the proposed extension to the Rose Seidler House State Heritage Register listing at **Attachment A2**.

RECOMMENDATION:

That the Committee receive and note this report.

(Refer to the full Recommendation at the end of this report)

PURPOSE OF REPORT

To update the Heritage Reference Committee on further strategic heritage projects underway.

BACKGROUND

Council's adopted Heritage Strategy establishes the priority heritage strategy projects and focus. These include the listing of heritage items and conservation areas, focus on modern heritage, community engagement, heritage education and promotion, the heritage home grants program, inventory updates and more. Council's progress on key ongoing projects in line with this strategy is summarised in this report.

COMMENTS

In addition to other reported matters, the following update is provided:

1. National Trust Heritage Awards 2025 – Council's comparative study of heritage conservation areas was nominated for an award in the 'resources and publications' category, included at **Attachment A1**. No new category was created for 'planning and policy' as requested last year, included for reference at **Attachment A3**.
2. Modern heritage study stage 1 – The consultant is preparing the final draft report, with draft inventories to follow, for modern architecture recommended for listing consideration within Wahroonga, Warrawee and Turramurra.
3. NSW heritage grant – Council has completed its submission for a NSW heritage grant of \$25,000 for a heritage study in the next grant period of 2025-27.
4. Heritage Home Grants 2025-26 – Council is promoting the next annual local heritage home grants open for applications from 10 March to 12 May 2025.
5. Seidler Family Precinct state heritage listing – Council provided comments in support of the proposed extension to the Rose Seidler House State Heritage Register listing at **Attachment A2**. Heritage NSW advised it has extended the public submission period to 10 May 2025 and asked Council to share this information.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Ku-ring-gai's heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets.	Implement, monitor and review Ku-ring-gai's heritage planning controls and Heritage Strategy. Promote local heritage in consultation with key stakeholders.

GOVERNANCE MATTERS

The Heritage Reference Committee includes Councillors, heritage practitioners and community members. The Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

RISK IMPLICATION STATEMENT

Consisting of seven members, the Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee nevertheless plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

FINANCIAL CONSIDERATIONS

The costs of running the Heritage Reference Committee are covered by the Strategy and Environment Department's budget.

SOCIAL CONSIDERATIONS

The aims of the Heritage Reference Committee are to provide advice to Council on heritage matters and to provide assistance to Council in promoting an understanding and appreciation of heritage, including matters of social heritage significance.

ENVIRONMENTAL CONSIDERATIONS

A role of the Heritage Reference Committee is to support Council in identifying and managing Ku-ring-gai's Cultural Heritage.

COMMUNITY CONSULTATION

The Heritage Reference Committee meets on a monthly basis or as required and notification of meetings is provided on Council's website.

INTERNAL CONSULTATION

The Heritage Reference Committee includes Councillors and heritage practitioners and is facilitated by Council staff. Where relevant, consultation with other Departments may occur in particular with Council's heritage advisors in Development & Regulation.

SUMMARY

Council strategic heritage projects are progressing for heritage education and promotion.

RECOMMENDATION:

That the Heritage Reference Committee receive and note this report.

Claudine Loffi
Heritage Specialist Planner

Antony Fabbro
Manager Urban & Heritage Planning

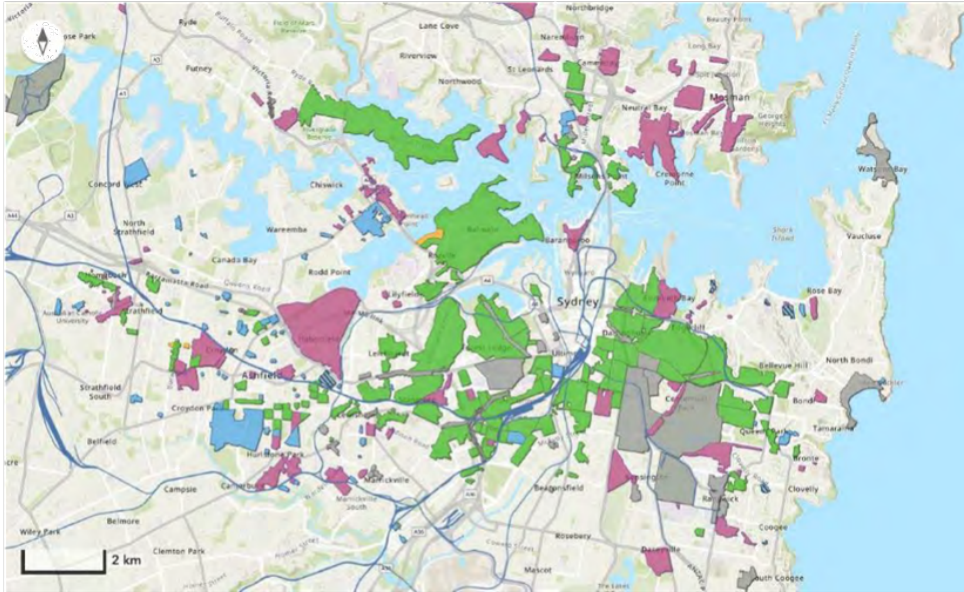
Attachments:	A1	National Trust award nomination - March 2025	2025/072888
	A2	State Heritage Register nomination comments - Seidler Family Precinct - March 2025	2025/072833
	A3	Requested award category from 2024	2025/072917

Comparative Study of conservation areas of Ku-ring-gai
and Sydney's suburbs



Ku-ring-gai Council, October 2024

Mapping the early development of Sydney's suburbs



Overview

Believed to be a first of its kind for Sydney, Ku-ring-gai Council has produced a comparative study of heritage conservation areas across most of Sydney. This provides an evidence base to establish the relative merit of heritage conservation areas, specifically for the garden and railway suburbs from the early twentieth century. This study provides new mapping and findings for Sydney's conservation areas generally. It also identifies unique aspects of Ku-ring-gai's conservation areas. It's the first known overall study of Sydney's conservation areas since these areas were first listed by the National Trust and then local councils progressively since the 1990s.

As a resource to better understanding the importance of Sydney's conservation areas, this study has been particularly important for informing the first substantial planning changes for major housing increases in suburban heritage conservation areas since most were listed.

Illustrated above: Ku-ring-gai's map of Sydney's inner heritage conservation areas by period.

*Cover: Killara's development along the north shore rail line looking south in 1933-34.
(Source: State Library, <https://collection.sl.nsw.gov.au/record/nGm3O3jY>)*



New findings for Sydney's suburban conservation areas

The study finds that, Sydney's heritage conservation areas demonstrate more than just an aesthetic character or streetscapes. From the inner city, across west, east, south and north Sydney, these heritage conservation areas provide evidence of the history of Sydney's planning and development. Through their surviving cohesion, these precincts tell the story of Sydney's settlement from key periods, perhaps better than any individual site. Historic areas like those found in Ku-ring-gai specifically demonstrate the process of suburbanisation, arguably one of the most important in Australia's European development history – to the extent that Sydney has been described as the 'City of Suburbs'.

More than architecture, heritage conservation areas demonstrate important shifts in Australia's governance, technology, economy and society. Sydney's heritage conservation areas demonstrate key historic changes of European settlement that formed greater Sydney – from a penal colony to Australian federation, from city plague to city beautification, from rental to home ownership, from inner city to suburbs, as well as changes in population migration and education. Concentrated areas of historic housing document the extension of important transport routes from rivers to trams, bridges, rail and roads. Historic areas of housing also embody the changing aspirations of Australian society for living and home ownership, perhaps best known from the twentieth century as the 'great Australian dream'.

The study finds that each heritage conservation area demonstrates its own part in this broader development of Sydney, with an identity particular to its locality and historic period. The surviving unity of heritage conservation areas is no accident, but the result of key historic influences, their original planning and development, and subsequent community value and protection.

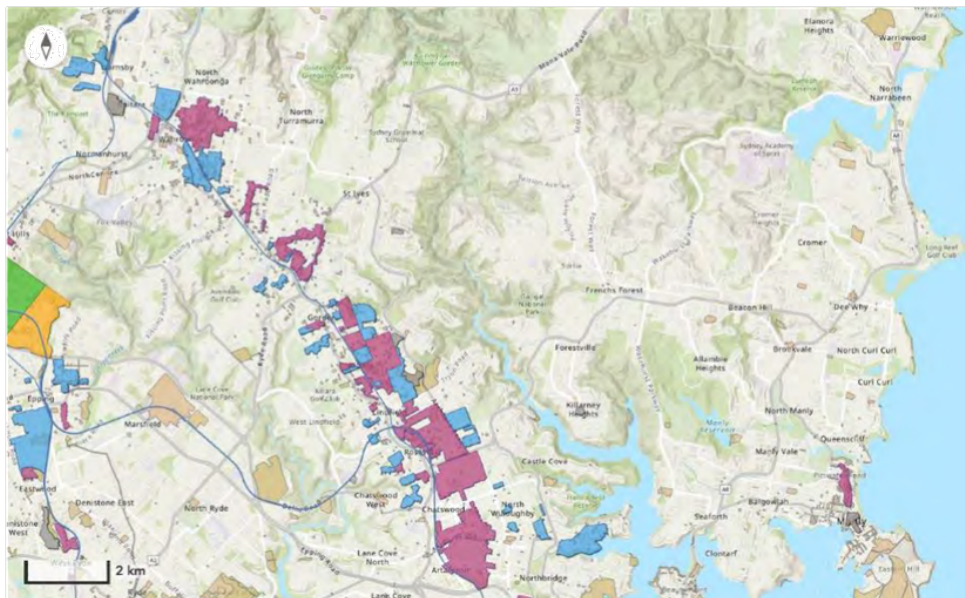
*Illustrated above: Roseville conservation area in approximately 1900-1927
(Source: State Library, <https://collection.sl.nsw.gov.au/record/9qoZL3J1>)*



New findings for Ku-ring-gai's conservation areas

This comparison revealed that Ku-ring-gai has no equal for demonstrating the development of Sydney's suburbs during the twentieth century in three aspects. These are the cohesive and intact Federation and inter-war housing patterns with relatively little Victorian or inter-war flat layers, the singular pattern of development along the spine of the rail line, and the high proportion of architect designed dwellings. The study also sourced evocative historic images of Ku-ring-gai's conservation areas that illustrate this connection between the garden suburb past and the present of fine surviving streets of houses, gardens and trees.

*Illustrated above: Killara conservation areas and station in approximately 1933-34.
(Source: State Library, <https://collection.sl.nsw.gov.au/record/nGm3O3jY>)*



A new methodology

The study goes beyond the usual local government area context that is normally required to establish local heritage significance for local heritage listing. The study reviews and draws together information from previously disparate resources of published histories, council documents, the NSW planning portal and state archives to provide a thematic history, comparisons table, mapping and conclusions on the conservation areas of Sydney's suburbs.

Authorship

- Kirrily Sullivan, Ku-ring-gai Council – research and methodology
- Claudine Loffi, Ku-ring-gai council – study report
- Cath Willis and Claudine Loffi - all HCA maps, excluding historic and aerials

Illustrated above: Ku-ring-gai's map of Sydney's northern heritage conservation areas by period.

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Ref: CY00294/15 / 2025/072833
10 March 2025

Ms Sally Barnes - Chair
Heritage Council of NSW
Locked Bag 5020
PARRAMATTA NSW 2124

Attention: Meggan Walker, Senior Heritage Officer

Email: meggan.walker@environment.nsw.gov.au
By: <https://www.haveyoursay.nsw.gov.au/seidler>

Dear Ms Barnes,

**Re: Notice of intention to consider amending a listing on the State Heritage Register –
Seidler Family Precinct – 69-71 and 75-75a Clissold Road, Wahroonga**

Thank you for the invitation for Council's comments on the proposed extended State Heritage Register listing for the Rose Seidler House to also include Rose House and Marcus Seidler House at the above address.

Council notes that these three Seidler properties are currently listed as local heritage items on the Ku-ring-gai Local Environmental Plan 2015.

The proposed enlarged State Heritage Register listing to capture the significance of the three related Seidler buildings in their landscape is supported. This is a positive step towards recognising the importance of modern domestic architecture in Ku-ring-gai, specifically the contribution by the leading Australian practitioner Harry Seidler.

Council recommends that both the collective and individual significance of these three properties is recognised in the State Heritage Register listing and associated entries on the State Heritage Inventory. This could be achieved through separate heritage inventories for each property, linked to a group inventory for the listed collection. The purpose is to provide greater clarity about future management where component sites in different ownership may be searched on the State Heritage Inventory and developed individually, rather than as a collection.

Should you have any queries regarding this matter, please contact Claudine Loffi, Heritage Specialist Planner, on (02) 9424 0860 or cloffi@krg.nsw.gov.au.

Yours sincerely

Antony Fabbro
Manager Urban & Heritage Planning

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Reference: Claudine Loffi

S02792 / 2024/181470
28 June 2024

Ms Kathryn Pitkin AM
President
The National Trust of Australia
National Trust Centre
GPO Box 518
SYDNEY NSW 2001 AUSTRALIA
reception@nationaltrust.com.au

Dear Ms Pitkin

National Trust Heritage Awards – Request for Planning and Policy category

I am writing on behalf of Ku-ring-gai Council to request the National Trust consider adding an award category to recognise planning and policy for heritage conservation. This planning and policy work for listing and conservation is the essential, challenging and often unsung effort behind the single-site outcomes that typically receive awards. The planning and policy work is most commonly the council-produced heritage studies, heritage listing planning and guidelines.

While there are National Trust awards for advocacy, education and publications that may inform conservation, there is no award for the initiatives that deliver large-scale conservation for many sites. The *'Resources and Publications'* category includes commercial publications which differ to the purpose and impact of planning and policy.

Historically, planning practice has been instrumental to the development of the National Trust and heritage conservation in NSW – from Ku-ring-gai resident Annie Wyatt founding the National Trust in the 1940s to the 1960s-70s 'Green Bans' by Jack Munday, all in response to poor planning. Without good planning and policy for conservation, there are no buildings to adapt, conserve, visit or be the subject of publications and events that can then be nominated for awards.

An award category to recognise and encourage best practice in planning has the potential to benefit conservation of many sites. There is just as much need to do so today as in the past. The award could even be named after Annie Wyatt. Ku-ring-gai Council would be happy to assist with developing this category, as needed.

For enquiries regarding this matter, please contact Claudine Loffi, Heritage Specialist, on (02) 9424 0860 or cloffi@krq.nsw.gov.au.

Yours sincerely

David Marshall
David Marshall (Tue 28, 2024 13:01 GMT+10)

David Marshall
General Manager

TRANSPORT ORIENTED DEVELOPMENT AND COUNCIL ALTERNATIVE PROPOSAL UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To outline the status of the Transport Oriented Development (TOD) State Environmental Planning Policy (SEPP) as it relates to heritage, and Council's proposal for an alternative that better protects heritage conservation areas and heritage items.

BACKGROUND:

The TOD SEPP has been in effect since May 2024. This permits 6-7 storey apartments (9 storeys with bonuses) in part or all of 23 heritage conservation areas within 400 metres of Gordon, Killara, Lindfield and Roseville stations. In late 2024, Council developed and exhibited 4 alternative scenarios, plus TOD, for increased housing within 400 or 800 metres of these stations.

COMMENTS:

Community feedback on the five exhibited housing scenarios preferred scenario 3b which protected all conservation areas from density increases, with density shifted to a wider radius of 800 metres from the stations. A number of submissions also sought delisting, however listing changes did not form part of Council's exhibited scenarios and planning or have the necessary heritage justification under NSW Heritage Council standards.

Council has now developed a TOD alternative, referred to as the Preferred Scenario, following this community consultation, for reporting to the 31 March Council meeting. This protects 80% of conservation areas and 69% of heritage items.

At the end of December 2024 and early 2025, the first proposals using these controls have been lodged as State Significant Development with the NSW Government that impact conservation areas and the setting of items in Roseville and Lindfield.

RECOMMENDATION:

That the Heritage Reference Committee receive and note this report and provide comments.

PURPOSE OF REPORT

To outline the status of the Transport Oriented Development (TOD) State Environmental Planning Policy (SEPP) as it relates to heritage, and Council's proposal for an alternative that better protects heritage conservation areas and heritage items.

BACKGROUND

The TOD SEPP has been in effect since May 2024. This permits 6-7 storey apartments (9 storeys with bonuses) in part or all of 23 heritage conservation areas within 400 metres of Gordon, Killara, Lindfield and Roseville stations. Heritage items in these locations are excluded from TOD rezoning but indirectly affected by permissible surrounding apartment development.

In late 2024, Council developed and exhibited 4 alternative scenarios, plus TOD, for increased housing within 400 or 800 metres of these stations. Further details on these exhibited scenarios, referred to as scenarios 1 (TOD base case), 2a, 2b, 3a and 3b, is available at [Housing scenarios consultation Ku-ring-gai](#).

COMMENTS

Community scenario feedback

Considerable community feedback was received from the exhibition of five scenarios in nearly 3,000 online surveys, and approximately 600 submissions. These numbers exclude surveys with failed or unavailable quality checks.

The most preferred option in the combined community feedback was scenario 3b that protected all conservation areas from density increases, with density shifted to a wider radius of 800 metres from the train stations. This was preferred by 33-36% of the combined votes, or net 8-18% preferred after deducting votes of least preferred. TOD was the second most preferred scenario at 25-26% of the vote, but also the most opposed by 41-42% of the vote, so net 16% opposed.

A number of community submissions also sought delisting of conservation areas and/or heritage items. However listing changes did not form part of Council's exhibited scenarios and planning or have the necessary heritage justification under NSW Heritage Council standards.

Note that TOD heritage properties are likely represented more in the opt-in results than other parts of Ku-ring-gai, where most impacted by TOD and the proposed alternatives. This numbers approximately 550 heritage sites listed as conservation areas and/or as 136 heritage items, directly or indirectly impacted by TOD. Random surveys were also sought and counted separately to balance the opt-in results affected by this property interest.

Community heritage and values feedback

This uncommon exhibition provided a practical measure of current community values for heritage, particularly the conservation areas most impacted by the TOD changes, when asked to choose between options all adding equal additional dwellings exceeding 23,000 and select top reasons. The results are therefore outlined in more detail below.

Item GB.4

CY00413/13

Heritage was a key concern for choosing between options for increased housing, although not the top. The top concern from 11 preset options was for density transitions and related amenity impacts, identified as important in 67-68% surveys, followed by environmentally sensitive areas (61%) and tree canopy (61-69%).

Partial conservation area protection was ranked as the fourth top concern and as important in more than half of surveys (55%). Full conservation area protection ranked eighth and as important in 42% of surveys. Minimising heritage item impacts was ranked as the fifth top concern and as important in more than half of the surveys (51-53%).

Other issues were ranked at a similar level of importance including revitalising commercial areas (55-68%) and minimising building height (54%). For infrastructure surveyed separately, traffic and parking improvements were the top concerns.

It is noted that the tree canopy priority overlaps with heritage conservation areas because of the garden suburb history of these listed areas, as previously identified by the Heritage Reference Committee and Council's recent comparative study. Ku-ring-gai's conservation areas have established tree canopy because they were planned with large lots, low density, space for gardens and early street tree planting with around a century since of limited change for tree growth. This means that conserving conservation areas in Ku-ring-gai also conserves established tree canopy.

In relation to part or full conservation area protection, the survey question did not specify the 'part' or quantity of conservation areas protected, so this indicator is more theoretical and may change when specific areas are identified, as shown in the scenario preferences. The two scenarios for partial conservation area protection with specific parts identified did not receive high support. These were ranked third and last – with 18%-20% in favour of scenario 2a for redeveloping 22% of listed areas, and 9-10% in favour of scenario 2b for redeveloping 69% of listed areas. The net preference was higher due to low opposition of 4-5%, where more extreme options for heights (3a) and TOD retention or change instead attracted the least favoured vote. In net results, 2a ranked as most and second preferred (13-16% net preferred) and 2b as third (5-6% net preferred).

Overall, combining the two tallies for partial and full conservation area protection indicates a high community interest in conserving conservation areas, identified in 97% of surveys as critical or very important, in addition to conserving heritage items.

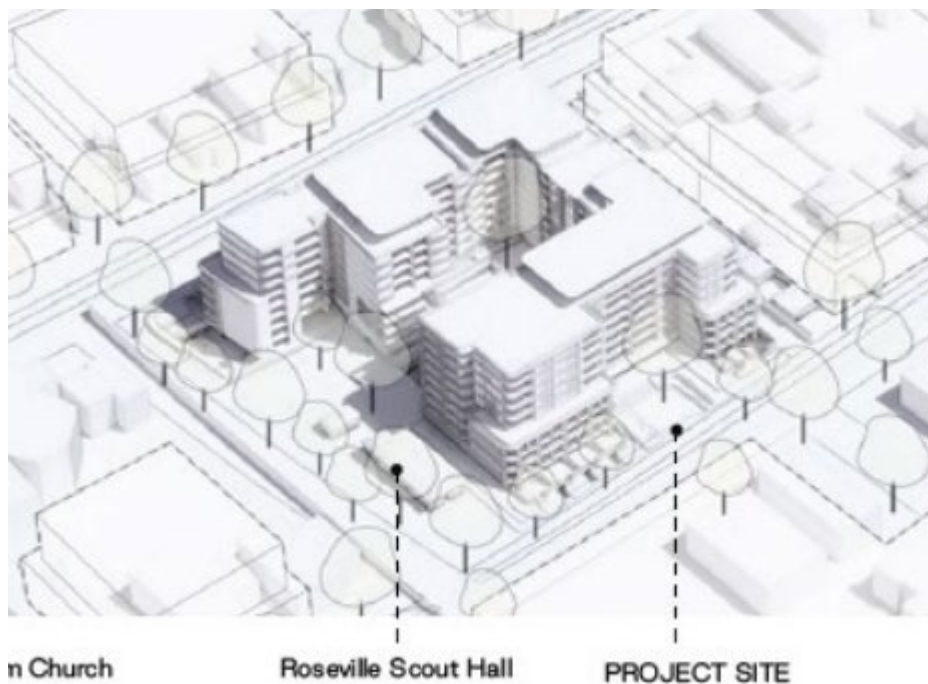
This measure of community value for heritage corresponds with the Heritage NSW 2024 survey in the report "Attitudes to heritage in NSW" that did not relate to any specific development proposal. This state survey of more than 4,000 participants found that protection of heritage places is important to 78% of participants (5% disagree), that 67% would prioritise heritage over development (11% disagree), and 67% agree heritage makes their area a better place to live (7% disagree). The state survey report is at [Heritage online library: Attitudes to Heritage in NSW](#).

TOD development applications

From the end of December 2024 and in early 2025, the first proposals using the TOD controls in heritage conservation areas have been lodged with the NSW Government as State Significant Development. The two Roseville and Lindfield applications are for complete demolition of houses, gardens and subdivision patterns in a conservation area for up to 9 or 10 storey apartments including affordable housing. The public information about these applications is on the state website links at:

- [16-24 Lord Street & 21-27 Roseville Avenue | Planning Portal - Department of Planning and Environment](#)
- [59-63 Trafalgar Avenue 1A&1B Valley Road Lindfield | Planning Portal - Department of Planning and Environment](#)

The available graphic from the Roseville application is shown below. The scout hall is a heritage item that is not included in the application.



In January 2025, the NSW Government approved these applications for progressing to the next stage of environmental impact assessment. Council's Development and Regulation team will provide comments to the Department of Planning (DPHI) when invited, generally with a response deadline of two weeks. The planning minister or DPHI delegate determines these applications.

Council's TOD alternative plans

Council staff and consultants have now developed a TOD alternative, shown in the above map, referred to as the Preferred Scenario, following community consultation. The detail of this proposal is available in the Council report at [Agenda of Extraordinary Meeting - Monday, 31 March 2025](#). The following extracts key points in relation to conservation areas and heritage items.

In summary, the Preferred Scenario refines the exhibited Scenario 3b. This meets the DPHI dwelling targets (23,054 dwellings) and maintains building heights like those proposed in Scenario 3b. The building heights range from 3-28 storeys, with a density range from 0.85:1 to 8.0:1 floor space ratio (FSR). It delivers 24,562 dwellings within 800 metres from the four stations. The heritage aspects are overviewed over the page.

TOD alternative consultation and next steps

This proposal will be reported to the Council meeting of 31 March 2025 for a decision.

A proposed three-week exhibition period would commence shortly after Council's meeting of 31 March 2025. Public exhibition would likely conclude in the week commencing 22 April 2025. This will be a web-based survey to assist Council to understand the community feedback on the Preferred Scenario. Results are to be analysed by engaged consultants, Taverner Research Group, to be reported to Council likely by the last week of May 2025.

In the survey, limited opportunity for free text feedback will be made available to catch site specific issues. Submissions outside the survey are not able to be analysed or reported on. Council is effectively only notifying stakeholders of the preferred option presented in this report which has been developed from Scenario 3b as exhibited by Council in late 2024.

Once adopted by Council, the final document package would be provided to the Department of Planning, Housing and Infrastructure to complete their review, then to be implemented through amendments to the Ku-ring-gai Local Environmental Plan 2015 (KLEP). It is intended that the KLEP amendments will be made by the Minister for Planning via a self-repealing SEPP. The requisite amendments to the KDCP will be made by Council.

TOD Alternative Preferred Scenario (indicative only)

Attachment A5

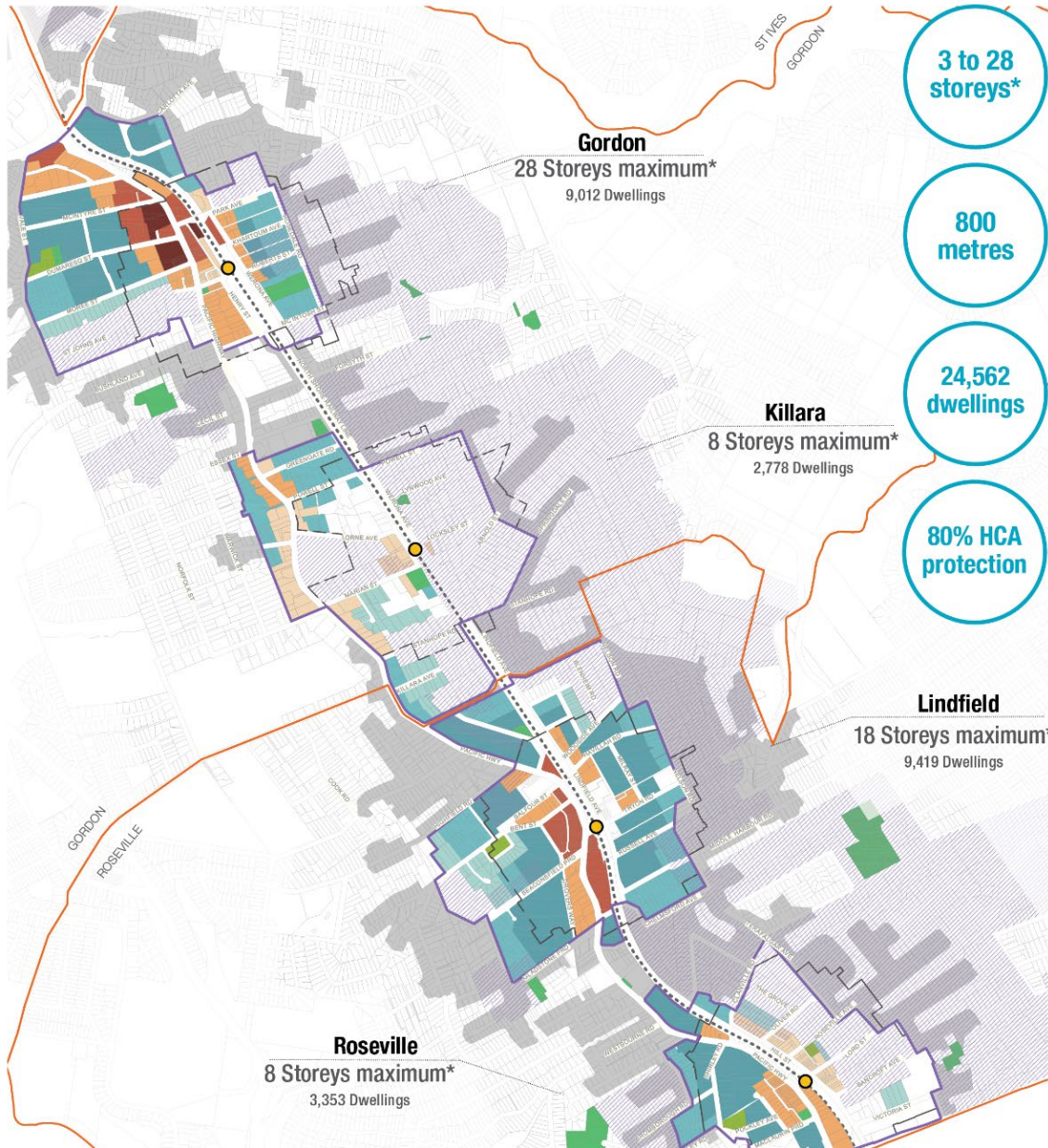


Figure A5.1 TOD Alternative Preferred Scenario

Disclaimer: This map is an indicative representation of the proposed LEP amendments set out in the Ku-ring-gai Centres Technical Study 2025 (Attachment A4). While all efforts have been made to ensure consistency, this map is for illustrative purposes only and does not constitute a planning instrument. Ku-ring-gai Council accepts no liability for the accuracy or otherwise of this map.

*** Note 1:** Building heights do not include height and FSR bonuses available under Housing SEPP. A height and FSR bonus of up to 30% bonus may be applied to developments that provide 15% affordable housing for 15 years.

Note 2: The NSW Government's Low and Mid-Rise Housing Policy applies to residential zones within 800 metres walking distance of town centres and rail stations, for further information refer to NSW Government website.

Note 3: The Indicative Low and Mid-rise Housing Areas identified on this map are based on the LMR Housing Area map provided by NSW Government. While the outline provides an indication of lots that may be eligible to use the Low and Mid-Rise Housing Policy, it is a guide only and shall not be used to inform planning decisions.

LEGEND

<p>Transport</p> <ul style="list-style-type: none"> Train Station Railway Line <p>Open Space (RE1)</p> <ul style="list-style-type: none"> Existing Park Proposed Park <p>Cultural Protection</p> <ul style="list-style-type: none"> Heritage Conservation Areas 	<p>Planning & Land Use Designation</p> <ul style="list-style-type: none"> Existing TOD Boundary (400m) Revised TOD Boundary Ward Boundary Existing zone and FSR retained Indicative Low and Mid-rise Housing Area 	<p>Commercial & Mixed-use (E1/MU1)</p> <ul style="list-style-type: none"> Building height 3 - 6 storeys and FSR 1:1 to 2.5:1 Building height 8 storeys and FSR 3:1 Building height 15-18 storeys and FSR range of 4.5:1 to 6:1 Building height 25-28 storeys and FSR range of 5:1 to 8:1 	<p>Residential (R4)</p> <ul style="list-style-type: none"> Building height 3 storeys and FSR 0.85:1 Building height 5 storeys and FSR 1.3:1 + 50% Deep Soil Building height 8 storeys and FSR 1.8:1 + 50% Deep Soil
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Heritage Conservation Areas in the Preferred Scenario

The Preferred Scenario protects 80% of heritage conservation areas (HCAs) by removing the TOD controls and retaining the R2 - low density residential zone. This represents a 'downzoning' or reduction in development potential from 6-storeys and 2.5:1 to 2-storeys and 0.3:1. The TOD and ADG controls would be replaced with the Ku-ring-gai DCP, *Part 4 – Dwelling Houses and Part 19 – Heritage Items and Heritage Conservation Areas*.

The Preferred Scenario proposes to incorporate approximately 20% of HCAs within high density residential areas, similar to Scenario 2a, but not to the same extent. The impacted areas are shown in the map over the page and includes (from north to south):

- C39 Robert Street/Khartoum Avenue Conservation Area - [HMS - ViewItem](#)
- C24 Marian Street Conservation Area (part) - [HMS - ViewItem](#)
- C21 Springdale Conservation Area (part) - [HMS - ViewItem](#)
- C26 Oliver Grant Conservation Area - [HMS - ViewItem](#)
- C25 Stanhope Road Conservation Area (part) - [HMS - ViewItem](#)
- C28 Wolseley Road Conservation Area - [HMS - ViewItem](#)
- C30 Frances Street Conservation Area (part) - [HMS - ViewItem](#)
- C31 Trafalgar Avenue Conservation Area (part) - [HMS - ViewItem](#)
- C45 Lindfield West Conservation Area (part) - [HMS - ViewItem](#)

The above State Heritage Inventory links relate to the existing conservation area for further information about the impacted area.

It is proposed to replace the TOD controls with a R4-High Density Residential zone. This represents a downzoning from 6-storeys and 2.5:1 to 5 to 8-storeys and 1.3:1 to 1.8:1. The TOD and ADG controls would be replaced with the Ku-ring-gai DCP, *Part 7 – Residential Flat Buildings*.

It is proposed to retain the heritage listing of the portion of the HCA affected as there is no basis on heritage grounds to remove the listing. It also means that any future development applications will be subject to considerations under clause 5.10 of the KLEP 2015.

Selection of HCAs for inclusion is based on Principle 3 – Preserve Heritage Conservation Areas which acknowledges that:

- all HCAs are assumed to be of equal value and worthy of protection under NSW Heritage Council criteria for local heritage significance and
- the decision not to protect all or part of an HCA is based on planning considerations alone rather than heritage considerations.

In certain cases, the Preferred Scenario includes some HCAs within the development area for broad strategic reasons:

- to meet dwelling targets;
- to address interface impacts;
- to minimise development spread;
- to maintain acceptable building heights (as per Scenarios 2a and 3b); and
- to support revitalisation of the centres.

HCA's that are proposed for higher density in the Preferred Scenario are characterised by:

- a low concentration, or absence, of heritage items;
- a location within proximity to the rail station;
- a spatially discrete boundary such as a local road or open space;
- discontinuity with adjoining HCA's; and/or
- a location suitable for mixed use development.

Heritage items in the Preferred Scenario

Within the Preferred Scenario there is a total of 174 properties listed as heritage items. The Preferred Scenario proposes to protect approximately 120 (69%) heritage items by removing the TOD controls and retaining the dwellings within the R2 - low density residential zone and retaining the heritage listing.

The TOD and ADG controls would be replaced with the Ku-ring-gai DCP, Part 4 – Dwelling Houses and Part 19 - Heritage Items and Heritage Conservation Areas.

In the minority of cases (54 items or 31%) the Preferred Scenario proposes to retain heritage items within R4 high density residential areas or E1/MU1 zones. The location of these items are shown in the map over the page.

In these instances, measures are proposed to protect both the owner of the property and the heritage value of the dwelling:

- the heritage listed property is zoned for R4 high density residential consistent with adjoining properties;
- the heritage listed property is allocated a building height and FSR the same as surrounding properties; and
- minimum lot sizes are defined to ensure the item must be included within a development.

In the future, site-specific development controls will be developed for these sites which will form part of the Ku-ring-gai DCP.

Preferred Scenario - Principle 3: Preserve Heritage Conservation Areas

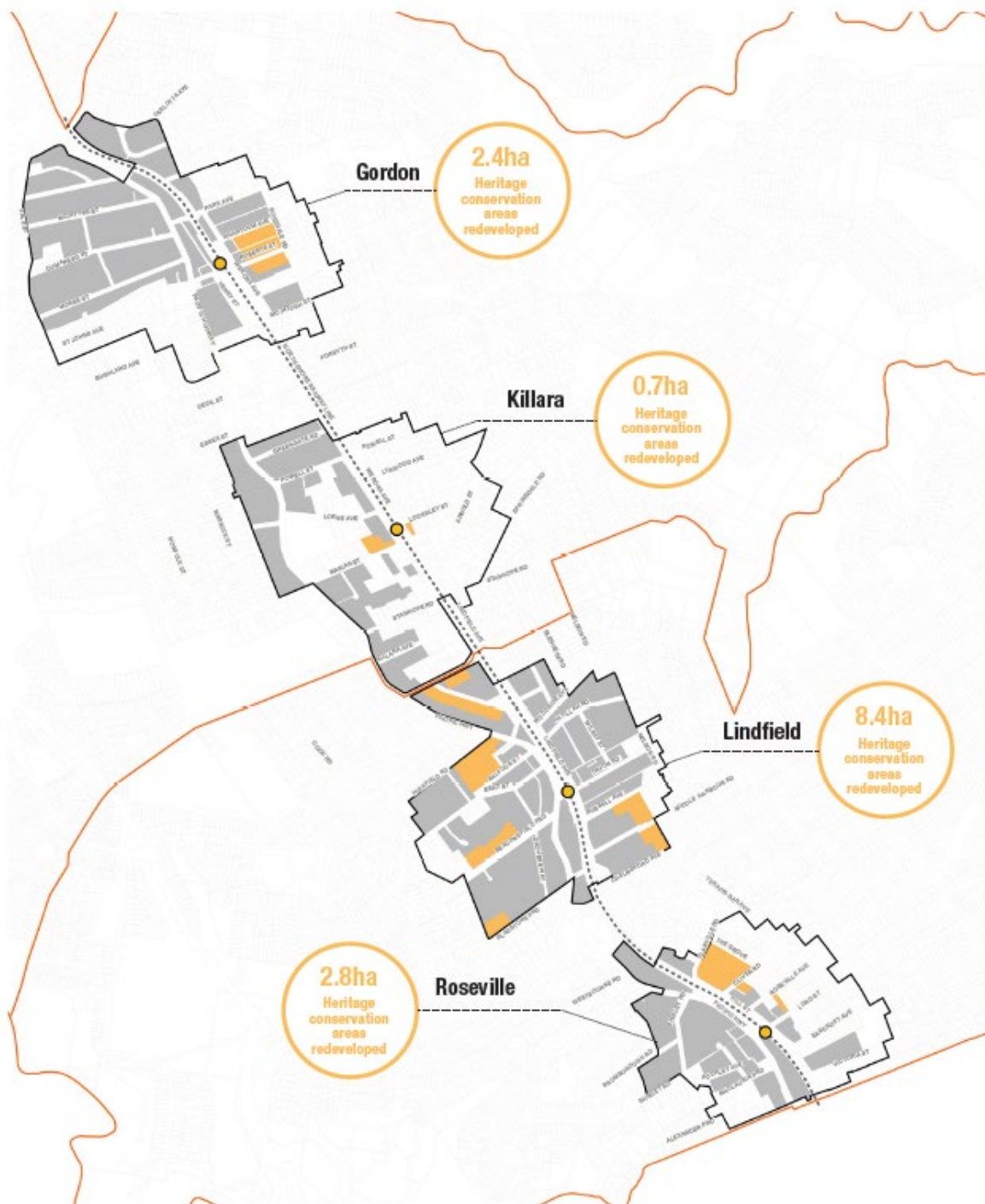


Fig x: Redevelopment of Heritage Conservation areas under the Preferred Scenario

LEGEND

- Train Station
- Railway Line
- TOD Boundary (400m)
- Ward Boundary
- Areas proposed to be redeveloped.
- Heritage conservation areas that may be redeveloped.

TOD SEPP Corridor
Preferred Scenario



Preferred Scenario - Principle 2: Minimise Heritage Item Impacts



Fig x: Impact on heritage items under the Preferred Scenario

LEGEND

- Train Station
- Railway Line
- TOD Boundary (400m)
- Ward Boundary
- Areas proposed to be redeveloped.
- Heritage Items that could be affected by an interface issue of more than 4 stories.
- Heritage Items that get development rights.

TOD SEPP Corridor
Preferred Scenario



Department of Planning Housing and Infrastructure feedback

The Department, DPHI, confirmed the Preferred Scenario meets their dwelling target. Subject to ministerial approval, DPHI gave in principle support to transfer dwellings between TOD suburbs (as per Scenario 3b), to upzone heritage items and include in the total planning capacity (as per Scenario 3b), and to remove HCAs or reduce their size or leave HCAs in place and zone through them; plus other matters noted in the Council report.

DPHI indicated they require further justification for where Council is proposing no uplift within conservation areas within the 400 metre TOD radius.

In relation to changes separate to TOD, Council asked DPHI whether Low and Mid-Rise provisions could be 'switched off' by Council's alternate TOD plan. The Department's response was that the Low and Mid-Rise (LMR) reforms have been applied to areas around the existing TOD precincts. If the TOD precinct is expanded and is more generous than the LMR controls, Council's controls would naturally supersede the LMR controls in those locations. The Department would support including these areas in the masterplans.

In relation to applications in the TOD precincts, DPHI have indicated they are committed to including savings and transitional arrangements for development applications and State Significant Development.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Ku-ring-gai's heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets.	Implement, monitor and review Ku-ring-gai's heritage planning controls and Heritage Strategy. Promote local heritage in consultation with key stakeholders.

GOVERNANCE MATTERS

The Heritage Reference Committee includes Councillors, heritage practitioners and community members. The Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

RISK IMPLICATION STATEMENT

Consisting of seven members, the Committee provides advice on heritage matters and assists with the promotion, understanding and appreciation of heritage. While not a decision-making body, the Committee nevertheless plays an important function in shaping Ku-ring-gai's future. This Committee is also an important link in Council's communication strategy with the community.

FINANCIAL CONSIDERATIONS

The costs of running the Heritage Reference Committee are covered by the Strategy and Environment Department's budget.

SOCIAL CONSIDERATIONS

The aims of the Heritage Reference Committee are to provide advice to Council on heritage matters and to provide assistance to Council in promoting an understanding and appreciation of heritage, including matters of social heritage significance.

ENVIRONMENTAL CONSIDERATIONS

A role of the Heritage Reference Committee is to support Council in identifying and managing Ku-ring-gai's Cultural Heritage.

COMMUNITY CONSULTATION

The Heritage Reference Committee meets on a monthly basis or as required and notification of meetings is provided on Council's website.

INTERNAL CONSULTATION

The Heritage Reference Committee includes Councillors and heritage practitioners and is facilitated by Council staff. Where relevant, consultation with other Departments may occur in particular with Council's heritage advisors in Development & Regulation.

SUMMARY

The TOD SEPP, in effect since May 2024, permits multi-storey apartments (6-9 storeys with bonuses) in part or all of 23 heritage conservation areas near the stations of Gordon, Killara, Lindfield and Roseville. State Significant Development applications have been lodged. Council has planned an alternative to TOD following public consultation. The feedback demonstrates high community support for conserving conservation areas and heritage items in planned housing increases. The Preferred Scenario protects 80% of conservation areas and 69% of heritage items.

RECOMMENDATION:

That the Heritage Reference Committee receive and note this report and provide comments.

Claudine Loffi
Heritage Specialist Planner

Craige Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning