



Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1006
GORDON NSW 1595

Attention: Andrew Watson

Dear Mr McKee

Planning proposal PP_2018_KURIN_003_00 – Alteration of Gateway Determination

I write in regard to planning proposal PP_2018_KURIN_003_00 which sought to amend the Ku-ring-gai Local Environmental Plan (LEP) 2015 to rezone and amend associated development standards at 47 Warrane Road, Roseville Chase.

I understand that the Department communicated its Planning Reform Action Plan (the Plan) in a letter to Council in late 2020, with a specific focus on working together to resolve delayed and old planning proposals. In addition, the Department wrote to Council on 23 February 2021 indicating the intention to alter this gateway determination to not proceed, in accordance with the Plan.

I acknowledge Council's informal response that it does not support this approach and also note that Council subsequently submitted a revised planning proposal on 24 March 2021, to respond to the Gateway determination conditions and to seek to progress to public exhibition. Council's updated timetable advised the proposal could be finalised by September 2021, although November 2021 would be a more realistic timeframe. This equates to 21 months from Gateway to finalisation, well in excess of the Gateway's 12 month LEP timeframe.

Notwithstanding Council's efforts and progress in revising the proposal, the timeframe to make the LEP lapsed on 17 February 2021 and the proposal had not yet reached public exhibition stage. This is contrary to the Plan which aims to reduce assessment timeframes and ensure planning proposals are finalised within 1 year of Gateway determination.

As such, I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 17 February 2020 for PP_2018_KURIN_003_00 in accordance with the Alteration of Gateway determination enclosed, which determines that the proposal should not proceed.

The Department recommends that Council resubmit this revised planning proposal for Gateway determination. I also advise that the Department has assessed Council's revised proposal and that the information provided satisfies the related Gateway conditions. As a result, if the proposal is resubmitted by Council, the Department would be able to promptly issue a revised Gateway approval without the previous pre-exhibition conditions, therefore enabling a short timeframe for its finalisation.

Should you have any enquiries about this matter, I have arranged for Mr Michael Cividin to assist you. Mr Cividin can be contacted on 9860 1554 or at michael.cividin@planning.nsw.gov.au

Yours sincerely



Brett Whitworth

Deputy Secretary

Greater Sydney, Place and Infrastructure

30 May 2021

Encl: Alteration of Gateway determination