

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_KURIN\_002\_00):** to rezone the site from R2 Low Density Residential to B1 Neighbourhood Centre and remove the Minimum Lot Size standard.

I, the Director, North District, Eastern Harbour City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ku-ring-gai Council Local Environmental Plan (LEP) 2015 to rezone and redevelop the site as a mixed use development comprising a supermarket, a café and specialty shops should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal should be amended to:
  - (a) include a project timeline consistent with section 2.6 of part 6 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016). The project timeline is to provide a mechanism to monitor the progress of the planning proposal; and
  - (b) refer to a site-specific development control plan or controls that are to be prepared in consultation with Council and publicly exhibited with the planning proposal.
2. Community consultation is required under section 3.34(2)(c) and schedule 1, clause 4 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016)
3. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act:
  - Transport for NSW, incorporating Roads and Maritime Services;
  - Sydney Water;
  - Endeavour Energy;
  - Environment, Energy and Science; and
  - other relevant infrastructure service providers.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act.
5. The time frame for completing the LEP is to be **12 months** from the date of the Gateway determination.
6. Given the nature of the planning proposal, Council should be the local plan-making authority.

Dated 13<sup>th</sup> day of November 2019.



**Amanda Harvey**  
**Director, North District, Eastern**  
**Harbour City**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**