



Gateway Determination

Planning Proposal (Department Ref: PP_2015_KURIN_006_00) to reclassify land at 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield, from community to operational.

I, Director Sydney Region West, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979*, that an amendment to the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* should proceed, subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended to:
 - (a) clarify whether it is intended to extinguish interests (pages 7/8 and Appendix C refer) and ensure that the correct deposited plan number is included in describing 8-10 Tryon Road, Lindfield (refer pages 4 and 5); and
 - (b) include advice over the potential loss of car parking spaces and any proposed compensatory measures.
 2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979*, as follows:
 - (a) the planning proposal must be made available for 28 days; and
 - (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with planning proposals.
 3. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*:
 - Energy Australia
 - Transport for New South Wales – Roads and Maritime Services
 - Transport for NSW; and
 - Sydney Water.
- Each public authority 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 required to be held into the matter in accordance with the Department's practice note PN09-003 as the planning proposal involves a reclassification of land from community to operational.
 5. The timeframe for completing the LEP is 9 months from the week following the date of the gateway determination.

Dated 7th day of March 2016.



Catherine Van Laeren
Director, Sydney Region West
Planning Services

Delegate of the Greater Sydney
Commission

16/01628

Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1006
Gordon NSW 2072

Attention: Mr Andrew Watson

Dear Mr McKee

**Ku-ring-gai Local Environmental Plan (Local Centres) 2012
Reclassification of 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), in respect of a planning proposal to reclassify land at 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield, from community to operational land.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council is reminded of its obligation for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department's Practice Note PN 09-003, Classification and reclassification of public land through a local environmental plan.

The amending Local Environmental Plan is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the Planning Proposal within 4 weeks from the week following this determination. Council's request for the Department to draft and finalise the Plan should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, action may be taken under section 54(2)(d) of the *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

If you have any questions regarding this matter, I have arranged for Mr Terry Doran, of the Department to assist you. Mr Doran may be contacted on (02) 9860 1579.

Yours sincerely



07/03/2016

Catherine Van Laeren
Director Regions, Sydney Region West
Planning Services
encl. Gateway Determination