



Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1056
Pymble NSW 2073

15/05598

Attn: Mr Antony Fabbro

Dear Mr McKee

**Planning proposal to amend Ku-ring-gai Local Environmental Plan 2015,
PP_2015-KURIN_001_00**

I am writing in response to your Council's letter dated 5 March 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend Ku-ring-gai Local Environmental Plan 2015 to include five items of local heritage significance .

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this 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 as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to Planning and Infrastructure for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Shane Nugent of this office to assist you. Mr Nugent can be contacted on (02) 9860 1173.

Yours sincerely



10.6.15

Simon Manoski
Acting General Manager
Metropolitan Region
Planning Services

Gateway Determination

Planning Proposal (Department Ref: PP_2015_KURIN_001_00) to amend Ku-ring-gai Local Environmental Plan 2015 to include five items of local heritage significance.

I, the Acting General Manager, Metropolitan Region, Planning Services, at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 2015 to include five items of local heritage significance should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act as follows:
 - a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 14th day of April 2015



Simon Manoski
Acting General Manager, Metropolitan
Region
Planning Services

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Ku-ring-gai Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_KURIN_001_00	Planning Proposal to amend Ku-ring-gai Local Environmental Plan 2015 to include five items of local heritage significance.

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 14th day of April 2015



Simon Manoski
Acting General Manager
Metropolitan Region
Planning Services

Delegate of the Minister for Planning