



Office of the Director General

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

Our ref: PP_2012_KURIN_006_00 (12/20459)
Your ref: S09318 2012/291742

Dear Mr McKee,

Planning proposal to amend draft Ku-Ring-Gai Local Environmental Plan (Local Centres) 2012 or Ku-Ring-Gai Planning Scheme Ordinance 1971

I am writing in response to your Council's letter dated 29 November 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the draft Ku-Ring-Gai Local Environmental Plan (LEP) (Local Centres) 2012 or Ku-Ring-Gai Planning Scheme Ordinance 1971 to reclassify the Woodford Lane Car Park from 'community land' to 'operational land.'

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

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*. Council is to ensure that material identified in attachment 2 of the practice note is placed on public exhibition with the planning proposal.

The amending LEP is to be finalised within 12 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 for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW 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, the Minister may take action under s54(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, please contact Michael Druce of the regional office of the department on 02 9860 1560.

Yours sincerely,


Sam Haddad
Director General

10/1/2013.

Gateway Determination

Planning proposal (Department Ref: PP_2012_KURIN_006_00): to reclassify the Woodford Lane Car Park from 'community land' to 'operational land.'

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to draft Ku-Ring-Gai Local Environmental Plan (LEP) (Local Centres) 2012 or Ku-Ring-Gai Planning Scheme Ordinance 1971 to reclassify part Lot 1, DP 929131 and Lots 1-16, DP 1099330 at 1B Beaconsfield Parade and 19 Drovers Way, Lindfield from 'community land' to 'operational land' should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the appearance and content of the planning proposal to ensure it is clear to the public that the planning proposal is a Council document and not that of a third party.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **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* (Department of Planning and Infrastructure 2012).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - State Transit Authority of NSW
 - Roads and Maritime Services
 - Sydney Water Corporation
 - Energy Australia
 - Transport for NSW
 - Lifetime Care and Support Authority of NSW
 - NSW Department of Family and Community Services (Housing)
 - NSW Department of Education and Communities
 - NSW Health Department
 - Railcorp

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).



5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated **10th** day of **January** 20**13**

SHaddad

Sam Haddad
Director General
Delegate of the Minister for Planning and
Infrastructure