



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

Our Ref: 15/16882

Attention: Mr Craig Wyse

Dear Mr McKee

**Gateway Determination – Ku-ring-gai Local Environmental Plan 2015
(Amendment No. 9) – Addition of “Glen Brae” 28 Cook Road, Killara, to Schedule 5 and Heritage Map.**

I am writing in response to Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of a planning proposal to include “Glen Brae” 28 Cook Road, Killara to Schedule 5 of Ku-ring-gai Local Environmental Plan 2015.

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.

Plan making powers were delegated to Council in October 2012. It is noted that Council has requested the use of delegation in this instance. Having considered the nature of Council's planning proposal, I have decided to issue an authorisation for Council to exercise the delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected notification date. A copy of the request should be forwarded to the Metropolitan (Parramatta) Office of the Department for administrative purposes.

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, the Greater Sydney Commission may take action under s54(2)(d) of the Environmental Planning and Assessment Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tai Ta, of the Metropolitan (Parramatta) Office of the Department of Planning and Environment on (02) 9860 1560.

Yours sincerely

R Cumming
28/1/2016

**Rachel Cumming
Director Metropolitan (Parramatta)
Planning Services**

Encls (3):

Gateway Determination
Authorisation
Attachment 5 - Delegated plan making reporting template



Gateway Determination

Planning Proposal (Department Ref: PP_2015_KURIN_005_00) to include "Glen Brae" 28 Cook Road, Killara, in Schedule 5 and Heritage Map of Ku-ring-gai Local Environmental Plan 2015.

I, the Director Metropolitan (Parramatta), as delegate of the Greater Sydney Commission, have determined under section 56(2) of the Environmental Planning and Assessment Act that an amendment to the Ku-ring-gai Local Environmental Plan 2015 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 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.
2. No consultation is required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act.
3. The letter of 30 October 2015 from the Heritage Council in support of the planning Proposal is to be included with the public exhibition material.
4. The timeframe for completing the LEP is 6 months from the week following the date of the Gateway determination.

Dated 28th day of January 2016.

**Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services**

Delegate of Greater Sydney Commission



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Ku-ring-gai Council is authorised to exercise the functions of the Greater Sydney Commission 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_005_00	Planning proposal to include "Glen Brae" 28 Cook Road, Killara, in Schedule 5 – Environmental Heritage, and amend the heritage map accordingly, of Ku-ring-gai Local Environmental Plan 2015.

In exercising the Commission's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

R Cumming

28/1/2016

Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2015_KURIN_005_00
Date Sent to Department under s56	28/10/2015
Date considered at LEP Review Panel	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: