

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

Our ref: PP_2016_KURIN (16/05378)
Your ref: S10968

Attention: Mr Antony Fabbro

Dear Mr McKee

Planning proposal to amend Ku-ring-gai Local Environmental Plan (2015)

I am writing in response to your Council's letter dated 6 April 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to list "Exley House" 27 Finlay Road, Warrawee, as an item of local heritage significance.

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

I note Ku-ring-gai Council has written to the NSW Office of Environmental Heritage for comments on the planning proposal. As that Office has not raised objections to the proposal, a consultation requirement in this regard has not been included in the conditions attached to the determination.

Plan making powers were delegated 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. While I consider this an appropriate course of action, I am aware that the landowner has disputed some of the findings of the supporting heritage study and I ask that Council give close consideration to this matter in exercising the plan making delegation.

The amending Local Environmental Plan (LEP) 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 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 the Department of Planning and Environment 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 Commission may take action under section 54(2)(d) of the 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 Mark Dennett of this Office to assist you. Mr Dennett can be contacted on (02) 9860 1534.

Yours sincerely



28/04/16

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template