



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

15/12277

Attention: Mr Antony Fabbro

Dear Mr McKee

Planning Proposal for 28 Clissold Road, Wahroonga and 109 Bobbin Head Road, Turramurra (PP_2015_KURIN_004_00)

I am writing in response to Council's letter dated 20 July, 2015 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 Schedule 1 of the Ku-ring-gai Local Environmental Plan 2015 to introduce dual occupancy (detached) as an additional use for land at 28 Clissold Road, Wahroonga and 109 Bobbin Head Road, Turramurra.

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

The Minister's plan making powers were delegated to Councils in October 2012. It is noted that Council has now accepted this delegation. 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 (LEP) 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 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 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 Lillian Charlesworth on (02) 9860 1101.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'RCumming'.

18/8/2015

Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services

Encl.

Gateway Determination
Written Authorisation for Delegation
Delegated Plan Making Reporting Template



Gateway Determination

Planning Proposal (Department Ref: PP_2015_KURIN_004_00) to amend Schedule 1 of the Ku-ring-gai Local Environmental Plan 2015 to introduce "dual occupancy (detached)" as an additional use for land at 28 Clissold Road, Wahroonga and 109 Bobbin Head Road, Turramurra

I, the Director, Metropolitan (Parramatta) as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A 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 (EP&A Act) 1979 as follows:
 - (a) the planning proposal must be publicly available for a minimum of 14 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 identified in section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Infrastructure 2012).
2. Consultation is not required with public authorities under section 56(2)(d) of the EP&A Act:
3. 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 instance in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

Dated 18th day of August, 2015

**Rachel Cumming
Director
Metropolitan (Parramatta)
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_004_00	Planning proposal to amend Schedule 1 of the <i>Ku-ring-gai Local Environmental Plan 2015</i> to introduce "dual occupancy (detached)" as an additional use for land at 28 Clissold Road, Wahroonga and 109 Bobbin Head Road, Turramurra

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

Dated 18th day of August, 2015



Rachel Cumming
Director Metropolitan (Parramatta)
Planning Services

Delegate of the Minister for Planning
