

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

Our ref: PP_2016_KURIN_006_00 (16/08674)
Your ref: S11058

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 14 June 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 "Ambleside" 24 Dudley Avenue, Roseville, 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 Heritage Council for comments on the planning proposal. As objections have not been raised to the proposal, a consultation requirement in this regard has not been included in the conditions attached to the determination. I would recommend, however, that Council advise the Heritage Division of the Office of Environment and Heritage that a determination has been issued, for administrative purposes.

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.

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, action 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

A handwritten signature in black ink, appearing to read 'Catherine Van Laeren', with a small dot at the end.

13/07/16

Catherine Van Laeren
Director, Sydney Region West
Planning Services

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

Gateway Determination

Planning proposal (Department Ref: PP_2016_KURIN_006_00): to amend Ku-ring-gai Local Environmental Plan (2015) to heritage list “Ambleside” 24 Dudley Avenue, Roseville, as an item of local heritage significance.

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Ku-ring-gai Local Environmental Plan 2015* (LEP) to heritage list “Ambleside” 24 Dudley Avenue, Roseville, as an item of local heritage significance, should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal as follows:
 - a. image 8 (existing map) is to be amended to show the heritage labels of the surrounding heritage items, show the appropriate legend on the map, and thicken the border that highlights the subject site;
 - b. images 8 and 9 (both existing and proposed maps) are to be amended to show the existing heritage conservation area 'C32' applying to the area, and include the name of the conservation area;
 - c. image 9 (the proposed map) - replace the '! - North' with an appropriate illustration depicting the north point.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made 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 as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)*.
3. No agency consultation is required under sections 56(2)(c) and 57 of the Act.
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 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 **6 months** from the week following the date of the Gateway determination.

Dated 13th day of July 2016

A handwritten signature in black ink, consisting of a stylized 'Q' followed by a horizontal line and a small dot.

**Director, Sydney Region West
Planning Services
Department of Planning and
Environment**

**Delegate of the Greater Sydney
Commission**