

Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1006
Gordon NSW 2072

Our ref: PP_2016_KURIN_005_00 (16/07326)
Your ref: S10749 2016/092580

Dear Mr McKee

Planning proposal to amend Ku-ring-gai Local Environmental Plan (Local Centres) 2012

I am writing in response to your Council's letter dated 8 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 amending the zoning, height of building, and floor space ratio development standards at the Lindfield Community Hub site, Lindfield.

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the masterplan for the area will facilitate appropriate public space. No further approval is required in relation to this Direction.

I have also noted Council is currently conducting phase one and phase two land contamination investigation on the subject land. I would appreciate it if Council would further consider any findings and recommendations from the studies, once completed, to ensure compliance with clause 6 of *State Environmental Planning Policy No.55 – Remediation of Land*.

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 for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

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 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



Catherine Van Laeren
Director, Sydney Region West
Planning Services

24/3/16

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_KURIN_005_00): to amend the zoning, height of building, and floor space ratio development standards at the Lindfield Community Hub site, Lindfield

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 *Kuring-gai Local Environmental Plan (Local Centres) 2012* (LEP), to amend the zoning, height of building, and floor space ratio development standards at the Lindfield Community Hub site, Lindfield, should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal, as follows:
 - (a) page 1 of the proposal is to be amended to correctly indicate that Council does not own all the sites subject to the planning proposal;
 - (b) the proposal is to clarify the existing classification of land applying to all sites and confirm operational status.
 - (c) Part 2, page 9 of the proposal is to be amended to amend the address of '1A Woodford Lane' to '1 Woodford Lane';
 - (d) delete all references to the "Department of Planning and Infrastructure" and replace with "Department of Planning and Environment";
 - (e) amend Part 5 and Part 6 of the proposal to reflect a 28 day consultation period;
 - (f) in Part 4, the legends used on the existing and proposed Zoning Maps, and existing and proposed Floor Space Ratio Maps, are to be amended to ensure these are consistent between maps;
 - (g) include the total land size area of the subject land, and the relevant land size area of land zoned RE1 Public recreation.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- Transport for NSW
- Transport for NSW – Sydney Trains
- NSW Roads and Maritime Services
- Sydney Water
- Ausgrid
- Energy Australia

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the 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 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 **9 months** from the week following the date of the Gateway determination.

Dated 24 day of may 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission