

Gateway Determination


Planning Proposal (Department Ref: PP_2017_KURIN_006_00): to list part of 11 Kywong Avenue, Pymble as an item of local heritage significance.

I, the Executive Director, Regions, 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 (LEP) 2015 to list part of 11 Kywong Avenue, Pymble as an item of local heritage significance should proceed subject to the following conditions:

1. The planning proposal be amended prior to community consultation as follows:
 - (a) the response to Q7 (page 12 of the proposal) should be amended to clarify the proposal will not result in the removal of a heritage listing; and
 - (b) the heritage map reference title (page 5 of the proposal) should be corrected from '0013' to '013'.
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 local environmental plans* (Department of Planning and Environment 2016) 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the Office of Environment and Heritage – Heritage Division under section 56(2)(d) of the Act. The Office of Environment and Heritage – Heritage Division 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 time frame for completing the LEP is to be nine months following the date of the Gateway determination.

Dated 22nd day of January 2018.



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission