



Planning & Environment

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

Our ref: PP_2014_KURIN_006_00 (14/17357)
Your ref: S10245

Attention: Craig Wyse

Dear Mr McKee

Planning proposal to list 'Lanosa' 62-64 Mona Vale Road, Pymble as a heritage item of local significance

I am writing in response to your Council's letter dated 12 September 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to list 'Lanosa' 62-64 Mona Vale Road, Pymble as a heritage item of local significance.

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

The former Minister delegated his plan making powers to councils in October 2012. It is noted that Council intends to use its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979* as the matter is considered to be of local significance. 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 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 Plan 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 Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete local environmental plans 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 *Environmental Planning and Assessment Act 1979* 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 Michael Druce of the Planning and Environment Metropolitan Delivery Office to assist you. Mr Druce can be contacted on (02) 9860 1544.

Yours sincerely

5/11/2014

Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services
encl. (2)

Gateway Determination

Planning proposal (Agency Ref: PP_2014_KURIN_006_00): list 'Lanosa' 62-64 Mona Vale Road, Pymble as a heritage item of local significance.

I, the Director, Metropolitan (Parramatta), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Ku-ring-gai Local Environmental Plan 2014 (once made) 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 1979* 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 (Planning & Infrastructure 2013)*.
2. Consultation with public authorities under section 56 (2)(d) of the EP&A Act is not required. A copy of the advice provided by the Office of Environment and Heritage is to be exhibited with the planning proposal
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 *Environmental Planning and Assessment Act 1979*. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 5th day of November 2014.



Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services
As 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_2014_KURIN_006_00	Planning proposal to list 'Lanosa' 62-64 Mona Vale Road, Pymble as a heritage item of local significance.

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



5/11/2014

Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services
As Delegate of the Minister for Planning