



Gateway Determination

Planning proposal (Department Ref: PP-2021-2321): to amend Ku-ring-gai Local Environmental Plan 2015 to list “Lavery House” 207 Eastern Road, Wahroonga, as an item of local heritage significance.

I, the Director of the North District at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(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 heritage list “Lavery House” 207 Eastern Road, Wahroonga, as an item of local heritage significance should proceed subject to the following conditions:

1. The planning proposal is to be amended to address the following matters prior to public exhibition:
 - (a) remove references to Direction 3.3 (Home Occupations) and 7.1 (Implementation of A Plan for Growing Sydney) as these directions have been revoked;
 - (b) include an updated project timeline.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 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, 2018) and must be made publicly available for a minimum of **14 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities:
 - (a) Office of Premier and Cabinet – Heritage NSW
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;

- (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **6 months** from the date of the Gateway determination.

Dated 30th day of March 2021.



Brendan Metcalfe
Director, North District
Eastern Harbour City
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces