

PP-2021-4940 IRF22/2022

Mr John McKee
General Manager
Ku-ring-gai Council
Locked Bag 1006
GORDON NSW 2073

Attention: Antony Fabbro

Dear Mr McKee

Planning proposal PP-2021-3494 to amend Ku-ring-gai Local Environmental Plan 2015

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone 8A,14 and 16 Buckingham Road to R4 high density residential.

As delegate of the Minister for Planning and Homes, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 1.4 – Site Specific Provisions is justified in accordance with the terms of the Direction.

No further approval is required in relation to the Directions.

It is noted that Council has requested to be authorised as the local plan-making authority. Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning within four months, along with the associated site specific DCP.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination. Council should also be aware that all conditions must be met in order to finalise this proposal under delegation, including conditions related to milestone dates for exhibition and the final resolution of Council to proceed to make the plan.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Asini Rajapakse to assist you. Ms Rajapakse can be contacted on (02) 8217 2017.

Yours sincerely

A handwritten signature in brown ink on a light yellow rectangular background. The signature reads "David Hazeldine" in a cursive script.

5 July 2022

David Hazeldine
Manager Place and Infrastructure (Metro North)
Planning & Land Use Strategy

Encl: Gateway determination
Plan-making report template