

Gateway Determination

Planning proposal (Department Ref: PP_2021_7032): to rezone Killara Bowling and Lawn Tennis Club and list the site as an item of local heritage significance.

I, the Director, 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 rezone the Killara Bowling and Lawn Tennis Club, remove the existing height of building and floor space ratio development standards, and list the site as an item of local heritage significance under Schedule 5, should proceed subject to the following conditions:

1. The planning proposal is required to be updated prior to exhibition to:
 - a. Provide a timeline to monitor its progress to completion. Including a date for exhibition and final Council recommendation in line with Condition 2 and Condition 5. No endorsement from the Department is required.
2. Public exhibition is required **within 4 months** from the date of the Gateway determination, 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 **28 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. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
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 must be reported to Council for a final recommendation **within 7 months** from the date of the Gateway determination

6. 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.
7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 23rd day of December 2021.



Brendan Metcalfe
Director, North District
Eastern Harbour City
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces