

Gateway Determination

Planning Proposal (Department Ref: PP-2022-2399): *to correct or clarify heritage listings in Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 and associated heritage maps.*

I, the Manager, Place and Infrastructure (Metro North) at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, 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 2015 to correct or clarify heritage listings in Schedule 5 and associated heritage maps should proceed subject to the following conditions:

The Council as Planning Proposal Authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 12 May 2023.

Gateway Conditions

1. Prior to community consultation, the table in Part 4 of the Planning Proposal is to be updated to identify the map sheet proposed to be amended for each site.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the Planning Proposal is categorised as basic as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 10 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 2 months following the date of the gateway determination.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- Heritage NSW
- NSW Crown Lands
- Transport for NSW
- Sydney Water
- Department of Education

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 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 3.34(2)(e) of the EP&A 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).

12th day of August 2022.



David Hazeldine
Manager Place and Infrastructure
Planning and Land Use Strategy
Department of Planning and
Environment

Delegate of the Minister for Planning
and Homes