

Gateway Determination

Planning proposal (Department Ref: PP-2022-3754): to list 64 Rosebery Road, Killara, including 'building, interiors and grounds' and 64 St Johns Avenue, Gordon, including 'building, interiors and grounds' as local heritage items, and extend the boundary of the St Johns Avenue Heritage Conservation area to include 64 St Johns Avenue.

I, the Director, Agile Planning at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 list 64 Rosebery Road, Killara and 64 St Johns Avenue, Gordon and extend the boundary of the St Johns Avenue Heritage Conservation area to include 64 St Johns Avenue, should proceed subject to the following conditions:

1. 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, 2022) and must be made publicly available for a minimum of **10 working 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, 2022).
2. 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).
3. 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.
4. The time frame for completing the LEP is **6 months** from the date of the Gateway determination.

Dated 18 November 2022.

A handwritten signature in black ink, reading "Louise McMahon". The signature is written in a cursive style with a large, stylized 'L' and 'M'.

Louise McMahon
Director
Agile Planning
Department of Planning and
Environment

Delegate of the Minister for Planning