



Gateway Determination

Planning proposal (Department Ref: PP_2018_KURIN_005_00): to consolidate Ku-ring-gai's local environmental planning instruments into a single local environmental plan.

I, the Executive Director, Regions at the Department of Planning 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 consolidate Ku-ring-gai's local environmental planning instruments into a single LEP should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - (a) update the table 'Deferred Area 14 – Proposed amendments to KLEP 2015' on page 15 of the proposal to include:
 - I. all addresses, lot and DP descriptions that form the deferred area – Area 14 'The Briars'; and
 - II. the current zoning and development standards under the Ku-ring-gai Planning Scheme Ordinance 1971;
 - (b) amend the proposal to include the existing mapped controls under the LEP (Local Centres) 2012 with map tile references and provide a map key;
 - (c) remove the proposed amendments for 11, 23 and 25 Glen Road, Roseville;
 - (d) delete all 's.117' references and replace with 's. 9.1';
 - (e) include planning justification in the comments section for the proposed action to be taken in respect of Holford Crescent, Gordon where it appears in the Minister's section 9.1 Directions schedule (page 29 of the proposal) and the SEPP schedule of the proposal (pp. 23/24); and
 - (f) under the Minister's section 9.1 Directions schedule – 6.2 Reserving Land for Public Purposes – of the proposal (pp. 28/29), include the proposed amendments for the creation and/or removal of land zoned for public purposes that have not been addressed in this schedule and indicate the ownership of the land and whether an acquisition authority is required.

2. The revised planning proposal is to be forwarded to the Department for review and approval prior to exhibition.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Each property owner affected by the proposed amendments must be individually notified of any change that applies to their land during the public exhibition period.
5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Rural Fire Service;
 - Transport for NSW;
 - Transport for NSW – Sydney Trains;
 - Transport for NSW – Roads and Maritime Services;
 - Office of Environment and Heritage;
 - Office of Environment and Heritage – Heritage Division and
 - NSW National Parks and Wildlife Service.

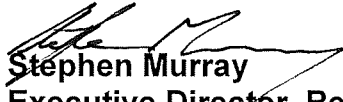
Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

Council is to consult with the NSW Rural Fire Service in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and, if necessary, update consistency with this Direction prior to public exhibition.

6. 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).

7. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated *13th* day of *May* 2019.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces