


818 Pacific Highway, Gordon NSW 2072
Locked Bag 1006 Gordon NSW 2072
T 02 9424 0000 F 02 9424 0001
DX 8703 Gordon TTY 133 677
E kmc@kmc.nsw.gov.au
W www.kmc.nsw.gov.au
ABN 86 408 856 411



Contact: Craig Wyse

Reference: CY00349/7 / 2017/368192
21 December 2017


Ms Danijela Karac
Director, Planning Frameworks
Planning Policy
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Karac

Repeal of SEPP No.1 and SEPP (Miscellaneous Consent Provisions)

I refer to your correspondence dated 24 November 2017 seeking Council's views or advice regarding the intended repeal of the above SEPPs.

Firstly I would like to point out that the finalisation of the planning proposal dealing with 13 of the 15 areas deferred from the Ku-ring-gai Planning Scheme Ordinance (KPSO) is imminent and is expected to be published in January 2018. This will mean that the KPSO will only continue to apply to two remaining areas. Of these, the deferred area for the Killara Golf Club has been issued a gateway determination and will go on public exhibition in early 2018. The remaining small deferred area in Woonona Ave / Bundarra Avenue South, Wahroonga will be incorporated in the Ku-ring-gai LEP 2015 as part of the consolidation of the KLEP 2015 and KLEP (Local Centres) 2012. This process will take place in 2018.

In regard to each of the standard instrument clauses proposed to be inserted into the KPSO, we offer the following comments:

- *Clause 4.6 – Exceptions to development standards*

As per Council's previous correspondence, there is no objection to including the standard clause 4.6 in the KPSO. Also there are no development standards within the KPSO that council would wish excluded from the operation of clause 4.6.

- *Clause 2.6 – Subdivision*

The KPSO currently contains provisions that permit subdivision of land with development consent (cl 58A) along with various development standards for the subdivision of land. The inclusion of a clause within the KPSO equivalent to clause 2.6 would seem to duplicate existing provisions and is not considered necessary.

- *Clause 2.7 – Demolition*

The KPSO currently permits the “*demolition of a building or work (being demolition that is not exempt development)*” with development consent in all zones via the development control table in clause 23. The inclusion of a clause within the KPSO equivalent to clause 2.7 would seem to duplicate existing provisions and is not considered necessary.

- *Clause 2.8 – Temporary use of land*

There is no objection to the inclusion of a clause for the temporary use of land equivalent to clause 2.8 of the KLEP 2015 including matching the number of days allowed for the temporary use in cl 2.8(2).

- *Clause 5.8 Conversion of fire alarms*

There is no objection to the inclusion of a clause equivalent to clause 5.8 – conversion of fire alarms.

If you have any questions or wish to discuss these matters further, please contact Craige Wyse, Team Leader Urban Planning on 9424 0855.

Yours sincerely



Antony Fabbro
Manager Urban & Heritage Planning