



Planning

Mr Gary James
General Manager
Woollahra Municipal Council
PO Box 61
DOUBLE BAY NSW 1360

10/22156

Dear Mr James

I refer to Council's planning proposal of 29 October 2010 requesting that draft *Woollahra Local Environmental Plan 1995 (Amendment 66) – Heritage items* (the draft LEP) be brought under the new plan making provisions of the *Environmental Planning and Assessment Act 1979* (the Act).

I have determined (as the delegate of the Director-General) under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the Act now apply.

Furthermore I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 of the Act to dispense with all conditions precedent up to section 57(4) of the Act for the making of this draft LEP.

The planning proposal is not required to be publicly exhibited. However, Council is required to consider and prepare a report on submissions that were received during the public exhibition of the draft LEP. Council shall include its report when requesting that the Department draft and finalise the LEP.

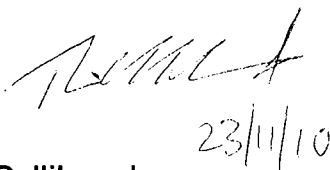
In addition, reference to "Heritage item group" in the proposed heritage schedule should be removed. Items identified as being part of a "heritage item group" should be included in the heritage schedule as individual items and mapped accordingly.

As previously advised by Heritage Branch, there is no need for "group" items to be included in the schedule as heritage conservation areas due to their location in existing heritage conservation areas. The term "Heritage item group" is to be deleted from the planning proposal submitted with Council's request for the Department to finalise the LEP.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of this letter. Council's request for the Department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date

Should you have any queries in regard to this matter, please contact Daniel Cutler of the Sydney Region East Office on 9228 6475.

Yours sincerely



23/11/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal