

Mr Gary James
General Manager
Woollahra Municipal Council
PO Box 61
Double Bay NSW 1360

Attention: Brendan Metcalfe

Dear Mr James

Planning proposal to amend Woollahra Local Environmental Plan 2014

I am writing in response to your Council's letter dated 2 March 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) to amend Woollahra Local Environmental Plan 2014 for the planning proposal to increase the maximum height and floor space ratio controls currently applying to 374 and 376 - 382 New South Head Road, Double Bay.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with Section 117 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approvals are required in relation to these Directions.

Plan making powers were delegated to councils by the Minister for Planning in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's regional team for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission

may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Michael Kokot of the Department's Sydney Region East section to assist, who can be contacted on (02) 9274 6564.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sandy Chappel', with a circular mark at the start of the first name.

13.4.17

Sandy Chappel
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template

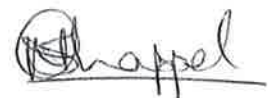
Gateway Determination

Planning proposal (Department Ref: PP_2017_WOOLL_003_00): to amend Woollahra Local Environmental Plan 2014 for the planning proposal to increase the maximum height and floor space ratio controls currently applying to 374 and 376-382 New South Head Road, Double Bay.

I, the Director, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan 2014 to increase the maximum height and floor space ratio controls currently applying to 374 and 376-382 New South Head Road, Double Bay, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is considered to be routine and must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning 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).
2. No consultation is required with public authorities under section 56(2)(d) of the Act.
3. Prior to finalisation, the planning proposal is to be updated to demonstrate consistency with any available findings of Council's Double Bay Commercial Centre Building Envelope Review, in conjunction with clarifying the proposal's consistency with the Hill PDA Double Bay Economic Feasibility Study.
4. A public hearing is not required to be held into the matter by any person or body under section 56(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).
5. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 13 April 2017



Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Woollahra Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_WOOLL_003_00	Planning proposal to increase the maximum height and floor space ratio controls currently applying to 374 & 376-382 New South Head Road, Double Bay

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 13 April 2017



Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission