

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

Dear Mr James

Planning proposal PP_2018_WOOLL_001_00 to amend Woollahra Local Environmental Plan 2014.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 20 July 2018 in respect of the planning proposal to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as an item of local heritage under Schedule 5 and relevant heritage map of Woollahra LEP 2014.

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

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority given the discrepancies between the land owner and Council in relation to the extent of the heritage listing on the site.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Lawren Drummond to assist you. Ms Drummond can be contacted on 9274 6185.

Yours sincerely


Amanda Harvey 16/8/18
Director, Sydney Region East
Planning Services

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_WOOLL_001_00): to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as an item of local heritage under Schedule 5 and relevant heritage map of Woollahra Local Environmental Plan 2014.

I, the Director, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan (LEP) 2014 to list the subject site as a heritage item under the Woollahra LEP 2014 should proceed subject to the following conditions:

1. The planning proposal is to be updated to include a reference to a savings provision to apply to any development application lodged but not determined.
2. The planning proposal be amended prior to community consultation as follows:
 - (a) remove the clause on explanation of provisions and replace it with a plain English explanation of provisions; and
 - (b) update the project timeline.
3. Consultation is required with the landowner during public exhibition.
4. 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).
5. Consultation is required with the Office of Environment and Heritage under section 3.34(2)(d) of the Act. The Office of Environment and Heritage 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.
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).



Planning & Environment

7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated *16th* day of *August* 2018.

Amanda Harvey
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission