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Our ref: PP_2010_WOOLL_003_00 (10/17904)
Your ref: Jacquelyne Jeffery

Mr Gary James
General Manager
Woollahra Municipal Council
PO Box 61
DOUBLE BAY NSW 2028

Dear Mr James,

Re: Planning Proposal regarding provisions relating to Kiaora Lands, Double Bay

I am writing in response to your Council's letter dated 3 September 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Woollahra Local Environmental Plan 1995 regarding provisions relating to sites in New South Head Road, Double Bay known as the Kiaora Lands.

As delegate of the Minister for Planning, I have now amended the Determination under section 56(7) of the EP&A Act in the manner set out in the attached Gateway Determination.

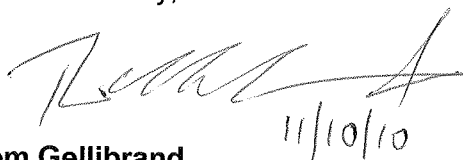
The Gateway Determination requires that the planning proposal be made publicly available for a period of 14 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

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 within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) 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 Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Daniel Cutler of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_WOOLL_003_00): to amend the Woollahra Local Environmental Plan 1995 regarding provisions relating to sites in New South Head Road, Double Bay known as the Kiaora Lands.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Woollahra Local Environmental Plan 1995 to:

- Delete clause 21E;
- Rezone 4 lots from part 3(a) Business General and part 2(b) Residential to 3(a) Business General; and
- Apply floor space ratio controls to the subject site (2.5:1 for the site currently occupied by the Golden Sheaf Hotel, 3:1 for the site currently occupied by Woolworths and 1.1:1 for the remainder of the subject site);

subject land listed below:

- 423-431 New South Head Road (Golden Sheaf Hotel), Double Bay (Lot 2 DP 82306)
- 433-451 New South Head Road (Woolworths Supermarket), Double Bay (Lot 1 DP 64445)
- 1 Kiaora Road, Double Bay (Lot 1 DP 68509)
- 2 Kiaora Road, Double Bay (Lot 1 DP 199252)
- 3 Kiaora Road, Double Bay (Lot 10 DP 1046816)
- 4 Kiaora Road, Double Bay (Lot 4 DP 150454)
- 5 Kiaora Road, Double Bay (Lot 1 DP 88003)
- 6 Kiaora Road, Double Bay (Lot 6 DP 703558)
- 7 Kiaora Road, Double Bay (Lot 1 DP 75900)
- 2 Patterson Street, Double Bay (Lot 18 DP 12264)
- 1 Anderson Street, Double Bay (Lot 3 DP 12264)
- 2 Anderson Street, Double Bay (Lot 20 DP 12264)
- 4 Anderson Street, Double Bay (Lot 19 DP 12264)
- Former Telecom site, corner Anderson and Kiaora Lane, Double Bay (Lot 6 and 7 DP 12264)
- Anderson Street Public Car Park, Double Bay (Lot 4 DP 12264)
- Anderson Street Public Car Park, Double Bay (Lot 5 DP 12264)
- Kiaora Lane Public Car Park, Double Bay (Lot 81 DP 774685)
- Kiaora Lane Public Car Park, Double Bay (Lot 9 DP 12264)
- Kiaora Lane Public Car Park, Double Bay (Lot 1 DP 508776)
- Kiaora Lane Public Car Park, Double Bay (Lot 1 DP 502206)
- Kiaora Lane Public Car Park, Double Bay (Lot 1 DP 509113)
- Kiaora Lane Public Car Park, Double Bay (Lot 1 DP 507107)
- Part Kiaora Lane, part Anderson Street and part Patterson Street, Double Bay

should proceed subject to the following conditions:

1. The planning proposal being amended to more clearly justify the proposed floor space ratio control in relation to 433-451 New South Head Road (Woolworths).
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
 3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
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 EP&A 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 LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 11th day of October 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning