

Gateway Determination

Planning proposal (Department Ref: PP_2019_SYDNE_002_00): to amend Schedule 5 of the Sydney LEP 2012 to identify 46 Chisholm Street, Darlinghurst as a local heritage item under Schedule 5 of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012)

I, the A/Executive Director, Eastern Harbour City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sydney LEP 2012 should proceed subject to the following conditions:

1. Prior to community consultation the planning is to be amended to:
 - update the project timeline to allow for 12 months completion;
 - include a description of the surrounding area;
 - include details of the existing planning controls applicable to the site; and
 - provide further information of the importance of the Chisholm Estate.
2. 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).
3. Council must write to the land owner whose property is proposed to be listed and provide a copy of the planning and supporting studies during public exhibition.
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Heritage Council of NSW; and
 - The former Office of Environment and Heritage.

Each public authority/organisation 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.

5. 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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated *17th* day of *October* 2019.

A Harvey 17/10/19
Amanda Harvey
A/Executive Director, Eastern Harbour City
Greater Sydney, Place & Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces