

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-3069):** to identify 11A Marcel Avenue, Coogee as a local heritage item and expand the Moira Crescent heritage conservation area.

I, the Director, Agile Planning and Programs at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Randwick Local Environmental Plan 2012* to identify 11A Marcel Avenue, Coogee as a local heritage item and expand the Moira Crescent heritage conservation area should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to:
  - (a) Update Part 3A Q1 to discuss the Heritage Assessment that supports the planning proposal
  - (b) Update Part 3B Q4 to address consistency with the relevant priorities and actions in the Local Strategic Planning Statement in more detail.
  - (c) Correct the street address of the site in the table on page 6
  - (d) Update reference to "Attachment D" on page 11 either by removing the reference to Attachment D or include the attachment with the planning proposal
  - (e) Update reference to "Attachment 8" on page 17 to correct the attachment number to "Attachment 5", and update Attachment 5 to include a draft map to reflect the proposal to identify the site as an heritage item and extend the HCA consistent with LEP mapping standards
  - (f) Update Part 6 Project Timeline to reflect the timeframe stated in the Gateway determination
  - (g) Include an advisory in Part 2 of the planning proposal to explain that the proposed heritage item number is indicative only and will be confirmed at the finalisation stage.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Heritage NSW

- The National Trust of Australia (NSW).

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 20 working days to comment on the proposal.

4. 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 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
  - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed on or before 30 April 2023.

Dated 5 September 2022



**Louise McMahon**  
**Director**  
**Agile Planning and Programs**  
**Department of Planning and Environment**  
  
**Delegate of the Minister for Planning**