

Gateway Determination

Planning proposal (Department Ref: PP-2023-789): To list four places of worship in the Woollahra local government area as local heritage items under Schedule 5 of the Woollahra Local Environmental Plan 2014.

I, the Director, Eastern and South Districts at the Department of Planning 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 Woollahra Local Environmental Plan (LEP) 2014 to list four places of worship as local heritage items should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be revised to:
 - a) Update the assessment of significance in the heritage inventory sheet for the Sydney Chevra Kadisha to address the moveable items.
 - b) Based on the assessment and materials in the heritage report and inventory sheets (as updated as per the above), include the following additional information in the planning proposal:
 - Include a summary of the assessment of heritage significance clearly setting out how the sites satisfy the relevant listing criteria in the NSW Heritage Office manual, *Assessing Heritage Significance*, 2001;
 - Discuss the significant elements of each site, including building and landscape components within the property boundaries or curtilage, setting and interiors; and
 - Include a list of moveable items that contribute to the heritage values of each site.
 - c) Include a discussion regarding how the proposal would affect the application of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in section 6.2 and schedule 1 of the planning proposal.
 - d) Provide further discussion in section 6.3 of the planning proposal regarding the economic impacts of the proposal, including how the proposed heritage listing would affect development pathways and the potential need for heritage management documents to support future development applications.
 - e) Remove reference to 'Heritage NSW' and replace with 'Environment and Heritage Group, Department of Planning and Environment' in section 6.4 of the planning proposal.
 - f) Confirm the lot number for the Vaucluse Uniting Church at 3 Russell Street, Vaucluse and ensure it is consistently referenced in the planning proposal.
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 basic as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, September 2022); in this instance the proposal 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).

Exhibition must commence within two months following the date of the gateway determination.

3. Consultation is required with the following public organisations / government agencies 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:
- Environment and Heritage Group, Department of Planning and Environment; and
 - National Trust of Australia, NSW.

Each public authority 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 planning proposal must be reported to Council for a final recommendation not more than four months from the date of the Gateway determination.
7. The time frame for completing the LEP is **6 months** from the date of the Gateway determination.

Dated 6 day of June 2023.



Laura Locke
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Planning and Land Use Strategy
Department of Planning and Environment
Delegate of Minister for Planning and
Public Spaces