

Gateway Determination

Planning proposal (Department Ref: PP-2024-589): Listing of Local Heritage Items – 21 Wilberforce Ave and 12 Carlisle St, Rose Bay

I, the Director, Local Planning (North, East and Central Coast) at the Department of Planning, Housing and Infrastructure, 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 2014 to add 'Rose Bay Public School – Building E, including interiors' located at 21 Wilberforce Av and 'McAuley Catholic Primary School – former Christian Brothers College building, including interiors' located at 12 Carlisle St, Rose Bay to Schedule 5 of Woollahra LEP 2014 should proceed subject to the conditions set out below:

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; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 6 May 2025.

Gateway Conditions

1. 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 Guidelines* (Department of Planning, Housing and Infrastructure, 2023) and must be made publicly available for a minimum of 20 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, Housing and Infrastructure, 2023).

Exhibition must commence within 30-40 days following the date of the gateway determination.

2. Consultation is required with the following public authorities and 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:

- Heritage NSW
- NSW Department of Education

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 30 days to comment on the proposal.

3. 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).

Dated 5th day of August 2024.



Jazmin van Veen
Director, Local Planning (North, East
and Central Coast)
Planning, Land Use Strategy, Housing
and Infrastructure
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces