

Gateway Determination

Planning proposal (Department Ref: PP-2021-2376): to list the residential flat building known as 'Hillcrest', including interiors and gardens at 780-786 New South Head Road, Rose Bay as a local heritage item.

I, the Director, Eastern and South Districts, 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 Woollahra Local Environmental Plan (LEP) 2014 to list the residential flat building known as 'Hillcrest', including interiors and gardens at 780-786 New South Head Road, Rose Bay as a local heritage item, should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to community consultation to address the following:
 - Include photographs of the garden areas and interiors of the residential flat building in the planning proposal and heritage significance assessment report;
 - Include details of the latest development application for alterations and additions to the existing residential flat building on the site; and
 - Amend the project timeline to reflect the timeframe allowed to complete the LEP.
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 is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018) and 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 and Environment, 2018).
3. Consultation is required with Heritage NSW and The National Trust of Australia (NSW) under section 3.34(2)(d) of the Act. The above agency and organisation are 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.
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 Act. This does not discharge Council from

any obligation it may otherwise have to conduct a public hearing (for example, if reclassifying land).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.
7. The planning proposal must be placed on public exhibition no later than 2 months from the date of the Gateway determination.
8. The planning proposal must be reported to Council for a final recommendation no later than 6 months from the date of the Gateway determination.

Dated 9 June 2021



Laura Locke
Director, Eastern and South Districts
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces