



Planning proposal (Department Ref: PP_2020_WOOLL_009_00): to list 46 Vaucluse Road including interiors, Vaucluse as a local heritage item.

I, the Acting 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 46 Vaucluse Road including interiors, Vaucluse as a heritage item, should proceed subject to the following conditions:

1. The planning proposal is to be amended to address the following matters prior to public exhibition:
 - (a) Include a note to clarify that the heritage item number in the proposed mapping is indicative only and will be confirmed upon the finalisation of the proposal;
 - (b) Correct the wording of *Strategy 4.3* of the Woollahra Community Strategic Plan, *Woollahra 2030 – our community, our place, our plan*, to ensure consistency with the published version of the Plan;
 - (c) Remove reference to the *Woollahra Local Strategic Planning Statement* (LSPS) as a draft document and clearly state that the LSPS has been assured by the Greater Sydney Commission and adopted by Council;
 - (d) Update the proposed community consultation requirements to align with Council's current notification and exhibition arrangements during the COVID-19 pandemic;
 - (e) Update Schedule 2 of the planning proposal to:
 - (i) State the correct title of Section 9.1 Directions – 2.2 Coastal Management and 3.5 Development Near Regulated Airports and Defence Airfields;
 - (ii) Include reference to Section 9.1 Directions - 3.7 Reduction in Non-Hosted Short Term Rental Accommodation Period, 5.11 Development of Aboriginal Land Council Land, and Directions 7.4 to 7.10 inclusive; and
 - (iii) Include reference to SEPP (Activation Precincts) 2020 and SEPP (Major Infrastructure Corridors) 2020; and
 - (f) Include an updated project timeline.
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 and Environment, 2018).

3. Consultation is required with NSW Heritage, Department of Premier and Cabinet and the National Trust of NSW under section 3.34(2)(d) of the Act.

The 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.

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 **12 months** following the date of the Gateway determination.

Dated 21st day of August 2020.



Brendan Metcalfe
A/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