

**From:** [Chris Bluett](#)  
**To:** [Andrew McAnespie](#)  
**Subject:** RE: Message from "ELIZA3A"  
**Date:** Thursday, 7 March 2019 5:42:50 PM

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Hello Andrew

In regard to the Commissioners' question, I have spoken to our lawyers about the operation of Clause 1.8A in Woollahra LEP 2014 and they confirm the view that I expressed in the meeting on 28 February 2019 at your office.

That is, the savings provision for development applications is only applicable to development applications made before and not finally determined by the commencement of Woollahra LEP 2014 which occurred on 23 May 2015. The clause does not operate for DAs lodged after the commencement of the LEP.

This view is supported by LEPs for a number of councils which include subclauses to cl.1.8A whereby an additional savings measure is introduced for DAs lodged after the LEP commencement date. Refer to:

Holroyd LEP 2013  
Kogarah LEP 2012  
Mosman LEP 2012  
Ryde LEP 2014

I trust this assists.

Regards



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**Manager Strategic Planning**

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-----Original Message-----

From: Andrew McAnespie [mailto:[Andrew.McAnespie@ipcn.nsw.gov.au](mailto:Andrew.McAnespie@ipcn.nsw.gov.au)]  
Sent: Thursday, 7 March 2019 3:52 PM  
To: Chris Bluett <[chris.bluett@woollahra.nsw.gov.au](mailto:chris.bluett@woollahra.nsw.gov.au)>  
Subject: FW: Message from "ELIZA3A"

Hello Chris

The Commissioners wanted me to follow up on the applicability of Clause 1.8A of Woollahra's LEP regarding the savings provision.

I have attached the relevant page from the transcript where the question is raised.

thanks

Andrew McAnespie | Senior Planning Officer

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