



Mr Ross McLeod
General Manager
Waverley Council
PO Box 9
BONDI JUNCTION NSW 2022

Dear Mr McLeod

Planning proposal PP_2019_WAVER_002_00 to amend Waverley Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to protect and promote commercial floor space in Bondi Junction Strategic Centre.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also determined that the planning proposal should remove the proposed provision relating to prohibiting **hotel and motel accommodation**, as it is a mandatory 'permitted with consent' use in the B3 Commercial Core zone under the Standard Instrument.

The Gateway determination includes conditions requiring revisions to the planning proposal document to provide clarity to the community for interpreting the intended outcome and proposed provisions. The revised planning proposal is to be submitted to the Department of Planning, Industry and Environment for endorsement prior to community consultation. Council, as the planning proposal authority, must ensure the revised planning proposal document is accurate and current and the Gateway determination conditions are complied with.

I note that Council intends to have a two-stage approach to manage commercial development in Bondi Junction and that a second planning proposal will follow this proposal. The second planning proposal will seek to increase the commercial floor space capacity to achieve the employment targets in the Eastern City District Plan and to encourage knowledge intensive jobs and health related uses. To provide certainty to the community about future amendments and to have timely and full resolution of the issues that Council wishes to address, it is recommended that the process for the Stage 2 proposal be expedited.

Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Pengfei Cheng to assist you. Mr Cheng can be contacted on 8289 6686.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Amanda Harvey', with a stylized flourish at the end.

Amanda Harvey 11 March 2020
A/ Executive Director, Eastern Harbour City
Greater Sydney, Place and Infrastructure

Encl: Gateway determination