

Gateway Determination

Planning proposal (Department Ref: PP_2014_WAVER_001_00): to increase maximum building height and floor space ratio on the Bronte RSL site at 109-113 Macpherson Street, Bronte.

I, the Secretary, of the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979*, that an amendment to the *Waverley Local Environmental Plan (LEP) 2012* to increase maximum building height and floor space ratio on the Bronte RSL site at 109-113 Macpherson Street, Bronte, should proceed subject to the following conditions:

1. The following amendments to the planning proposal are to be completed prior to the commencement of public exhibition:
 - amend the planning proposal and indicative concept plans to include the 500 square metre retail cap (as implemented by Waverley LEP (Amendment 1) 2012);
 - remove the proposed inclusion of "Bronte RSL" as an additional permitted use under Schedule 1 as this is implemented by Waverley LEP (Amendment 1) 2012.
 - amend text on pages 27-28 to refer to the amendment of height and FSR maps only;
 - amend the indicative height and FSR maps on page 28 to identify the site with a thick red line on the site boundary; and
 - remove the draft Clause on page 29 which seeks to clarify where the building height is to be measured from and replace this with a plain English explanation of Council's objective.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal is classified as routine as described in *A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2013)* and must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2013)*.
3. Consultation is required with Department of Education and Communities, Transport for NSW, and Roads and Maritime under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*. Agencies 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 56(2)(e) of the *Environmental Planning and Assessment Act 1979*. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 2 day of September 2014.



Carolyn McNally
Secretary
Department of Planning and
Environment