



Mr Arthur Kyron
General Manager
Waverley Council
GPO Box 9
Bondi Junction NSW 1355

Our ref: PP_2016_WAVER_002_00 (16/03092)

Dear Mr Kyron

Planning Proposal to amend Waverley Local Environmental Plan 2012

I am writing in response to your Council's letter dated 1 February 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within **9 months** of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to the Department of Planning and Environment to draft and finalise the LEP should be made 6 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 Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9228 6585.

Yours sincerely



Martin Cooper
A/Director, Sydney Region East
Planning Services

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_WAVER_002_00): to amend Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational.

I, the A/Director, Sydney Region East, at the Department Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Waverley Local Environmental Plan 2012 to reclassify a drainage reserve at the rear of 2-8 Dickson Street, Bronte, from community to operational, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of **14 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 LEPs (Department of Planning and Environment 2013)*.
2. Consultation is required with Sydney Water under section 56(2)(d) of the Act. Sydney Water 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.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. 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).
4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 13TH day of APRIL 2016.



Martin Cooper
A/Director, Sydney Region East
Planning Services

Delegate of the Greater Sydney Commission