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Our ref: PP_2013_WAVER_002_00 (13/09162)
Your ref: PP-1/2013

Mr Tony Reed
General Manager
Waverley Council
PO Box 9
BONDI JUNCTION NSW 1355

Dear Mr Reed,

Planning proposal to amend Waverley Local Environmental Plan 2012

I am writing in response to your Council's letter dated 27 May 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal (Amendment No. 3) to rezone land at 344-354 Oxford Street, Bondi Junction from B3 Commercial Core to B4 Mixed Use.

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

I have also agreed the planning proposal's inconsistency with S117 Direction 1.1 Business and Industrial Zones is of minor significance. No further approval is required in relation to this Direction.

It is noted a Gateway determination is also being issued for planning proposal PP_2013_WAVER_003_00 (Amendment No. 2) which proposes various housekeeping amendments to Waverley LEP 2012, including a proposal to rezone the subject land at 344-354 Oxford Street, Bondi Junction from B3 Commercial Core to B4 Mixed use. To simplify administrative processes and ensure a clear and consistent approach is undertaken for the rezoning of land at Oxford Street, Bondi Junction, Council is encouraged to consolidate this planning proposal with PP_2013_WAVER_003_00. Alternatively, if Council wishes to retain separate planning proposals, it is encouraged to place both proposals on public exhibition concurrently.

I note that Council has not yet formally accepted plan making delegation, however has requested to be issued with delegations for the making of this proposal. Before Council can be issued with plan making functions for this proposal, it must formally accept plan making delegation and nominate the officers or employee of Council who will be granted the proposed delegation. I understand a report recommending plan making delegations be accepted is to be heard at a Council meeting in July 2013. Once Council has formally accepted plan making delegation locally significant proposals can be delegated back to Council for making.

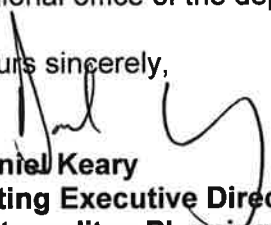
The amending LEP is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the department to draft and finalise the LEP should be made 6 weeks prior 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

Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Wayne Williamson of the regional office of the department on 02 9228 6111.

Yours sincerely,

 20/6/13
Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2013_WAVER_002_00): to rezone land at Bondi Junction to B4 Mixed Use.

I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Waverley Local Environmental Plan (LEP) 2012 to rezone land at 344-354 Oxford Street, Bondi Junction from B3 Commercial Core to B4 Mixed Use should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning & 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 & Infrastructure 2013).
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 EP&A 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 LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated **20TH** day of **JUNE** 2013.



Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure