

Ms Emily Scott
General Manager
Waverley Council
PO Box 9
BONDI JUNCTION NSW 1355

Our ref: PP-2023-1224/(IRF24/666)

Via email: info@waverley.nsw.gov.au

12 June 2024

Dear Ms Scott,

Planning proposal PP-2023-1224 – Alteration of Gateway Determination

I refer to the planning proposal (PP-2023-1224) Council recently submitted to the Department for finalisation, which seeks to amend the Waverley Local Environmental Plan 2012 to list 34 Flood Street, Bondi (Lot 1 DP 1094020) as a local heritage item in Part 1 of Schedule 5 and identify the subject site as a local heritage item on the corresponding LEP Heritage Map.

This letter is to advise, as the delegate of the Minister for Planning and Public Spaces, I have determined not to make the plan under section 3.36(2)(b) of the *Environmental Planning and Assessment Act 1979*. Please find the Alteration of Gateway determination enclosed.

I acknowledge that while the site has heritage value, the Department is not satisfied that the site has sufficient value to warrant a local statutory heritage listing at the present time.

The Department's justification for not supporting the making of Council's draft LEP is further addressed in the Department's finalisation assessment report. Since the Gateway determination was issued, further independent specialist heritage studies have been undertaken for the site. Given the conflicting recommendations of the three independent heritage studies (including one commissioned by Council, and two commissioned by the landowner), the Department referred the matter to the Independent Planning Commission for review. The Department has accepted the Commission's advice of 13 March 2024 that a local heritage listing is not warranted at this time and accordingly determined not to make the LEP.

Should you have any questions in relation to this matter, I have arranged for Kelly McKellar, Manager, at the Department of Planning, Housing and Infrastructure to assist you. Ms McKellar can be contacted on 02 8229 2868.

Yours sincerely



Daniel Thompson
A/Executive Director, Local Planning & Council Support
Planning, Land Use Strategy, Housing & Infrastructure
Department of Planning, Housing and Infrastructure

Encl: Alteration of Gateway Determination