

Gateway Determination

Planning proposal (Department Ref: PP-2023-2373): *The proposal seeks to amend the Waverley Local Environmental Plan 2012 (WLEP) to give effect to the Waverley Council Heritage Policy and to rectify an historic error regarding the listing and mapping of an existing local archaeological heritage item.*

I, the Executive Director, Local Planning and Council Support, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Waverley Local Environmental Plan 2012, to give effect to the Waverley Council Heritage Policy and to rectify an historic error regarding the listing and mapping of an existing local archaeological heritage item, should proceed subject to the following conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 16 June 2026.

Gateway Conditions

1. Prior to exhibition, the proposal is required to be updated to:
 - (a) Ensure the planning proposal, maps and heritage data forms are consistent and include up-to-date street addresses, property descriptions, maps, photographs and figures that are clearly labelled and accurately identify the sites and/or areas (including significant features where relevant).

This should include, but not be limited to:

 - i. Ensuring the location map and photographs clearly identify 2-14 King Street, Bondi and its significant features;
 - ii. Ensuring the address of the proposed items at 14 Lyons Street, Dover Heights and 1A Warners Avenue, North Bondi, are up-to-date and the supporting mapping and descriptions include the entire site.
 - (b) Ensure the images of the streets, documentation demonstrating the link to the Depression works programs, and detail of the comparative analysis undertaken regarding the proposed Dickson Estate HCA. Furthermore, discussions around social' significance should be considered as historical.
 - (c) Ensure the analysis on the representativeness criteria for the proposed Avoca Estate HCA includes a comparative analysis with other similar areas in the LGA or region.
 - (d) Include further physical description and photo documentation of the proposed new Bondi Road HCA.

- (e) Ensure the heritage data form for the proposed expansion of the Grafton Street HCA includes explanation and justification to describe the new commercial component.
 - (f) Remove all references to the proposed new Bondi Basin, O'Brien Estate and War Memorial Hospital HCAs.
 - (g) Remove all references to the proposed extension of the existing Charing Cross HCA and existing Evans Street HCA.
 - (h) Address consistency with the Waverley 2032 – Waverley Community Strategic Plan 2022-2032 and all relevant Ministerial Directions including Direction 6.1 Residential Zones and Direction 7.1 Employment Zones.
 - (i) Ensure the Project Timeline reflects the timelines included in the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal 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 the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

Dated 16 October 2025



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

Delegate of the Minister for Planning and Public Spaces