

Assessment Against Gateway Determination

PP-2022-731



The Department of Planning, Housing and Infrastructure issued a Gateway Determination on 23 February 2024, and a Gateway Alteration on 29 January 2025. An assessment against the Gateway Determination has been undertaken (see table below).

The Planning Proposal Authority team is satisfied that the planning proposal and supporting documents have met the conditions of the Gateway Determination (as altered) and the planning proposal can proceed to Finalisation.

Gateway Condition	Assessment
1. The planning proposal is to be revised prior to exhibition to address the matters set out below:	
1(a)	remove the requirement for a Site-Specific Development Control Plan Condition met The planning proposal has been updated to remove the requirement for a Site-Specific DCP.
1(b)	remove proposed local provisions relating to setbacks, deep soil landscaped areas and a publicly accessible area (pocket park). Condition met The planning proposal has been updated to remove the proposed local provisions relating to setbacks, deep soil landscaped areas and a publicly accessible area.
1(c)	update the planning proposal timeframes. Condition met The planning proposal timeframes were updated.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:	
2(a)	the planning proposal is categorised as standard as described in the <i>Local Environmental Plan Making Guideline</i> (Department of Planning, Housing and Infrastructure, August 2023) and must be made publicly available for a minimum of 20 working days; and The planning proposal and its supporting documents were publicly exhibited from 2 April to 7 May 2024, which meets the 20-day requirement.
2(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 <i>Local Environmental Plan Making Guideline</i> (Department of The exhibition documents and the methodology comply with the relevant provisions of the EP&A Act 1979 and the <i>LEP Making Guideline</i> as referenced in the condition.

Gateway Condition		Assessment
	Planning, Housing and Infrastructure, August 2023).	
3	<p>Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:</p> <ul style="list-style-type: none"> • Transport for NSW • Biodiversity, Conservation and Science Group (BCS), formerly Environment and Heritage Group (Department of Climate Change, Energy, the Environment and Water). • State Emergency Service • Ausgrid • Sydney Water • Waverley Council <p>Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 20 working days to comment on the proposal.</p>	<p>Formal consultation with these public authorities and government agencies was completed during the Public Exhibition in accordance with the Gateway Determination.</p> <p>Waverley Council elected not to provide comment on the planning proposal.</p>
4	<p>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 (for example, in response to a submission or if reclassifying land).</p>	Noted.
5	<p>The time frame for completing the LEP is to be 8 months following the date of the Gateway determination.</p> <p>The timeframe for completing the LEP is by 30 May 2025.</p>	<p>Noted.</p> <p>Changes to the LEP to be completed by 30 May 2025.</p>