



Ms Meredith Wallace
General Manager
Bayside Council
PO Box 21
Rockdale NSW 2216

Our ref: PP_2016_BSIDE_001_00 (16/14328)
Your ref: F13/505

Dear Ms Wallace

Planning proposal to amend Rockdale Local Environmental Plan 2011

I am writing in response to your Council's letter dated 21 October, 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 rezone land at 1A Willison Road, Carlton and apply development standards.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 4.1 - Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

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 draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

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 Ms Jazmin van Veen of the Department's regional office to assist you. Ms van Veen can be contacted on (02) 9373 2877.

Yours sincerely


Karen Armstrong 30/11/16
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2016_BSIDE_001_00): to rezone land at 1A Willison Road, Carlton and apply development standards.

I, the Director, Sydney Region East, at the Department of 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 Rockdale Local Environmental Plan (LEP) 2011 to rezone land at 1A Willison Road, Carlton and apply development standards, should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to:
 - (a) reflect a maximum Floor Space Ratio of 1.26:1; and
 - (b) ensure that all maps comply with the 'Standard Technical requirements for Standard Technical Requirements for Spatial Datasets and Maps.
2. Prior to exhibition, the planning proposal should be updated to include a discussion regarding how the proposal is consistent with the draft Central District Plan.
3. Consultation is required with Transport for NSW – Sydney trains under section 56(2)(d) of the Act. Council is to provide Transport for NSW – Sydney trains with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 2016).
5. 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).



6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated *30th* day of *NOVEMBER* 2016

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Bayside Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_BSIDE_001_00	Planning proposal to rezone land at 1A Willison Road, Carlton and apply development standards

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *30TH November* 2016

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission