

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

Dear Ms Wallace

**Planning Proposal PP\_2019\_BSIDE\_003\_00 to amend Rockdale Local Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the Environmental Planning and Assessment Act 1979 (the Act) on 28 March 2019 in respect of the planning proposal to reclassify land from Community land to Operational land at 9 Bidjigal Road, Arncliffe.

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

Council is reminded of its obligation for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department Practice Note PN 09-003, classification and reclassification of public land through a local environment plan.

I have considered Council's request to be the local plan-making authority. The planning proposal involves the reclassification of land from Community land to Operational land. As a result, the Governor's approval is required to remove the public reserve status under Section 30 of the Local Government Act, thus delegation cannot be granted.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department.

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. To meet these commitments, the Minister for Planning and Public Spaces may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Alexander Galea at the Department to assist you. Mr Galea can be contacted on 8289 6793.

Yours sincerely



**Amanda Harvey**  
**Director, Sydney Region East**  
**Planning Services**

Encl: Gateway determination