



Office of the Director General

Ms Meredith Wallace
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Our ref: PP_2012_ROCKD_007_00 (12/20091)
Your ref: 12/88597 (F12/452)

Dear Ms Wallace,

Planning proposal to amend Rockdale Local Environmental Plan 2011

I am writing in response to your Council's letter dated 6 December 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Rockdale Local Environmental Plan (LEP) 2011 to rezone land at 50A Francis Avenue, part 91 Bestic Street, Brighton Le Sands and part 310 West Botany Street, Rockdale to SP2 Infrastructure (School), identify land on the Land Reservation and Acquisition Map and identify the Department of Education and Communities as the relevant acquisition authority in Clause 5.1 of the LEP.

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

In regards to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land used for public purposes. No further approval is required in relation to this Direction

Council is to ensure that land owners affected by the proposed rezoning of their land to SP2 Infrastructure (School) are consulted directly, as part of the public exhibition of this planning proposal.

The amending 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 for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Danijela Karać of the regional office of the department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director General 25/1/2013.

Gateway Determination

Planning proposal (Department Ref: PP_2012_ROCKD_007_00): to facilitate a rezoning and amend the Land Reservation and Acquisition Map and Clause 5.1 of Rockdale LEP 2011.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Rockdale Local Environmental Plan (LEP) 2011 to rezone land at 50A Francis Avenue, part 91 Bestic Street, Brighton Le Sands and part 310 West Botany Street, Rockdale to SP2 Infrastructure (School), identify land on the Land Reservation and Acquisition Map and identify the Department of Education and Communities as the relevant acquisition authority in Clause 5.1 of the LEP should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a proposed land zoning map, at an appropriate scale and which clearly outlines the subject site.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2012) and must be made publicly available for **14 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 Infrastructure 2012).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Education and Communities

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 56(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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

25th day of January

2013.

Sam Haddad

Sam Haddad
Director General

Delegate of the Minister for Planning and
Infrastructure