



Office of the Director General

Ms Meredith Wallace
General Manager
Rockdale City Council
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Our ref: PP_2012_ROCKD_005_00 (12/19913)
Your ref: F12/478

Dear Ms Wallace,

Planning proposal to amend Rockdale Local Environmental Plan 2011

I am writing in response to Council's letter dated 30 November 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 Rockdale Local Environmental Plan (LEP) 2011 to permit a shop, associated with a charitable organisation, as an additional permitted use on land at 432 West Botany Street, Rockdale.

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.

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 NSW 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 Lillian Charlesworth of the regional office of the department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director General

10/11/2013.

Gateway Determination

Planning proposal (Department Ref: PP_2012_ROCKD_005_00): to permit a shop, associated with a charitable organisation, on land at West Botany Street, Rockdale.

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 Rockdale Local Environmental Plan (LEP) 2011 to permit a shop, associated with a charitable organisation, as an additional permitted use on land at 432 West Botany Street, Rockdale should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to ensure the address of the subject site at West Botany Street, Rockdale is correctly referenced throughout the planning proposal and associated documentation.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to demonstrate the proposal's consistency or justify any inconsistency with Section 117 Direction 3.4 Integrating Land Use and Transport.
3. 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)*.
4. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 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).
6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

10th

day of

January

2013



Sam Haddad

Director General

Delegate of the Minister for Planning and
Infrastructure