



Office of the Director General

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

Contact: Emily Marriott-Brittan
Phone: (02) 9228 6111
Fax: (02) 9228 6244
Email: Emily.Marriott-Brittan@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2012_ROCKD_004_00 (12/17647)
Your ref: 12/73875 (F12/308)

Dear Ms Wallace,

Planning proposal to amend Rockdale Local Environmental Plan 2011

I am writing in response to your Council's letter dated 18 October 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 2011 to restrict the minimum lot size for attached and semi-detached dwellings in the R2 Low Density Residential Zone to 350sq.m.

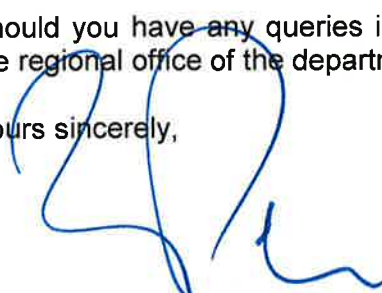
As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

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 to meet the 9 month timeframe. 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 Emily Marriott-Brittan of the regional office of the department on 02 9228 6111.

Yours sincerely,


Richard Pearson
A/Director General

6/11/12

Gateway Determination

Planning proposal (Department Ref: PP_2012_ROCKD_004_00): to amend Rockdale Local Environmental Plan 2011 to restrict minimum lot sizes for certain types of residential development.

I, the Acting 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 2011 to insert Clause 4.1C Exceptions to minimum lot sizes for certain residential development into Part 4 to restrict the minimum lot size for attached and semi-detached dwellings in the R2 Low Density Residential Zone to 350sq.m should proceed subject to the following conditions:

1. 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 must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. 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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

6

day of

November

2012.



Richard Pearson
A/Director General
Delegate of the Minister for Planning and
Infrastructure