

Gateway Determination

Planning Proposal (Department Ref: PP_2015_ROCKD_007_00): to change the building height control applying to land at 75-85 Railway Street, Rockdale.

I, the Director, Metropolitan (CBD), at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 2011* to change the building height control for 75-85 Railway Street, Rockdale, should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be amended to:
 - (a) clearly show the proposed land reservation for the provision of a through access road and on-street parking;
 - (b) include both the current and the proposed Height of Buildings and Land Reservation Acquisition maps, in accordance with Standard Technical Requirements for LEP Maps (Department of Planning and Environment website); and
 - (c) demonstrate the need for the proposal in the context of the recent amendment to *Rockdale Local Environmental Plan 2011* that implemented the Rockdale Town Centre Masterplan 2012, including justification for any inconsistency.

2. Prior to public exhibition, consultation is required with the following public authorities, under section 56(2)(d) of the Act, and to address section 117 Direction 3.5 Development Near Licensed Aerodromes:
 - (a) Sydney Airport; and
 - (b) Department of Infrastructure and Regional Development.

Authorities are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least **21 days** to comment on the proposal. The planning proposal is to be revised to respond to any submissions received from these authorities and copies of the submissions are to be included with the revised proposal.

3. 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 identified in section 5.5.2 of *A guide to preparing LEPs* (Department of Planning and Environment website).
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 Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submissions 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 20th day of October 2015



Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Delegate of the Minister for Planning