



Ms Meredith Wallace
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Our ref: PP_2015_ROCKD_007_00
(15/14708)

Dear Ms Wallace

I refer to Council's letter dated 15 September 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to change the building height standard applying to land at 75-85 Railway Street, Rockdale.

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

I have agreed that the planning proposal's inconsistencies with section 117 Directions 1.1 Business and Industrial zones and 4.1 Acid Sulfate Soils are of minor significance. No further approval is required in relation to these Directions.

Please note that any inconsistency with section 117 Direction 3.5 Development Near Licensed Aerodromes has not yet been approved. Council will need to consult with the Commonwealth Department of Infrastructure and Regional Development and Sydney Airport and make a submission to the Department's Metropolitan (CBD) team seeking this approval prior to finalisation of the draft Plan.

The Department is also concerned the current proposal will amend controls recently implemented as part of the Rockdale Town Centre Masterplan. Council is encouraged to consider undertaking a review of the overarching masterplan should a number of planning proposals be submitted to Council for consideration.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this Plan.

The amending Local Environmental Plan 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 to draft and finalise the draft Plan should be made directly to Parliamentary Counsel's Office 6

weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete LEP's 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 section 54(2)(d) of the Act if the timeframes outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Ms Deewa Baral, of the Department's Metropolitan (CBD) branch on (02) 9228 6572.

Yours sincerely



20/10/15

Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated plan making reporting template