

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

Dear Ms Wallace,

Planning proposal PP-2022-1517 to amend Bayside Local Environmental Plan 2021

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Bayside Local Environmental Plan 2021 (Bayside LEP 2021) to remove Additional Permitted Uses 34 & 35 from Schedule 1 of the LEP and retain residential flat buildings as an Additional Permitted Use via Schedule 1 on 6 sites.

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

Please note that conditions of Gateway have been included requiring the planning proposal to be updated prior to community consultation. These amendments are not required to be sent to the Department prior to community consultation.

I also note that Council has requested to be authorised as the local plan-making authority. I have determined to authorise Council to be the local plan-making authority in this instance, as the proposal is of local significance.

The amending local environmental plan (LEP) is to be finalised within 9 months 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 LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Industry and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Patrick Connor, Planning Officer, Eastern and South districts, to assist you. Mr Connor can be contacted on (02) 9995 6752 or at patrick.connor@dpie.nsw.gov.au.

Yours sincerely



3 August 2022
Amanda Harvey
Executive Director, Metro East and South
Planning and Land Use Strategy

Enclosed: Gateway determination
Authorised plan-making reporting template