

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

Dear Ms Wallace,

**Planning proposal PP-2022-4024 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 introduce minimum lot size and minimum lot width requirements to dual occupancy and semi-detached dwelling development in the R2 Low Density Residential zone.

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 required to be sent to the Department prior to community consultation.

I have determined to not authorise Council to be the local plan-making authority for the proposal. This is due to the broad scale application of the proposal across the Bayside local government.

Note 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 to help achieve this outcome.

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 Alex Galea, Manager Eastern and South districts, to assist you. Mr Galea can be contacted on (02) 8289 6793 or at [alex.galea@planning.nsw.gov.au](mailto:alex.galea@planning.nsw.gov.au).

Yours sincerely



**2 March 2023**  
**Amanda Harvey**  
**Executive Director Metro East and South**

Enclosed: Gateway determination