



Planning

Mr. Alan Young
City Manager
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

10/17989

Attention: Mr. Andrew Mooney

Dear Mr. Young

Subject: Conversion of draft Fairfield LEP 1994 – Amendment 126 (Restwell Road, Prairiewood) to a Planning Proposal

I refer to Council's letters of 12 August 2010 and 27 August 2010 which request the Department convert draft Fairfield LEP 1994 (Amendment 126) from the former Part 3 into the current Part 3 of the *Environmental Planning and Assessment Act 1979* ('the Act').

I am writing to notify you that, as a delegate of the Director-General, I have determined under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the act now apply.

Furthermore, as a delegate for the Minister for Planning, I have determined under clause 122(2) of Schedule 6 of the Act to dispense with the conditions precedent prior to section 57(1) of the Act for the making of this draft LEP. As such, Council must now draft a Planning Proposal and seek approval under 57(2) of the Act via the Regional Branch. The Planning Proposal should include a timeframe as per Council's correspondence of 27 August 2010. I have determined that the community consultation period for the Planning Proposal is 28 days.

Council is required to finalise the draft LEP within 10 months of the week following the date of this letter and in general accordance with the timeframe provided in Council's letter of 27 August 2010. Council's request for the Department to draft and finalise the draft LEP should be made 6 weeks to the projected publication date.

Should you have any queries in regard to this matter, please contact Mr. Mitchell Noble of the Sydney West Regional Office on (02) 9873 8558.

Yours sincerely



12/10/10

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal
(as a delegate of the Minister and the Director-General)