



Mr Alan Young
City Manager
Fairfield City Council
PO BOX 21
Fairfield NSW 1860

Contact: Georgina Ballantine
Phone: 9860 1568
Email: georgina.ballantine@planning.nsw.gov.au
Our ref: 15/14601
Your ref: 15/13681

Attention: Edward Saulig

Dear Mr Young

Re: Planning Proposal for residential density increase in 6 precincts at Fairfield, Fairfield Heights, Fairfield East and Villawood, with associated rezoning from residential to public recreation in East Fairfield

I am writing in response to Council's letter dated 3 September 2015 requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to amend the Fairfield Local Environmental Plan 2013 to increase residential density in 6 precincts at Fairfield, Fairfield Heights, Fairfield East and Villawood, with associated rezoning from residential to public recreation in East Fairfield.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Plan making powers were delegated to councils in October 2012. I have considered the circumstances of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

I have also agreed that the planning proposal's inconsistency with Section 117 Direction 2.3 Heritage Conservation and Direction 4.1 Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under Section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.



The State Government is committed to reducing the time taken to complete plans 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 Environmental Planning and Assessment Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Georgina Ballantine, of the Metropolitan Region (Parramatta) office of the Department of Planning and Environment on 9860 1568.

Yours sincerely

Brett Whitworth
Acting Executive Director
Regions
Planning Services

7 February 2016

Gateway Determination

Planning Proposal (Department Ref: PP_2015_FAIRF_003_00): to increase residential density in 6 precincts at Fairfield, Fairfield Heights, Fairfield East and Villawood, with associated rezoning from residential to public recreation in East Fairfield.

I, the Executive Director, Regions, as delegate of the Greater Sydney Commission, have determined under Section 56(2) of the Act, that an amendment to the Fairfield Local Environmental Plan 2013, to facilitate the above proposal, should proceed subject to the following conditions:

1. Prior to exhibition the planning proposal should be updated to address consistency with 'A Plan for Growing Sydney' which was adopted by the State Government in December 2014.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 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 as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:

- Endeavour Energy
- Jemena
- Office of Environment and Heritage - Flooding Division
- Office of Environment and Heritage – Heritage Division
- Roads and Maritime Services
- Sydney Water
- Telstra

Each public authority is 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.

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 Environmental Planning & Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



6. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

**Brett Whitworth
Acting Executive Director
Regions
Planning Services**

As delegate of the Greater Sydney
Commission

7 February 2016