



Planning &
Environment

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

Contact: Georgina Ballantine
Phone: 02 9860 1568
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@planning.nsw.gov.au
Our ref: PP_2014_FAIRF_005_00
Your ref: 14/15575

Attention: Elizabeth Workman/Andrew Mooney

Dear Mr Young

**Gateway Determination – Fairfield Local Environmental Plan 2013 –
Amendment to minimum lot size provision for narrow lot areas**

I am writing in response to Council's email dated 3 September 2013 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("the Act") for the planning proposal to amend Fairfield Local Environmental Plan 2013 to permit exceptions to minimum lot sizes for certain residential development in narrow lot areas throughout the City of Fairfield.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination. I enclose the determination and other papers.

I have also agreed that that any inconsistency with Section 117 Direction 4.3 Flood Prone Land is of minor significance. No further approval is required in relation to this Direction.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has asked to be issued with 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 12 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 for administrative purposes.

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

Should you have any enquiries in regard to this matter, please contact Georgina Ballantine of the Metropolitan Region (Parramatta) office of the Department on phone no. (02) 9860 1568.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Terry Doran', with a stylized, cursive script.

29 January 2015

Terry Doran
Acting Director
Metropolitan Region (Parramatta)
Planning Services



Gateway Determination

Planning proposal (Department Ref: PP_2014_FAIRF_005_00): to permit exceptions to minimum lot sizes for certain residential development in narrow lot areas throughout the City of Fairfield

I, the Acting Director, Metropolitan Region (Parramatta), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 ('the Act'), that an amendment to the Fairfield Local Environmental Plan 2013 to permit exceptions to minimum lot sizes for certain residential development in narrow lot areas throughout the City of Fairfield should proceed, subject to the following conditions:

1. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Essential Energy
 - Sydney Water
 - Telstra
 - Transport for NSW – Roads and Maritime Services

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.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act 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 LEPs* (Department of Planning & Infrastructure 2013).

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. 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).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 29th day of January 2015



Terry Doran
Acting Director
Metropolitan Region (Parramatta)
Planning Services
Department of Planning and Environment