

Gateway Determination

Planning proposal (Department Ref: PP_2018_FAIRF_002_00): to increase the development controls for B2 Local Centre zoned land within the Fairfield Heights Town Centre.

I, the Director Regions, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Fairfield Local Environmental Plan (LEP) 2013 to increase the building height for B2 Local Centre zoned land within the Fairfield Heights Town Centre from 9m to 14m and 20m; apply a minimum site area of 700sqm, 1500sqm and 2200sqm to certain sites within the town centre; and introduce a Design Excellence clause to allow a further 6.5m building height for certain gateway sites should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - remove the current words under Part 1 – Objectives or Intended Outcomes and, in lieu, include a short, concise statement setting out what is planned to be achieved and how it is to be achieved in a manner that can be easily understood by the public, incorporating – but not limited to – the objectives specified in Council’s letter of 8 May 2018;
 - Under Part 2 – Explanation of provisions, the explanation is to be expanded to fully address the intended provisions and an explanation of the proposed excellence clause is to be included clarifying how it will be applied to the gateway sites, including proposed matters to determine design excellence;
 - identify that there are no additional jobs generated by the proposed density increase and include this advice in an appropriate section of the planning proposal;
 - prepare the draft DCP and concurrently exhibit this plan with the planning proposal;
 - replace all current maps in the planning proposal with versions that illustrate the existing controls for the town centre and the surrounding land;
 - replace references to the Minimum Lot Size Map with a Town Centre Precinct, Minimum Site Area Map;
 - address the traffic impacts of the proposed amendments on the existing road network as informed by a traffic study;

- provide further commentary against 9.1 Direction 3.4 Integrating Land Use and Transport, by addressing the frequency and major destinations of bus services, serving the town centre; and,
 - remove the words 'Sections 56(2)(c) and 57' from 7. Part 5 – Community Consultation, and replace with the words: "Sections 3.34 (2)(c) and schedule 1, clause 4"
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 and Environment 2016).
3. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Roads and Maritime Services;
 - Transport for NSW;
 - Sydney Water;
 - Telstra;
 - Jemena Gas; and
 - Endeavour Energy.

Each public authority/organisation 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 3.34(2)(e) of the 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).



5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 2nd day of July 2018.

Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission