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

Our ref: PP_2014_FAIRF_004_00 (14/12438)
Your ref: 13/11986

Dear Mr Young

Planning proposal to amend Fairfield Local Environmental Plan 2013 – Rezoning of 325 and 327 Hume Highway, Cabramatta

I am writing in response to your Council's letter dated 26 June 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone 325 and 327 Hume Highway, Cabramatta from R2 Low Density Residential to B5 Business Development.

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

I have also agreed the planning proposal's inconsistencies with Section 117 Directions 1.1, 3.1, 3.4 and 4.1 are of minor significance. No further approval is required in relation to these Directions. Prior to public exhibition Council is to further address Direction 7.1 by referencing the objectives of the Metropolitan Plan for Sydney 2036 in conjunction with the objectives of the draft Metropolitan Strategy to 2031.

The former Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested 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 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.

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 *Environmental Planning & Assessment Act 1979* 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 regional office of the Department on 02 9860 1568.

Yours sincerely,

 4/8/2014

Rachel Cumming
Director
Metropolitan Delivery (Parramatta)
Housing, Growth & Economics

Gateway Determination

Planning proposal (Department Ref: PP_2014_FAIRF_004_00): to rezone 325 and 327 Hume Highway, Cabramatta from R2 Low Density Residential to B5 Business Development.

I, the Director, Metropolitan Delivery (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 & Assessment Act 1979* that an amendment to Fairfield Environmental Plan 2013 to rezone 325 and 327 Hume Highway, Cabramatta should proceed subject to the following conditions:

1. Council is to ensure that the maps displayed during public exhibition are high resolution and clearly identify the site boundary.
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:
 - Essential Energy
 - Jemena
 - Sydney Water
 - Telstra
 - 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.

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).
5. Delegation is to be given to Council to exercise the Minister's plan-making powers.
6. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.


4/8/2014

Rachel Cumming
Director, Metropolitan Delivery (Parramatta)
Housing, Growth & Economics
Department of Planning and Environment
Delegate of the Minister for Planning