



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_FAIRF_002_00 (10/09533)
Your ref: qA131418

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

Dear Mr Young,

Re: Planning Proposal to permit "hardware & building supplies" at 727 The Horsley Drive, Smithfield

I am writing in response to your Council's letter dated 4 May 2010 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 amend the Fairfield Local Environmental Plan 1994 to permit "hardware and building supplies" at 727 The Horsley Drive, Smithfield.

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.

The Gateway Determination has been conditioned so as to extend the permissibility of "hardware and building supplies" throughout the 4(a) General industrial zone. The use is consistent with the objectives of the zone and Council has previously advised of its intention to allow the use throughout the IN1 General Industrial Zone in its Principal Plan. The revised planning proposal would merely bring forward Council strategic intention for the land which is to be included in the IN1 zone.

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 (LEP) is to be finalised within 6 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 LEPs 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mitchell Noble of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,



1/6/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_FAIRF_002_00): to permit "hardware and building supplies" at 727 The Horsley Drive, Smithfield.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Fairfield Local Environmental Plan 1994 to permit "hardware and building supplies" at 727 The Horsley Drive, Smithfield should proceed subject to the following conditions:

1. The planning proposal being revised so as "building and hardware supplies" are included as a permissible use in the 4(a) General Industrial zone.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority
 - Adjoining LGAs
 - Smithfield Public School

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 1st day of June 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning