

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

Our ref: PP_2015_FAIRF_002_00

Attention: 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 letter 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 remove 'residential accommodation', 'commercial premises' and 'industries' from Clause 6.4 Floodplain Risk Management of Fairfield Local Environmental Plan 2013 and insert 'seniors housing' as an additional form of development.

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 approved any inconsistency with Section 117 Direction 4.3 Flood Prone Land. No further approval is required in relation to this Direction.

The amending Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway determination.

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.

If 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



15.10.15

Tim Archer
A/ Director Metropolitan (Parramatta)
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2015_FAIRF_002_00): to remove 'residential accommodation', 'commercial premises' and 'industries' from Clause 6.4 Floodplain Risk Management of Fairfield Local Environmental Plan 2013 and insert 'seniors housing' as an additional form of development.

I, the Acting Director, Metropolitan (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 remove 'residential accommodation', 'commercial premises' and 'industries' from Clause 6.4 Floodplain Risk Management of Fairfield Local Environmental Plan 2013 and insert 'seniors housing' as an additional form of development should proceed, subject to the following conditions:

1. Public exhibition of the planning proposal should not occur prior to approval of the planning proposal and Case for Exceptional Circumstances by the Office for Environment and Heritage, as required by Planning Circular 007-003, and the planning proposal should be updated to reflect such approval.
2. 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:
 - Office for Environment and Heritage
 - Sydney Water
 - Transport for NSW – Roads and Maritime Services
 - State Emergency 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.

3. 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).
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 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 timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.



15.10.15

Tim Archer
A/ Director Metropolitan (Parramatta)
Planning Services

As delegate of the Minister for Planning