



Office of the Director General

Mr Alan Young
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Our ref: PP_2012_FAIRF_005_00 (12/18640)
Your ref: 12/03396

Dear Mr Young,

Planning proposal to amend draft Fairfield Local Environmental Plan 2011

I am writing in response to your Council's letter dated 13 November 2012 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 draft Fairfield Local Environmental Plan (LEP) 2011 to facilitate various housekeeping amendments including rezonings, applying floor space ratio and height controls for certain land and undertaking other minor amendments.

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

I have agreed that the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is of minor significance. In regards to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction and creation of land used for public purposes. No further approval is required in relation to these Directions.

Council is advised that the *Guide to Preparing Planning Proposals* was recently updated and it now requires a project timeline to be included within the planning proposal. A timeline provides a mechanism to monitor the progress of the plan and minimise delays in the plan making process. Council should include a project timeline within any future planning proposal, when it requests a Gateway determination.

The amending LEP 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 to meet the 12 month timeframe. 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 NSW 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 Claire Mirow of the regional office of the department on 02 9860 1560.

Yours sincerely,

SHaddad

Sam Haddad
Director General

15/12/2012.

Gateway Determination

Planning proposal (Department Ref: PP_2012_FAIRF_005_00): to facilitate various housekeeping amendments.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to draft Fairfield Local Environmental Plan (LEP) 2011 to facilitate various housekeeping amendments including rezonings, applying floor space ratio and height controls for certain land and undertaking other minor amendments should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to:
 - (a) Provide current and proposed zoning maps, which clearly identify the land subject to the planning proposal. Current zoning maps are to be provided for land proposed to be included on the Land Reservation Acquisition Map and Key Sites Map;
 - (b) Provide a draft Land Reservation Acquisition Map, which clearly identifies the site proposed to be subject to acquisition; and
 - (c) Provide a map illustrating the relationship of 400 Cabramatta Road West, Cabramatta to the greater key sites area and provide greater context in the planning proposal to the need for this land to be identified as a key site.
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 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - 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. 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. 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).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 15th day of December 2012.

SHaddad

Sam Haddad
Director General
Delegate of the Minister for Planning and
Infrastructure