



**Planning &
Environment**

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Our ref: PP_2016_FAIRF_005_00 (16/08708)
Your ref: 16/02409

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

Attention: Chris Shinn

Dear Mr Young

Planning proposal to amend Fairfield LEP 2013 – 147 Polding Street and 1-3 Bodalla Street, Fairfield Heights

I am writing in response to your Council's letter dated 2 June 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning rezoning of land at 147 Polding Street, 1-3 Bodalla Street, Fairfield Heights and adjoining lots within the block from R3 Medium Density Residential to R4 High Density Residential.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Plan making powers were delegated 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 (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. Council's request to draft and finalise the LEP should be made 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 Commission may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Amar Saini of Sydney Region West on 02 9860 1531.

Yours sincerely,



15/07/16

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2016_FAIRF_005_00): an amendment to Fairfield Local Environmental Plan 2013 concerning rezoning of land at 147 Polding Street, 1-3 Bodalla Street, Fairfield Heights and adjoining lots within the block from R3 Medium Density Residential to R4 High Density Residential and associated height and FSR changes.

I, the Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 should proceed subject to the following conditions:

1. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be publicly exhibited 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 the planning proposal as identified in section 5.5.2 of *A Guide to preparing local environmental plans (Department of Planning and Environment 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Endeavour Energy
Roads and Maritime Services
Sydney Water
Telstra

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and be given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held in relation to this matter by any person or body under section 52(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).

4. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated day 2016



15/07/16

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Delegate of the Greater Sydney Commission