

In reply please quote: 19/19838
Your reference:

Contact: Andrew Mooney 9725 0214

20 February 2020

Eleanor Robertson
Acting Director – Sydney West Region
Planning Services
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Robertson

PLANNING PROPOSAL – FAIRFIELD ACCELERATED LEP (STAGE 1) – REQUEST FOR GATEWAY DETERMINATION

Pursuant to authority delegated by Council at its Ordinary Council Meeting of the 10 December 2019 (Supplementary Item 212), the Fairfield City Manager has endorsed a Planning Proposal (Stage 1) for referral to the Minister for Planning for a Gateway Determination under Section 3.34 of the Environmental Planning & Assessment Act 1979.

The Planning Proposal has been prepared as part of the Accelerated LEP Review Program to give effect to the Western City District Plan through amending the Fairfield LEP 2013 as follows:

1. Include a new aim for the LEP to acknowledge the role of the Fairfield Local Strategic Planning Statement (LSPS) 2040 in underpinning the provisions of Fairfield LEP 2013.
2. Introduce new or amended local clauses relating to active street frontages, design excellence, floodplain risk management and hospital helicopter airspace.
3. Include additional objectives relating to Floor Space Ratio and Height of Buildings clauses to encourage better building design.
4. Amend Schedule 2 – Exempt Development to include development relating to temporary use of Council owned/managed land, display of goods on Council footpaths and emergency works on Council land.
5. Amend Schedule 5 – Environmental Heritage, to update descriptions of 14 properties to reflect current property details.

6. Amend relevant LEP Land Zoning Maps and associated LEP Height of Building, FSR, Lot Size for Dual Occupancy, and Lot Size Map Dual to address current LEP anomalies affecting the properties at 18 Butler Avenue Bossley Park, 61 Hill Street Cabramatta and 47 Brown Road Bonnyrigg.

In accordance with the Ministerial Local Planning Panels Direction released in February 2018, Council referred the matter to the Fairfield Local Planning Panel for consideration at their meeting of 18 September 2019. The Panel recommended that the Planning Proposal be forwarded to the NSW Department of Planning, Infrastructure and Environment for the purposes of a Gateway Determination.

To enable the Department's consideration of this matter and the issuing of a Gateway Determination, the following information is provided:

1. Planning Proposal (as considered by City Manager);
2. Council Officer's report and recommendations dated 10 February 2020;
3. Report to Fairfield Local Planning Panel and Minutes (18 September 2020); and
4. Evaluation Criteria for the Delegation of Plan Making Functions.

As the Minister has delegated plan making powers to Council in October 2012, in requesting the Gateway Determination, Council seeks to utilise the delegation for LEP Plan Making. The delegated functions will be undertaken by the Group Manager, City Strategic Planning who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1993.

Should you require any additional information in respect of this matter, please do not hesitate to contact the undersigned on 9725 0214.

Yours faithfully



Andrew Mooney

ACTING MANAGER STRATEGIC LAND USE PLANNING