



Planning & Infrastructure

Office of the Director General

Contact: Tai Ta
Phone: (02) 9860 1560
Email: Tai.Ta@planning.nsw.gov.au
Postal: PO Box 404, Parramatta NSW 2124

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

Our ref: PP_2012_FAIRF_004_00 (12/15567)
Your ref: qA134076

Dear Mr Young,

Planning proposal to amend the Fairfield Local Environmental Plan 1994 and the draft Fairfield Local Environmental Plan 2011.

I am writing in response to Council's letter dated 6 September 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 reclassify and rezone part of Lot 2 DP786952 Simpson Road, Bonnyrigg and to rezone part of Lot 13 DP24063 Elizabeth Drive, Bonnyrigg Heights under the Fairfield Local Environmental Plan (LEP) 1994 and the draft Fairfield LEP 2011.

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.

Council is reminded of its obligations for exhibiting and conducting a public hearing when reclassifying land from 'community' to 'operational', as per the Department's LEP Practice Note PN 09-003.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 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 Tai Ta of the Sydney West regional office of the Department on 02 9860 1560.

Yours sincerely,

Sam Haddad
Director-General

10/10/2012.

Gateway Determination

Planning proposal (Department Ref: PP_2012_FAIRF_004_00): to amend the Fairfield Local Environmental Plan 1994 and the draft Fairfield Local Environmental Plan 2011.

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 the Fairfield Local Environmental Plan (LEP) 1994 and the draft Fairfield LEP 2011 to address a land ownership anomaly and enable possible future land exchange/sale by:

- (a) reclassifying part of Lot 2 DP786952 from community to operational land
- (b) rezoning part of Lot 2 DP786952 and part of Lot 13 DP24063 from 6(a) Existing and Proposed Recreation, to 6(b) Private Recreation under the Fairfield LEP 1994
- (c) rezoning part of Lot 2 DP786952 from RE1 Public Recreation to RE2 Private Recreation and part of Lot 13 DP24063 from RE2 Private Recreation to E2 Environmental Conservation under the draft Fairfield LEP 2011.

should proceed subject to the following conditions:

1. 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Water
 - Origin Energy
 - Office of Environment and Heritage

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.



3. A public hearing is required to be undertaken after the public exhibition period in accordance with the Department of Planning and Infrastructure Practice Note PN09-003, as the planning proposal involved a reclassification of community land to operational land.
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 10th day of October 2012.

SHaddad

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