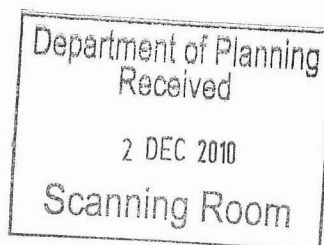


In reply please quote: G14-02-039/130
Your Ref: Fairfield City Council – Draft FLEP 129

Contact: Edward Saulig on 9725 0703

1 December 2010

Mr Peter Goth
Regional Manager
Department of Planning
Sydney West Region
Locked Bag 5020
PARRAMATTA NSW 2124



Dear Mr Goth

DRAFT FAIRFIELD LEP NO.130 - 190 CANLEY VALE ROAD, CANLEY HEIGHTS - CONVERSION TO PLANNING PROPOSAL

Council at its meeting held on 23 November 2010 resolved to convert the above Draft LEP to the Gateway LEP process under the EP&A Act.

1. *That the rezoning application for 190 Canley Vale Road, Canley Heights (Lots A&B DP 344784) seeking to rezone land from Zone 2(a1) Residential to 3(c) Local Business Centre be supported in accordance with the provisions of the Environmental Planning and Assessment Act 1979, as amended, and be considered as a planning proposal.*
2. *That Council make a request to the Department of Planning to convert the current draft LEP amendment for the subject site to a Gateway LEP process under the Environmental Planning and Assessment Act.*
3. *That Council request that the Department of Planning take into consideration the work undertaken to date to progress the draft LEP under Section 62.*
4. *That if the Department of Planning does not agree to Council's request to convert the draft LEP to the Gateway LEP process, Council prepare a draft LEP to rezone 190 Canley Vale Road, Canley Heights (Lots A&B DP 344784) from Zone 2(a1) Residential to 3(c) Local Business Centre and submit a Section 64 Submission to the Department requesting that it issue a Section 65 Certificate under the EP&A Act to allow public exhibition of the draft LEP.*
5. *That draft Site Specific DCP (attached to the supplementary report submitted to Council's November 2010 Council Meeting) for Masterplan Site No.5 under the Canley Corridor DCP be endorsed for public exhibition concurrently with the exhibition of a draft Local Environment Plan for 190 Canley Vale Road, Canley Heights.*

The request is made in light of not being able to meet the Department's deadline for finalisation of the draft LEP (under the previous Part 3 provisions) by January 2011 and the current status of the draft LEP.

In the preparation of draft LEP 121, section 62 consultations with public and other relevant authorities were undertaken. The Planning Proposal and Council reports are attached.

An outline of anticipated steps and timelines for further preparation of the draft LEP under the Gateway process is provided below:

Step	Process content	Timeframe (approximate)
1. s56 – request fro Gateway Determination	Prepare and submit Planning process to DoP	1 week
2. Gateway Determination	Assessment by DoP (including LEP Panel) Advice to Council	1 month
3. Report (if required) back to Council	Update report on Gateway Process	1 month
4. Public consultation for draft LEP	Notice in local paper and letters to adjoining owners	1 month
5. Report to Council on submissions to public exhibition and public hearing	Assessment of submissions and report	1 month
6. Referral to DoP	Draft LEP assessed by DoP, legal instrument finalised	1 month
7. Plan is made	Notified on legislation website.	2 weeks
Estimated Timeframe		6 months

Yours faithfully,



Edward Saulig
Strategic Planner

Attachment A – Planning Proposal

Attachment B – Council reports

- Council meeting 23 November 2010
- Outcomes Committee meeting 9 November 2010
- Outcomes Committee meeting 9 November 2010
- Outcomes Committee meeting 14 October 2010