

Contact: Amar Saini
Phone: (02) 9860 1531
Email: amar.saini@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2016_FAIRF_003_00 (16/05663)
Your ref: 15/10982

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

Attention: Andrew Mooney

Dear Mr Young

Planning proposal to amend Fairfield LEP 2013 – Rezoning of land at 512-516, 518 & 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood

I am writing in response to your Council's letter dated 31 March 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning rezoning of land at 512-516, 518 & 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood from R2 Low Density Residential to R3 Medium Density Residential zone.

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 frame outlined in this determination are not met.

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

Yours sincerely,



19/05/16

Catherine Van Laeren
Director, Sydney Region West

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

Gateway Determination

Planning proposal (Department Ref: PP_2016_FAIRF_003_00): an amendment to Fairfield Local Environmental Plan 2013 concerning rezoning of land at 512-516, 518 & 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood from R2 Low Density Residential to R3 Medium Density Residential zone.

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 Act as follows:
 - (a) the planning proposal must be publicly available for a minimum of 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 Act and/or to comply with the requirements of relevant S117 Directions:

Transport for NSW - Roads and Maritime Services
Endeavour Energy
Sydney Water
Telstra
Fire and Rescue NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and 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 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 19 day of May 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission