

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

Attn: Elizabeth Workman

Dear Mr Young

**Planning proposal PP_2016_FAIRF_004_00 – Alteration of Gateway
Determination**

I refer to Council's request seeking an extension of time, removal of authorisation to be the plan-making authority and revision of the planning proposal PP_2016_FAIRF_004_00 for land at Bonnyrigg Town Centre.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979* (the Act), to alter the Gateway determination dated 7 June 2016 for PP_2016_FAIRF_004_00 (as altered). The Alteration of Gateway determination is enclosed.

I also note that once the Bonnyrigg Town Centre is rezoned and removed as a deferred matter under the Fairfield Local Environmental Plan (LEP) 2013, the Fairfield LEP 1994 is no longer required. Therefore, the Fairfield LEP 1994 can be repealed as part of the plan when it is made, and this should be clearly stated in the planning proposal.

In addition, owing to the extent of the alterations to the planning proposal, it is considered that further community consultation is required and that relevant authorities are notified. This will ensure that the altered intent of the proposal and the post-exhibition changes are satisfactorily addressed.

I have also agreed to the removal of the authorisation for Council to be the plan-making authority. Accordingly, Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs. In order to meet these commitments, the Department is unlikely to support any further alterations to the proposal, and the delegate of the Minister may take action under section 3.32(2)(d) of the Act if the timeframes outlined in this determination are not met. Should you require assistance in meeting the timeframes, I would be pleased to discuss how the Department could assist you.

If you have any questions in relation to this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on 9860 1548.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Ann-Maree Carruthers'.

Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

21/03/2019

Encl: Alteration of Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2016_FAIRF_004_00)

I, Director, Sydney Region West, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 7 June 2016 (as since altered) for the proposed amendment to the Fairfield Local Environmental Plan 2013 and the Fairfield Local Environmental Plan 1994 as follows:

1. Change the description of the planning proposal

from

"I, 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:"

to

"I, Director, Sydney Region West, at the Department of Planning and Environment, delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act), that an amendment to the Fairfield Local Environmental Plan 2013 to remove the deferred status of the Bonnyrigg Town Centre, and the repeal of the Fairfield Local Environmental Plan 1994, should proceed subject to the following conditions:"

2. Delete:

"condition 5"

and replace with a new condition 5: "The time frame for completing the LEP is by 7 August 2019."

3. Insert:

a new condition 6: "Council is to exhibit the revised planning proposal to provide the community with an opportunity to submit comments on the alterations to the planning proposal. The revised planning proposal must be made publicly available for a minimum of 28 days and the planning proposal 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 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016). Further, the public authorities specified in condition 3 are to be notified of the exhibition of the revised proposal and, where applicable, provided with sufficient information to allow comment on the revised matters. Each authority is to be given at least 21 days to comment."

4. Insert:

a new condition 7: "Council is not authorised to be the local plan-making authority to make this plan."

Dated

21st day of March 2019.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning