



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

Attention: Andrew Mooney

Dear Mr Young

Planning proposal PP-2021-3029 to amend Fairfield Local Environmental Plan 2013 – Accelerated LEP Review Program Planning Proposal (Stage 2)

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 28 April 2021 in respect of the planning proposal to the Fairfield Accelerated Review Stage 2 planning proposal.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 4.21 Acid Sulfate Soils and 6.3 Site Specific Provisions are minor or justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be the local plan-making authority as the impact of the proposal is extensive and requires consultation with a number of state agencies.

The amending local environmental plan (LEP) is to be finalised within 21 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made by 25 November 2022.

The Department also encourages Council to publicly exhibit the draft Local Housing Strategy concurrently with this proposal. I note the review and endorsement process of Council's Local Housing Strategy is separate to this plan making process. Therefore, Council should aim to submit the Council endorsed Local Housing Strategy to the Department as soon as practical following its exhibition.

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 Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Matthew Black to assist you. Mr Black can be contacted on 9585 6463.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Adrian', with a stylized flourish at the end.

Adrian Hohenzollern
Director, Western
Central River City and Western Parkland City

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP-2021-3029): *Fairfield Accelerated Review (Stage 2) – Amendments to town centres, medium density, heritage and flooding provisions*

I, the Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, 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 (LEP) 2013 to give effect to the Fairfield Local Strategic Statement should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to:
 - a) include the proposed changes to the zoning, floor space ratio, height of buildings, land reservation and acquisition maps;
 - b) Include the total approximate additional dwelling yield resulting from the proposal;
 - c) Identify if any land will require reclassification as a result of the proposed zoning changes;
 - d) Finalise a number of supporting studies and additional information, including:
 - Traffic study;
 - Urban Design study;
 - Economic demand and impact analysis;
 - Medium Density Housing Study; and
 - Local infrastructure requirements and delivery mechanisms analysis
 - e) Indicate that Part 2 to advise draft clauses are indicative only and final drafting will be subject to Parliamentary Counsel's Office.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Department of Planning, Industry and Environment – Resilience Planning, Open Space and Local Strategies Teams;
 - Environment, Energy and Science;
 - Transport for NSW;
 - School Infrastructure NSW;
 - NSW Ministry of Health (South Western Sydney Local Health District);
 - Sydney Water;
 - Endeavour Energy;
 - Heritage NSW;
 - Infrastructure NSW;
 - NSW State Emergency Service
 - Land and Housing Corporation.

Each public authority / organisation 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.

4. The planning proposal should be made available for community consultation for a minimum of 28 days.
5. The planning proposal must be referred to the Department for finalisation by 25 November 2022.
6. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
7. The time frame for completing the LEP is to be **21 months** following the date of the Gateway determination.

8. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.

26 May 2021

A handwritten signature in blue ink, appearing to read 'A. Hohenzollern', with a stylized flourish at the end.

**Adrian Hohenzollern
Director, Western
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**