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Our ref: PP_2013_STRAT_004_00 (13/18912)
Your ref:

Mr David Backhouse
General Manager
Strathfield Municipal Council
PO Box 120
STRATHFIELD NSW 2135

Dear Mr Backhouse,

Planning proposal to amend Strathfield Local Environmental Plan 2012

I am writing in response to Council's letter 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 rezone the southern portion of the Enfield Intermodal Logistics Centre (ILC) at Cosgrove Road, Strathfield South, from part IN1 General Industrial and part RE2 Private Recreation to RE1 Public Recreation.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should not proceed for the reasons outlined in the attached Gateway determination.

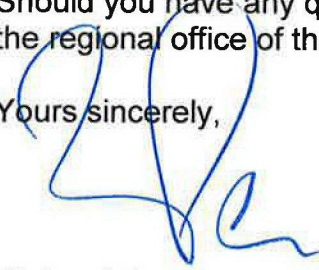
It is noted that the subject land contains some ecological value and that there is merit in protecting the Green and Golden Bell frog habitat identified as being located within the area. However, it is considered that the current zoning and previous Project Approval is sufficient to preserve the ecological value of the land. Further, Council has not addressed the level of contamination on the site and has not provided evidence that the site can be adequately remediated.

It is also noted that Council has not consulted NSW Ports regarding the proposal. However, NSW Ports has indicated it does not support rezoning of the Enfield ILC site as the proposal has the potential to constrain operations and growth potential of the site.

Should Council wish to pursue the matter in the future, Council is encouraged to undertake thorough investigations and assessments in regards to the status of site contamination and proposed remediation actions. Council would also need to obtain support from NSW Ports on the matter.

Should you have any queries in regard to this matter, please contact Andrew Watkins of the regional office of the department on 02 8575 4110.

Yours sincerely,



19/12/13

Richard Pearson
Deputy Director General
Growth Planning & Delivery

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2013_STRAT_004_00): to rezone part of the Enfield Intermodal Logistics Centre site at Cosgrove Road, Strathfield South.

I, the Deputy Director General of Growth Planning and Delivery at the 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 Strathfield Local Environmental Plan 2012 to rezone the southern portion of the Enfield Intermodal Logistics Centre (ILC) at Cosgrove Road, Strathfield South, from part IN1 General Industrial and part RE2 Private Recreation to RE1 Public Recreation should not proceed for the following reasons:

1. The planning proposal is unjustifiably inconsistent with the following policies and / or legislation:
 - Section 117 Direction 1.1 Business and Industrial Zones
 - State Environmental Planning Policy (SEPP) 55 – Remediation of Land
 - Metropolitan Plan for Sydney 2036
 - Draft Metropolitan Strategy for Sydney to 2031
 - Draft Inner West Subregional Strategy 2008
2. The subject site has been identified in both the NSW Long Term Transport Master Plan and draft NSW Port and Freight Strategy as playing an important role in delivering greater capacity across the freight transport network and in facilitating transport efficiency improvements. Council has not adequately justified the departure from the strategic planning framework.
3. The planning proposal does not adequately address the level of site contamination, the impacts of contamination on the proposed rezoning and any possible remediation works required.
4. The planning proposal fails to provide statistical or otherwise evidence-based data supporting Council's claim that the rezoning would not reduce the capacity of operations or otherwise constrain operations.
5. Council's proposed rezoning of the subject site was not supported by the Minister for Planning & Infrastructure as part of the gazettal of the Strathfield Local Environmental Plan 2012. The planning proposal has not indicated or referred to any additional strategic assessments which would justify a reconsideration of the rezoning.

Dated 19 day of December 2013.



Richard Pearson
Deputy Director General
Growth Planning and Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure