

Gateway Determination

Planning proposal (Department Ref: PP_2019_FAIRF_001_00): to rezone land at 400-404 Cabramatta Road West, 2-18 Orange Grove Road and 6 Links Avenue, Cabramatta from R2 Low Density Residential to part R3 Medium Density Residential and part R4 High Density Residential and alter the associated development controls.

I, the Director, Sydney Region West, at the Department of Planning 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 rezone land at 400-404 Cabramatta Road West, 2-18 Orange Grove Road and 6 Links Avenue, Cabramatta, from R2 Low Density Residential to part R3 Medium Density Residential and part R4 High Density Residential and alter the building height, floor space ratio, lot size, lot size for dual occupancy development controls, and additional permitted use for the land, should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - (a) include maps illustrating current and proposed changes to the Lot Size Map, Lot Size for Dual Occupancy Development Map, and Key Sites Map in Appendix A of the proposal;
 - (b) prepare traffic modelling in relation to the impacts of the proposed development on the intersection at Cumberland Highway and Links Avenue and update the planning proposal accordingly; and
 - (c) insert a section on the traffic impacts of the proposed development within the planning proposal.
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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

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:

- Roads and Maritime Services;
- Transport for NSW;
- Sydney Water;
- Telstra;
- Endeavour Energy; and
- Liverpool City Council.

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. 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 15th day of May 2019.



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

Delegate of the Minister for Planning
and Public Spaces