

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

Our ref: PP\_2016\_FAIRF\_006\_00 (16/09056)  
Your ref: 15/10738

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

Attention: Chris Shinn

Dear Mr Young

**Planning proposal to amend Fairfield LEP 2013 – 17-21 Longfield Street,  
Cabramatta**

I am writing in response to your Council's letter dated 7 June 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concerning rezoning of land at 17-21 Longfield Street, Cabramatta from B5 Business Development to R4 High Density Residential.

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.

I have agreed, as delegate of the Secretary, the planning proposal's inconsistency with Sections 117 Direction 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions are justified. No further approval is required in relation to these Directions.

I note that the site is identified as flood prone land by Council. Given the proposed increase in residential capacity on this land, Council is requested to consult with NSW State Emergency Service prior to putting the plan on exhibition and amend the planning proposal if required.

Council is requested to include a relevant Key Sites map in the planning proposal.

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 Greater Sydney 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,



15/07/16

**Catherine Van Laeren**  
**Director, Sydney Region West**  
**Planning Services**

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



## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_FAIRF\_006\_00):** an amendment to Fairfield Local Environmental Plan 2013 concerning rezoning of land at 17-21 Longfield Street, Cabramatta from B5 Business Development to R4 High Density Residential and associated height and FSR changes.

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 to rezone land at 17-21 Longfield Street, Cabramatta from B5 Business Development to R4 High Density Residential, should proceed subject to the following conditions:

1. In order to fully address the objectives of s.117 Directions 4.3 Flood Prone Land, prior to exhibition of the planning proposal, Council is to:
  - a) consult with the State Emergency Service in terms of the increased residential capacity on flood prone land; and
  - b) Council is to take into account comments received and amend the planning proposal if necessary.
2. In order to fully address the objectives of the SEPP 55 – Remediation of Land, prior to exhibition Council is to prepare a detailed Stage 2 contamination assessment report and amend the planning proposal if necessary.
3. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:
  - (a) the planning proposal must be publicly exhibited for 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)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Endeavour Energy

Roads and Maritime Services  
Office of Environment and Heritage (Flood Division)  
Sydney Water  
Telstra  
NSW State Emergency Service  
NSW Police

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and be given at least 21 days to comment on the proposal.

5. 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 EP&A 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).
6. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Dated 15<sup>th</sup> day July 2016



**Catherine Van Laeren**  
**Director, Sydney Region West**  
**Planning Services**

**Delegate of the Greater Sydney Commission**