

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

Attn: Chris Shinn

Dear Mr Young

**Planning proposal PP-2021-3107 to amend Fairfield Local Environmental Plan 2013**

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) in respect of the planning proposal to amend the development controls for the eastern portion of Cabramatta Town Centre.

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 note that this proposal was previously issued a Gateway determination on 18 July 2019, and due to unresolved local infrastructure and traffic issues, the proposal had not been placed on public exhibition. Consistent with the letter from Mr Brett Whitworth, Deputy Secretary, Greater Sydney Place and Infrastructure on 20 March 2021, Council and the proponent have substantially progressed these matters and the proposal can proceed to public exhibition. I wish to further note that the proposed height of buildings controls have been subject of a review by the Independent Planning Commission, and the Deputy Secretary has advised that any subsequent request to review matters already considered by the IPC will not be supported.

After careful consideration of the history of this proposal, I have conditioned the Gateway to require the maximum building heights of 48m, 57m, 59m, and 66m as recommended by Council staff, and the IPC after their review of the previous Gateway determination in May 2020.

I agree, as delegate of the Secretary, that the planning proposal's inconsistency with section 9.1 Direction 4.3 Flood Prone Lands and 6.3 Site Specific Provisions is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

I have considered the nature of Council's planning proposal and have not conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending LEP is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible or no later than 7 February 2022. Council's request for the Department to draft and finalise the LEP should be made eight 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 Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any questions in relation to this matter, please contact Edmund McGrath, Planning Officer on 8275 1735.

Yours sincerely



21/11/2021

**Catherine Van Laeren**  
**Executive Director**  
**Central River City and Western Parkland City**

Encl: Gateway determination