

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-1824):** to amend Fairfield Local Environmental Plan 2013 by rezoning land at 1 Cutler Road, Lansvale, for employment purposes.

I, the Director at the Department of Planning, Housing and Infrastructure, 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 Fairfield Local Environmental Plan 2013 by –

- rezoning land at 1 Cutler Road, Lansvale, from R2 Low Density Residential to E4 General Industrial;
- amending the maximum height of building control from 9m to no maximum building height, consistent with the E4 zone and other industrial lands in Fairfield Local Government Area (LGA);
- amending the floor space ratio control from 0.45:1 to no floor space ratio, consistent with the E4 zone and other industrial lands in Fairfield LGA;
- amending minimum lot size from 450m<sup>2</sup> to no minimum lot size, consistent with the E4 zone and other industrial lands in Fairfield LGA;
- amending the lot size for dual occupancy from 900m<sup>2</sup> to remove reference to the site; and,
- allowing development, permitted with development consistent, for consulting rooms, information and education facilities, medical centres or specialised retail premises, consistent with the E4 zone and other industrial land in Fairfield LGA;

should proceed subject to the following conditions:

The LEP should be completed within 12 months of the date of the Gateway determination.

### Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023).

Exhibition must commence within 2 months following the date of the Gateway determination.

2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Transport for NSW; and,
- NSW Department of Climate Change, Energy, the Environment and Water.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

3. 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 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).
4. Given the nature of the planning proposal, Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.

31 March 2025



**Tina Chappell**  
**Director**  
**Local Planning Central West and**  
**South**  
**Department of Planning, Housing and**  
**Infrastructure**

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