



IRF25/598

## Gateway determination report – PP-2024-1824

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Rezoning of 1 Culter Road, Lansvale, from an existing R2 Low Density Zone to an E4 General Industrial Zone, under Fairfield Local Environmental Plan 2013

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# Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Attachment D - Council Report and Resolution
Attachment E - Proposed Map Amendments
Attachment F - Flood Letter
Attachment G - Concept Plan
Attachment H – Contamination Report
Attachment I - Acoustic Impact Assessment
Attachment J - Site Survey
Attachment K - Traffic and Parking Assessment

# 1 Planning proposal

## 1.1 Overview

**Table 2 Planning proposal details**

LGA	LGA name
PPA	Fairfield City Council
NAME	Rezoning of 1 Culter Road, Lansvale, from an existing R2 Low Density Zone to an E4 General Industrial Zone, under Fairfield Local Environmental Plan 2013.
NUMBER	PP-2024-1824
LEP TO BE AMENDED	Fairfield Local Environmental Plan 2013
ADDRESS	1 Cutler Road, Lansvale
DESCRIPTION	Lot 1 DP 525324
RECEIVED	25 February 2025
FILE NO.	IRF25/598
POLITICAL DONATIONS	There are no donations or gifts to disclose, and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The intention of the planning proposal is to facilitate consolidation of two land parcels at 1 Cutler Road and 230 Hume Highway, Lansvale, to permit construction of a single car showroom.

By map-only amendments the objectives of the proposal are to:

- amend Fairfield Environmental Plan 2013 to rezone land at 1 Cutler Road, Lansvale (the site) from R2 Low Density Residential to E4 General Industrial;
- amend Fairfield LEP2013 relating to maximum height of building, floor space ratio and minimum lot size, consistent with E4 General Industrial zoning and surrounding Lansvale employment lands; and
- enable additional permitted use by identifying the site as Key Site 30 to allow the use of land as health consulting rooms, information and educational facilities, medical centres, specialised retail premises, subject to development consent.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Fairfield LEP 2013 per the changes below:

**Table 3 Current and proposed controls**

Control	Current	Proposed
Zone	R2 Low Density Residential	E4 General Industrial
Maximum height of building	9m	No maximum building height (Consistent with E4 zone and other industrial lands in Fairfield Local Government Area (LGA))
Floor space ratio	0.45:1	No floor space ratio (Consistent with E4 zone and other industrial lands in Fairfield LGA)
Minimum lot size	450m <sup>2</sup>	No minimum lot size (Consistent with E4 zone and other industrial lands in Fairfield LGA)
Minimum lot size for Dual Occupancy	900m <sup>2</sup>	Remove reference to the site
Additional permitted uses	No additional permitted uses	Application of LEP Schedule 1, Section 30 Additional permitted use of certain land in E4 zone to apply to the site, allowing development permitted with development consistent for health consulting rooms, information and education facilities, medical centres or specialised retail premises (consistent with E4 zone and other industrial land in the Fairfield LGA).

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

## 1.4 Site description and surrounding area

The subject site is a vacant lot approximately 1,113m<sup>2</sup> in area. The site is currently used as an outdoor, hardstand car storage yard.

The land is near the intersection of Cutler Road and Hume Highway, (approximately 70 metres distant). It is approximately 1.4km east of Cabramatta Railway Station. Across Cutler Road, the Site adjoins Lansvale E1 Local Centre zone along its north eastern boundary. Along the southern edge lies a 4m wide accessway to Dan Park, a public recreation area located at the south corner (**Figure 1**).

The site, which slopes from west to east, lies at the edge of the floodplain. Part of the Site is within the low flood risk precinct.

The site is classified as Class A for acid based soils (within 500 metres of land with the potential for acid sulphate soils). The land is not bushfire prone and does not contain aboriginal or non-aboriginal heritage items.



**Figure 1 Site Context (Source: Planning Proposal)**

## 1.5 Mapping

The planning proposal includes mapping amendments to the Fairfield LEP 2013. The proposal includes changes to the Land Zoning, Lot Size, Lot Size for Dual Occupancy Development, Height of Building, Floor Space Ratio and Key Sites map sheets (**Table 4**).

**Figures 3 to 8** (following) illustrate current and proposed maps.



It will be necessary for mapping to be consistent with the Standard Technical Requirements for Spatial Datasets and Maps. Given the nature of the proposal, the thumbnail mapping in the proposal is considered appropriate for exhibition and consultation purposes.

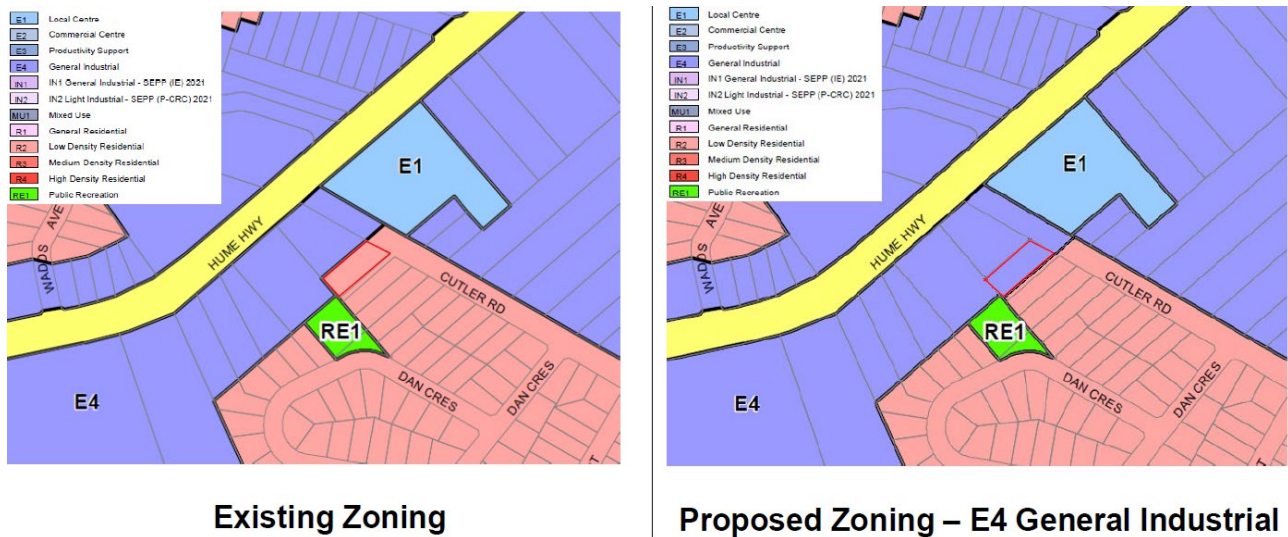


Figure 2 Current and proposed Land Zoning Map. (Source: Planning Proposal)



Figure 3 Current and Proposed Lot Size Map. (Source: Planning Proposal)



Existing HOB



Proposed HOB

Figure 4 Current and Proposed Height of Building Map. (Source: Planning Proposal)



Existing FSR



Proposed FSR

Figure 5 Current and Proposed Floor Space Ratio map. (Source: Planning Proposal)



Existing Minimum Lot Size for Dual Occupancy



Proposed Minimum Lot Size for Dual Occupancy

Figure 6 Current and Proposed Minimum Lot Size Dual Occupancy Map. (Source: Planning Proposal)

**Existing Key Sites****Proposed Key Sites****Figure 8 Current and Proposed Additional Permitted Uses. (Source: Planning Proposal)****Table 4 Proposed mapping amendments**

Map title	Map tile number to be amended
<b>Land Zoning</b>	NA – Land zoning maps are now digitised for all LGAs in NSW.
<b>Minimum Lot Size</b>	Sheet LSZ_021
<b>Lot Size for Dual Occupancy Development</b>	Sheet LSD_021
<b>Height of Building</b>	Sheet HOB_021
<b>Floor Space Ratio</b>	Sheet FSR_021
<b>Key Sites Map</b>	Sheet KYS_021 – Identify the site as Key Site 30 to allow the use of the land for the purpose of health consulting rooms, information and educational facilities, medical centres, specialised retail premises, subject to development consent.

## 1.6 Background

In 2010, Council resolved to support rezoning 1 Cutler Road, Lansvale from 2(a) Residential A to 4(c) Special Industrial under amendment 121 of Fairfield Local Environmental Plan 1994. The



planning proposal was not finalised at that time, because the applicant was not able to obtain a reciprocal right of way (ROW) to provide access to the site. The applicant is now the owner of both sites and obtaining ROW is no longer an issue.

## 2 Need for the planning proposal

The proposal is not the result of a Council study or strategy. It arises from the landowner's desire to change land use and expand an existing business. Current controls would not allow the site to be used as a car showroom.

Council supported a previous planning proposal with similar aims in 2010.

The Department considers this proposal a logical extension of the existing industrial zone, compatible with the surrounding area and consistent with Fairfield's Local Strategic Planning Statement (LSPS).

The planning proposal is the appropriate means of achieving the intended outcomes for the subject site.

## 3 Relationship with strategic planning framework

### 3.1 District Plan

The subject site is within the Western City District. The Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). **Table 4** includes an assessment of the planning proposal against relevant directions and actions.

**Table 4 District Plan assessment**

District Plan Priorities	Justification
W6 – Creating and renewing great places and local centres, and respecting the District's heritage	The planning proposal seeks to rezone land to industrial land use, in alignment with the surrounding area. The planning proposal seeks to support existing industrial use in the surrounding area by extending industrial use to include the Site. The proposal seeks to revitalise the Site and the area through new design and building works.
W7 - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The aim is for the proposal to encourage business growth and employment opportunities, thereby supporting the existing industrial precinct and complementing the nearby local centre.

W10 – Maximising freight and logistics opportunities and planning and managing industrial and urban services land	<p>The proposal will slightly increase industrial land within Fairfield LGA which responds to the need of additional industrial and urban services development in the area.</p> <p>The aim is that rezoning the land to industrial use and amalgamation of the two land parcels will revitalise the site and confirm the ability for industrial businesses to become established in the area.</p>
W11 – Growing investment, business opportunities and jobs in strategic centres	<p>The proposal has the potential to provide a small number of new job opportunities. By confirming and supporting established industrial business, this may attract investment to the area, leading to employment growth.</p>

## 3.2 Local

The proposal is consistent with local plans and endorsed strategies. The table below includes a discussion of strategic direction and objectives.

**Table 6 Local strategic planning assessment**

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	<p>The proposal aligns with Theme 4 – <i>Strong and Resilient Economy</i> of the LSPS:</p> <ul style="list-style-type: none"> <li>- Priority 11: Promote robust economy which generates diverse services and job opportunities. The proposal has the potential to provide a small increase in job opportunities and to support the local economy through expansion of the business on site.</li> <li>- Priority 12: Plan for and manage urban services land. The proposal has the potential to support a small amount of growth in industrial land through the rezoning to industrial use and amalgamation of the site with the adjacent land parcel.</li> </ul>
Fairfield City Plan 2022-2032	<p>The planning proposal is consistent with the following:</p> <ul style="list-style-type: none"> <li>- Theme 4 – Local Economy and Employment The proposal will result in a slight increase in employment land in the area, allowing for the extension of the existing business and for a small increase in employment opportunities.</li> </ul>
Fairfield Employment Lands Strategy 2008 (FELS)	<p>The planning proposal is consistent with the following:</p> <ul style="list-style-type: none"> <li>- The FELS identifies the aim for redevelopment and regeneration of existing employment areas such as the Lansvale Industrial Precinct.</li> </ul>

Fairfield City  
Centres Policy  
2015

The planning proposal is consistent with this policy -

Lansvale Local Centre, zoned E1 Local Centre is located on the corner of Cutler Road and Hume Highway, opposite and across the road from the site. Council maintains that the expansion of the E4 General Industrial zoned land in Lansvale Industrial Precinct will not negatively affect retail services in the local centre.

### 3.3 Fairfield Local planning panel (FLPP) recommendation

The planning proposal was not referred to the Fairfield Local Planning Panel for advice. The decision was supported by the General Manager of Fairfield Council and the Chair of the FLPP. In alignment with Direction 9.1 of the local Planning Panel Directions for Planning Proposals, Council assessed that the proposal is unlikely to have, '*any significant adverse impact on the environment or adjoining land*'.

Fairfield Council has confirmed that the proposal has minimal potential for adverse impacts on the environment and adjoining land. The Department supports this assessment.

### 3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 7 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	<p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>The planning proposal is considered to be consistent with the Greater City Region Plan, as follows:</p> <ul style="list-style-type: none"> <li>• The proposal is likely to promote a small number of new employment opportunities.</li> <li>• The proposal will support local economy through expansion of the existing business.</li> </ul>
1.3 Approval and Referral Requirements	Consistent	<p>The planning proposal does not include provisions that require concurrence, consultation or referral by a Minister or public authority.</p>
1.4 Site Specific Provisions	Consistent	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>Site specific provisions are proposed to permit additional permitted use by identifying the site as Key Site 30 to allow use of land as specialised retail premises, subject to development consent.</p> <p>The proposal does not result in unnecessary restrictive controls and is therefore consistent with this direction.</p>
1.4A Exclusion of Development	Consistent	<p>The objective of this direction is to maintain flexibility in the application of development standards by ensuring that exclusions from the application of clause 4.6 of a Standard Instrument Local</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
standards from Variation		<p>Environmental Plan (Standard Instrument LEP) or an equivalent provision of any other environmental planning instrument, are only applied in limited circumstances.</p> <p>The proposal does not seek to alter clause 4.6 of FLEP2013 or equivalent provision in another statutory planning instrument.</p>
3.7 Public Bushland	Consistent	<p>The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland.</p> <p>Both sites are currently cleared of vegetation and used as parking lots. The land is not public bushland. It is noted that it is intended at development application stage to increase deep soil area to stabilise soil surface, provide tree canopy and shade to mitigate heat urban effect.</p>
4.1 Flooding	Consistent	<p>The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and to ensure that LEP provisions align with flood behaviour and include consideration of flood impacts.</p> <p>A letter from TekCivil accompanies the planning proposal, confirming the Site is flood prone and tabulating flood levels. Part of the site is above the PMF level and controls only apply to the area of the site below the PMF flood extent.</p> <p>To determine flood risk compliance, an analysis of the property in alignment with Chapter 11 (Flooding Risk Management) of the Fairfield City Wide DCP 2013 is required. The property is within the Georges River Floodplain and so was assessed for regional floodplain impacts in line with Chapter 11 Schedule 4.</p> <p>According to TekCivil, the proposed development would minimally impact the site's current flooding conditions. The concept documents show a proposed floor level significantly beyond the PMF flood level and above the 1% annual exceedance probability (AEP) flood level plus freeboard.</p> <p>While this is the case, as the proposal seeks to permit a range of uses, including health consulting rooms, information and educational facilities, medical centres, specialised retail premises – consultation with the Department of Climate Change, Energy, the Environment and Water, is recommended.</p>
4.4 Remediation of Contaminated Land	Consistent	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The proposal is accompanied by a Preliminary Site Investigation (PSI) which observed no visible signs of environmental areas of</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>concern, except for being in close proximity to a petrol station to the west of 230 Hume Highway.</p> <p>As indicated in the report, based on historical data and aerial photographs, there is historical evidence to suggest that importation of fill material within the subject site had taken place between 1965-1994 when the site was levelled and prepared for commercial development. Historical evidence also suggests that the surrounding lands were used mainly as commercial and industrial land use from 1965 till the present, which suggests there is potential for contaminants to have leached into the site from land uses to the north, east and west. Potential historical contaminating activities include those associated with motor vehicle repairs.</p> <p>The report concludes that the site is suitable in its current state for the intended commercial development and use. However, should future development required demolition and removal of concrete hardstand then further investigation would be required, with possible remediation, including investigation for heavy metals, pesticides, phenols, PCB and asbestos contaminants.</p> <p>The report further recommends that should any unidentified contaminated material be discovered on site, the advice of an appropriate consultant be sought,</p> <p>A Detailed Site Investigation (DSI) would be required as part of any future development application for the site.</p>
4.5 Acid Sulfate Soils	Consistent	<p>The land is classified as Class 5 Acid Sulfate Soils. Subject to a Development Application, cl6.1 FLEP2013 would need to be addressed to ensure the development will not disturb, expose or drain acid sulfate soils on the land.</p> <p>The department considers that this direction is adequately addressed in view of the above requirement.</p>
5.1 Integrating Land Use and Transport	Consistent.	<p>The objective of this direction is to ensure that new built form and land use locations improve access to housing, jobs and services through alternative modes of transport in order to reduce dependency on cars.</p> <p>The purpose of this planning proposal is to facilitate creation of a car showroom with the aim of selling luxury cars. A Traffic and Parking Assessment report has been prepared by Varga Traffic Planning in August 2024, to assess the traffic and parking implications of the proposal.</p> <p>While the planning proposal will not encourage alternative modes of transport, according to the traffic impact assessment (TIA), nor is it likely to negatively impact traffic volumes on existing roads.</p> <p>The report proposes that all cars to be displayed for sale will be driven individually to the site following completion of pre-delivery work elsewhere. Off-street parking is proposed to be provided by</p>



Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>at-grade, outdoor car parking areas on site, in accordance with Fairfield Development Control Plan 2013. Entrance to the site is proposed to be via the existing access driveway off Cutler Road.</p> <p>In terms of other proposed permitted uses, given to site's location near The Hume Highway with regular public transport, the proposal is not considered to be inconsistent with the direction.</p>
6.1 Residential Zones	Inconsistency justified in terms of minor significance.	<p>The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of infrastructure and services and minimise impacts of development on the environment and resource lands.</p> <p>While this planning proposal aims to reduce a small area of land for residential development, given the nature of the proposal any inconsistency is of minor significance and justified.</p> <p>Recommended accordingly.</p>
7.1 Employment Zones	Inconsistency justified in terms of minor significance.	<p>This direction seeks to encourage employment growth in suitable locations, protect land in business and employment zones and support identified centres.</p> <p>The proposal is generally consistent with this direction as it seeks to expand industrial zoning in a suitable location and increase floor space area for industrial use.</p> <p>While this is the case, the direction requires proposed employment areas to be in accordance with a strategy that is approved by the Planning Secretary. This is not the case with this proposal. Given the nature of the proposal, it is recommended that the inconsistency be justified on the basis of minor significance.</p>

### 3.5 State environmental planning policies (SEPPs)

The planning proposal is generally consistent with all relevant SEPPs as discussed in **Table 8** below.

**Table 8 Assessment of planning proposal against relevant SEPPs**

SEPPs	Consistent	Reasons for Consistency or Inconsistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent	<p>The aims of this Chapter include protection and preservation of biodiversity values in non-rural areas.</p> <p>The City of Fairfield is included in the list of land to which this SEPP applies; this Site is included in the Georges River Catchment map and in the Strategic Conservation Planning Area Map. The land at 1 Cutler Road,</p>

SEPPs	Consistent	Reasons for Consistency or Inconsistency
		<p>Lansvale is zoned R2 Low Density Residential, one of the zones included for application of the SEPP.</p> <p>Part 6.2 Development in regulated catchments stipulates that development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures the effect on the quality of water will be neutral or beneficial; and that the impact on water flow will be minimised.</p> <p>Notwithstanding that the Site contains little vegetation, the aims of the SEPP can be supported through landscape design, incorporating water sensitive urban design (WSUD) principles, compliant with Fairfield Development Control Plan 2013, monitored throughout the development application phase.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Consistent	<p>This policy aims to provide streamlined assessment processes for development.</p> <p>The proposal does not contain provisions that would contradict the aims of the SEPP. Compliance with the SEPP would be assessed during the Development Application phase.</p>
State Environmental Planning Policy (Planning Systems) 2021	Consistent	<p>The proposal does not contain provisions that would contradict the aims of the SEPP. Compliance with the SEPP would be assessed during the development application phase.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent	<p>The aim of this SEPP is to regulate potentially hazardous development and require remediation where appropriate.</p> <p>If any future land use of the subject site comprises hazardous or offensive development, a Preliminary Risk Screening would be required as part of a future DA.</p> <p>The proposal is accompanied by a Preliminary Site Investigation (PSI) which concludes that the potential contamination is considered not to preclude rezoning of the site to facilitate the proposed use.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	Consistent	<p>The aim of this policy is to encourage design and delivery of sustainable built form.</p> <p>The proposal does not contain provisions that would contradict the aims of the SEPP. Compliance with the SEPP would be assessed during the Development Application phase.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent	<p>The aim of the policy is to facilitate effective delivery of transport and infrastructure.</p> <p>The proposal does not contain provisions that would contradict the aims of the SEPP. Compliance with the SEPP would be assessed during the development application phase.</p>

## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

**Table 9 Environmental impact assessment**

Environmental Impact	Assessment
Council Assessment	Council has confirmed that the proposal was referred to its Traffic and Transport Place Management, Environmental Health and Catchment departments. No concerns were raised.
Biodiversity	<p>Both land parcels are currently vacant, used as outdoor parking areas. There is no indication of threatened species associated with the land.</p> <p>Nevertheless, the Site is included in the Georges River Catchment Map and in the Strategic Conservation Planning Area Map.</p> <p>According to the planning proposal, the applicants intend to provide tree canopy and landscaping. It is through detailed design and landscape construction and planting that this intention can be demonstrated, in compliance with FDCP2013. In addition, water sensitive urban design (WSUD) can be incorporated into the landscape design, to manage storm water pathways and quality, monitored during the development application phase.</p>
Flooding	<p>The flood letter prepared by TekCivil identified the Site as flood prone land.</p> <p>The proposed development is subject to the planning controls for mainstream flooding as outlined in the Fairfield City Wide DCP 2013, specifically for Low Flood Risk Commercial and Industrial properties within the Georges River floodplain area.</p> <p>Specific flood level data has been provided, sourced from the Georges River Flood Study (Department of Public Works, 1991) and Georges River Floodplain Risk Management Study &amp; Plan – Volume 1 Main Report (Bewsher Consulting, 2004).</p> <p>The flood letter concluded that the proposed zoning will not impact the site's current flooding conditions. The concept documents show a proposed floor level significantly beyond the PMF flood level and above the 1% annual exceedance probability (AEP) flood level plus freeboard.</p> <p>Further assessment will be required during the development application stage.</p>
Noise	<p>The Acoustic Report prepared by Acoustic Logic assessed noise impacts from use of proposed equipment on site, noise emissions from proposed mechanical plant to service the project site, proposed staff vehicle movements and proposed customer vehicle movements. Proposed hours of operation are 8am to 5pm during weekdays.</p> <p>The report concluded that predicted noise from site operation would meet NSW EPA Noise Emission Requirements during proposed operation hours.</p>
Contamination	<p>A preliminary site investigation assessment (PSI) undertaken by Econ Environmental concluded that based on historical data and aerial photographs, there is historical evidence to suggest that importation of fill material within the Site took place between 1965 and 1994.</p> <p>Historical evidence also suggests that the surrounding lands were used for commercial and industrial purposes, with the potential for contaminants to have leached into the subject site</p>

Environmental Impact	Assessment
	<p>from land to the north, east and west. A service station appears to have existed on the site next to the western boundary, increasing the potential for negative impacts on the subject site.</p> <p>The PSI concludes that the Site in its current state is suitable for the proposed industrial use. Nevertheless, if future development were to require demolition, particularly of concrete hardstand, then further sampling and analysis would be required, as part of a Detailed Site Investigation, culminating in appropriate remedial action in accordance with EPA guidelines.</p>
Transition	There is a residential property immediately adjoining the southern boundary, separated by a 4m wide Council laneway, which also provides access to Dan Park, a public recreation area, which lies at the southern corner of the site. This laneway provides a buffer between the industrial and residential areas.
Traffic	A traffic assessment (TIA) submitted with the proposal concludes that the proposal will have minimal impact on the surrounding road network.
Bushfire and Heritage	The Site is not affected by bushfire or heritage considerations that would restrict the proposed development.

## 4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Social and Economic Impact	Assessment
Business expansion and job creation	The planning proposal seeks to facilitate the development of an existing business, which has the potential to create a small number of jobs. Revitalisation of the corner of Cutler Road and the Hume Highway will support business in this industrial location and will also support business in the Lansvale local centre, located on the opposite corner of Cutler Road and The Hume Highway.
Social and Economic Impact	<p>Council has confirmed that the proposal was referred to its Development Planning and Economic Development departments. No concerns were raised.</p> <p>A Social Impact Statement has not been provided with the planning proposal. Following community and agency consultation, appropriate mitigation or enhancement measures may be incorporated into requirements at future development application stage.</p>

## 4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

**Table 11 Infrastructure assessment**

Infrastructure	Assessment
Existing Infrastructure	A supporting Service Infrastructure Assessment of public utility services has not been provided with the planning proposal. Nevertheless, the site is in a developed area serviced by existing infrastructure including energy, telecommunications and transport.
Future Infrastructure	<p>Council has confirmed that the proposal was referred to its Development Planning, Traffic and Transport Place Management, Economic Development departments. No concerns were raised.</p> <p>Consultation with TfNSW is recommended advised to ensure appropriate infrastructure levels are provided and mitigation measures can be undertaken.</p>

## 5 Consultation

### 5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms part of the conditions of the Gateway determination.

### 5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 days to comment:

- Transport for NSW (TfNSW)
- NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)

## 6 Timeframe

Council proposes an 11 month time frame to complete the LEP.

The Department recommends a time frame of 12 months to ensure it is completed in line with its commitment to reduce processing times. It is recommended that if the gateway is supported it also includes conditions requiring council to exhibit and report on the proposal by specified milestone dates.

A condition to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

Council has requested to be the plan-making authority (PMA). Given the general consistency with local and regional strategic projects, and the nature of the proposal, the Department recommends Fairfield City Council be authorised to be the PMA under the Act.

Any outstanding issues and further consultation requirements have been appropriately conditioned, with Fairfield City Council being best placed to finalise the proposal within the timeframe given in the Gateway determination.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions because it:

- aligns with the Western City District Plan;
- aligns with the LSPS, Fairfield City Plan 2022-2032, Fairfield Employment Lands Strategy 2008 (FELS) and Fairfield City Centres Policy 2015; in terms of supporting job creation/ economic growth; and
- will provide in-demand industrial zoned land and associated employment opportunities

## 9 Recommendation

It is recommended the delegate of the Minister:

- agree that any inconsistencies with section 9.1 Directions: 6.1 Residential Zones and 7.1 Employment Zones are minor and justified.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following 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, 2021) and 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

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 EP&A Act:
  - Transport for NSW (TfNSW); 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. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.

5. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.



28/3/25

Terry Doran

**Manager**

**Local Planning and Council Support**



31 March 2025

Tina Chappell

**Director**

**Local Planning Central West and South**

Assessment officer

Genevieve Scarfe

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