

Planning Proposal

**Amendment to Fairfield Local Environmental Plan
2013**

**Rezoning of 1 Cutler Road, Lansvale from R2 Low
Density Residential to E4 General Industrial**

April 2025

Document Register

Proponent versions:

Version	Date	Detail	Council reference
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Version	Date	Detail	Council reference
01	10.12.2024	Initial assessment and preparation of Planning Proposal for referral to Council. Advice from Fairfield Local Planning Panel not required	A6227873
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Table of Contents

Executive Summary

Introduction

Part 1 Objectives or Intended Outcomes

Part 2 Explanation of Provisions

Part 3 Justification of strategic and site-specific merit

3.1 Section A – Need for the Planning Proposal

3.2 Section B – Relationship to Strategic Planning Framework

3.3 Section C – Environmental, Social and Economic Impact

3.4 Section D – Infrastructure – Local, State and Commonwealth

3.5 Section E - State and Commonwealth Interests

Part 4 Maps

Part 5 Community Consultation

Part 6 Project Timeline

Conclusion

Executive Summary

A planning proposal application has been received to Fairfield City Council on behalf of the landowner of 1 Cutler Road, Lansvale (Lot 1 DP 525324).

The planning proposal is a map-only amendment seeking to amend the Fairfield Local Environmental Plan 2013 to rezone the land from R2 Low Density Residential to E4 General Industrial. The objective of the proposal is to facilitate the consolidation of 1 Cutler Road and 230 Hume Highway, Lansvale to permit vehicle sales premises across both sites.

A similar planning proposal was previously considered by Council in 2010, under the provisions of the former Fairfield LEP 1994 to rezone the land from 2(a) Residential A to 4(c) Special Industrial. However, the application was not finalised by the former Dept. of Planning as the landowner was unable to obtain a reciprocal right of way (ROW) to the neighbouring property at 230 Hume Highway, Lansvale. The ROW was required at the time of the previous planning proposal as both sites were under different ownership and access was required to service the subject site. This is no longer required given the sites are now both under the same ownership.

The landowner has now submitted a new planning proposal for the same intention to redevelop the site for the purpose of a vehicle sales premises across both sites.

The planning proposal was not referred to the Fairfield Local Planning Panel for advice. The decision is supported by the General Manager as prescribed within Direction 9.1 of the Local Planning Panel Directions for Planning Proposals for reason the proposal is unlikely to have *'any significant adverse impact on the environment or adjoining land'*. In addition, as detailed further in this planning proposal the proposal is consistent with the relevant state and local strategic directions and strategies applying to Fairfield City.

On 11 February 2025, Council resolved to forward the application to the NSW Department of Planning, Housing and Infrastructure (DPHI). Gateway Determination for the planning proposal was issued by DPHI on the 31 March 2025. The planning proposal is currently on public exhibition until 6 May 2025.

Introduction

Background

The planning proposal seeks to amend the Fairfield Local Environmental Plan 2013 to rezone 1 Cutler Road, Lansvale (Lot 1 DP 525324) from R2 Low Density Residential to E4 General Industrial.

The intention of the planning proposal is to amalgamate the land with the adjoining property at 230 Hume Highway, Lansvale, zoned E4 General Industrial to be redeveloped for the purpose of a motor vehicle sales premises.

The land was previously subject to a similar planning proposal to rezone the land to 4(c) Special Industrial under the former Fairfield Local Environmental Plan 1994. The proposal was at finalisation stage however was withdrawn from the NSW Department of Planning on the 25 October 2011 for the reason being that the landowner was unable to obtain a reciprocal right of way (ROW) to gain access from the adjoining property at the time. The ROW is no longer required given that both sites are now under the same ownership.

The applicant has now submitted a new planning proposal for the same intention to re-develop the site for the purpose of a vehicle sales premises.

Land Affected

The planning proposal applies to 1 Cutler Road, Lansvale formally known as Lot 1 DP 525324.

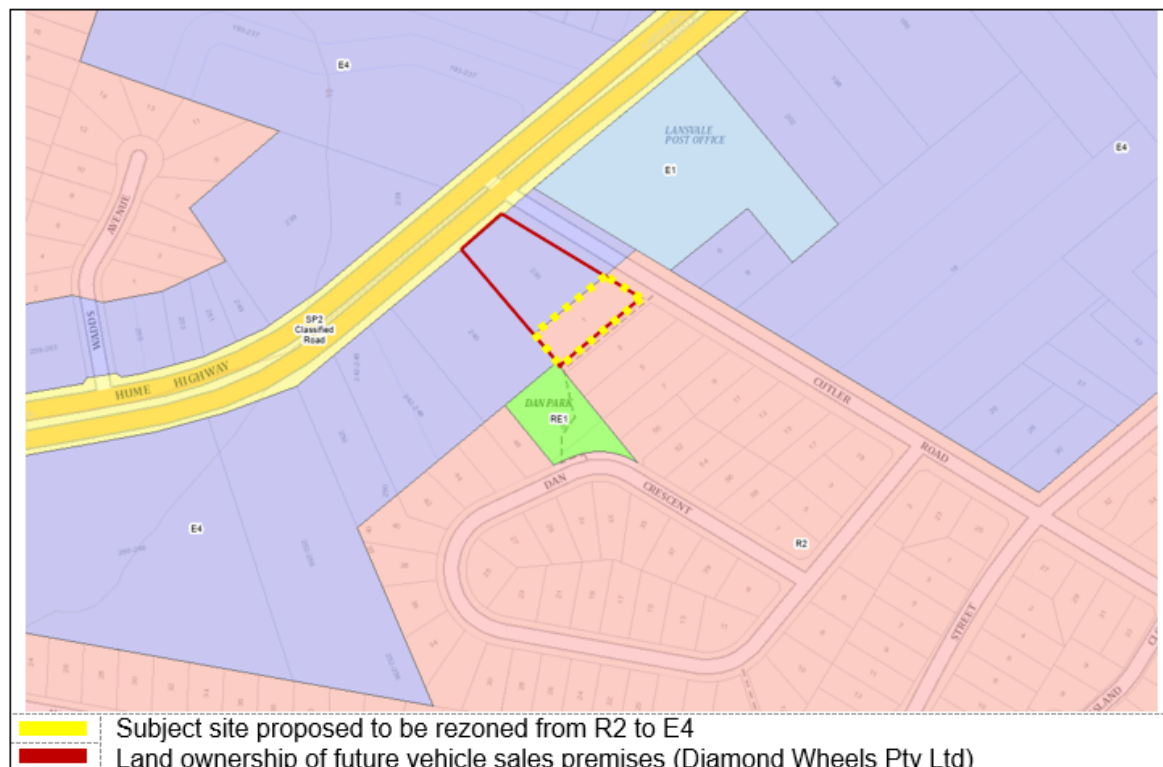


Figure 1. Site context of land affected by planning proposal

The subject site is zoned R2 Low Density Residential and is currently a vacant lot that has a total site area of approximately 1,113m². Northwest of the site is zoned E4 General Industrial with the adjoining property at 230 Hume Highway, Lansvale used for the purpose of a vehicle sales premises.

The land is located approximately 60 metres south of the intersection of Cutler Road and Hume Highway (State owned road by TfNSW). The land also adjoins the Lansvale E1 Local Centre to the north and is separated by a 4-metre wide accessway to Dan Park that caters the recreational needs to the surrounding low residential developments south of the site.

The land is located at the edge of the floodplain, identified as being partly within the low flood risk precinct and partly not affected by both overland and mainstream flooding. The site slopes generally 700mm from west to east of the site and is located approximately within 500 metres of land with potential for acid sulphate soils. The land is not bushfire prone nor contains any heritage items.

Current Planning Controls

The table below describes the proposed amendments to the land affected under the Fairfield Local Environmental Plan 2013 (FLEP 2013).

Exiting planning controls	Proposed planning controls
R2 Low Residential Density Zone	E4 General Industrial
Maximum Floor Space Ratio (FSR) of 0.45:1	Removal of FSR control consistent with the E4 zone
Maximum Height of Building (HOB) of 9 metres	Removal of HOB control consistent with the E4 zone
Minimum Lot Size (MLS) of 450sqm	Removal of MLS control consistent with the E4 zone
Minimum Lot Size for Dual Occupancy (LSD) development of 900sqm	Removal of LSD control consistent with the E4 zone
No applicable additional permitted uses on the land	Inclusion of the land to Schedule 1, Section 30 Additional permitted use of certain land in E4 zone to allow development permitted with development consent for health consulting rooms, information and education facilities, medical centres or specialised retail premises. Consistent in the adjoining E4 zone.

Part 1 – Objectives

Objective

To amend the Fairfield Local Environmental Plan 2013 to rezone 1 Cutler Road, Lansvale to allow for the consolidation to adjoining land at 230 Hume Highway, Lansvale to permit future use for the purpose of a vehicle sales premises.

Intended outcomes

- To amend the applicable development standards relating to the maximum height of building, floor space ratio and minimum lot size that are consistent with the E4 General Industrial zoning of the surrounding Lansvale employment lands.

The purpose of the rezoning is to permit construction of a purpose-built vehicle sales premises and motor showroom building.

- To embed the existing physical separation between the existing R2 Low Density Residential and E4 General Industrial land use zones to create a more coherent zoning structure.
- To increase employment opportunities by providing additional sales floor space within an established industrial precinct.
- To contribute to ongoing renewal of employment lands in the locality.

Part 2 – Explanation of provisions

Intended provisions

To achieve the objectives mentioned in Part 1, the Planning Proposal is seeking a map-only amendment the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

1. Amend the Land Zoning Map (LZN_021) to rezone 1 Cutler Road, Lansvale from R2 Low Density Residential to E4 General Industrial.
2. Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size.
3. Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments.
4. Amend the Fairfield LEP 2013 Height of Building Map (HOB_021) to prescribe no height of building control.
5. Amend the Fairfield LEP 2013 Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control.
6. Amend the Key Sites Map (KYS_021) to 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.

The intent of the proposal is to amend the applicable planning controls to be consistent with the provisions set within the E4 General Industrial zone adjoining the site at 230 Hume Highway, Lansvale and Lansvale employment lands.

All other planning controls applying to the site will remain unchanged.

Refer to Appendix A.2 for the relevant LEP map amendments.

Part 3 – Justification of strategic and site-specific merit

Section A – Need for a planning proposal

Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is not a result of any Council strategy, study or report but rather the outcome of change in the intended use of the land. The proposal has been previously supported by Council under a previous planning proposal in 2010.

On March 9 2010, Council's Outcomes Committee resolved to support the rezoning of 1 Cutler Road, Lansvale from 2(a) Residential A to 4(c) Special Industrial under amendment no. 121 of the Fairfield Local Environmental Plan 1994. The proposal did not proceed at the time due to ownership issues between 1 Cutler Road, Lansvale and 230 Hume Highway, Lansvale that required the creation of a reciprocal right of way (ROW) between both sites to provide vehicular access to the subject site.

Now that both sites are under the same ownership, the proposal is now practical for development across both sites without the need of a ROW.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proposed LEP amendments are the best means for addressing the objectives and intended outcomes for the site. The current controls applicable to the land would result in incompatible development with the adjoining employment land zone, west of the site.

The proposed controls would result in an appropriate extension of the adjoining employment land separated by an access laneway to adjoining residential land use as illustrated in Figure 1 (above) site context map.

Section B – Relationship to strategic planning framework

Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan released in March 2018 establishes a comprehensive vision, goals, strategies and actions for developing Greater Sydney by 2056.

The plan identifies 10 key directions within a framework based on the core themes of liveability, productivity and sustainability supported by objectives and indicators to implement the Plan. The proposal is aligned with the 10 directions of the Plan.

1. **A City Supported by Infrastructure** – Additional jobs in a connected location will provide additional patronage to the existing public transport network.
2. **A Collaborative City** – The proposal represents an applicant-initiated planning proposal that responds in collaboration with Council and relevant stakeholders.
3. **A City for People** – Contributions made as a result of future development to provide upgrades or additional services and infrastructure back into the City for residents to enjoy.
4. **Housing the City** – Not applicable as the rezoning is in relation to industrial land uses.
5. **A City of Great Places** – Future development will achieve appropriate landscaping to enhance streetscape responding to the local character of the area.
6. **A Well-Connected City** – The location of the site in proximity to a State classified road in proximity to jobs supporting the notion of a 30-minute city supplying jobs close to transport connectivity roads.
7. **Jobs and Skills for the City** – The rezoning enables compatible land uses to the adjoining employment zone thus managing existing industrial land.
8. **A City in its Landscape** – Future redevelopment of the site will enhance the landscape character of the area.
9. **An Efficient City** – Future development will ensure that the building will be designed to adopt best practises of sustainability in design.
10. **A Resilient City** – Future development will be designed to adapt and respond to the foreseen environmental and built impacts.

Western City District Plan

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability as set within the Western City District Plan. The following table includes an assessment of the planning proposal against relevant directions and actions.

Planning Priorities	Comments
A City Supported by Infrastructure	
W1: Planning for a city supported by infrastructure	Not applicable.
A Collaborative City	
W2: Working through collaboration	The planning proposal provides for a collaborative process with Council, agencies, stakeholders and general the community.
A City for People	
W3: Providing services and social infrastructure to meet people's changing needs W4: Fostering healthy, creative, culturally rich and socially connected communities	Not applicable.
Housing the City – Giving People Housing Choices	
W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport	Not applicable.
A City of Great Places – Design Places for People	
W6: Creating and renewing great places and local centres, and respecting the District's heritage	Redevelopment of the site will revitalise the employment lands of Lansvale and the vacant site itself.
A Well-Connected City – Developing a more Accessible and Walkable City	
W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The integration of the E4 zone in proximate to public transport reinforces the 30-minute cities.
Jobs and Skills for the City – Creating the conditions for a Stronger Economy	
W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis W9: Growing and strengthening the metropolitan cluster W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land W11: Growing investment, business opportunities and jobs in strategic centres	The planning proposal supports the development for industrial uses and urban services resulting from the growth for additional 1,113m ² of employment lands in Fairfield LGA. The amendment will contribute to maximising opportunities for the growing economy of Fairfield.
A City in its Landscape – Valuing Green Spaces and Landscape	
W12: Protecting and improving the health and enjoyment of the District's waterways W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element W14: Protecting and enhancing bushland and biodiversity W15: Increasing urban tree canopy cover and delivering Green Grid connections W16: Protecting and enhancing scenic and cultural landscapes W17: Better managing rural areas W18: Delivering high quality open space	Future development will incorporate well design landscaping to deliver additional tree cover canopy and soft planting on the land.

An Efficient City – Using Resources Wisely	
W19: Reducing carbon emissions and managing energy, water and waste efficiently	The future development of the site will facilitate energy and water flows captured, used and recycled supporting the development of a circular economy.
A Resilient City – Adapting to a Changing World	
W20: Adapting to the impacts of urban and natural hazards and climate change	The site is located at the edge of the floodplain being identified as partly within a low flood risk precinct and partly not affected by both overland and mainstream flooding. Future development will need to comply with applicable environmental development controls for flood risk management.

Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Fairfield City Plan – Community Strategic Plan 2022-2023

The Fairfield City Plan 2022-2032 is the community's strategic plan that sets out their vision, priorities and goals for the next 10 years. As shown below, the planning proposal is consistent with the themes and goals set within the Plan.

Goal	Consistency
Theme 1: Community wellbeing	
<ul style="list-style-type: none"> a. A safe community b. A proud diverse community of many cultures that is valued and celebrated c. Healthy and active community d. An inclusive city with access to opportunities and facilities for the community e. Strengthen relationships and partnerships 	Not applicable.
Theme 2: Places and infrastructure	
<ul style="list-style-type: none"> a. An accessible and liveable city b. Inviting and well-used open space c. Community assets and infrastructure are well managed into the future 	The future development will incorporate additional landscaping on the site along the boundaries of the allotment softening the link between the E4 zone to open space area (Dan Park).
Theme 3: Environmental sustainability	
<ul style="list-style-type: none"> a. A sustainable natural environment b. An environmentally aware and active community c. Environmental compliance standards are met 	The development will be designed in a manner to ensure compliance to the relevant standards are met.
Theme 4: Strong and resilient economy	
<ul style="list-style-type: none"> a. Range of resilient businesses b. Attractive and lively City c. Diverse employment and job opportunities 	The planning proposal will facilitate the consolidation of two sites to permit a new vehicle sales premises. The construction as well as the operation of the business will provide employment opportunities for the locality.

Theme 5: Good governance and leadership	
<ul style="list-style-type: none"> a. Decision making processes are open and transparent b. A well engaged and informed community c. Fairfield City is financially sustainable and responsible 	Not applicable.

Fairfield Local Strategic Planning Statement 2040

The table below outlines the five themes along with responses to the planning priorities relevant to the proposed planning proposal.

Planning priority	Consideration
Theme 1: Community well-being – Healthy & Liveable places	
<ul style="list-style-type: none"> 1. Provide housing that accommodates the needs of existing and future residents 2. Deliver greater housing diversity and affordability to meet the changing needs of the community 3. Plan for and manage areas identified for future urban development 4. Provide attractive, healthy and safe places for the whole community 5. Protect the city's heritage 	The planning proposal will improve the amenity outcome by clearly defining the separation between the R2 and E4 zones with a 4-metre pathway separating the two zones. The rezoning of the residential land does not represent a significant loss to the potential future housing stock of the LGA.
Theme 2: Infrastructure & places – Supporting growth & change	
<ul style="list-style-type: none"> 6. Ensure infrastructure is aligned to accommodate planned growth and community needs 7. Leverage opportunities from major new district Infrastructure and services and technological developments 	The planning proposal will deliver additional employment generating lands in a strategically connected location adjoining Hume Highway and proximate to link jobs with mass transport options. The proposal will result in a logical extension of the existing employment area thus maximising opportunities for the industrial lands.
Theme 3: Environmental sustainability	
<ul style="list-style-type: none"> 8. Protect areas of high natural value and environmental significance and improve the health of catchments & waterways 9. Realise the Parkland City Vision 10. Adapt to natural hazards and environmental impacts 	The subject site is largely constraint free and does not propose additional development within the flood planning area. There are opportunities to expand the tree canopy cover to avoid high levels of exposure to heat and the vulnerability to extreme heat and heatwaves supporting the principles for environmental sustainability.
Theme 4: Strong & resilient economy	
<ul style="list-style-type: none"> 11. Promote a robust economy which generates diverse services and job opportunities 12. Plan for and manage urban Services land 	The proposal will support the existing mapped urban services and employment land in Lansvale. The proposal has the potential to add the range of resilient businesses and diverse employment opportunities.
Theme 5: Good governance – Advocacy & consultation	
<ul style="list-style-type: none"> 13. Ensure a well-engaged and informed community 14. Monitor and report on the delivery of the LSPS actions 	The planning proposal aligns with the broader planning frameworks and reflects the views of the Fairfield City community, demonstrating responsible and accountable

15. Review the LSPS to changes and priority and circumstances	decision making.
16. Advocate for and represent the Fairfield City community	

Fairfield Employment Lands Strategy 2008

The planning proposal is consistent with the Fairfield Employment Lands Strategy 2008 that highlighted the need for the redevelopment and regeneration the existing employment areas such as the Lansvale industrial precinct to sustain economic growth and employment in the LGA.

Fairfield City Centres Policy 2015

The expansion of the E4 General Industrial zoned land will not alter the role of the nearby Lansvale local centre within Fairfield City's retail hierarchies. The proposed expansion to support a future vehicle sales premises and will not pose unacceptable impacts on the range of services available in nearby subregional centres or neighbourhood centres.

The scale of the expansion of the E4 zoned land and its intended use for vehicle sales will not adversely impact or detract from the adjoining Lansvale local centre's core function of providing a range of convenience goods and services.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is consistent against 'Objective 23: Industrial and Urban services land is planned, retained, and managed' of the Greater Sydney Regional Plan. The proposal will give effect to the objective by rezoning the land to enable compatible land uses to the adjoining employment zone.

Is the planning proposal consistent with the relevant state environmental policies?

The relevant State Environmental Planning Policies are outlined in the table below:

SEPP Title	Consistency	Planning Proposal
SEPP (Biodiversity and Conservation) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP 21 (Exempt and Complying Development Codes) 2008	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Housing) 2021	Not applicable.	The proposed zonings are not concern with residential type developments.

SEPP Title	Consistency	Planning Proposal
SEPP (Industry and Employment) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Planning Systems) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Precincts – Central River City) 2021	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Regional)	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Western Parkland City) 2021	Consistent.	The site is not located within the specified Precincts.
SEPP (Primary Production) 2021	Not applicable.	The existing and proposed zonings are not applicable for Primary Production.
SEPP (Resilience and hazards) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Resources and Energy) 2021	Not applicable.	The existing and proposed zonings are not concerned with Extractive Industries and Mining Petroleum Production.
SEPP (Sustainable Buildings) 2022	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Transport and infrastructure) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.

Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions) or key government priority?

The relevant Section 9.1 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined in the table below:

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
Focus area 1: Planning Systems			
1.1 implementation of Regional Plans	<ul style="list-style-type: none"> To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans 	Consistent	The proposal is consistent with the Regional Plans as addressed in Part 3 of the document.
1.2 Development of Aboriginal Land Council land	<ul style="list-style-type: none"> To provide for the consideration of development delivery plans prepared under chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority 	Not applicable.	The site is not owned or subject to a claim by an Aboriginal Land Council.
1.3 Approval and Referral Requirements	<ul style="list-style-type: none"> To ensure that LEP provisions encourage the efficient and appropriate assessment of development. 	Consistent.	The planning proposal does not include any provisions requiring concurrence, consultation or referral by a Minister or public authority.
1.4 Site Specific Provisions	<ul style="list-style-type: none"> To discourage unnecessarily restrictive site specific planning controls. 	Consistent.	The proposal requires map only amendment to planning controls within the FLEP 2013 for the intended use of the site.
1.4A Exclusion of Development standards from Variation	<ul style="list-style-type: none"> 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 Environmental Plan (Standard Instrument LEP) or an equivalent provision of any other environmental planning instrument, are only applied in limited circumstances. 	Consistent.	The proposal does not seek to alter clause 4.6 of the FLEP 2013 or any equivalent provision to any other planning instrument.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
Focus area 1: Planning Systems – Place-based			
1.10 Implementation of the Western Sydney Aerotropolis Plan	<ul style="list-style-type: none"> To ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan dated September 2020. 	Consistent.	The site is not within the Western Sydney Aerotropolis Plan however directions within the WCDP support growth in areas of Western Sydney as a result of the Aerotropolis. In this instance the proposal will support the future growth of the area part of Western Sydney.
Focus area 2: Design and Place (This focus area was blank when the directions were made)			
Focus area 3: Biodiversity and Conservation			
3.1 Conservation Zones	<ul style="list-style-type: none"> To protect and conserve environmentally sensitive areas. 	Consistent.	The proposal and future development will ensure to protect and conserve environmentally sensitive areas.
3.2 Heritage Conservation	<ul style="list-style-type: none"> To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. 	Consistent.	The subject site is not heritage listed nor within a heritage conservation area. The proposal considers the environmental and built heritage significance of the wider area of Fairfield City.
3.5 Recreation Vehicle Areas	<ul style="list-style-type: none"> To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. 	Not applicable.	The site is privately owned and does not offer public access or temporary stays for recreation vehicles.
3.6 Strategic Conservation Planning	<ul style="list-style-type: none"> To protect, conserve or enhance areas with high biodiversity value. 	Consistent.	The proposal will ensure the development will protect, conserve and enhance the area of biodiversity value in nearby areas.
3.7 Public Bushland	<ul style="list-style-type: none"> to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland, by: (a) preserving: 	Consistent.	Landscaping of future development will provide an enhanced connection to the isolated pocket of open space in Dan Park.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	<p>i. biodiversity and habitat corridors, ii. links between public bushland and other nearby bushland, iii. bushland as a natural stabiliser of the soil surface, iv. existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, v. the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of the land, and (b) mitigating disturbance caused by development, (c) giving priority to retaining public bushland.</p>		
3.10 Water Catchment Protection	<ul style="list-style-type: none"> ▪ To maintain and improve the water quality (including ground water) and flows of natural waterbodies and reduce urban run-off and stormwater pollution. ▪ To protect and improve the hydrological, ecological and geomorphological processes of natural waterbodies and their connectivity. ▪ Protect and enhance the environmental quality of water 	Consistent.	The site is not within a Drinking Water Catchment.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	<p>catchments by managing them in an ecologically sustainable manner, for the benefits of all users.</p> <ul style="list-style-type: none"> Protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity. 		
Focus area 4: Resilience and Hazards			
4.1 Flooding	<ul style="list-style-type: none"> Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Flood Risk Management Manual 2023, and Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land 	Consistent.	<p>The subject site identified by partly low and partly not affected by local overland flooding and is partly affected by low and partly not affected by mainstream flooding.</p> <p>The flood assessment in App A.7 found that the concept development will have minimal impact on the sites conditions as the building footprint will be located beyond the extent of the probable maximum flood level as such is located above the 1% annual exceedance probability (AEP) flood level. More information is provided in Part 4 of the report.</p>
4.2 Coastal Management	<ul style="list-style-type: none"> To protect and manage coastal areas of NSW. 	Consistent.	The site is not within a coastal wetland, littoral rainforest, coastal vulnerability area, coastal environment area or coastal use area.
4.3 Planning for Bushfire Protection	<ul style="list-style-type: none"> to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land 	Consistent.	The site is not mapped as bush fire prone land.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	<p>uses in bush fire prone areas, and</p> <ul style="list-style-type: none"> To encourage sound management of bush fire prone areas. 		
4.4 Remediation of Contaminated Land	<ul style="list-style-type: none"> 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. 	Consistent.	<p>A preliminary site investigation was carried out for the subject site and found that the site does not contain any obvious areas of environmental concern for the intended land use.</p> <p>Any proposal to remove any aggregate and hardstand will require further detailed site investigations and remediation at the Development Application stage.</p>
4.5 Acid Sulfate Soils	<ul style="list-style-type: none"> To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. 	Consistent.	The land within Class 5 Acid Sulfate Soils. Subject to a Development Application, cl 6.1 of the FLEP 2013 will be addressed to ensure development will not disturb, expose or drain acid sulfate soils on the land.
4.6 Mine Subsidence and Unstable Land	<ul style="list-style-type: none"> To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. 	Consistent.	The site is not located in a mine subsidence area.
Focus area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to</p>	Consistent.	The proposal will improve access to services and jobs in proximity to public and private transport connecting Hume Highway. The State classified road provides greater access and suitable location to the proposed land use

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	<p>housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight</p>		intended for a vehicle sales premises.
5.2 Reserving Land for Public Purposes	<p>(a) To facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	Not applicable.	The proposal does not seek to remove or reserve land for public purposes.
5.3 Development Near Regulated Airports and defence Airfields	<p>(a) ensure the effective and safe operation of regulated airports and defence airfields;</p> <p>(b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</p> <p>(c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so</p>	Consistent.	The site is not located in proximity to a regulated airport or defence field.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	that the development is not adversely affected by aircraft noise.		
5.4 Shooting Ranges	<p>To:</p> <ul style="list-style-type: none"> • Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range • Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land • Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 	Consistent.	The site is not located adjacent or in proximity to an existing shooting range.
5.5 High pressure dangerous goods pipelines	to reduce the risk of harm to human health and the environment by ensuring high pressure dangerous goods pipelines (relevant pipelines) are considered by planning proposal authorities	Consistent.	The site is not located adjacent or in proximity to high pressure dangerous goods pipeline.
Focus area 6: Housing			
6.1 Residential Zones	<p>(a) encourage a variety and choice of housing types to provide for existing and future housing needs</p> <p>(b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) minimise the impact of residential development on the</p>	Justified.	<p>The proposal will result in the subsequent loss of a residential land being rezoned to E4 General Industrial.</p> <p>The reduction of R2 land covering 1,113m² is considered to be of minor significance and not result in significant impact on the future housing stock of the LGA. The amendment will result in a compatible use with adjoining employment</p>

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	environment and resource lands.		land.
6.2 Caravan Parks and Manufactured Home Estates	(a) provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.	Not applicable.	The proposal does not seek an amendment to accommodate a caravan park or manufactured home estate.
Focus area 7: Industry and Employment			
7.1 Employment Zones	a) encourage employment growth in suitable locations, (b) protect employment land in employment zones, and (c) support the viability of identified centres	Consistent.	The proposal is consistent with the objectives and directions of the employment zones encouraging the growth in the LGA expanding in 1,113m ² of additional employment lands.
7.2 Reduction in non-hosted short-term rental accommodation period	(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and (b) ensure the impacts of short-term rental accommodation and views of the community are considered.	Not applicable.	The direction does not apply for Fairfield local government area.
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Consistent.	The proposal is not within a target area of interest for mining, petroleum production and extractive industries.
Focus area 9: Primary Production			

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
9.1 Rural Zones	To protect the agricultural production value of rural land.	Consistent.	The site is located within an established urban area and will not alter the production value of rural lands in the region.
9.2 Rural Lands	To: <ul style="list-style-type: none"> • Protect the agricultural production value of rural land • Facilitate the orderly and economic use and development of rural lands for rural and related purposes • Assist in the proper management, development and protection of rural lands to promote social, economic and environmental welfare of the State • Minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses • Encouraging sustainable land use practices and ensure the ongoing viability of agriculture on rural land • Support the delivery of the actions outlined in the NSW Right to Farm Policy. 	Consistent.	The site is not rural land and the existing and proposed zoning would not result in land use conflicts for rural areas.
9.3 Oyster Aquaculture	(a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately	Consistent.	The land is not within or near a Priority Oyster Aquaculture Area.

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	<p>considered when preparing a planning proposal, and (b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</p>		

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No, the subject site does not contain and is not within proximity to any critical habitat or threatened species, populations or ecological communities, or their habitats that will be affected as a result of the planning proposal.

Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Existing employment area

The subject site is an isolated residential lot land locked by the adjoining E4 General Industrial zone and buffered between a 4-metre pathway to R2 Low Density Residential land. The planning proposal will result in a logical, cohesive extension and growth of the existing industrial land.

Flooding

The site is identified as partly low and partly not affected by both overland and mainstream flooding under Council's Georges River Flood Study 2004 and the Cabravale Overland Flood Study 2023.

Mainstream flooding – The site is located approximately 400 metres away from Georges River and is at the edge of the probable maximum flooding (PMF) extents.

The Flood Study report prepared by TekCivil (Appendix A.7) found that the proposed zoning and future development will not impact the flood storage volume flood level and conveyancing during the 1% AEP storm event. Any habitable flood area will be above the 1% AEP plus freeboard.

Future development on the site will be subject to considerations of the provisions of cl.5.22 Special Flood Considerations of the Fairfield LEP 2013. Under the Clause, the proposed motor vehicle showroom on the site does not constitute a 'sensitive or hazardous' land use. Further, rezoning of the site from residential to employment purposes reduces the potential for risk to life and need to consider evacuation of people in the event of a PMF event.

More detailed consideration of the flooding issues will be undertaken at development application stage that will need to comply with the provisions of Chp.11 Flood Risk Management of the Fairfield City Wide DCP 2024.

Overland – The proposal is unlikely to result as a critical flood storage area. Careful balance of cut and fill may be required to ensure that the site is not overfilled and hence reducing significantly the storage volume in the PMF event.

A Stormwater Management Plan will be provided at development application stage to ensure the cumulative flooding impact to the surrounding and downstream properties are minimised.

Traffic and Access

A Traffic and Parking Impact Assessment report prepared by Varga Traffic Planning (Appendix A.8) finds that the parking provisions and traffic generation of the proposal will not result in additional impact to the existing road network capacity and is therefore considered acceptable by Council's Traffic Management Section.

The site currently has a driveway north of the site and caters for up to B99 type vehicles. The proposed future development for the purpose of a vehicle sales premises proposes that loading arrangement will be serviced by B99 sized vehicles however industrial type uses permissible in the E4 zone would require wider access to the site.

Should the proposed access be widened, the driveway access shall be located as furthest away from the traffic signals at Cutler Road and Hume Highway to service the development and accommodate for heavy type vehicles. A detailed assessment of the access arrangement to service the development will be considered and conditioned at development application stage for the largest vehicle to service the site.

Contamination

A Preliminary Site Investigation Assessment (Appendix A.5) concludes the site does not contain obvious areas of environmental concern and is suitable for the intended commercial construction and land use.

Any future development proposing to remove aggregate and hardstand will require a detailed site investigation at development application stage to ensure the land is suitable for the use.

Noise

Future development will be required to minimise the potential for impacts on nearby residential land uses and will be considered as part of a future development application.

The above-mentioned environmental factors have been assessed (Appendix A.6) to the standard to determine the appropriateness of the planning proposal in its concept masterplan. The environmental factors will be subject to a detailed assessment upon the development application stage.

Built form

The proposal does not required consideration of any site specific development controls to facilitate the future development via an amendment to the Fairfield City Wide Development Control Plan 2024.

Future development will need comply with the applicable controls to ensure the development does not impact on the surrounding locality, subject to a merit assessment that has undergone preliminary assessment under this planning proposal and is considered acceptable.

How has the planning proposal adequately addressed any social and economic effects?

The rezoned land can be used to develop new employment establishments or extend the existing adjoining employment use, resulting in additional employment opportunities for the area.

The social and economic impacts of this proposal are positive as this proposal will facilitate additional supply of employment land and floor space within a highly accessible location. The proposal has capacity to enable the development of a site with a high standard of amenity and deliver a high quality product which promotes healthy and sustainable living/work environment. This proposal is consistent with the applicable strategies and represents a practical response to the site's circumstances.

The site is currently separated from the R2 zone to the south by a 4-metre walkway, providing a practical physical demarcation between the employment and residential land uses and regularises the current zone boundaries with the surrounding zone pattern. The rezoning will enable the economic and beneficial use of two lots in single ownership, fitting well with the existing industrial boundaries of the Lansvale industrial area.

Section D – Infrastructure: Local, State and Commonwealth

Is there adequate public infrastructure for the planning proposal?

Utility services

The subject site is located in an area which is well serviced by existing infrastructure in the established developed area. The locality is provided with all necessary utilities and public infrastructure including water, energy, telecommunications and transport services. It is expected that liaison with utility providers will occur subsequent to Gateway Determination and future development application to assess the need of any additional services on the land.

Public transport

The site is located directly on the route of two TfNSW bus services being the 904 – Liverpool to Fairfield (operating regular services Mon-Sun) and S1 Cabramatta to Lansvale Loop Service (operating Mon-Fri between 7am-4pm) and benefits from a bus stop being located directly at the front of the site on Cutler Rd.

These services mean that the site has good access to public transport and broader public transport network including passenger train stations located at Liverpool, Fairfield and Cabramatta Town Centres.

Section E – State and Commonwealth Interests

What are the views of State and Commonwealth public authorities and government agencies consulted in order to inform the gateway determination?

The Gateway Determination requires consultation with the following public authorities and government agencies for a minimum of 30 days as part of Gateway Condition 2 as follows.

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.

A post-exhibition report prepared to Council in the second half of 2025 summarising the feedback from public authorities and government agencies consulted during the public exhibition stage to inform the final draft Planning Proposal.

Part 4 – Maps

This part of the Planning Proposal deals with the maps associated with the Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the Planning Proposal, Fairfield Local Environmental Plan 2013 will be amended as follows:

1. Amend the Land Zoning Map (LZN_021) to rezone 1 Cutler Road, Lansvale from R2 Low Density Residential to E4 General Industrial.
2. Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size to the subject land.
3. Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments applicable to the subject land.
4. Amend the Height of Building Map (HOB_021) to prescribe no height of building control to the subject land.
5. Amend the Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control to the subject land.
6. Amend the Key Sites Map (KYS_021) to 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, consistent with the uses already permitted with consent in the surrounding E4 zone.

The intention of the map-only amendment is to ensure the site is consistent with the adjoining E4 zone for amalgamations to facilitate the future development for the purpose of a vehicle sales premises.

Appendix A.2 contains maps of existing and proposed zones and development standards applying to this Planning Proposal.

Part 5 - Community Consultation

As Gateway Determination has been received, public exhibition of the planning proposal will be held for a period of a minimum 30 days and will be undertaken by Council in accordance with the legislative requirements of the Act and conditions imposed in the Gateway Determination.

Community consultation will be undertaken in accordance with Council's Community Engagement Strategy.

Public Exhibition will include the following engagement approaches at a minimum:

- Dedicated webpage on Council's 'Planning Exhibition' website.
- Available at Council's Administrative Centre.
- Letters to landowners and occupiers of the Planning Proposal site and neighbouring properties.
- NSW Government Planning Portal.
- Drop-in information appointments.

The Planning Proposal and technical studies will be exhibited for the public to view.

Part 6 – Project Timeline

The proposal is considered to not have minimal potential for any adverse impacts on the environment and adjoining land. Furthermore, key environmental issues mentioned in Part 3 of the report are capable of being addressed at development application stage.

It is considered that the proposal meets the categorisation as a basic planning proposal and did not require advice from the Fairfield Local Planning Panel as determined by the General Manager as prescribed within Direction 1 of the Local Planning Panel Directions for Planning Proposals.

In this regard, the project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

No.	Step	Process content	Timeframe
1	Assessment of Planning Proposal	<ul style="list-style-type: none"> Review technical reports & prepare Planning Proposal for referral to Council 	August 2024
2	Council decision	<ul style="list-style-type: none"> Consideration by Councils Outcomes Committee 	February 2025
3	Gateway determination	<ul style="list-style-type: none"> Issued Gateway Determination by DPHI Update report on Gateway requirements 	March 2025
4	Pre-exhibition	<ul style="list-style-type: none"> In accordance with Council resolution and conditions of the Gateway Determination. 	March 2025
5	Commencement and completion of public exhibition period	<ul style="list-style-type: none"> Notification letters to adjoining land owners, agencies & utility providers as required by Gateway Determination 	April 2025
6	Consideration of submissions	<ul style="list-style-type: none"> Under the Gateway Determination issued by DPHI public hearing is not required. 	May 2025
7	Post-exhibition review and additional studies	<ul style="list-style-type: none"> Assessment and consideration of submissions 	May 2025
8	Submission to the Department for finalisation (where applicable)	<ul style="list-style-type: none"> Includes assessment and preparation of report to Council 	June 2025
9	Gazettal of LEP amendment	<ul style="list-style-type: none"> Covering possible changes to draft Planning Proposal in light of community consultation 	July 2025
Estimated Time Frame			Estimate 220 working days

Conclusion

The planning proposal seeks to amend the Fairfield Local Environmental Plan 2013 to rezone 1 Cutler Road, Lansvale from R2 Low Density Residential to E4 General Industrial.

The amendment aims to facilitate the consolidation of the subject site and the adjoining property at 230 Hume Highway, Lansvale to permit future vehicle sales premises across both sites.

The rezoning will facilitate the redevelopment of the underutilised site, fostering economic development and offering employment opportunities on the site and to the local community.