



IRF26/5036

Gateway determination report – PP-2026-1664

Proposed Amendment to include two (2) properties in
Schedule 5 Environmental heritage of the Fairfield
Local Environmental Plan 2013

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure 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
Planning Proposal, July 2026
Planning Proposal – Draft LEP maps

Planning Proposal - Detailed Section 9.1 Ministerial Direction

Draft Heritage Assessment 20 Cabramatta Road East, Cabramatta, prepared by Vanessa Hotham Heirtage and Architecture, June 2025

Draft Heritage Assessment 158 Broomfield Street, Cabramatta, prepared by Vanessa Hotham Heirtage and Architecture, May 2025

Council report 14 July 2026

Council resolution 14 July 2026

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Fairfield
PPA	Fairfield City Council
NAME	Proposed amendment to include two (2) properties in Schedule 5 Environmental heritage of the Fairfield Local Environmental Plan 2013
NUMBER	PP-2026-1664
LEP TO BE AMENDED	Fairfield Local Environmental Plan (LEP) 2013
ADDRESS	158 Broomfield Street and 20 Cabramatta Road East, Cabramatta
DESCRIPTION	Lot 8 DP 19194; Lot 3 DP 580730 & Lot 1 DP 586180
RECEIVED	24/07/2026
FILE NO.	IRF26/5036
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 objective of the planning proposal is to amend Schedule 5 Environmental heritage, Part 1 Heritage items, and the associated heritage maps of the *Fairfield Local Environmental Plan 2013* to include two (2) properties as items of local heritage significance.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Fairfield LEP 2013 as follows (overleaf):

1. Schedule 5 Environmental heritage, Part 1 Heritage items of the *Fairfield Local Environmental Plan (LEP) 2013* to include two (2) properties on the local heritage schedule as shown in the table below.

Table 3 details of proposed local heritage listings

Suburb	Item name	Address	Property description	Significance	Item No.
Cabramatta	158 Broomfield Street – House and interiors	158 Broomfield Street	Lot: 8 DP: 19194	Local	I1
Cabramatta	20 Cabramatta Road East – House, interiors, grounds including Canary Island Palms	20 Cabramatta Road East	Lot: 3 DP: 580730 & Lot: 1 DP: 586180	Local	I2

2. Amend the Heritage Map Sheet 017 to include local heritage item ‘I1’ at 158 Broomfield Street, Cabramatta, and amend the Heritage Map Sheet 020 to include local heritage item ‘I2’ at 20 Cabramatta Road East, Cabramatta.

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 proposal relates to two separate properties as follows.

158 Broomfield Street, Cabramatta

The site at 158 Broomfield Street, Cabramatta is located on the eastern site of Broomfield Street, between Junction Street and National Street (refer to Figure 1). The site is approximately 860m².

A single storey brick dwelling house (built circa 1890) and several outbuildings are located on the site. The house presents to Broomfield Street, and the draft Heritage Assessment prepared by Vanessa Holtham Heritage & Architecture (May 2025) notes that the historical architectural features and elements of the main building that are visible appear to be unaltered (refer to Figure 2 and Figure 3).

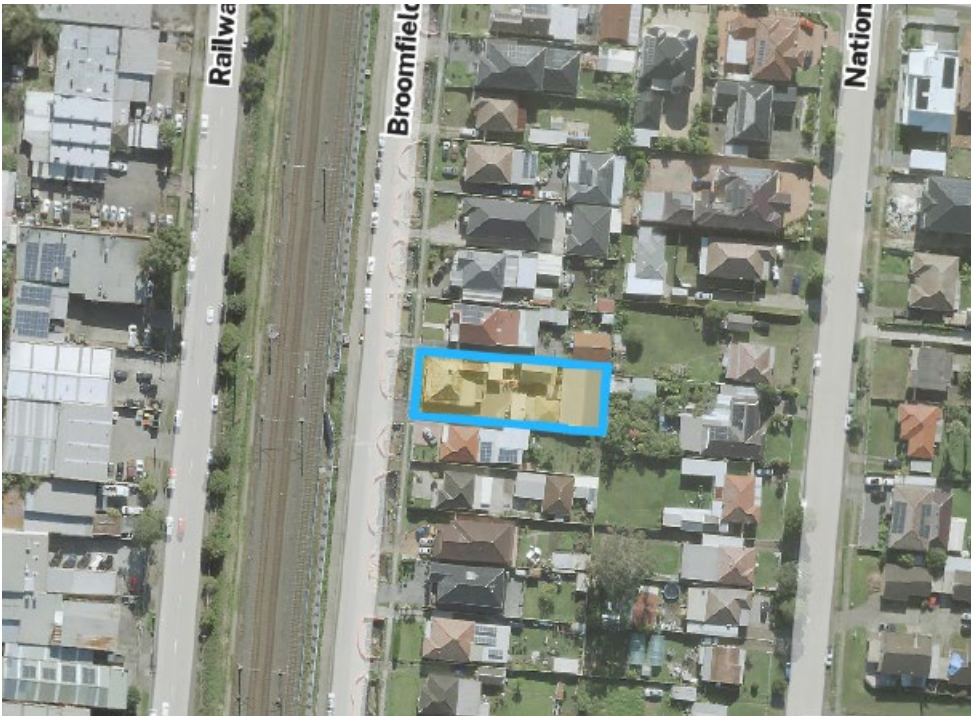


Figure 1: Aerial view of the subject site at 158 Broomfield Street outlined in blue (source: Draft Heritage Assessment, May 2025)



Figure 2: Aerial view of the subject site at 158 Broomfield Street with c1890 dwelling house on the left and other outbuildings (source: Draft Heritage Assessment, May 2025)



Figure 3: Front elevation of the subject site at 158 Broomfield Street with dwelling house (source: Draft Heritage Assessment, May 2025)

20 Cabramatta Road East, Cabramatta

The site at 20 Cabramatta Road East, Cabramatta, is located on the corner of Cabramatta Road East (Western side) and Boundary Lane (refer to Figure 4). The site is approximately 990m² in area.

A single storey dwelling house (built circa 1920s) is located on the site. The house presents to Cabramatta Road East, and the draft Heritage Assessment prepared by Vanessa Holtham Heritage & Architecture (June 2025) notes that house is clad in weatherboard and fibro-cement sheeting and has a corrugated iron roof that appears to be the original roofing material (refer to Figure 5 and Figure 6).



Figure 4: Aerial view of the subject site outlined in blue (source: Draft Heritage Assessment, June 2025)



Figure 5: Aerial view of the subject site with c1890 dwelling house on the left and other outbuildings (source: Draft Heritage Assessment, June 2025)



Figure 6: Front elevation of the subject site with dwelling house (source: Draft Heritage Assessment, June 2025)

1.5 Mapping

The planning proposal includes mapping (**Attachment A1**) showing the proposed changes to the Fairfield LEP 2013 Heiritage Map, which are suitable for community consultation.

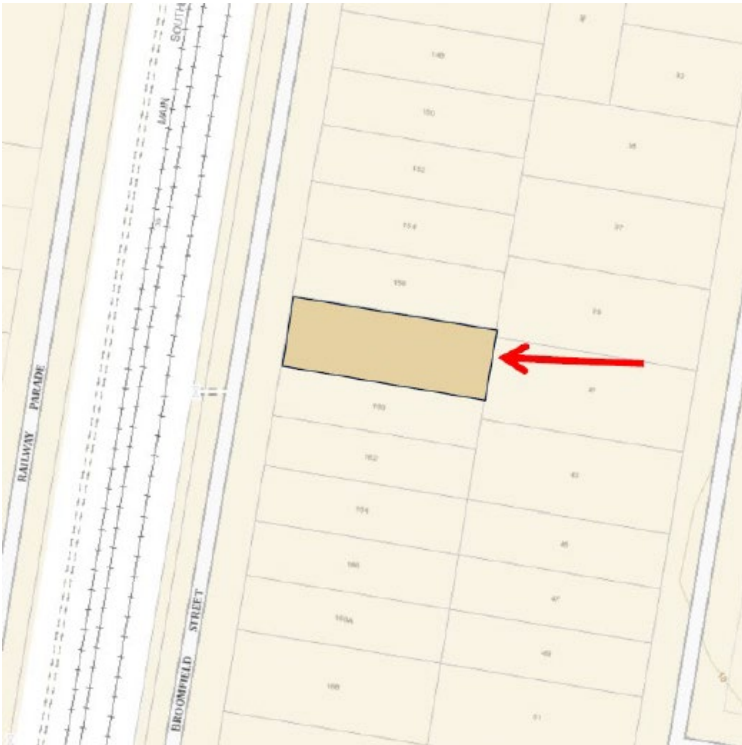


Figure 7: Proposed Heritage Map Sheet 017 with subject site 158 Broomfield Street, Cabramatta identified by red arrow (source: Planning Proposal, July, 2026)



Figure 8: Proposed Heritage Map Sheet 020 with subject site 20 Cabramatta Road East, Cabramatta identified by red arrow (source: Planning Proposal, July, 2026)

1.6 Background

The following table provides a background of the site and planning proposal.

Table 4 Timeline of planning proposal

Date	Event
2025	Heritage Review undertaken by Council
29 July 2025	Council considered ten (10) potential heritage items (identified in the Heritage Review) at the Council meeting of 29 July 2025. Council resolved to remove 4 of the properties that had previously been proposed as potential items and undertake early consultation with the owners of the remaining potential heritage items.
July 2025 – July 2026	Council consultation with owners of the remaining six potential heritage items.
14 July 2026	Council report (Attachment D) to the Outcomes Committee recommended the following three properties to proceed to a local heritage listing under the Fairfield LEP 2013: • 158 Broomfield Street, Cabramatta; • 20 Cabramatta Road East, Cabramatta; and • 97 Vine Street, Fairfield. The Council resolved (Attachment E) to remove the property at 97 Vine Street, Fairfield, from the Planning Proposal, and proceed with a Planning Proposal to list 158 Broomfield Street, Cabramatta and 20 Cabramatta Road East, Cabramatta.

2 Need for the planning proposal

The planning proposal is of result of the Fairfield Heritage Strategy to review potential new heritage items, in accordance with Planning Priority 5 of Fairfield Local Strategic Planning Statement (LSPS) 2024 - to protect the City's heritage.

The proposed amendment to the Fairfield LEP 2013 instrument and associated mapping is the most appropriate means of achieving the planning proposal intended outcome.

The inclusion of new heritage listings in Schedule 5 of the Fairfield LEP 2013 is the only way to provide statutory recognition of the heritage significance of the relevant properties - to ensure their conservation and recognition of the contribution these make to the heritage values of Fairfield City.

The planning proposal is supported by a draft Heritage Assessment (for each of the two proposed local heritage items) prepared by Vanessa Holtham Heritage & Architecture (May 2025; June 2025). The assessments of the heritage significance was prepared in accordance with the NSW Heritage Council guidelines, *Assessing Heritage Significance* (2023).

Under the guidelines, a place or object needs to meet one or more of the 7 criteria to be considered of heritage significance. The assessment should also consider the integrity and condition of the place or object and the level of heritage significance.

The Heritage Assessment for 158 Broomfield Street, Cabramatta concludes by recommending listing as a local heritage item under Fairfield LEP 2013 and provides the following Summary Statement of Significance:

The principal house at 158 Broomfield Street remains substantially intact in footprint, form and presentation. It is a rare surviving example of late 19th Century style house that remains in the Cabramatta and wider Fairfield Local Government Area. The importance of this property's modest materials and style, in terms of assessing the property's heritage and historical significance, should not be underplayed. Many historic properties that survive into the present day are those of wealthy pastoral farmers or other wealthy members of the establishment. This house is of humble origin, and it is this that makes it rare and contributes to its heritage significance.

Whilst this house is not an ornate architect designed property of the same era it is significant as a representative of similar houses that have not made it into the 21st century, which makes it a rare surviving example of its type. It was (very likely) constructed by Barrety Smith following his 1888 purchase, but prior to the 1901 Census, as a household was recorded for him in Broomfield Street. He built the house and lived in it for almost ten years in his retirement before his death in 1926. At that time the house sat on one acre of land that was possibly under some cultivation, likely to be something similar to vegetables or chickens that did not require a large piece of land. He also had a vacant block of land in nearby Sussex Street that allowed direct access to Cabramatta Creek.

The Heritage Assessment for 20 Cabramatta Road East, Cabramatta concludes by recommending listing as a local heritage item under Fairfield LEP 2013 and provides the following Summary Statement of Significance:

This site is historically significant as a remnant of the early wave of suburban development in the Cabramatta region. It has historical associations with the Hoy Family: Alderman William Henry, and daughter Elsie Rae (nee Hoy).

The distinctive form of the house and early plantings, namely canary palms retain aesthetic significance. The visual prominence of the property with three open sides on the corner of an arterial road makes it a landmark in the area. There are also internal features of note such as early, decorative ceilings and wall panelling.

Likely a rare surviving example of buildings of its nature in the Cabramatta area. the building is of particular interest because of its unusual cross-layering of Victorian and Inter-War periods, which is rare in the Fairfield Local Government Area.

The house and garden are representative of the aspirations and means of people from a modest agricultural upbringing in early rural Sydney. The house also likely represents changes that occurred in residential development over time including infilling of verandahs in the Inter-War period.

The assessment against the criteria in the Guideline is summarised in the table (following). A complete assessment is provided in the draft Heritage Assessments – **Attachment F and Attachment G**).

Table 5 Heritage Criteria Assessment

Criteria	Heritage Assessment	
	158 Broomfield Street, Cabramatta	20 Cabramatta Road East, Cabramatta
(a) Historic Significance	This site is significant as a remnant product of the first township subdivision of Cabramatta, and 20th century speculative re-subdivision toward suburbanisation of Cabramatta. Late Victorian era cottage and surrounding property gradually expanded and used as a Farmlet.	This site is historically significant as a remnant of the early wave of suburban development in the Cabramatta region.
(b) Historical Association	As one of the oldest properties in the precinct, the property has some historical associations with Alderman & Deputy Mayor Frederick Crawford.	The house has historical associations with the Hoy Family: Alderman William Henry, and daughter Elsie Rae (nee Hoy)
(c) Aesthetic/Creative/Technical Achievement	The house presents as a distinctly c.1890 Late Victorian-era house through its intact form and detailing including likely original presentation to the street.	The distinctive form of the house and early plantings, namely canary palms retain aesthetic significance. The visual prominence of the property with three open sides on the corner of an arterial road makes it a landmark in the area. There are also internal features of note such as early, decorative ceilings and wall panelling.
(d) Social, Cultural and Spiritual Significance	To determine whether the property has social or cultural significance, further community consultation would be required.	It is not known at this stage whether the property retains any specific social significance.
(e) Research Potential	Further research and inspection required, but the building provides an opportunity to gain a better understanding of how these buildings were made during this early phase of history.	It is not known at this stage whether the property retains any research potential.

Criteria	Heritage Assessment	
(f) Rare	The dwelling is a rare surviving example of a late Victorian era modest cottage/residence of its nature in the Cabramatta and wider Fairfield Local Government area.	Likely a rare surviving example of buildings of its nature in the Cabramatta area. the building is of particularly interest because of its unusual cross-layering of Victorian and Inter-War periods, which is rare in the Fairfield Local Government Area.
(g) Representative	The house is representative of the buildings of a similar nature that were constructed by people with modest means, exemplifying their aspirations in the early suburbanisation of previously rural Cabramatta.	The house and garden are representative of the aspirations and means of people from a modest agricultural upbringing in early rural Sydney. The house also likely represents changes that occurred in residential development over time including infilling of verandahs in the Inter-War period.

The Department is satisfied that a planning proposal is the best means of achieving the intended outcome.

3 Strategic assessment

3.1 NSW State Land Use Plan

The NSW State Land Use Plan (State Plan) commenced on 13 August 2026 and provides an overarching land use planning vision for the growth of NSW over the next 20 years. The State Plan establishes seven (7) Planning Priorities, which are applied through The Sydney Plan (assessed in Section 3.2 below).

The proposal was lodged on 24 July 2026 and does not address the State Plan. The proposal, however, is not generally inconsistent with that plan. In these circumstances, and given the nature of the proposal, it is not considered necessary to amend the planning proposal in this regard.

3.2 The Sydney Plan

The Sydney Plan commenced on 13 August 2026 and revoked the 2018 Greater Sydney Region Plan and district plans. The proposal addresses the revoked Sydney Region Plan and the revoked Western City District Plan.

The proposal seeks to list two sites of local historical, and aesthetic significance, under the Fairfield Local Environmental Plan 2013, ensuring its conservation as part of Fairfield's cultural fabric. Constructed circa 1920's (20 Cabramatta Road East) and circa 1890 (158 Broomfield Street), the sites reflect early residential development patterns and contributes to the distinctive character of the area.

The proposal addresses the draft Sydney Plan and not the finalised plan, as commenced on 13 August 2026. The proposal was lodged prior to the release of this plan.

The Sydney Plan establishes twelve (12) key responses, with associated actions, to achieve the overarching purpose. Given the nature of the proposal, it is not considered that the proposal is inconsistent with the intent of the Sydney Plan and it is not considered necessary for the proposal to be updated in this regard.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	Fairfield Local Strategic Planning Statement (LSPS) 2040 sets the long-term land use vision for Fairfield to 2040. The planning proposal indicates consistency with the LSPS, specifically Planning Priority 5 – protect the City's heritage. This priority reflects Council's strategic commitment preserving heritage items in the City to ensure they can continue to be enjoyed by the community. As indicated, the proposal is supported by individual Heritage Assessments (Attachments F and G) demonstrating that the sites meet the criteria for statutory listing.
Fairfield City Community Strategic Plan 2025-2035	Fairfield City Community Strategic Plan 2025-2035 is Council's Community Strategic Plan (CSP) which provides a framework for the community's vision. <i>Theme 1 Community Wellbeing</i> of the CSP is of relevance to this proposal. This theme has the goal of having a proud diverse community of many cultures that is valued and celebrated, achieved by the community strategy to preserve, protect and celebrate local heritage protected buildings and sites of local significance as well as encouraging active uses. The proposal is supported by heritage assessments that support the heritage listing of the two subject sites.
Fairfield Heritage Strategy 2025-2027	Fairfield Heritage Strategy 2025-2027 provides an overview of how Council intended to support heritage management in Fairfield City. The proposal seeks to list two new local heritage items in the LEP 2013 and is consistent with Recommendation 2: Identify Heritage Items in Fairfield City and list these in the Local Environmental Plan. This recommendation has the outcome of increasing knowledge and proactive management of heritage in the local area. The proposal is supported by individual heritage assessments, that support the heritage listing of the two subject sites.

3.4 Section 9.1 Ministerial Direction – Local Plan Making priorities

The planning proposal's consistency with relevant section 9.1 Ministerial Direction – Local Plan Making priorities is discussed in detail in Table 7.

Council submitted an assessment of relevant section 9.1 directions with the proposal (**Attachment A2** refers). Some inconsistencies were detected in DPHI's assessment and Council officers have provided an amended version at **Attachment A3**, which is satisfactory. A determination condition is recommended for the amended assessment (**Attachment A3**) to be exhibited

Table 7 Section 9.1 Ministerial Direction – Local Plan Making priorities assessment

Direction priority	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
P2.1 - Housing	Yes	P2.1 applies as the planning proposal affects land within an existing residential zone. Specifically, both of the individual subject sites are currently zoned R2 Low Density Residential. The proposal does not seek to reduce permissible residential development, and will make efficient use of infrastructure and services without placing further pressure on either. The proposal is not inconsistent with the direction priority.

P5.5 – Acid Sulfate
Soils

Yes

P5.5 applies as part of 20 Cabramatta Road East, Cabramatta (one of the subject sites) is identified as having a probability of containing acid sulfate soils (class 5) (Figure 9):

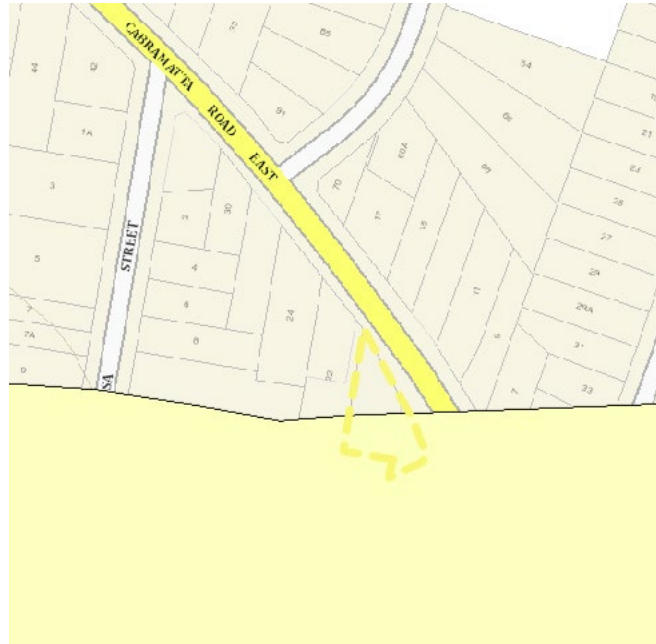


Figure 9: Acid Sulfate Soils Map showing partial affection over 20 Cabramatta Road East (identified with yellow dashed line) (source: e-spatial viewer, 2026)

DPHI notes, however, that the proposal does not intend to intensify the land use and the provisions pertaining to the presence of acid sulphate soils would be a matter for consideration at the development application stage.

The proposal is not inconsistent with the direction priority.

P5.7 – Flooding	Yes	P5.7 applies as the planning proposal identifies that 158 Broomfield Street, Cabramatta is located within flood prone land being in the low flood risk precinct identified under Council's current flood study (Figure 10):  Figure 10: Fairfield Council flood mapping showing partial affectation over 158 Broomfield Street (identified with yellow boundary) (source: Cabramatta Creek Floodplain Management Study) The proposal, however, is limited to heritage listing of the property. The proposal does not seek to create, remove or alter the current zoning. Further, the proposal does not intend to intensify the land use. The provisions pertaining to flood affectation would be a matter for consideration at the development application (DA) stage, should any future development proposals come forward. Consequently, is it considered that the proposal is not inconsistent with the direction priority.
P5.9 Planning for Bush Fire Protection	Yes	The two subject properties are not identified as bush fire prone land or relevant to the preparation of a bushfire prone land map under section 10.3 of the Environmental Planning and Assessment Act.

3.5 State environmental planning policies (SEPPs)

The proposal does not contain provisions which would hinder the operation of any SEPPs.

4 Site-specific assessment

4.1 Environmental

The proposal will not adversely impact upon local critical habitats, threatened species, populations or ecological communities, or their habitats.

One of the sites (158 Broomfield Street, Cabramatta) is identified in the Cabramatta Creek Floodplain Management Study as being in the low flood risk precinct (refer to Figure 10). As indicated, however, it is noted that the proposal is limited to the local heritage listing of the property and as such does not intend to intensify the land use. Should any future development proposals come forward the provisions pertaining to flood affectation will be a matter for consideration at the development application stage.

4.2 Social and economic

The proposal is unlikely to hold any significant social or economic impacts for the community.

4.3 Infrastructure

There is no significant infrastructure demands that will result from the planning proposal.

5 Consultation

5.1 Community

The planning proposal is categorised as standard under the LEP Making Guidelines (July 2026). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

While it is noted that the proposal indicates consultation with Heritage NSW and the Gandangara Local Aboriginal Land Council, given the nature of the planning proposal, it is considered that agency consultancy is not required. Recommended according.

6 Timeframe

Council proposes a seven month time frame to complete the LEP.

The LEP Plan Making Guideline (July 2026) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 26 February 2027 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if a favourable Gateway determination is supported, the determination is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is of local significance, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

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

- is not inconsistent with the State Land Use Plan and The Sydney Plan;
- is consistent with the Fairfield Local Strategic Planning Statement and Local Housing Strategy; and
- will not result in the loss of existing residential capacity.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be amended to include Council's revised Section 9.1 Directions table - dated 1 September 2026.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway determination authorise council to be the local plan-making authority and that an LEP completion date of 26 February 2027 be included within the determination.



7/9/26

Terry Doran

Manager, Central, West and South, Local Planning and Council Support



7/9/26

Mitchell Noble

Director, Local Planning and Council Support

Assessment officer

Lara Levy

Senior Planning Officer, Local Planning and Council Support

02 9895 6408