

Fairfield Local Planning Panel



AGENDA

DATE OF MEETING: 14 July 2020

TIME: 3.00pm

CLOSED BRIEFING SESSION

AGENDA
Fairfield Local Planning Panel
Meeting Date: 14 July 2020

| ITEM | SUBJECT | PAGE |
|------|---|------|
| 26: | SUBJECT: Planning Proposal - Part of 16 Kamira Avenue, Villawood. CLOSED BRIEFING SESSION Premises: Part of 16 Kamira Avenue, Villawood. Applicant: NSW Land and Housing Corporation Owner: Fairfield City Council Zoning: RE1 Public Recreation to R4 High Density Residential File Number: 20/03083..... | 4 |

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Item Number. 26

SUBJECT: Planning Proposal - Part of 16 Kamira Avenue, Villawood.
CLOSED BRIEFING SESSION
Premises: Part of 16 Kamira Avenue, Villawood.
Applicant: NSW Land and Housing Corporation
Owner: Fairfield City Council
Zoning: RE1 Public Recreation to R4 High Density Residential



FILE NUMBER: 20/03083

REPORT BY: Amanda Seraglio, Para Planner

RECOMMENDATION:

That Fairfield Local Planning Panel provide advice on the planning proposal for 16 Kamira Avenue, Villawood for inclusion within a report for Council's consideration.

SUPPORTING DOCUMENTS:

| | | |
|---|--|----------|
| AT-A  | LAHC Planning Proposal - 16 Kamira Avenue, Villawood | 35 Pages |
| AT-B  | VPA - Letter of Offer - Villawood LAHC - 10.02.2020 | 5 Pages |

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

Council is in receipt of a planning proposal for a 430sqm portion of Council owned land at 16 Kamira Avenue, Villawood (part of Lot 31 DP 36718). The land presently forms part of Hilwa Park as referred to in Figure 1 below.

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Figure 1. Site Map

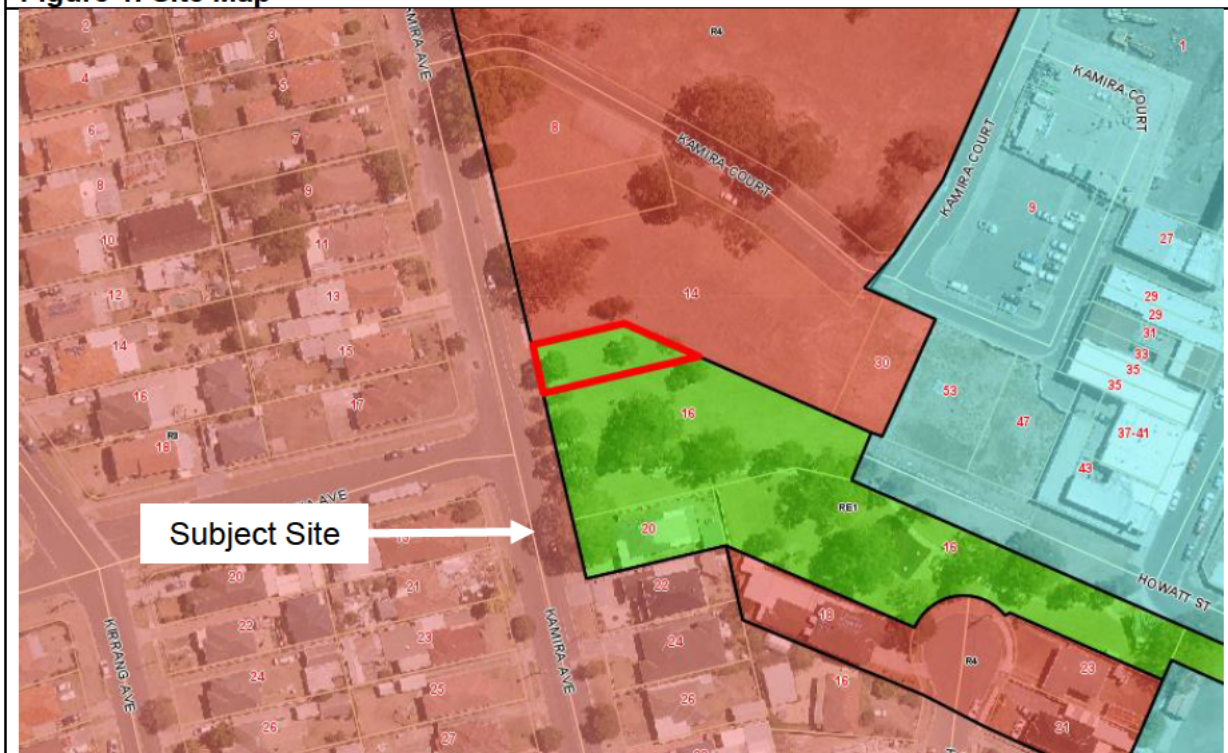


Figure 2. Location Map

The planning proposal (**AT-A**) has been submitted on behalf of NSW Land and Housing Corporation (LAHC) and seeks to:

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- rezone the site from RE1 Public Recreation to R4 High Density Residential;
- amend the height of building map from no development standard to 27 metres;
- amend the floor space ratio map from no development standard to 2.5:1.

It is also noted that the site was reclassified from Community Land to Operational Land on 19 February 1997 under Fairfield LEP 1994 Amendment No.19, and therefore does not require to be reclassified.

This proposal is consistent with the adopted Villawood Town Centre Urban Design Study (VUDS) and compliments the recently gazetted Villawood Town Centre Planning Proposal which increased the maximum height of buildings permitted within the centre, up to 12 storeys.

The intention is for the land to be transferred into LAHC ownership and incorporated into the major Kamira Court renewal project site. In exchange for the subject land, LAHC will dedicate 2,570sqm of its land to Council for the creation of a new 3,000sqm public park and future road connections as identified in the VUDS.

A draft Voluntary Planning Agreement (VPA) has been prepared to accompany the planning proposal.

FAIRFIELD LOCAL PLANNING PANEL (FLPP) REFERRAL CRITERIA

The planning proposal is required to be referred to the Local Planning Panel for advice as set out by the Local Planning Panels Direction – Planning Proposals under section 9.1 of the Environmental Planning and Assessment Act 1979.

REASONS FOR RECOMMENDATION

This report recommends that the subject site be rezoned from RE1 Public Recreation to R4 High Density Residential to ensure that it is consistent with the adopted Villawood Urban Design Study (VUDS).

Council officers have reviewed and assessed the planning proposal. The proposal is deemed to have strategic merit and is supported subject to the resolution of issues outlined within the body of this report.

Accordingly it is requested that the Fairfield Local Planning Panel provide advice on this proposal and that the draft Planning Proposal (incorporating the Fairfield Local Planning Panels advice) be endorsed and forwarded to the Department of Planning, Industry and Environment for Gateway Determination.

THE SUBJECT SITE

The subject site (part of 16 Kamira Avenue) (See Figure 1) is owned by Fairfield City Council and forms part of Hilwa Park. The proposal applies to 430sqm of the Park which is presently zoned RE1 Public Recreation and is classified as Operational Land.

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The subject site is within the Villawood Town Centre Urban Design Study area (**Figure 3**), which was adopted by Council in March 2018. The Urban Design Study informed a planning proposal and draft development control plan for the renewal of Villawood Town Centre. The planning proposal was gazetted on 5 June 2020.



Figure 3. Extract from Villawood Town Centre Urban Design Study

The site is surrounded by:

- To the north – R4 High Density Residential zoned site owned by NSW LAHC
- To the east – R4 High Density Residential zoned site owned by NSW LAHC, future road and the B2 Local Centre, Villawood Town Centre
- To the south – RE1 Public Recreation portion of the Hilwa Park and R4 High Density Residential and R3 Medium Density Residential land
- To the east – Kamira Avenue and R3 medium Density Residential land.

BACKGROUND

The subject site formed part of the Villawood Town Centre Urban Design Study which was adopted by Council in 2018. The VUDS identified greater density for the LAHC site and recommended increased Floor Space Ratio and Height of Building controls.

The VUDS also identified a future road network to support the growth of the town centre. This new road network included a road extension from Howatt Street to Kamira Avenue (**Figure 4**).

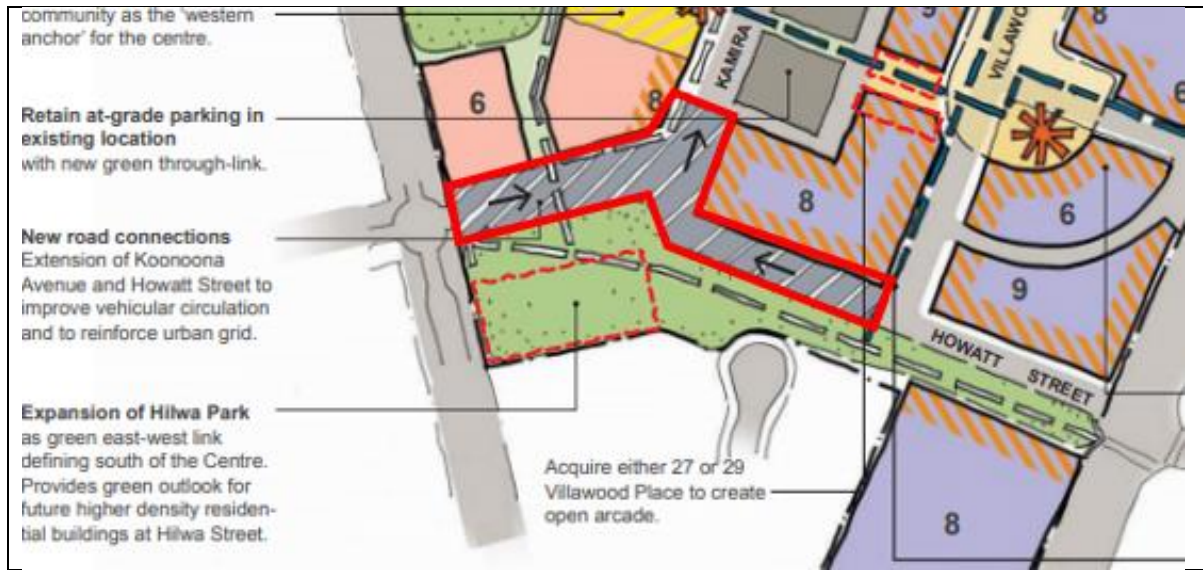


Figure 4. Proposed Road Extension

This road extension would leave a small portion (approximately 430m²) of Hilwa Park (**Figure 3**) isolated between the new road and the NSW LAHC redevelopment site.

Consultation with LAHC during the finalisation of the now gazetted planning proposal recognised this issue. Accordingly, it was agreed that the current outcome for this portion of the town centre was not the one envisaged in the VUDS and without a rezoning would result in there being an isolated parcel of council owned open space separated from the main body of Hilwa Park by the future new access road to the immediate south.

It was agreed that the land should be rezoned as proposed in the VUDS and that a land swap arrangement between the two bodies would be pursued. This would ultimately achieve a better planning outcome by incorporating the subject land into the LAHC redevelopment site on the northern side of the new road and LAHC dedicating land that it owns for the new access road and 3,000sqm public park.

PROPOSED AMENDMENTS TO THE FAIRFIELD LEP 2013

This proposal seeks to resolve that issue and ensure that the site is consistent within the VUDS.

The Environmental Planning and Assessment Act 1979 (the EP&A Act) and the Environmental Planning and Assessment Regulation 2000 (EPA (Reg.)) set out:

- Requirements for rezoning land;
- Requirements regarding the preparation of a local environmental study as part of the rezoning process;
- Matters for consideration when determining a development application; and
- Approval permits and/or licences required from other authorities under other legislation.

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The planning proposal has been prepared in accordance with the requirements set out in section 3.33 of the EP&A Act in that it explains the intended outcomes of the proposed instrument. The planning proposal also provides justification and an environmental analysis of the proposal.

The planning proposal seeks to amend the following provisions of Fairfield Local Environmental Plan (LEP) 2013 across the site:

- rezone the site from RE1 Public Recreation to R4 High Density Residential (**Figure 5**);
- introduce a height of building for the site of 27 metres;
- introduce a floor space ratio for the site of 2.5:1.

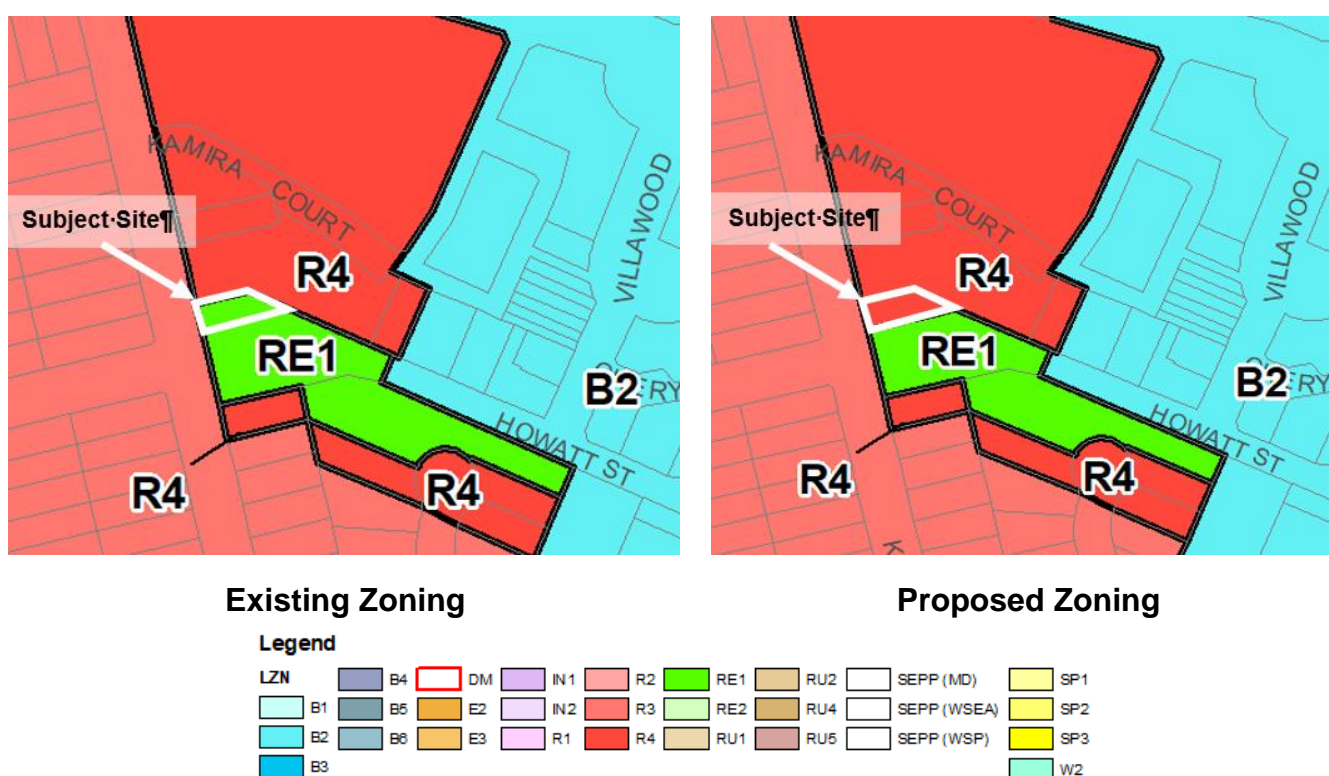


Figure 5. Existing and Proposed Zoning Maps

A. VOLUNTARY PLANNING AGREEMENT

To support the planning proposal, the LAHC have advised that they propose to enter into a voluntary planning agreement (VPA) with Council to facilitate the outcome of a significant 3,000m² neighbourhood park and new road connections.

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Figure 6 – Map of land to be acquired and dedicated to Council

| Land | Future Use | Quantum | Current Zoning |
|--------------------|------------------------|----------------------------|----------------|
| 37/202006 (Part) | Public Open Space | 1260m ² | R4 |
| 39/202006 (Part) | Public Open Space | 500m ² | R4 |
| 381/1232437 | Future Road Connection | 403m ² | R4 |
| 382/1232437 (Part) | Future Road Connection | 480m ² | R4 |
| Total | | 2,643 m² | |

Table 1 – Land to be dedicated to Council

| Land | Future Use | Quantum | Current Zoning |
|-------------------|---|---------------------------|----------------|
| 31/36718 | Incorporated into development site consistent with Urban Design Study creating consistent street wall | 430m ² | RE1 |
| Kamira Court Road | Incorporated into development site to facilitate built form and street pattern in Urban Design Study. | 1,260m ² | R4 |
| Total | | 1,670m² | |

Table 2- Land to be acquired by LAHC

The VPA will also formalise some of the community benefits that were directly associated the recently gazetted Villawood Town Centre Planning Proposal in addition to the land associated with this planning proposal. The items proposed in the VPA are consistent with and activate the urban framework plan outlined within the Villawood Urban Design Study (VUDS) 2018.

Ultimately the land swap as part of the VPA arrangement will result in a net increase of 973sqm land in Fairfield City Council's favour. Additionally, while there is a net increase, the suitability of the land to be dedicated to Council will also be more rational parcel and provide a significant community benefit.

Notwithstanding, the VPA offer will undergo a separate evaluation process and if supported provide the necessary legally binding commitments concerning the proposed arrangements.

In this regard, the VPA offer is presently being evaluated by Council officers and will be reported to Council prior to the public exhibition of the draft planning proposal should it receive a Gateway Determination from the NSW Department of Planning, Industry and Environment.

B. STRATEGIES AND STUDIES

STATE ENVIRONMENTAL PLANNING POLICIES

SEPP No. 65 Design Quality of Residential Apartment Development (SEPP 65)

Concepts for the site were reviewed considering urban design principles envisaged in the Urban Design Study, the requirements of SEPP 65 and the accompanying Apartment Design Guide (ADG). The planning proposal meets the objectives of the Villawood Urban Design Study and the matters requiring consideration under SEPP 65 and the ADG. Future development within the Villawood Town Centre will be subject to the SEPP 65 and the ADG.

SEPP 55 – Remediation of Land

SEPP 55 introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose.

The Villawood Town Centre Planning Proposal confirmed that the town centre including 16 Kamira Avenue, did not have any previous history of development or use requiring remediation to make it suitable for any medium and high density development. However, should land contamination be uncovered as part of the development process, works will be undertaken in accordance with SEPP 55.

METROPOLITAN STRATEGIES**Metropolis of Three Cities – A vision to 2056 (Metro Strategy)**

The Metro Strategy is the overarching strategic land use plan for the Greater Sydney Metropolitan area, outlining the strategic vision for managing growth to 2056. The vision seeks to transform Greater Sydney into a metropolis of three cities, with the site being located within the Western Parklands City.

The strategy for Greater Sydney is underpinned by ten strategic directions each with specific objectives designed to deliver the plan. This planning proposal will support the renewal of Villawood Town Centre as envisaged by the Villawood Town Centre Urban Design Study, providing additional housing and open space within the Town Centre and stimulating economic development.

The renewal of Villawood aligns with the following key objectives of the Greater Sydney Region Plan:

- Objective 10: Greater Housing Supply
- Objective 11: Housing is more affordable and diverse
- Objective 12: Great places that bring people together
- Objective 14: Integrated land use and transport creates walkable and 30-minute cities.
- Objective 31: Public open space is accessible, protected and enhanced.

Western City District Plan

The Western City District Plan sets out 20 strategic planning priorities to achieve the Plan's vision. Table 3 below sets out the key planning priorities applicable to this proposal and justification of consistency.

| Table 3 – Western City District Plan key principles | |
|--|--|
| Planning Priority | Consistency of Planning Proposal |
| Planning Priority W1 – “Planning for a city supported by infrastructure” | The proposal maximises the high density residential in the Villawood City Centre which seeks to increase growth adjacent to Villawood Station and offer community and recreational facilities. |
| Planning Priority W5 – “Providing housing supply, choice and affordability with access to jobs, services and public transport” | The proposal will boost and contribute to the 6-10 year housing supply within Villawood City Centre which has the potential to accommodate up to 1,295 new apartments. The site is within walking distance of services, community facilities and the rail station, able to deliver the ‘30-minute City’. |
| Planning Priority W6 – “Creating and renewing great places and local centres, and respecting the District’s heritage” | The proposal seeks to support the implementation of the Villawood Town Centre Urban Design Study which sets out an approach to the renewal of Villawood which aligns with this action. |

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| Planning Priority W7 – “Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City” | This proposal seek to implement the Villawood Town Centre Urban Design Study, which locates housing growth in close proximity to Villawood Railway Station supporting the vision of the 30-minute city. |
| Planning Priority W18 – “Delivering high quality open space” | Whilst this Planning Proposal seeks to rezone open space for residential development, the LAHC renewal project for Villawood Town Centre, includes the development of a 3,000sqm park. This new open space will ensure that Villawood Town Centre complies with the requirement for high density residential areas to be within 200m of open space. This new park will become a desirable and sought to space to enjoy for residents inside and adjoining the development site. |

Draft Greener Places and Policy

This urban green infrastructure state policy released in draft by the Government Architect NSW in November 2017, identifies objectives to promote a more liveable, healthier and natural green space environment. This proposal is consistent with a number of the performance criteria listed in the policy for planning of open space and recreation areas. Whilst this planning proposal specifically seeks to rezone land from RE1 to R4, the proposal forms part of the overall renewal project for Villawood, which will include a 3,00sqm park that is within a short walking distance from a high density development.

Fairfield Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) has recently been finalised, it identifies Villawood as a town centre that has the potential to grow and increase its built form permissibility within the town centre. The LSPS makes reference to the Villawood Urban Design Study and the resulting planning proposal to facilitate the renewal of the town centre.

This proposal is consistent with the following key objectives in the LSPS:

- Planning Priority 1- Providing housing that accommodates the needs of the existing and future residents.
- Planning Priority 2- Deliver greater housing diversity and affordability to meet the changing needs for the community.
- Planning Priority 3- Plan for and manage areas identified for future urban development.
- Planning Priority 4- Provide attractive, healthy and safe places for the whole community.

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LOCAL PLANNING CONSIDERATIONS

2016 – 2026 Fairfield City Plan (City Plan)

The Planning Proposal is consistent with all relevant themes and goals within the City Plan. The table below illustrates how the planning proposal aims to achieve the outcome of its themes and goals.

| Table 4 - 2016 – 2026 Fairfield City Plan (City Plan) key themes | | |
|--|---|---|
| Relevant FCCSP Outcome within the theme | Outcome | How the planning proposal achieves the outcome |
| Theme 2 – Places and Infrastructure | High quality development that meets the community's needs. | Provides diversity in housing type to meet needs of the community in an accessible location. |
| | Open spaces are well utilised for entertainment, leisure and recreation opportunities for all | Will provide a publically accessible neighbourhood park of 3000m ² in a precinct with significant undersupply of accessible and attractive open space. |

Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013)

The Fairfield LEP is the key environmental planning instrument that applies to the site.

In summary the planning proposal will:

- Provide appropriate housing types to meet a range of lifestyles and cultures,
- Provide a built form that is sensitive to the existing character of the surrounding residential properties and will not generate any unacceptable impacts on the amenity of the neighbouring dwellings, and
- Integrate development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

| Table 5 – Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013) compliance with objectives | |
|--|--|
| Objective FLEP 2013 | Proposal Compliance |
| To ensure that appropriate housing opportunities are provided for all existing and future residents and that those housing opportunities accommodate different lifestyles, incomes and cultures. | Together with the original planning proposal for Villawood Town Centre, the development of 1,295 new dwellings will increase the diversity of housing opportunities in the City. |

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| To ensure that the economic, employment and educational needs of the existing and future community are appropriately planned for. | Will continue to generate employment retail, service and commercial related employment. |
| To conserve the environmental heritage of Fairfield. | Given the developed nature of the site, will not impact on heritage infrastructure. |
| To protect and manage areas of remnant bushland, natural watercourses and threatened species. | Given the developed nature of the site, will not impact on sensitive ecological systems. |
| Objectives of possible R4 High Density Residential Zone | Proposal Compliance |
| To provide for the housing needs of the community within a high density residential environment. | Will contribute to the development of 1,295 new apartments within a city centre context. |
| To provide for a variety of housing types within a high density residential environment. | Will contribute to a development mix with a variety of one, two and three bedroom apartments. |
| To enable other land uses that provide facilities or services to meet the day to day needs of residents. | Will be within a mixed use development offering close proximity to services and facilities. |
| To maximise opportunities for increased development on all land by encouraging site amalgamations. | LAHC are working alongside Fairfield City Council owned land to complete their renewal project for Villawood. |
| Objectives of possible RE1 Zone Public Recreation Zone | Proposal Compliance |
| To enable land to be used for public open space or recreational purposes. | Will result in the creation of a neighbourhood park of 3000m ² which will be dedicated back to Council. |
| To provide a range of recreational settings and activities and compatible land uses. | Will create a neighbourhood park within a higher density residential environment. |
| To protect and enhance the natural environment for recreational purposes. | Will reintroduce a green space in a highly development precinct current lacking access to open space. |

Villawood Centre Urban Design Study 2018

The Villawood Centre Urban Design Study (study) was adopted by Fairfield City Council on 27 March 2018. The study guides urban design options for the Villawood Town Centre. The study guides development proposals with recommended height of buildings, floor space ratios and potential community benefits such as open space, pedestrian and vehicular links.

In the study, 16 Kamira Avenue is proposed to be developed for a new road connection, which will improve vehicular circulation and reinforce the urban grid. The northern portion of the subject site is proposed to be integrated with the development associated with the LAHC site, as identified in the Villawood Town Centre Development Control Plan and UDS. The development proposed is high density residential blocks with active street

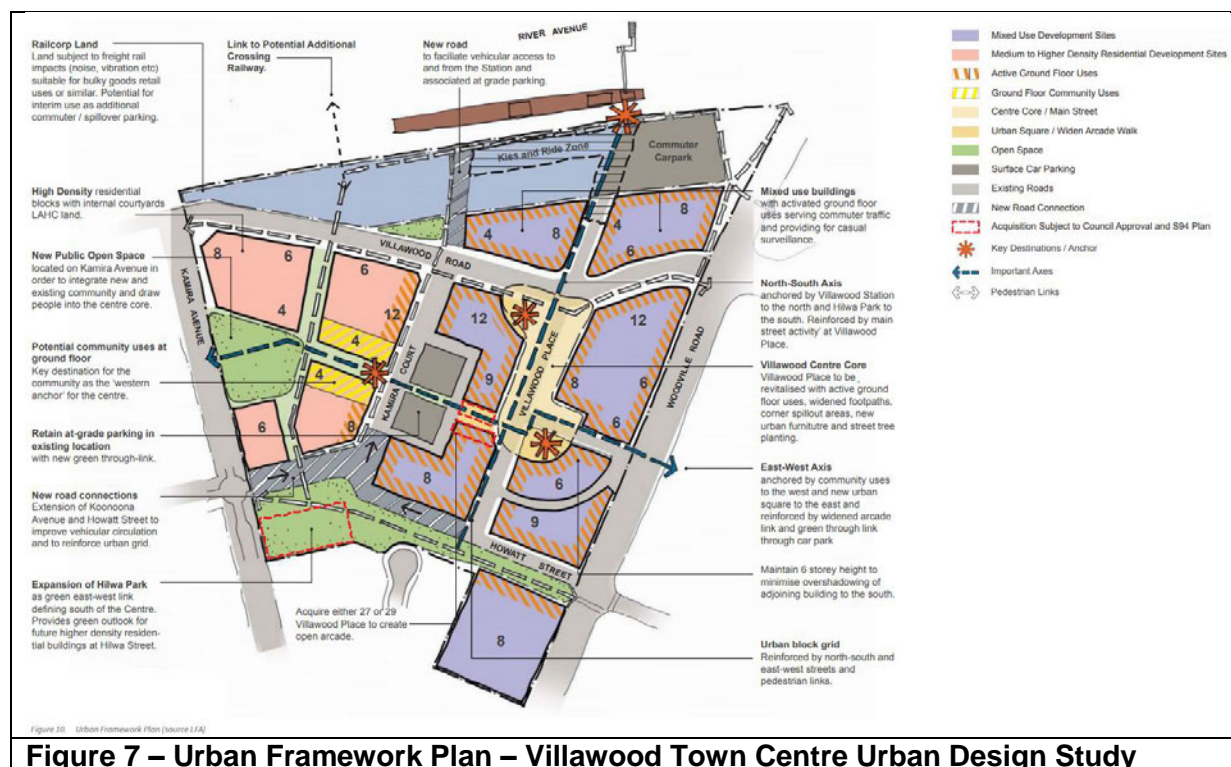
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frontages on the ground level, as per the Villawood Urban Design Study, see figure 4 below.

- a height of building of 27 metres.
- a floor space ratio of 2.5:1, and
- vehicular and pedestrian connections.



C. INTERNAL REFERRALS

Open Space – Part of the subject site is proposed to facilitate a land swap, which will result in the dedication of land to Council which will form part of a new 3000sqm public park. As part of the development application to Council the applicant must provide a detailed landscape maintenance plan. The landscape plan should identify a plant list including species, number and location of all vegetation that will improve the open space area. A well-designed open space and environment encourages a positive, usable attractive space that allows different modes of transport into the development, such as cycling infrastructure.

Comment: Council's Recreation and Open Space Office has no concerns regarding the current planning proposal with matters identified for consideration as part of a future development application.

Property Management – The planning proposal identifies the rezoning of community land; this is required to be reclassified as part of this proposal. The process of the acquisition of the public road, Kamira Court will need to address roadway widths, and street lighting to comply with relevant Council or Australian Standards. Consideration of

pedestrian safety, fencing and bollards, tree species and various required Council approvals will be required.

Comment: Council's Property Section has no objections to the planning proposal. It is recommended to expedite the acquisition of the public road (Kamira Court) that the Department of Housing proceed via compulsory acquisition rather than Council proceed along the protracted road closure process. It is noted that part lot in 31 DP 36718 being part of Hilwa Park Reserve is classified operational land and will not impose any restrictions on the Department of Housing to acquire the 430sqm required as part of the VPA.

CONSULTATION STRATEGY

This Planning Proposal will be required to be on public exhibition for a minimum statutory period of 28 days and will involve:

- Notification to landowners both within and directly adjoining the land affected by the proposal
- Notice in the online local newspaper;
- Publication of all relevant information on Council's website; and

The Gateway Determination will likely require Council to undertake consultation with numerous State Government authorities, agencies and utility providers. Following public exhibition, a report will be referred back to Council for consideration of submissions received as a result of public exhibition and consultation with the State authorities, agencies and utility providers.

As the owner of the land that is subject to the planning proposal, Council will not seek delegation to finalise the planning proposal.

CONCLUSION

This planning proposal will ensure consistency with the Villawood Development Control Plan and Urban Design Study. This planning proposal is accompanied by an Voluntary Planning Agreement with Council to make arrangements for the dedication of public open space and new road connections within LAHC's Kamira Court renewal project, which includes a 3,000sqm park. This park will meet the supply needs of the town centre as outlined in the Greater Sydney Regional Plan and Western City District Plan.

Subject to Council's resolution, the Planning Proposal will be submitted for Gateway Determination to permit community consultation.

A further report will also be submitted to Council at the conclusion of the public consultation period.

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Amanda Seraglio
Para Planner

Authorisation:

Coordinator Strategic Planning
Manager Strategic Land Use & Catchment Planning

Fairfield Local Planning Panel - 14 July 2020

File Name: **FLPP14072020_1.DOCX**

***** END OF ITEM 26 *****

Planning Proposal



Open Space Implementation, Villawood Town Centre

Kamira Avenue, Villawood

Prepared on behalf of NSW Land and Housing Corporation

February 10, 2020

Document control

Authors

| | |
|-------------|--------------------------|
| Reviewed by | Michael File, Director |
| Prepared by | Anna Johnston, Associate |

Project summary

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|----------------------|--|
| Applicant | NSW Land and Housing Corporation |
| Applicant's address | Level 5, 219-241 Cleveland Street Strawberry Hills NSW 2012 |
| Land to be developed | Part of 16 Kamira Avenue, Villawood |
| Legal description | Part of Lot 31 DP36718 |
| Project description | Rezoning of land for consistency with Fairfield City Council's 2018 Villawood Town Centre Urban Design Study |

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Executive summary

The purpose of this Planning Proposal is to facilitate the creation of the major Kamira Avenue open space and orderly development of the Town Centre as proposed by the 2018 Villawood Town Centre Urban Design Study, Draft DCP and recent Planning Proposal.

This Planning Proposal and VPA seeks to:

- 1. rezone 430m² of land which forms part of Hilwa Park at 16 Kamira Avenue (Lot 31 DP36718) within the Villawood Town Centre;**
 - The subject site is currently within the ownership of Fairfield City Council and is currently zoned RE1 Public Recreation. This Planning Proposal seeks to rezone the site to R4 High Density Residential, with height and floor space ratio controls consistent with the Villawood Town Centre Urban Design Study and surrounding land;
- 2. address a discrepancy between Council's Villawood Town Centre Urban Design Study;**
 - The Urban Design study recommends rezoning of the site to R4 High Density Residential with Council's Villawood Town Centre Planning Proposal (PP_2018_FAIRF_001_00) incorrectly proposes retention of the RE1 Public Recreation zone for this site; and
- 3. allow for Council's vision for a 3,000m² centrally located open space area to be realised through a Voluntary Planning Agreement (VPA);**
 - Consistent with the relevant Council documents, and to confirm LAHC's commitment to delivering the 3,000m² of open space within its future Kamira Court project, this Planning Proposal is accompanied by an offer to enter into a VPA with Council.
 - This VPA will facilitate the creation of the abovementioned open space, and new road connections, through the absorption of the 430m² Hillwa parcel into a development site and ensure dedication of the final 3,000m² Kamira Avenue open space in the desired central location back to Council.
 - LAHC will acquire the 430m² of land from Council up front, for incorporation into its redevelopment precinct, to enable future land dedications to occur back to Council as part of the project delivery works.
- 4. Combine other parcels consistent with the Town Centre planning into orderly development sites.**
 - Pursuing the Planning Proposal would address LAHC's concern for potential 'dead space', which would arise in front of future buildings fronting onto the extended Koonoona Avenue. Council would also be obliged to maintain this dead space in perpetuity. With this in mind, LAHC supports the orderly design concepts envisaged by Council's Urban Design Study.

The Planning Proposal and VPA will result in a net increase in land under Council ownership of 973m² and a significant increase in functional and useable open space of 2,570m² (approximately, subject to detailed surveys) and will ensure an appropriate supply of open space to meet the needs of the Villawood Town Centre, consistent with relevant policies on provision of open space including as outlined in the Western City District Plan and NSW Government Architect draft Open Space for Recreation Guide 2018.

All other issues associated with this Planning Proposal have been considered and addressed in the Villawood Town Centre Planning Proposal prepared by Council (PP_2018_FAIRF_001_00).

1 Background

The renewal of Villawood Town Centre was investigated by Council through its preparation of the Villawood Town Centre Urban Design Study (27 March 2018), which informed a Planning Proposal and draft Development Control Plan (DCP). The Planning Proposal and draft DCP were endorsed by Council in April 2018 and issued with a Gateway determination on 13 July 2018 (which was subsequently altered on 9 August 2019). Council's Planning Proposal and draft DCP were publicly exhibited from 19 June 2019 to 19 July 2019 and are yet to be finalised.

The Urban Design Study recommended that the area of Hilwa Park subject of this Planning Proposal be rezoned to R4 High Density Residential, whereas the Villawood Town Centre Planning Proposal incorrectly identifies this land as being retained as RE1 Public Recreation. This land was also identified to accommodate future high density residential housing in the draft DCP.

This Planning Proposal relates to 430m² of land which forms part of Hilwa Park at 16 Kamira Avenue (Lot 31 DP36718) within the Villawood Town Centre. The site is currently within the ownership of Fairfield City Council.

This Planning Proposal seeks to:

- a) rezone the abovementioned land from RE1 Public Recreation to R4 High Density Residential and apply height and floor space ratio controls consistent with the Villawood Town Centre Urban Design Study.

The basis for seeking to rezone RE1 Public Recreation land is that:

- a) It is already contemplated by Council's reference documents which recommends rezoning of the 430m² site to R4 High Density Residential, with Council's Villawood Town Centre Planning Proposal (PP_2018_FAIRF_001_00) incorrectly proposing retention of the RE1 Public Recreation zone for this site; and
- b) It will allow for a significant net increase in the precinct's public open space and achievement of Council's vision for a 3,000m² centrally open space within the Villawood Town Centre, with certainty of this outcome secured through a VPA.

2 Site and context

2.1 Land description

This Planning Proposal relates to part of Hilwa Park at 16 Kamira Avenue, Villawood which is within the ownership of Fairfield City Council. The park forms a linear local open space linking from Kamira Avenue at the West to Hilwa Street at the East. To the North of the park are the NSW Land and Housing Corporation (LAHC) Kamira Court landholdings which are currently vacant. To the South of the park is an existing low density residential area.

16 Kamira Avenue comprises Lot 31 DP36718 and Lot 27 DP217764, however this Planning Proposal only relates to the northern portion of Lot 31 DP36718 which comprises 430m² of land fronting Kamira Avenue. This area of land is largely cleared of vegetation with the exception of a few scattered trees and limited landscape planting.



Figure 1: LAHC landholdings and subject site

3 Current planning controls

The subject site is currently zoned RE1 Public Recreation, as shown in Figure 2. No height of buildings, floor space ratio controls or other site specific controls apply under the *Fairfield Local Environmental Plan 2013* (Fairfield LEP).

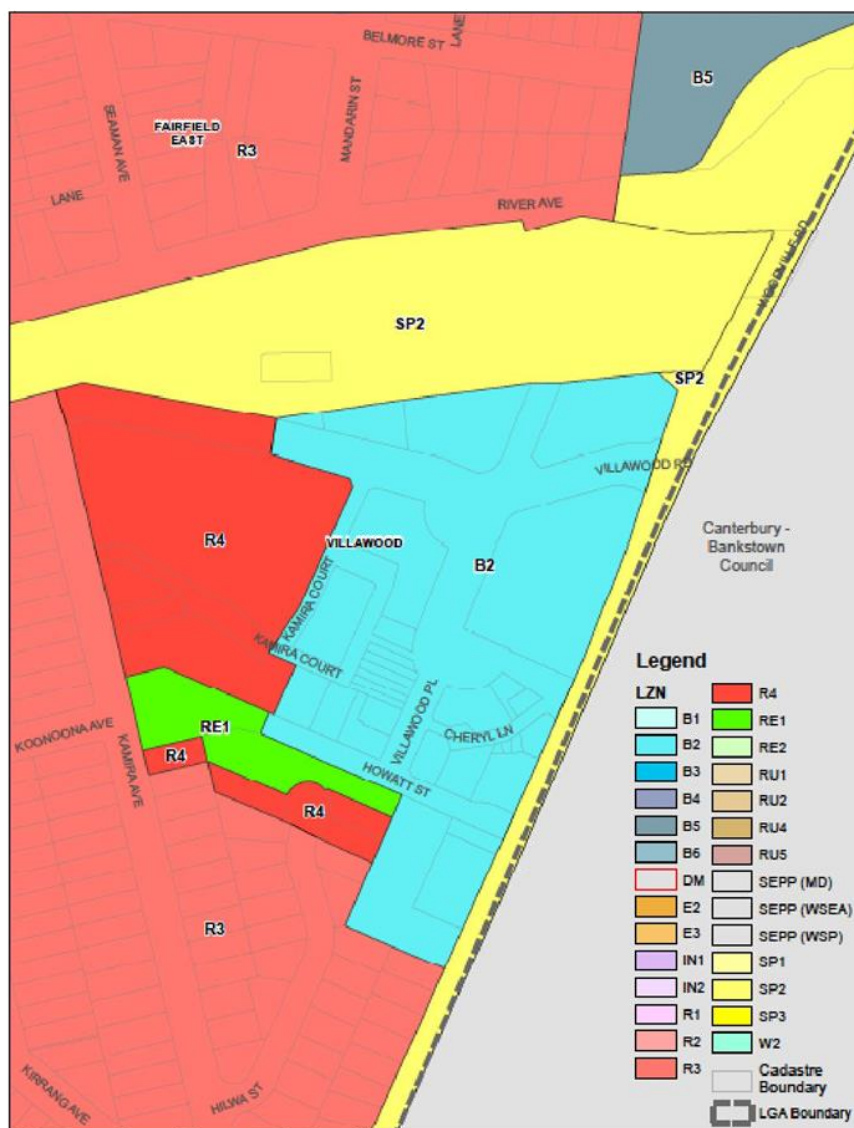


Figure 2: Existing zoning

4 Villawood Town Centre Planning Proposal

The Villawood Town Centre Planning Proposal was prepared by Fairfield Council to revitalise the town centre through the identification of appropriate densities and public domain improvements to support urban renewal. The Planning Proposal sought minor zoning changes along with changes to the height of buildings and floor space ratio controls to facilitate up to 1,295 dwellings within the town centre comprising up to 895 dwellings within the existing B2 Local Centre zone and 400 dwellings on the adjacent LAHC land. The Planning Proposal was endorsed by Council on the 24 April 2018 and was publicly exhibited from 19 June 2019 to 19 July 2019, and is yet to be finalised.

Under the Planning Proposal the subject site is retained as RE1 Public Recreation zone.

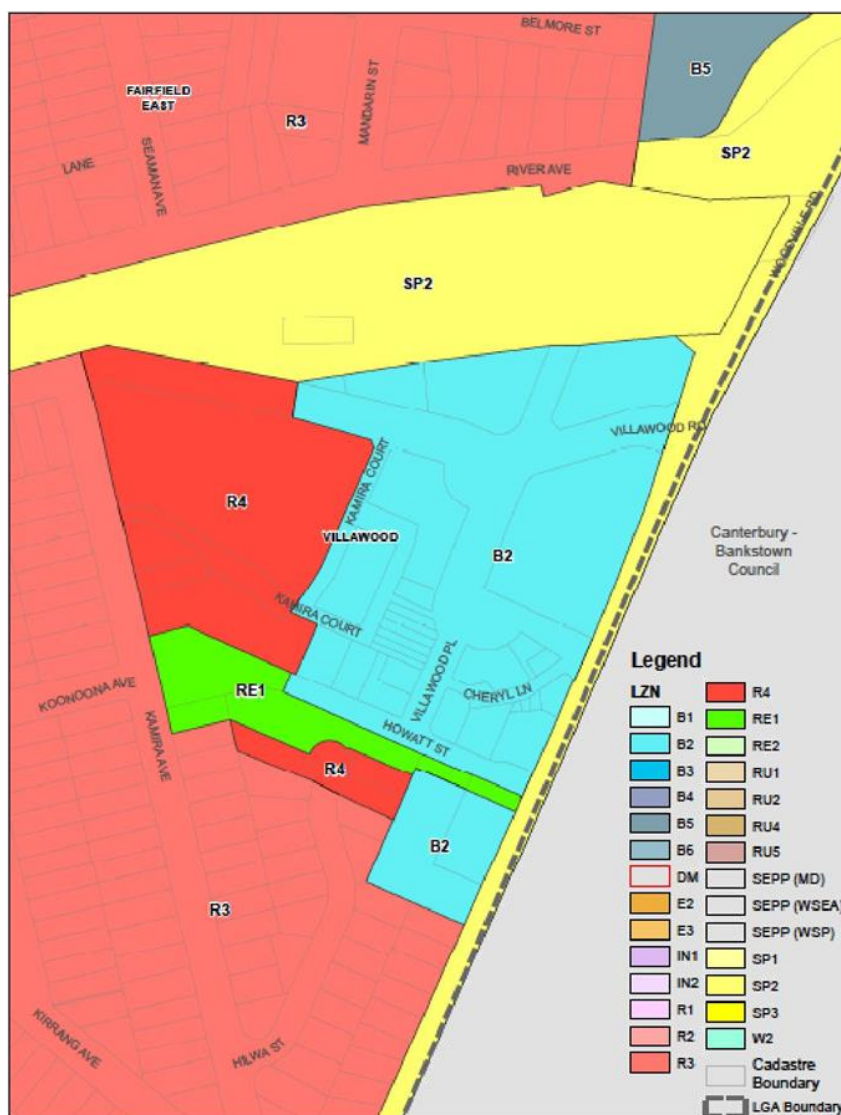


Figure 3: Villawood Town Centre Planning Proposal – Proposed Zoning

4.1 Villawood Town Centre Urban Design Study

The Planning Proposal was informed by the Villawood Town Centre Urban Design Study (27 March 2018) which identified opportunities for increased building height and density along with open space and public domain improvements.

The Urban Design Study Structure Plan (Figure 5) proposed that Koonoona Avenue, to the West Hilwa Park, be extended across the park to connect to Kamira Court to the North and Howatt Street to the East. The part of Hilwa Park to the north of the proposed road extension comprises the subject site and was proposed to accommodate future medium and high density residential development. It also envisaged Hilwa Park be expanded to the South through the future acquisition of the residential lot at 20 Kamira Drive.

The Urban Design Study recommended that the subject site be rezoned to R4 High Density Residential (Figure 6) consistent with the structure plan, and to apply a floor space ratio of 2.5:1 and a height of buildings of 27m.

The Urban Design Study also recommended a new local park on the LAHC Kamira Court landholdings fronting Kamira Avenue. This open space will be delivered in the renewal of LAHC's landholdings.

4.2 Villawood Town Centre Draft Development Control Plan

The Villawood Town Centre Draft Development Control Plan (DCP) was exhibited alongside the planning proposal. The draft DCP incorporates the Urban Design Study Structure Plan, and establishes built form controls for the subject site based on its redevelopment for high density residential.

Accordingly, the proposed zoning for the site under the Villawood Town Centre Planning Proposal is currently inconsistent with the draft DCP. Accordingly, this Planning Proposal seeks to amend the zone controls which apply to the site consistent with the recommendations of the Urban Design Study and the draft DCP.

Figure 7 below from DCP Figure 8 clearly shows the intention for a consistent street block on the Hilwa Park Parcel.



Figure 4: Villawood Town Centre Urban Design Study – study area

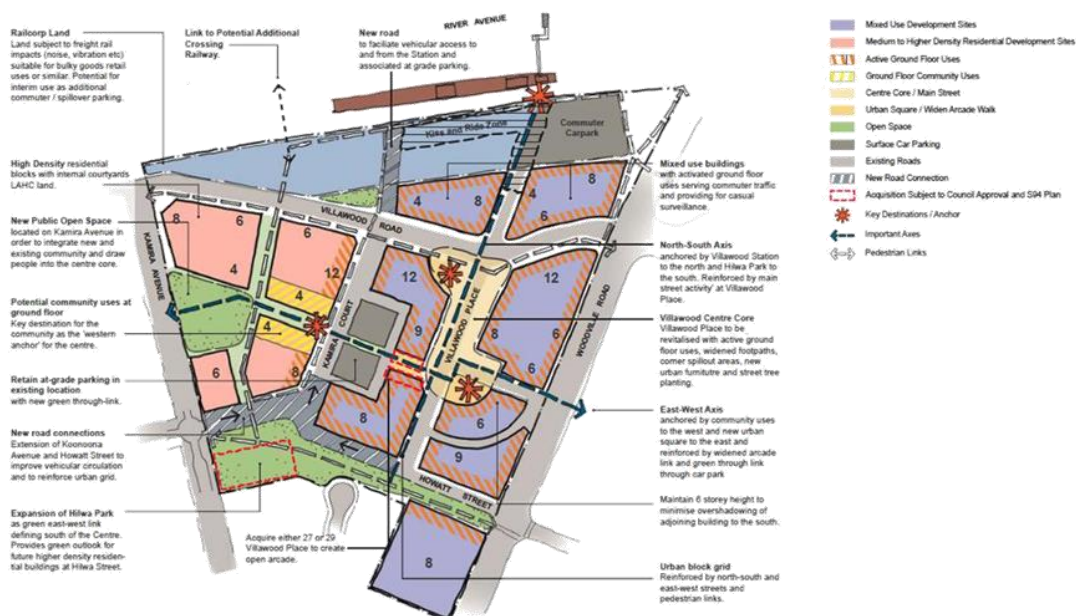


Figure 5: Villawood Town Centre Urban Design Study – structure plan

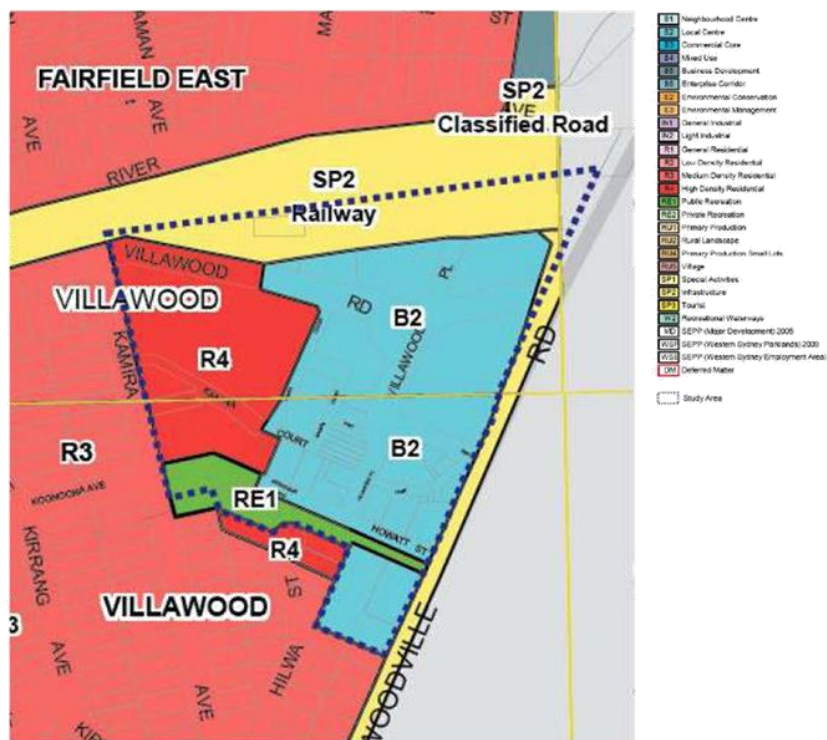


Figure 6: Villawood Town Centre Urban Design Study – recommended zoning

5 Strategic context

5.1 Greater Sydney Region Plan

The final Greater Sydney Region Plan, A Metropolis of Three Cities was released by the Greater Sydney Commission in March 2018. The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities. It establishes directions, objectives and actions to achieve the 40-year vision which are focused around infrastructure and collaboration, liveability, productivity and sustainability.

The Greater Sydney Region Plan also aims to provide ongoing housing supply and a range of housing types in the right places to create more liveable neighbourhoods and support Sydney's growing population.

This Planning Proposal will support the renewal of Villawood town centre as envisaged by the Villawood Town Centre Urban Design Study, providing additional housing and open space within the town centre and stimulating economic development.

The renewal of Villawood aligns with the following key objectives of the Greater Sydney Region Plan:

- Objective 10: Greater housing supply
- Objective 11: Housing is more affordable and diverse
- Objective 12: Great places that bring people together
- Objective 14: Integrated land use and transport creates walkable and 30-minutes cities.
- Objective 31: Public open space is accessible, protected and enhanced

The aspirations of the Plan are further considered and expanded in the Western City District Plan which is discussed in Section 5.2 below.

5.2 Western City District Plan

The Western City District Plan has been developed to support the Greater Sydney Region Plan. The 20-year District Plan seek to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It contains planning priorities and actions for implementing the Greater Sydney Region Plan at the district level and is a bridge between regional and local planning.

The proposal is considered to align with the relevant priorities and actions of the Plan in **Table 1** below.

Table 1: Western City District Plan

| Action | Consideration |
|--|--|
| Planning Priority W1: Planning for a city supported by infrastructure | |
| Action 3: Align forecast growth with infrastructure | The proposal seeks to implement the Villawood Town Centre Urban Design Study which seeks to increase growth adjacent to Villawood Station. |
| Planning Priority W5: Providing housing supply, choice and affordability with access to jobs, services and public transport | |
| <p>Action 16: Prepare local or district housing strategies that address the following:</p> <ul style="list-style-type: none"> the delivery of five-year housing supply targets (2016-2021) for each local government area (LGA); the delivery of 6-10 year (when LGA); capacity to contribute to the longer term 20-year strategic housing target for the District; and the housing strategy requirements outlined in Objective 10 of A Metropolis of Three Cities. | The proposal will contribute to the 6-10 year housing supply within the local area through supporting the implementation of the Villawood Town Centre Urban Design Study which has potential to accommodate up to 1,295 new dwellings. |
| Planning Priority W6: Creating and renewing great places and local centres and respecting the District's heritage | |
| <p>Action 18: Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> prioritising a people-friendly public realm and open spaces as a central organising design principle; recognising and balancing the dual function of streets as places for people and movement; providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres; integrating social infrastructure to support social connections and provide a community hub; and recognising and celebrating the character of a place and its people. | The proposal seeks to support the implementation of the Villawood Town Centre Urban Design Study which sets out an approach to the renewal of Villawood which aligns with this action. |

| | |
|---|--|
| Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City | |
| Action 24: Integrate land use and transport plans to deliver the 30-minute city. | The proposal seeks to implement the Villawood Town Centre Urban Design Study which locates housing growth in close proximity to Villawood Station supporting the vision of the 30-minute city. |
| Planning Priority W18: Delivering high quality open space | |
| <p>Action 71: Maximise the use of existing open space and protect, enhance and expand public open space by:</p> <ul style="list-style-type: none"> — providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow; — investigating opportunities to provide new open space so that all residential areas are within 400 metres of open space and all high density residential areas (over 60 dwellings per hectare) are within 200 metres of open space; — requiring large urban renewal initiatives to demonstrate how the quantity of, or access to, high quality and diverse local open space is maintained or improved; — planning new neighbourhoods with a sufficient quantity and quality of new open space; — delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses; — delivering or complementing the Greater Sydney Green Grid; and — providing walking and cycling links for transport as well as leisure and recreational trips. | <p>Whilst the Planning Proposal seeks to rezone open space for residential uses, it will facilitate the LAHC's Kamira Court renewal project which will include a new 3,000m² park (a net increase of 2,570m²). The Villawood Town Centre Planning Proposal also envisages expansion of Hilwa Park to the south through the acquisition of an existing dwelling at 20 Kamira Court which is proposed to be zoned RE1 Public Recreation in Council's Planning Proposal.</p> <p>The provision of the new park within the Kamira Court renewal project will ensure that the Villawood town centre complies with this action, in particular the requirement for high density residential areas to be within 200m of open space.</p> |

5.3 Draft Greener Places Policy

Greener Places is an urban green infrastructure state policy released in draft by the Government Architect NSW in November 2017. The policy establishes a framework to realise the following key green infrastructure objectives:

- To protect, conserve and enhance NSW's network of green and open natural and cultural spaces;
- To secure a network of high quality, high performing and well-designed green space, establishing a crucial component of urban infrastructure to address the environmental challenges of the twenty-first century;

- To promote healthy living, encouraging physical activity, social cohesion, and enhancing wellbeing by providing liveable places for the NSW community;
- To create a more strategic approach to planning for Green Infrastructure, encouraging early and integrated investment through statutory planning; and
- To deliver better tools for the delivery of Green Infrastructure.

The draft Open Space for Recreation Guide 2018 was released for discussion to support the implementation of Greener Places. The Guide seeks to apply a new consistent framework for planning public open space and responds to the challenges of increasing density and decreasing land supply through a performance-based, as opposed to quantum-based approach.

Of particular relevance to the proposal, the Guide sets out performance criteria for planning for open space and recreation. The Guide establishes the following performance criteria for the provision of local open space:

- For a high-density neighbourhood within 2–3 minutes' walk / 200 m walking distance;
- For a high density neighbourhood size ranging from 0.5 – 2ha; and
- A desirable minimum size of 3,000m² although in high density neighbourhoods where more efficient provision does not exist they may be as small as 1,500m².

Whilst the proposal will result in the rezoning of 430smq of open space, the proposal will facilitate the LAHC's Kamira Court renewal project which will include a new 3,000m² local park for Villawood town centre. This is consistent with the recommended minimum size for a local park and will ensure that future dwellings within the Villawood town centre are within 2-3 minutes walk / 200m of open space consistent with the performance criteria.

5.4 Fairfield Residential Development Strategy 2009

The Fairfield Residential Development Strategy (RDS) seeks to located housing growth in proximity of centres and transport and identified six key centres, including Villawood, which have potential to accommodate 14,400 new dwellings.

The Strategy also makes reference to the need to prepare an urban renewal master plan for Villawood in the short to medium term.

This Planning Proposal seeks to implement the Villawood Town Centre Urban Design Study, which was prepared in response to this action.

This Planning Proposal is also consistent with a number of objectives of the strategy including:

- The need to accommodate 24,000 additional dwellings by 2031, within the existing urban areas;
- Addressing high levels of disadvantage and the need to build on its economy; and
- Providing a greater dwelling mix and a more affordable housing options.

5.5 Draft Fairfield Local Strategic Planning Statement

The draft Fairfield Local Strategic Planning Statement (LSPS) identifies Villawood as a town centre with potential to accommodate growth as a result of proposed increases in building height and permissibility of more shop top housing. The draft LSPS makes reference to the Villawood Town Centre Urban Design Study and the resulting Planning Proposal to implement amendments to the Fairfield LEP to facilitate renewal of the centre.

The proposal is consistent with the draft LSPS as it seeks to implement the Villawood Town Centre Urban Design Study, and resolve an inconsistency with the Villawood Town Centre Planning Proposal.

The Planning Proposal is also consistent with the following key objectives of the draft LSPS:

- Planning Priority 1 – Provide housing that accommodates the needs of existing and future residents
- Planning Priority 2 – Deliver greater housing diversity and affordability to meet the changing needs of the community
- Planning Priority 3 – Plan for and manage areas identified for future urban development
- Planning Priority 4 – Provide attractive, healthy and safe places for the whole community.

5.6 LAHC Submission to Council's Villawood Town Centre Planning Proposal and DCP

LAHC made a submission to Council in relation to the Villawood Town Centre Planning Proposal and DCP on 26 July 2019. The submission highlighted LAHC's support for the proposal, but raised a number of issues for Council's consideration as follows.

- The draft DCP should be reviewed to remove overly prescriptive controls and figures, and ensure that the Urban Framework Plan is indicative only. This is to ensure flexibility is maintained to achieve good design outcomes which are compliant with the Apartment Design Guide.
- The public open space on LAHC's site should be reduced to 3,000sqm, rather than 3,500sqm, noting that 3,000sqm is consistent with the NSW Government Architect's draft Open Space for Recreation Guide. The submission also noted that the delivery of the 3,000sqm open space would be supported by the inclusion of the subject site in LAHC's development site and rezoning of this land to R4 High Density Residential.
- Changes were requested to the active frontage locations in the draft DCP to focus activation at the North West of the LAHC development site, including through application of a B2 zone in this location consistent with the Eastern portion of the town centre.
- Changes were requested to the building heights to ensure that the proposed number of storeys can be achieved along with rooftop lift overruns and flexible multipurpose floor space at the ground floor.
- The letter requested that Council acknowledge that the calculation of impervious area for the purposes of calculating On-Site Detention include the former social housing dwellings on site.

6 The proposal

This Planning Proposal seeks to rezone the 430m² subject site from RE1 Public Recreation to R4 High Density Residential and apply the following built form controls:

- Height of buildings: 27m
- Floor space ratio: 2.5:1.

This will ensure consistency with the recommendations of the Villawood Town Centre Urban Design Study and the draft Villawood Town Centre DCP, and would enable the subject site to be incorporated in LAHC's Kamira Court renewal project.

Whilst the site will result in the rezoning of 430m² of existing open space forming part of Hilwa Park, it is important to note the LAHC's Kamira Court renewal project will include a new 3,000m² park, including 2,570m² of LAHC owned land. The Villawood Town Centre Planning Proposal also envisages expansion of Hilwa Park to the south through the acquisition of 20 Kamira Court which is proposed to be zoned RE1 Public Recreation.

This Planning Proposal is also accompanied by an offer to enter into a voluntary planning agreement with Council to make arrangements for the dedication of public open space and new road connections within LAHC's Kamira Court renewal project, including the new 3,000m² park.

Voluntary Planning Agreement

It is proposed to enter into a VPA with Council to facilitate the outcome commonly sought by LAHC and Council for the new town centre. A key outcome is the delivery of a new 3,000m² local open space on LAHC's renewal site. In order to achieve these objectives, the following dedications and acquisitions are proposed as part of a VPA between LAHC and Fairfield Council (see Figure 7). The net result is an increase in land to be owned by Fairfield Council of 973m² (approximately, subject to detailed surveys).

Table 2 - Land to be dedicated to Council

| Land | Future Use | Quantum | Current Zoning |
|--------------------|------------------------|----------------------------|----------------|
| 37/202006 (Part) | Public Open Space | 1260m ² | R4 |
| 39/202006 (Part) | Public Open Space | 500m ² | R4 |
| 381/1232437 | Future Road Connection | 403m ² | R4 |
| 382/1232437 (Part) | Future Road Connection | 480m ² | R4 |
| Total | | 2,643 m² | |

Table 3 - Land to be acquired by LAHC

| Land | Future Use | Quantum | Current Zoning |
|-------------------|---|---------------------------|----------------|
| 31/36718 | Incorporated into development site consistent with Urban Design Study creating consistent street wall | 430m ² | RE1 |
| Kamira Court Road | Incorporated into development site to facilitate built form and street pattern in Urban Design Study. | 1,260m ² | R4 |
| Total | | 1,670m² | |



Figure 7: Existing and proposed land ownership

7 Objectives and intended outcomes

The objectives and intended outcomes of the proposal are to:

- Ensure consistency with the zoning and built form recommendations of Council's 2018 Villawood Town Centre Urban Design Study for the site;
- Ensure consistency with Council's draft Villawood Town Centre DCP for the site;
- Support the renewal of Villawood Town Centre, as envisaged under the Villawood Town Centre Planning Proposal; and
- Facilitate LAHC's Kamira Court renewal project consistent with the recommendations of the Villawood Town Centre Urban Design Study, noting that it will include a 3,000m² public park. This will provide the necessary development certainty for LAHC to move forward with its preferred development partner.

The Planning Proposal is also accompanied by an offer to enter into a voluntary planning agreement with Council to make arrangements for the dedication of the public open space and new road connections within LAHC's Kamira Court renewal project.

8 Explanation of provisions

The Planning Proposal seeks to achieve the intended outcomes outlined at Section 0, by making the following amendments to the Fairfield LEP for the site:

- Zone the site R4 High Density Residential
- Apply a maximum height of buildings of 27m
- Apply a maximum floor space ratio (FSR) of 2.5:1.

These changes would be made through amendments to the Land Zoning, Height of Buildings, and Floor Space Ratio maps as shown in Section 11.

9 Justification

9.1 Need for the planning proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

Yes, the Planning Proposal is a result of the Villawood Town Centre Urban Design Study, which was adopted by Council on 27 March 2018 and is discussed in further detail in Section 4.1.

The Planning Proposal addresses an inconsistency between the recommendations of the Urban Design Study and the resulting Villawood Town Centre Planning Proposal.

Q2. Is the Planning Proposal the best means of achieving the objective or intended outcomes or is there a better way?

Yes, the Planning Proposal is the best means of achieving the objectives and intended outcomes.

The issues covered by this Planning Proposal relate to statutory issues under Part 3 of the *Environmental Planning and Assessment Act 1979* (as amended). The Planning Proposal is the only mechanism that can achieve the objectives and intended outcomes related to the site.

9.2 Relationship to Strategic Planning Framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal is consistent with the Greater Sydney Region Plan and the Western City District Plan as outlined in Section 5.1 and 5.2 respectively.

Q4. Is the Planning Proposal consistent with a council's local strategy or other strategic plan?

The Planning Proposal is consistent with the Fairfield Residential Development Strategy and the draft Fairfield LSPS as outlined in Sections 5.4 and 5.5 respectively.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies

An analysis of the consistency of the proposed amendments with relevant State Environmental Planning Policies (SEPPs) is listed in **Table 4**.

Table 4: Analysis against State Planning Policies

| Policy | Assessment |
|---|--|
| SEPP 55 – Remediation of Land | <p>SEPP 55 introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose.</p> <p>The Villawood Town Centre Planning Proposal confirmed that the town centre, including the site, did not have any previous history of development or use requiring remediation to make it suitable for a medium and high density residential use.</p> |
| SEPP 65 – Design Quality of Residential Apartment Buildings | SEPP 65 seeks to promote good design of apartments through the establishment of the Apartment Design Guide. |

| Policy | Assessment |
|--|---|
| | Future development within the Villawood Town Centre will be subject of SEPP 65 and the Apartment Design Guide. |
| SEPP (Building Sustainability Index: BASIX) 2004 | SEPP BASIX requires all future residential developments to achieve mandated levels of energy and water efficiency, as well as thermal comfort. BASIX Certificates are included as part of future development applications to demonstrate compliance with SEPP BASIX requirements. |

Q6. Is the Planning Proposal consistent with the applicable Ministerial Directions?

The proposal is consistent with all relevant Ministerial directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* (previously Section 117).

An assessment of the proposal against the applicable Section 9.1 directions is supplied in **Table 5**.

Table 5: Analysis against Ministerial Directions

| Ministerial Direction | Assessment |
|---|--|
| 3. Housing, infrastructure and urban development | |
| 3.1 Residential zones | <p>The direction requires the relevant planning authority (RPA) to ensure that a Planning Proposal relating to residential land must include provisions to:</p> <ul style="list-style-type: none"> – broaden the choice of building types and locations available in the housing market; – make more efficient use of existing infrastructure and services; – reduce the consumption of land for housing and associated urban development on the urban fringe, and – be of good design. <p>The proposal supports the implementation of the Villawood Town Centre Urban Design Study which seeks to provide a mix of dwelling types in close proximity to services and public transport, reducing the consumption of land for housing on the urban fringe. It also sets out recommendations to ensure good design which have been incorporated into the Villawood Town Centre Draft Development Control Plan, which will apply to the site.</p> |
| 3.4 Integrating land use and transport | <p>The direction requires the RPA to ensure that the Planning Proposal includes provisions consistent with the principles of Integrating Land Use and Transport as outlined in key polices and guidelines.</p> <p>The proposal meets these principles by supporting the renewal of Villawood town centre which will locate housing growth within close proximity to existing transport.</p> |
| 3.5 Development near regulated airports and Defence airfields | <p>This direction applies to Planning Proposals on land near a regulated airport.</p> <p>The direction requires the RPA to undertake consultation with the Commonwealth Department responsible for airports and the lessee / operator of the airport. It also requires the RPA to prepare appropriate development standards, such as height controls, for land affected by the prescribed airspace and not to allow development types that are incompatible with the current and future operation of that airport.</p> |

| Ministerial Direction | Assessment |
|---|--|
| | <p>The site is located within proximity of Bankstown Airport.</p> <p>It is understood that the Villawood Town Centre Urban Design Study was referred to Sydney Metro Airports (Bankstown Airport Limited) for comment.</p> <p>Further consultation would be carried out with the relevant Commonwealth Government agencies and Sydney Metro Airports (Bankstown Airport Limited) during the public exhibition of the proposal.</p> <p>The direction also includes requirements for land effected by aircraft noise above the ANEF 20 contour, however the site is outside the ANEF 20 contour.</p> |
| 4. Hazards and risks | |
| 4.1 Flood Prone Land | <p>The direction applies when a Planning Proposal alters a zone or a provision that affects flood prone land.</p> <p>The direction requires the RPA to ensure that the Planning Proposal: Gives effect to the NSW Flood Prone Land Policy and principles of the Floodplain Development Manual 2005.</p> <p>The direction sets out that a Planning Proposal must not rezone land within the flood planning areas from a recreation zone to a residential zone / business zone.</p> <p>The Villawood Town Centre Planning Proposal sets out that the town centre is not impacted by mainstream flooding, but is impacted by low and medium risk overland flooding, as identified by Councils Old Guildford Overland Flood Study 2010. The Planning Proposal concluded that it is appropriate that further flood assessment occur for development within the town centre in accordance with Council's current controls with the City Wide Development Control Plan 2013 and the Floodplain Development Manual 2005.</p> <p>It is considered appropriate that this approach apply to the subject site.</p> |
| 6. Local planning | |
| 6.2 Reserving land for a public purpose | <p>This direction requires the RPA to ensure that a Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Secretary of the Department of Planning and Environment (or delegate).</p> <p>The approval of the relevant public authority (being Council), will be sought through the Gateway process, however it is noted that the rezoning is consistent with the Villawood Town Centre Urban Design Study which has been adopted by Council.</p> <p>The approval of the Secretary (or delegate) will be sought through the planning process prior to rezoning.</p> |

| Ministerial Direction | Assessment |
|--|---|
| 7. Regional planning | |
| 7.1 Implementing the Metropolitan Plan | <p>This direction requires the RPA to ensure that a Planning Proposal is consistent with A Plan for Growing Sydney. A Plan for Growing Sydney was superseded by the Greater Sydney Region Plan in March 2018.</p> <p>The proposal is consistent with The Greater Sydney Region Plan as outlined in Section 5.1.</p> |

9.3 Environmental, social and economic impacts

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal is contained within a site long used for open space which is largely cleared of vegetation. No critical habitat or threatened species will be affected as a result of this proposal.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed.

The planning proposal will result in net increase of 2,570m² of open space within the ownership of Council, by facilitating the LAHC's Kamira Court renewal project which will include the new 3,000m² local park for Villawood town centre.

The Villawood Town Centre Planning Proposal also envisages expansion of Hilwa Park to the South through the acquisition of 20 Kamira Court which is proposed to be zoned RE1 Public Recreation.

The proposed local park will ensure that all future dwellings within the Villawood town centre are within 200m of local open space consistent with criteria included in the Greater Sydney Region Plan, Western City District Plan and the NSW Government Architect draft Open Space for Recreation Guide 2018. The new local park is also consistent with the recommended minimum area of 3,000m² for a local park set out in the draft Open Space for Recreation Guide 2018.

All other issues associated with this Planning Proposal have been considered and addressed in the Villawood Town Centre Planning Proposal.

Q9. Has the Planning Proposal adequately addressed any social or economic effects?

9.3.1 Economic impact

The Planning Proposal is not expected to have a direct economic impact. However, it will facilitate the renewal of Villawood town centre which is likely to have economic benefits for the centre through increased demand as a result of an increased resident population and enhanced built form and public domain.

9.3.2 Social impact

The Planning Proposal is expected to have a direct positive social impact. However, it will facilitate the renewal of Villawood town centre which is likely to have social benefits as a result of increased housing supply, mix of tenure and diversity within close proximity to public transport, delivery of new social housing, enhanced public domain and provision of new open space.

Q10. Is there adequate social infrastructure for the Planning Proposal

Yes. The need for social infrastructure to support the renewal of Villawood has been addressed through the Villawood Town Centre Planning Proposal.

10 Consultation

Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway determination

Consultation would be carried out with relevant State and Commonwealth public authorities following a Gateway decision. Consultation would also be carried out with the community at this stage, through public exhibition of the Planning Proposal.

Extensive consultation has already been undertaken in relation to the Villawood Town Centre Urban Design Study and Planning Proposal.

11 Mapping

The proposed changes to the relevant maps in the Fairfield LEP for lot 31, DP36718 are;

- Zone the lot R4 High Density Residential
- Apply a maximum height of buildings of 27m
- Apply a maximum floor space ratio (FSR) of 2.5:1.

The lot is clearly marked with an asterisk below.

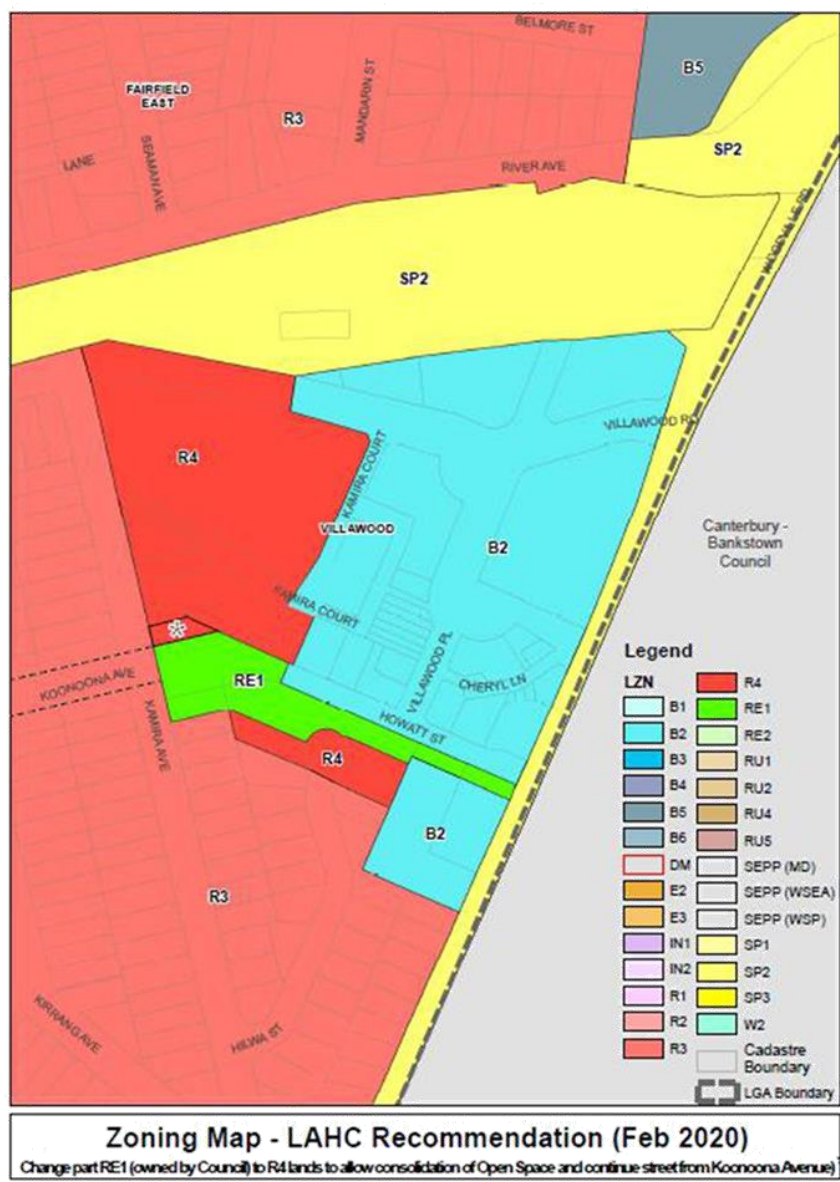


Figure 8: Proposed zoning map (site highlighted with an asterisk)

12 Project timeline

An indicative project timeframe is set out in Table 6 below.

Table 6: Anticipated project timeline

| Task | Timing |
|---|---------------|
| Lodgment of Planning Proposal | February 2020 |
| Fairfield Council submits Planning Proposal to DPE for review | April 2020 |
| Receive Gateway determination | April 2020 |
| Completion of public exhibition and public authority consultation | May 2020 |
| Completion of review of submissions received during public exhibition and public authority consultation | June 2020 |
| Approval by relevant planning authority | July 2020 |
| Drafting of instrument and finalisation of mapping | July 2020 |
| Amendment to Fairfield LEP notified | August 2020 |

13 Conclusion

The Planning Proposal seeks to resolve a discrepancy between the recommendations of Council's 2018 Villawood Town Centre Urban Design Study and Council's Villawood Town Centre Planning Proposal which was exhibited in 19 June 2019 to 19 July 2019. The Planning Proposal would also ensure consistency with the Villawood Town Centre Draft Development Control Plan which was exhibited alongside the Planning Proposal.

The Planning Proposal is also accompanied by an offer to enter into a voluntary planning agreement with Council to make arrangements for the dedication of public open space and new road connections within LAHC's Kamira Court renewal project, including a new 3,000m² park.

The 3,000m² local park will ensure an appropriate supply of open space to meet the needs of the town centre consistent with relevant policies on provision of open space as outlined in the Greater Sydney Region Plan, Western City District Plan and NSW Government Architect draft Open Space for Recreation Guide 2018.



Appendix A Villawood Town Centre Urban Design Study



Appendix B Villawood Town Centre Planning Proposal



Appendix C Villawood Town Centre Draft Development Control Plan



**Planning,
Industry &
Environment**

10 February 2020

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

Dear Mr Young,

RE: Kamira Court, Villawood – Planning Agreement Offer

In accordance with Section 7.4 of the *Environmental Planning and Assessment Act 1979* (the Act) we write to provide an offer to enter into a Planning Agreement with Fairfield Council (Council) to support the proposed Fairfield Local Environmental Plan (LEP) amendment for the Fairfield City Council-owned land at Villawood, although the Planning Agreement is sought to cover both Council's part-Hilwa Park land and the NSW Land and Housing Corporation (LAHC) land at Kamira Court, Villawood.

LAHC's Planning Proposal seeks to amend the Fairfield LEP in a manner consistent with Council's Villawood Town Centre Urban Design Study (2018) and the current facilitating Planning Proposal being led by Council over the Villawood Town Centre precinct.

LAHC's Planning Proposal (dated 10 February 2020) and this accompanying Planning Agreement offer are vitally important to help realise the 'transformative' vision for the Villawood Town Centre that is commonly shared by Council and LAHC.

The land subject to LAHC's Planning Proposal and proposed Planning Agreement is wholly owned by LAHC and/or Council and the following table describes the proposed terms of the Planning Agreement:

| | |
|---|---|
| Parties | NSW Land and Housing Corporation and Fairfield City Council |
| Description of the land (s7.4(3)(a)) | See Appendix 1 & 2 |
| Description of the planning proposal (s7.4(3)(b)(i)) | A planning proposal to facilitate the creation of a major local open space fronting Kamira Avenue and the acquisition and dedication of lands to facilitate the orderly development of the Villawood Town Centre. |
| Nature and extent of the | The aim of the Planning Agreement is to facilitate the orderly development of the Villawood Town Centre consistent with |

| | |
|--|--|
| provision to be made by the developer, and the times and manner in which the provision is to be made (s7.4(3)(c)) | relevant strategic planning documents through a series of land exchanges between Council and LAHC. The balance of land is 973sqm in favour of Council. The tables attached at Appendix 1 & 2 detail the scope of proposed acquisitions and dedications of land for the proposed Planning Agreement. The location of these lands is shown in Appendix 3 & 4. |
| Exclusion of s7.24 | No future Special Infrastructure Contribution is currently proposed. It is expected that LAHC will either pay any future Special Infrastructure Contribution or negotiate a separate Planning Agreement with the State Government should one be required. |
| Relationship to s7.11 and 7.12 | Section 7.11 and 7.12 of the EPA Act are excluded as they apply to the payment of local contributions for the development. The works in kind and contributions proposed as part of this Planning Agreement fully offset the future payment of local development contributions. |
| Enforcement of the agreement by a suitable means (s7.4(3)(g)) | LAHC will register the Planning Agreement on the title to the land, to be removed from title on satisfaction of the terms of the agreement. |


LAHC acknowledges that in order to achieve orderly development of the land:

- Some Council owned land will require reclassification and/or transfer out of Council ownership and into the LAHC's ownership;
- Some Council owned land may also require the removal of dealings or registration of dealings on title; and
- Some interests in Council owned land may be acquired by LAHC using its acquisition powers, at nil or nominal value.

LAHC is happy to commence preparation of a draft planning agreement immediately, subject to confirmation of same from Council.

We look forward to your response in relation to the above offer and I can be contacted at any time on 0459 836 671.

Yours sincerely,



Peter Brackenreg
Program Director



**Planning,
Industry &
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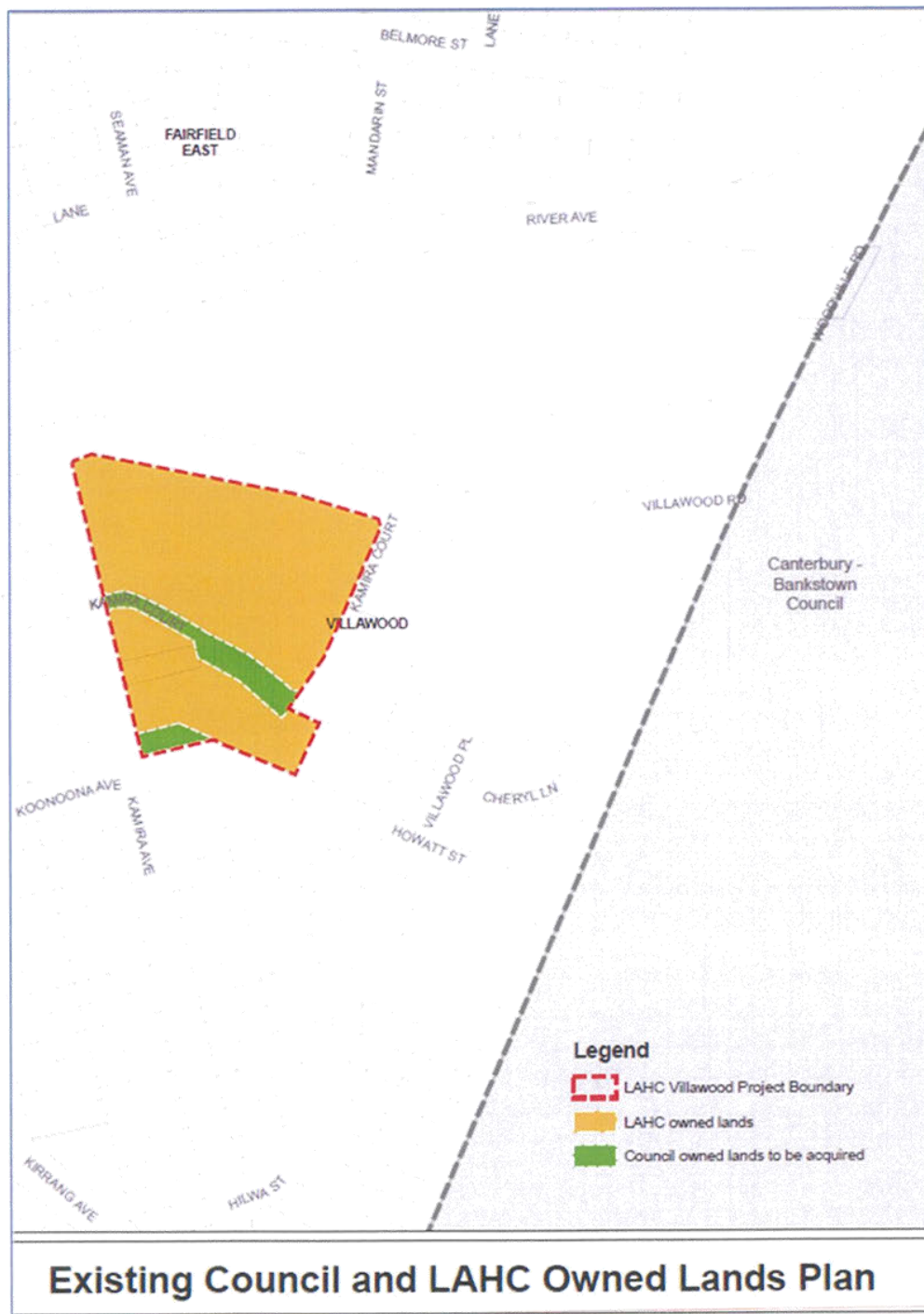
Appendix 1 – Council Land to be acquired by LAHC:

| Land | Future Use | Quantum | Current Zoning |
|--------------------------|--|---------------------------|----------------|
| 31/36718 | Incorporated into development site consistent with 2018 Urban Design Study creating consistent street wall | 430m ² | RE1 |
| Kamira Court Road (Part) | Incorporated into development site to facilitate built form and street pattern in Urban Design Study. | 1,260m ² | R4 |
| Total | | 1,670m² | |

Appendix 2 – LAHC Land to be dedicated to Council:

| Land | Future Use | Quantum | Current Zoning |
|--------------------|------------------------|----------------------------|----------------|
| 37/202006 (Part) | Public Open Space | 1260m ² | R4 |
| 39/202006 (Part) | Public Open Space | 500m ² | R4 |
| 381/1232437 | Future Road Connection | 403m ² | R4 |
| 382/1232437 (Part) | Future Road Connection | 480m ² | R4 |
| Total | | 2,643 m² | |

Appendix 3 – Map showing Council Land to be acquired





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Appendix 4 – Map showing LAHC Land to be dedicated

