

Draft Fairfield Local Environmental Plan 1994 Amendment No.132 – Rezoning of land at 13-21 Rossetti Street, Wetherill Park from 2(a) Residential A to 3(c) Local Business Centre

Proposal Title : Draft Fairfield Local Environmental Plan 1994 Amendment No.132 – Rezoning of land at 13-21 Rossetti Street, Wetherill Park from 2(a) Residential A to 3(c) Local Business Centre

Proposal Summary : This Planning Proposal seeks to amend the Fairfield Local Environmental Plan 1994 to rezone land at 13-21 Rossetti Street, Wetherill Park (Lot 5 DP 714281), from 2(a) Residential A to 3(c) Local Business Centre. The proposed rezoning will facilitate the expansion of the adjoining 'Wetherill Park Market Town' shopping centre by an additional 1500 square metres of commercial floor space, and high density residential development on the subject site.

The Planning Proposal also seeks to amend the Fairfield LEP 1994 to incorporate an additional clause which prescribes a maximum Floor Space Ratio of 1.7:1 and a maximum height limit of 20 metres, to the subject land.

PP Number : PP_2011_FAIRF_004_00 **Dop File No :** 11/14866

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

- 1.1 Business and Industrial Zones
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that the Proposal proceed, subject to the following conditions:

- 1. The Planning Proposal be revised to include an accurate reference to Local Planning Direction 7.1 (Implementation of the Metropolitan Plan for Sydney 2036) and demonstrate consistency of the Planning Proposal with the Metropolitan Plan for Sydney 2036;
- 2. Council complete a Flood Study of the subject lands;
- 2. The Planning Proposal be publicly exhibition for 28 days; and that
- 3. The Planning Proposal be completed within 9 months.

Supporting Reasons : It is considered that the Proposal has merit for progression.

The proposed 3(c) Local Business Zoning will support the economic viability of the existing centre, and will facilitate the development of high density residential uses on the subject site, to accommodate the needs of the population in the Fairfield LGA.

Panel Recommendation

Recommendation Date : 25-Jan-2012 **Gateway Recommendation :** Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

- 1. It is noted that Council has resolved to place its draft Standard Instrument LEP on exhibition. Consequently, Council is to proceed with this planning proposal as an amendment to the existing Fairfield LEP 1994 and its draft principal SI LEP. Council is to prepare and exhibit all relevant material (including FSR, height of building, and minimum

lot size maps) indicating how the planning proposal would amend both instruments.

2. Council is to prepare a flood study for the subject site in accordance with the provisions of Section 117 Direction 4.3 Flood Prone Land and in doing so, consult with the Office of Environment and Heritage prior to the exhibition of this planning proposal.

3. Council is to update the planning proposal to provide a more comprehensive assessment of the proposal's consistency with the Metropolitan Plan for Sydney 2036 in accordance with Section 117 Direction 7.1 Implementation of the Metropolitan Strategy.

4. Council is to provide urban design advice which considers the interface between the subject site and the adjoining area of open space. The advice is to demonstrate how any potential overshadowing will be addressed and how the building interface between the two sites will be addressed. This advice should be incorporated into a revised site specific Development Control Plan (DCP) for the site. The DCP should be placed on exhibition with the planning proposal.

5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage

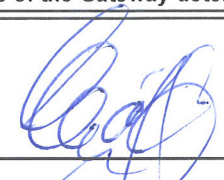
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

Signature: _____

Printed Name: _____


NEIL McGAFFIN

Date: _____

3.2.12