

OUTCOMES COMMITTEE

Meeting Date 10 May 2016

Item Number. 43

SUBJECT: Planning Proposal seeking to rezone 147 Polding Street and 1-3 Bodalla Street from R3 Medium Density Residential to R4 High Density Residential
Premises: 147 Polding Street (Lot D, DP 20450) and 1-3 Bodalla Street (Lot I and H, DP 20450) Fairfield Heights.
Applicant/Owner: Dr S and Dr A Sanki
Zoning: Zone R3 Medium Density Residential

FILE NUMBER: 16/02409

REPORT BY: Sunehla Bala, Senior Strategic Land Use Planner; Chris Shinn, Coordinator Strategic Planning

RECOMMENDATION:

That:

1. Council endorse the Planning Proposal, as per Attachment A of the report, to amend the Fairfield Local Environmental Plan (LEP) 2013 in relation to the subject land bounded by Polding Street, Ann Street, Bodalla Street and the boundary of the Zone B2 Local Centre, as follows:
 - 1.1 Amend the Zone from R3 Medium Density Residential to R4 High Density Residential.
 - 1.2 Increase the Height of Buildings (HOB) controls to 13.5m.
 - 1.3 Increase the Floor Space Ratio (FSR) to 1.25:1.
 - 1.4 Amend Clause 4.4A(1) Exemption to maximum FSR in Zone R4.
2. Council refer the Planning Proposal to the Department of Planning and Environment (DP&E), requesting a Gateway Determination and that the Planning Proposal be placed on public exhibition in accordance with the consultation strategy detailed in the report and the conditions set out in the Gateway Determination.
3. Council, in requesting the Gateway Determination, advise the DP&E that it seeks to utilise the delegation for LEP Plan Making (delegated by the Minister under Section 23 of the Environmental Planning and Assessment Act 1979 [EP&A]). The delegated functions will be undertaken by the Group Manager City and Community Development who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1993.
4. Council endorse the amendment of the Fairfield Citywide Development Control Plan (DCP) 2013 – Chapter 7 Residential Flat Buildings, section 7.3.1 to reflect the proposed amendments of the Fairfield LEP 2013.

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5. Council publicly exhibit the amendment to the Fairfield Citywide DCP 2013 – Chapter 7 Residential Flat Buildings concurrently with the Planning Proposal.

Note: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A	Planning Proposal	44 Pages
AT-B	Development Control Plan	3 Pages
AT-C	Development Concept Plan - Architectural Plans	12 Pages
AT-D	Development Concept Plan - Photomontage	2 Pages
AT-E	Development Concept Plan - Shadow Diagram	6 Pages
AT-F	Development Concept Plan - Survey Plan	1 Page
AT-G	Traffic and Parking Report	15 Pages
AT-H	Applicant's Planning Proposal	58 Pages

CITY PLAN

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

SUMMARY

This report provides an assessment of a planning proposal for 147 Polding Street, 1 and 3 Bodalla Street, and adjoining lots (149, 151, and 153 Polding Street and 5, 7 and 9 Bodalla Street) within the same block at Fairfield Heights.

The Planning Proposal seeks to amend the Fairfield Local Environmental Plan (FLEP) 2013 by amending the zoning of the subject site from R3 Medium Density Residential to R4 High Density Residential, and subsequently increasing the Height of Building (HOB) control from 9m to 13.5m and Floor Space Ratio (FSR) control from 0.45:1 to 1.25: 1. The Planning Proposal is attached as Attachment 'A'.

In addition, it is proposed to amend the FLEP 2013, Clause 4.4A (1) Exceptions to maximum floor space ratio in zone R4 to include land at Fairfield Heights as an exclusion. This will enable a blanket provision of FSR control of 1.25:1 on the subject site.

The Planning Proposal also requires the Fairfield Citywide Development Control Plan (DCP) 2013 – Chapter 7 Residential Flat Buildings, section 7.3.1 to be amended to reflect the proposed amendments to the Fairfield LEP 2013. The DCP amendment is attached as Attachment 'B'.

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The Planning Proposal is supported by Council's Residential Development Strategy and Retail Centres Strategy. The site adjoins the Fairfield Heights local centre, is accessible to frequent public transport and local open space while providing for a diversity of housing stock in proportion to the scale of the locality. It is recommended that the Planning Proposal be endorsed for a Gateway Determination to permit community consultation.

REPORT

On 10 February 2016, an applicant initiated planning proposal was received by Council for 147 Polding Street, 1-3 Bodalla Street, and adjoining lots (lots 149, 151, and 153 Polding Street and lots 5, 7 and 9 Bodalla Street) within the block at Fairfield Heights.

The application for the Planning Proposal seeks to:

1. Amend the Fairfield Land Environmental Plan 2013, Land Zoning map from R3 Medium Density Residential to R4 High Density Residential;
2. Amend the Fairfield Land Environmental Plan 2013, Heights of Buildings map from 9m to 13.5m; and
3. Amend the Fairfield Land Environmental Plan 2013, Floor Space Ratio map from 0.45:1 to 1.25:1.
4. Amend Clause 4.4A (1) to include Fairfield Heights as an exclusion, so as to enable a blanket FSR of 1.25:1 over the subject site.

The Application for the Planning Proposal also includes a development concept plan and traffic & parking assessment report for the 147 Polding Street and 1 and 3 Bodalla Street allotments. The concept plans are attached as Attachments 'C' to 'G'.

Land To Which The Proposal Applies and Uses Within The Subject Site

The subject site is bounded by Polding Street on the north, Bodalla Street on the south, Ann Street on the west and the boundary of the B2 zone, Fairfield Heights Town Centre on the east. Figure 1 below provides an illustration of the location of the subject site.

The parcels within the subject site are large compared to other parcels immediately adjacent to the B2 Local Centre zone on the western side of the Fairfield Heights Town Centre. The land is relatively flat and well serviced by necessary utilities. The 3 lots (147 Polding Street, 1-3 Bodalla Street) owned by the Applicant, once amalgamated, results in a site of 2,876.9m² having a frontage of 29.1m to Polding St, 29.3m to Bodalla St to the south with a depth of 100m along the laneway and 97.5m depth along the western boundary of the site.

Other lots affected by this Planning Proposal which forms the remainder of the block are included in Table 1 below with the description and current uses on each site.

The subject site is located adjacent to the Fairfield Heights Town Centre. Within walking distance from the site is the Prospect View Park along Polding Street to the west. The site is in close proximity to schools, child care centres and a community centre.

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Figure 1: The subject site



Source: Google Map

Table 1 below illustrates the affected properties and its current uses.

Property Address	Property Description	Area (m ²)	Uses
147 Polding St	Lot D DP 20450	640.3	Fairfield District Medical Centre, a large building structure with car parking spaces.
149 Polding St	Lot C DP 20450	641.1	A single storey fibro residential dwelling.
151 Polding St	Lot B DP 20450	613.8	A single storey fibro residential dwelling.
153 Polding St	Lot A DP 20450	657.4	A single storey fibro residential dwelling.
1 Bodalla St	Lot I DP 20450	659.7	A single storey fibro residential dwelling.
3 Bodalla St	Lot H DP 20450	1569.4	A vacant site with only a double lock up garage and attached carport structure sitting towards the rear of the site.
5 Bodalla St	Lot G DP 20450	763.6	A single storey fibro residential dwelling.

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7 Bodalla St	Lot F DP 20450	746.9	A single storey fibro residential dwelling.
9 Bodalla St	Lot E DP 20450	750.1	A double storey brick residential dwelling.

Current planning controls under the Fairfield LEP 2013

FLEP 2013 Planning Controls	
Zone	R3 Medium Density Residential
Height of Buildings	9m
Flood Planning	Not affected
Heritage	Not affected
Acid Sulfate Soil	Not affected
Floor Space Ratio	0.45:1
Land Reservation Acquisition	Not affected

Source: FLEP 2013

Zoning

Uses currently permitted within R3 Medium Density Residential zone includes multi dwelling housing, neighbourhood shops, home-based child care, home occupations, boarding houses, community facilities, group homes, places of worship, respite day care, seniors housing etc.

The proposed zoning for the subject site is R4 High Density Residential. Permitted uses under this zone include residential flat buildings, home-based child care, home occupations, boarding houses, child care centres, community facilities, neighbourhood shop, places of public worship, respite day care centres, roads, shop top housing, etc.

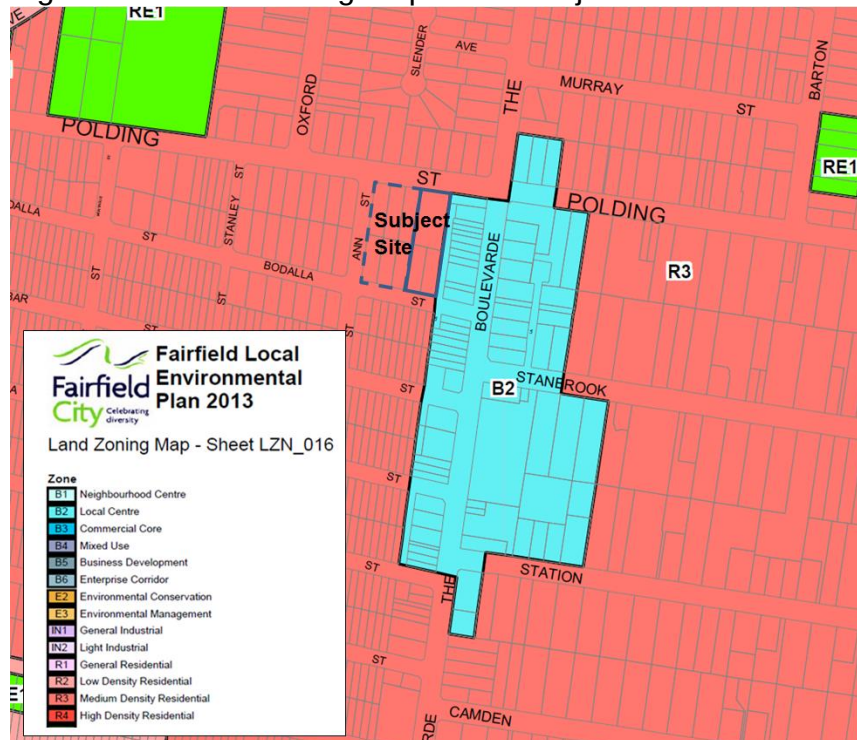
The Applicant through the Planning Proposal has indicated that the intention of the proposal is to develop the site as a residential flat building.

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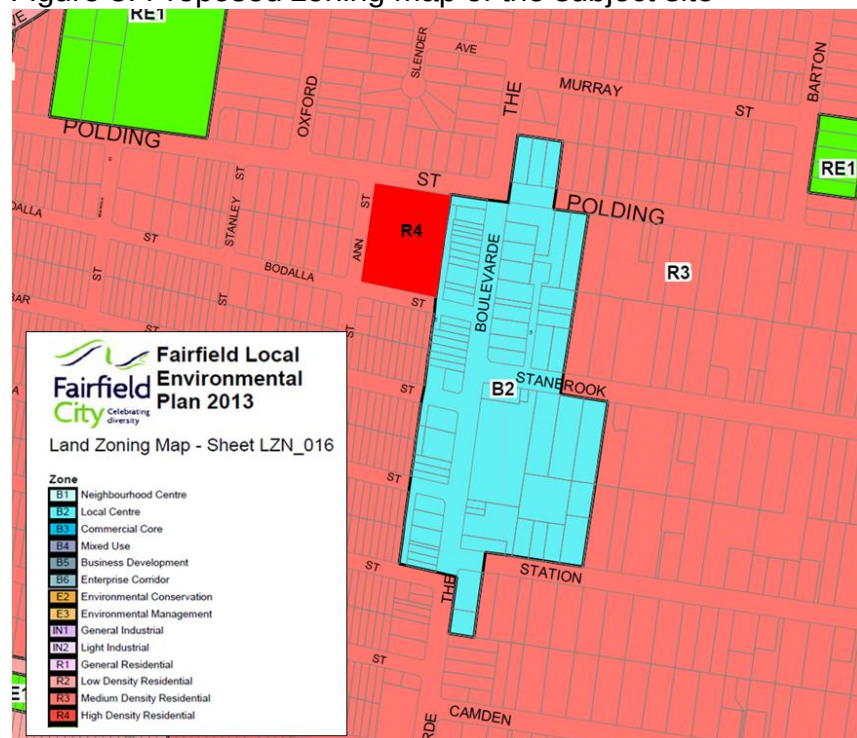
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Figure 2: Current zoning map of the subject site



Source: FLEP 2013

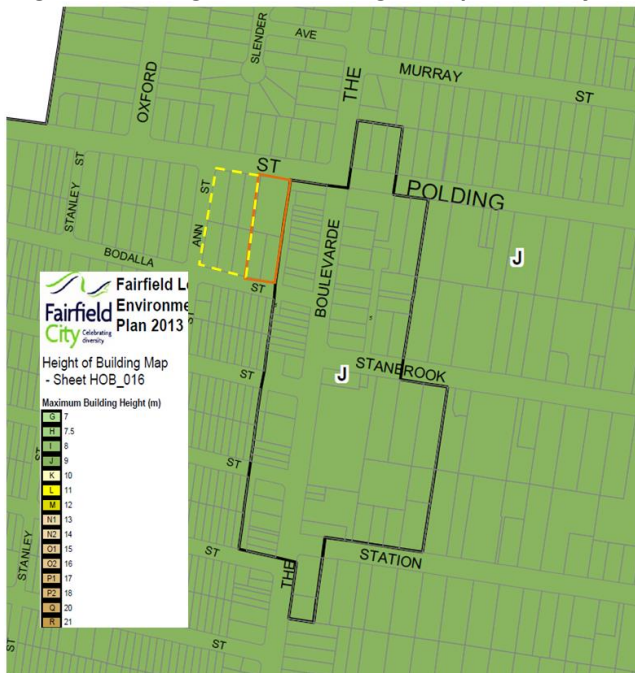
Figure 3: Proposed zoning map of the subject site



Height of Buildings

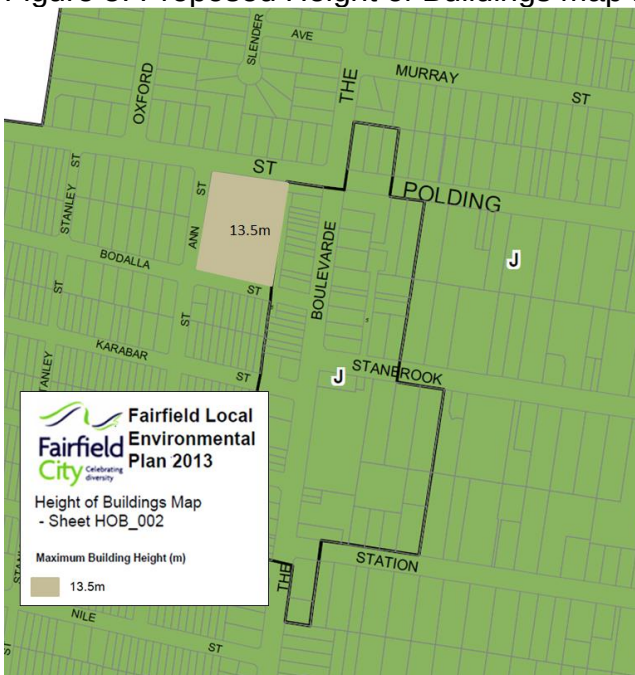
The subject site has a current Height of Building provision of 9m. This control generally allows a maximum of 2 storeys development from ground level. Figure 4 below illustrates the Height of Buildings map for the subject site. It is proposed to increase the height of Buildings to 13.5m which will enable development of a 4 storey building (Figure 5).

Figure 4: Height of Buildings map for subject site



Source: FLEP 2013

Figure 5: Proposed Height of Buildings map for subject site



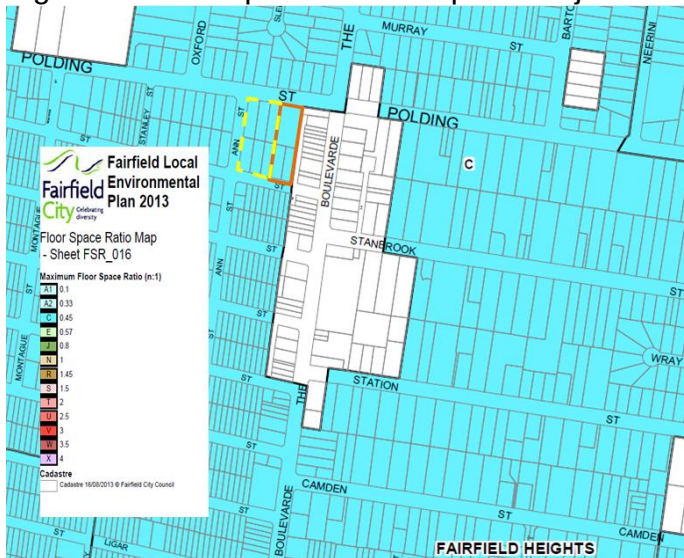
Floor Space Ratio

The subject site has a current Floor Space Ratio of 0.45:1. Figure 6 below illustrates the Floor Space Ratio map for the subject site. It is proposed to increase the FSR from 0.45:1 to 1.25:1 (Figure 7). This accommodates the concept design provided by the proponent. The amended FSR provisions will be regulated by including the Fairfield Heights precinct in clause 4.4A (1) of FLEP 2013. The clause is proposed to be amended as shown below:

Clause 4.4A Exceptions to maximum floor space ratio in Zone R4 :

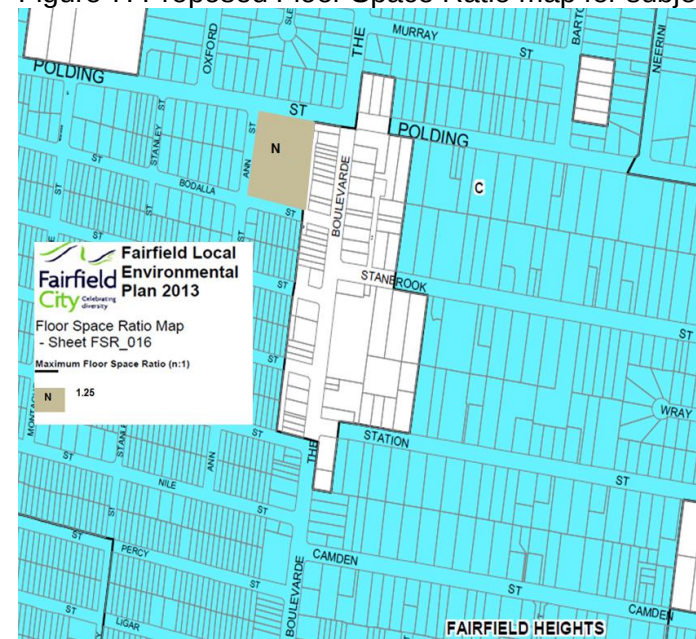
(1) *This clause applies to land in Zone R4 High Density Residential (excluding any land in Cabramatta, Canley Vale and Fairfield Heights).*

Figure 6: Floor Space Ratio map for subject site



Source: FLEP 2013

Figure 7: Proposed Floor Space Ratio map for subject site



Heritage

There are no heritage significant items within the subject site. However, a Victorian house located at 161 Polding Street is listed as heritage (item I71) of local significance within the FLEP 2013. Figure 8 below indicates the location of the heritage item from the subject site.

Figure 8: Proximity of the heritage item from the subject site



Source: Google Map

Concept Plan for Proposed Development

The development concept provided with the Planning Proposal indicates 3 building structures of medium rise flat buildings. SEPP 65 Design Guidelines and principles are underpinned within the development concept design. Figure 9, 10 and 11 below illustrates the concept plan for the proposed development.

The building development is oriented to the northern, eastern and southern street frontages. This orientation and design maximises the development concept in the northern aspect, minimises overshadowing impacts and provides solar access to living rooms, balconies and private open spaces.

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The development concept provides 2 and 3 bedroom dwellings. The unit sizes range from 72m² for a 2 bedroom unit to 95.7m² for a 3 bedroom unit. In total, the proposed development will provide 40 dwellings consisting of 32 X 2 bedroom units and 8 X 3 bedroom units. The development will include 51 car spaces in the basement.

It should be noted the development concept is only an illustration at this stage. The actual development and design concepts will be confirmed once a development application is lodged with Council.

Figure 9: Concept plan for proposed development



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Figure 10: Concept plan for proposed development



Figure 11: Concept plan for proposed development



Traffic Impact Assessment of the Planning Proposal

Currently, the medical centre which is located at 147 Polding Street yields a traffic generation rate of approximately 53 vehicle trips during the peak commuter periods. The Traffic and Parking Assessment Report provided by the Applicant indicates that the proposed development will result in a decrease in the traffic generation potential of the site by approximately 47 vehicles per hour as set out below:

- Projected future traffic generation potential – 7 vehicle trip;
- Existing traffic generation potential for 147 Polding Street – 53 vehicle trips;
- Existing traffic generation potential for 1 Bodalla Street – 1 vehicle trip; and
- Nett decrease in traffic generation potential – 47 vehicle trips.

The reason for the decrease in traffic generation as part of the proposal is that medical centres generally have a much higher vehicle trips per hour compared to residential flat buildings. The proposed decrease in traffic activity as a consequence of the development proposal indicates traffic implications can be accommodated on the road network accessing the subject site.

Comments from the Traffic and Transport section of Council indicated that ‘the impact of the proposed development on adjoining road network is considered insignificant’ and ‘the number of car parking proposed for the development is considered adequate’.

Fairfield City Centres Study 2015

The Fairfield City Centres Study 2015 (adopted by Council on 9 February 2016) was undertaken to review the current situation of the existing retail and commercial centres and examine the future demand for retailing and the implications for the centres network. The following recommendations of the study should be considered with regards to Fairfield Heights:

- Increased building heights should be given serious consideration for medium to high density residential precincts located in close proximity to centres and public transport systems;
- The LEP should incentivise site amalgamation with centres by offering greater height limits for larger allotments;
- Develop (or revise existing) and implement a staged plan to improve public spaces within all major centres;
- Maintain the centre designations of Local and Neighbourhood Centres.

The Planning Proposal is seeking to rezone R3 Medium Density Residential land to R4 High Density Residential. The Planning Proposal will subsequently amend the FLEP 2013 Heights of Building map and Floor Space Ratio map for the subject site. It is therefore consistent with the above recommendations of the study. The proposed rezoning will create opportunities for a variety of higher density housing in the Fairfield Heights area.

Fairfield LGA Residential Development Strategy 2009

The Fairfield Residential Strategy (study) established the framework to ensure that the Fairfield local government area (LGA) can accommodate the additional dwellings target of 24,000 dwellings as identified in the draft subregional strategy 2007. The study focused on the eastern centres of the LGA including Fairfield Heights.

The study recommends the following for Fairfield Heights:

- Opportunity to increase dwelling stock to meet range for a village;
- Encourage affordable housing in catchment;
- Maintain diversity and quality of retail and commercial services;
- Provision of services to be reviewed in-line with increases in density;
- Review opportunity to develop Polding Street as a key east-west bus route;
- Increase amount and distribution of open space across catchment, particularly in south-east of catchment;
- Investigate additional open space with the commercial core to increase activation. Improve quality of public domain in commercial core; and
- Ensure future dwellings are constructed to the standards of SEPP 65 and are accessible.

According to the recommendations of this study, Council exhibited land along Polding Street, Murray Street, Slender Avenue and Bodalla Street for R4 High Density Residential precinct as part of the Draft Fairfield LEP 2011. Figure 12 below identifies the precinct proposed to be rezoned to R4 High Density Residential.

The original proposal sought to allow development of up to 6 storey residential flat buildings with a FSR of up to 2:1. Notably, these proposed provisions provided for a greater density development than being requested by the current Planning Proposal.

During the exhibition of the previous planning proposal, a significant number of submissions opposing the proposal were received. As a result of Committee and Council, the precinct as identified in figure 12 was zoned R3 Medium Density Residential through LEP 2013 Amendment No 1. Notably, many of the submissions received opposing the proposed amendments to the R4 Zoning, increased HOB and FSR controls, came from residents situated in the study area to the north of Polding Street. The current Planning Proposal is located south of Polding Street, restricted to a residential block, with lower HOB and FSR provisions.

The current Planning Proposal takes into consideration the previous community concerns. The reduced height of buildings of 4 storeys together with the urban design provided for the proposed development is more in character with the existing residential development in the area and adjacent town centre, as opposed to the previous proposal to allow up to 6 storeys of residential flat buildings.

The Planning Proposal is also consistent with the State strategies which locate greater density to adjoining centres and along public transport routes as outlined in the Planning Proposal.

Figure 12: Site proposed to be rezoned to R4 under draft Fairfield LEP 2011



Source: Google Map

Assessment of the Planning Proposal

Assessment of the Planning Proposal indicates that the proposal does have merit. The proposed amendment is within the infrastructure capacity of the area. In addition, there are 2 open space parcels in close proximity to the subject site. The subject site is well serviced by public transport, particularly buses and is approximately 2.5km distance to the Fairfield train station and only 1.7km to the Fairfield Town Centre.

Population of Fairfield Heights is predicted to increase by 4.91% (Forecast.id) between 2016 – 2031. The provision of higher density development can assist in meeting the housing needs of the increased population.

The Traffic & Parking Assessment Report stated that 'it is likely that the proposed development will result in a decrease in the traffic generation potential of the site by approximately 47 vehicles per hour'.

The Planning Proposal is within the State and Local Government (Fairfield City Council's strategy and policies) planning frameworks whereby the social and economic benefit of the Planning Proposal is the opportunity for additional housing within the subject site.

The Planning Proposal does not have any adverse effect on the environment, critical habitat or threatened species, populations or ecological communities or their habitats.

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The surrounding developments are mostly R3 Medium Density Residential zoned land with single and double storey dwellings, dual occupancies and town houses/villas. The Fairfield Heights Town Centre sits on the eastern boundary of the subject site. Access to the retail and commercial precinct is only a few minutes' walk from the subject site.

Comparison of Canley Heights and Canley Vale suburbs indicated that the zones in these suburbs were well transitioned from B2 Local Centre zone to R4 High Density Residential and to R3 Medium Density Residential followed by R2 Low Density Residential.

Fairfield Heights is a suburb of a similar scale to Canley Heights and Canley Vale. Providing R4 High Density Residential zone in the area with increased Height of Buildings and Floor Space Ratio will assist in balancing the gap between the suburbs zones and planning controls.

The design concept provided with the Planning Proposal indicates 3 building structures on site with 4 levels of medium rise residential units. In total, 40 dwellings are indicated consisting 32x2 bedrooms and 8x3 bedrooms. Each unit will have a balcony directly accessible from the primary living area. The development provides 1,374m² of communal open space. It should be noted that the design concept is only subjective and the actual development design can be confirmed at pre-lodgement meeting and Development Application stage.

Fairfield Citywide Development Control Plan 2013

Fairfield Citywide DCP 2013, Chapter 7- Residential Flat Buildings, currently provides development controls for high density residential developments in zone R4. The controls in this chapter are considered appropriate and accordingly a site specific DCP is not required. However, a minor amendment to section 7.3.1 Floor Space Ratio is required to ensure consistency between the amendment to Fairfield LEP 2013 and the Fairfield Citywide DCP 2013.

The amendment to the Fairfield Citywide DCP 2013 – Chapter 7 Residential Flat Buildings will be exhibited concurrently with the Planning Proposal should Gateway Determination be received from the Department of Planning and Environment.

Community Consultation

Community consultation of the Planning Proposal will be undertaken following receipt of a Gateway Determination. It is envisaged that Council's consultation and exhibition methodology will include, but not be limited to, notifying affected landowners and adjoining land owners through letters and any other consultation methods deemed appropriate for the proposal.

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CONCLUSION

The Planning Proposal provides an opportunity for high density residential adjoining the local centre which can be seen as an advantage and support revitalisation of the Fairfield Heights Town Centre. This Planning Proposal will result in amendments to the Fairfield LEP 2013 and Fairfield Citywide DCP 2013 as outlined in the report.

It is recommended that Council endorse the Planning Proposal to proceed to Gateway Determination to permit community consultation, and in its request advise NSW DP&E that Council seeks to utilise the delegation for LEP Plan Making (delegated by the Minister under Section 23 of the Environmental Planning and Assessment Act 1979 [EP&A]). A further report will be submitted to Council at the conclusion of the exhibition period.

Sunehla Bala
Senior Strategic Land Use Planner

Chris Shinn
Coordinator Strategic Planning

Authorisation:
Manager Strategic Planning

Outcomes Committee - 10 May 2016

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