

Planning Proposal

Proposed rezoning of the following sites for open space purposes (Public Park)

*15 Nelson Street, Fairfield
1 Karella Avenue, Villawood
3 Karella Avenue, Villawood
5 Karella Avenue, Villawood
54 Koonoona Avenue, Villawood
56 Koonoona Avenue, Villawood
58 Koonoona Avenue, Villawood*

*Fairfield Local Environmental Plan 2013 Draft
Amendment*

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INTRODUCTION

The Fairfield Open Space Strategy 2007 (FOSS 2007) identified that the provision of open space across the Fairfield Local Government Area was not meeting the needs of the community.

In addition to the findings of the FOSS 2007, the draft Fairfield Residential Development Strategy 2009, with its findings guiding the Residential Zones in the Fairfield Local Environmental Plan 2013, identifies Villawood and Fairfield as areas that required additional open space to meet the existing demand as well as the anticipated demand as the result of increased housing opportunities facilitated by the Fairfield Local Environmental Plan 2013.

In response to the findings of the FOSS 2007 and the recommendations of the draft Fairfield Residential Development Strategy 2009, Council at its meeting held on December 2011 considered a report that outlined the need for additional open space in certain areas of the city, which included Fairfield and Villawood, and resolved amongst other matters, to begin the process of identifying and preparing planning proposals to rezone various sites for future open space.

Following on from the above meeting, Council at its meeting held on 26 February 2013 resolved to prepare a planning proposal to amend the Fairfield Local Environmental Plan 2013 to rezone the following Council owned sites for open space purposes (refer to **Attachment B** for copy of the report).

- Lot 10 Section 2 DP 2384 (15 Nelson Street, Fairfield)
- Lot 313 DP 16186 (1 Karella Avenue, Villawood)
- Lot 312 DP 16186 (3 Karella Avenue, Villawood)
- Lot 311 DP 16186 (5 Karella Avenue, Villawood)
- Lot 314 DP 16186 (54 Koonoona Avenue, Villawood)
- Lot 315 DP 16186 (56 Koonoona Avenue, Villawood)
- Lot 316 DP 16186 (58 Koonoona Avenue, Villawood)

In reference to the above sites, rezoning of the Fairfield site will reflect its current use as a pocket park, whilst in the case of the Villawood sites; the rezoning reflects the future intended use of these sites as a neighbourhood park.

Note: When this process was first initiated, some of the subject sites were still in private ownership. However, Council has since become the owner of all of the subject sites.

Refer to Figures 1-6 for location, aerial photos and current zoning of the subject sites.

Figure 1 - Villawood sites Aerial Photo

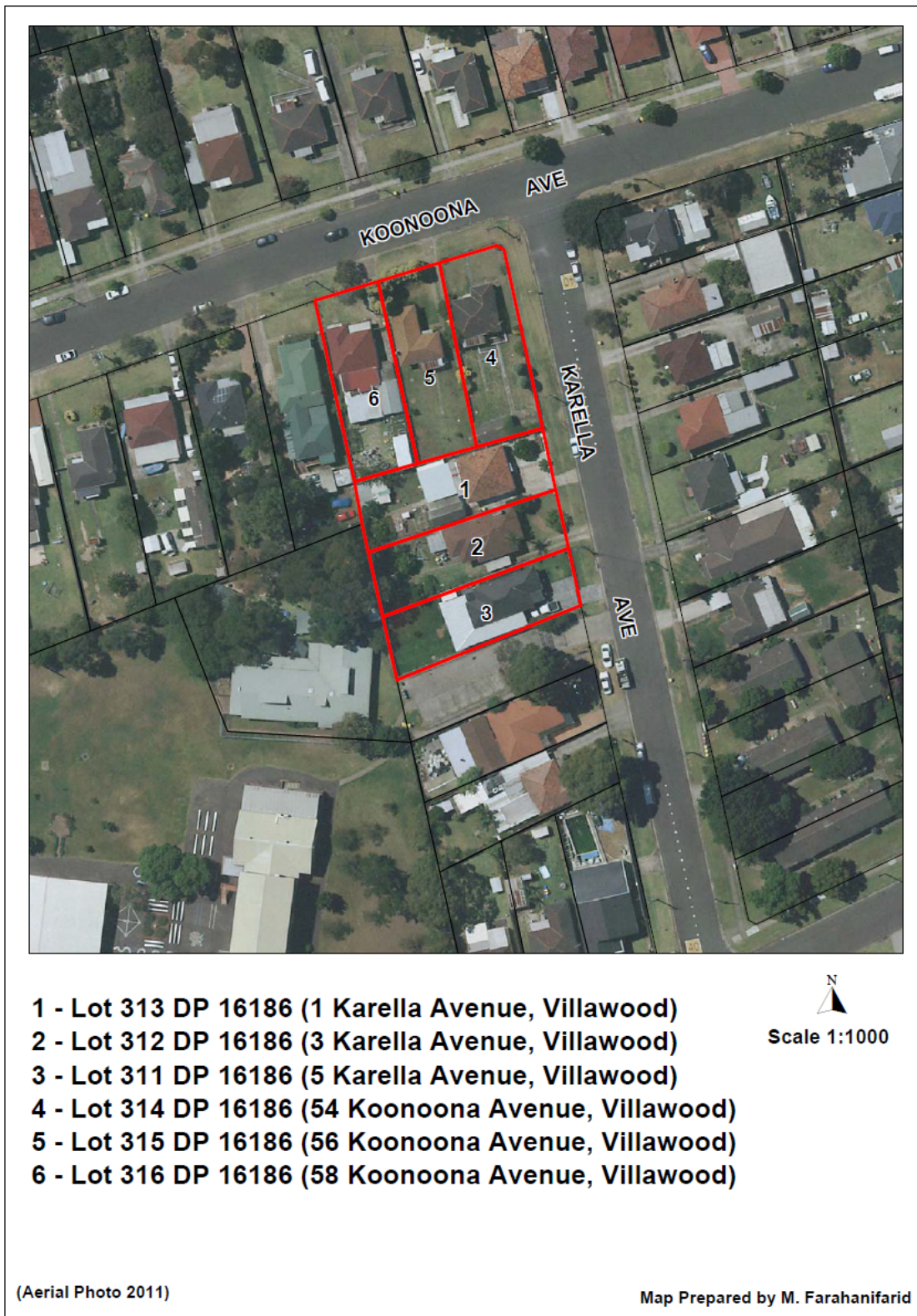


Figure 2- Villawood Sites Location Map

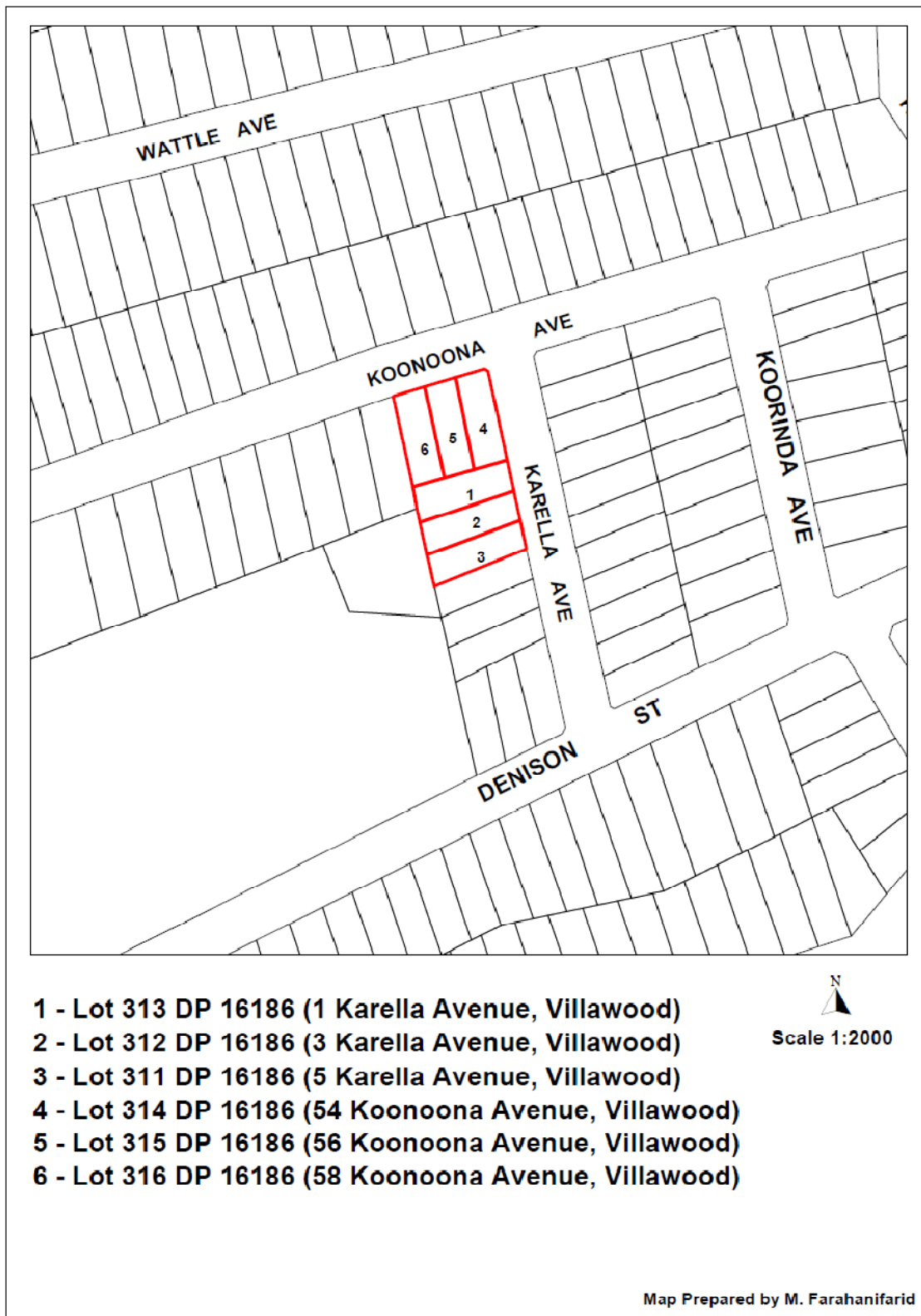


Figure 3 – Extract Zoning Map for the Villawood Sites

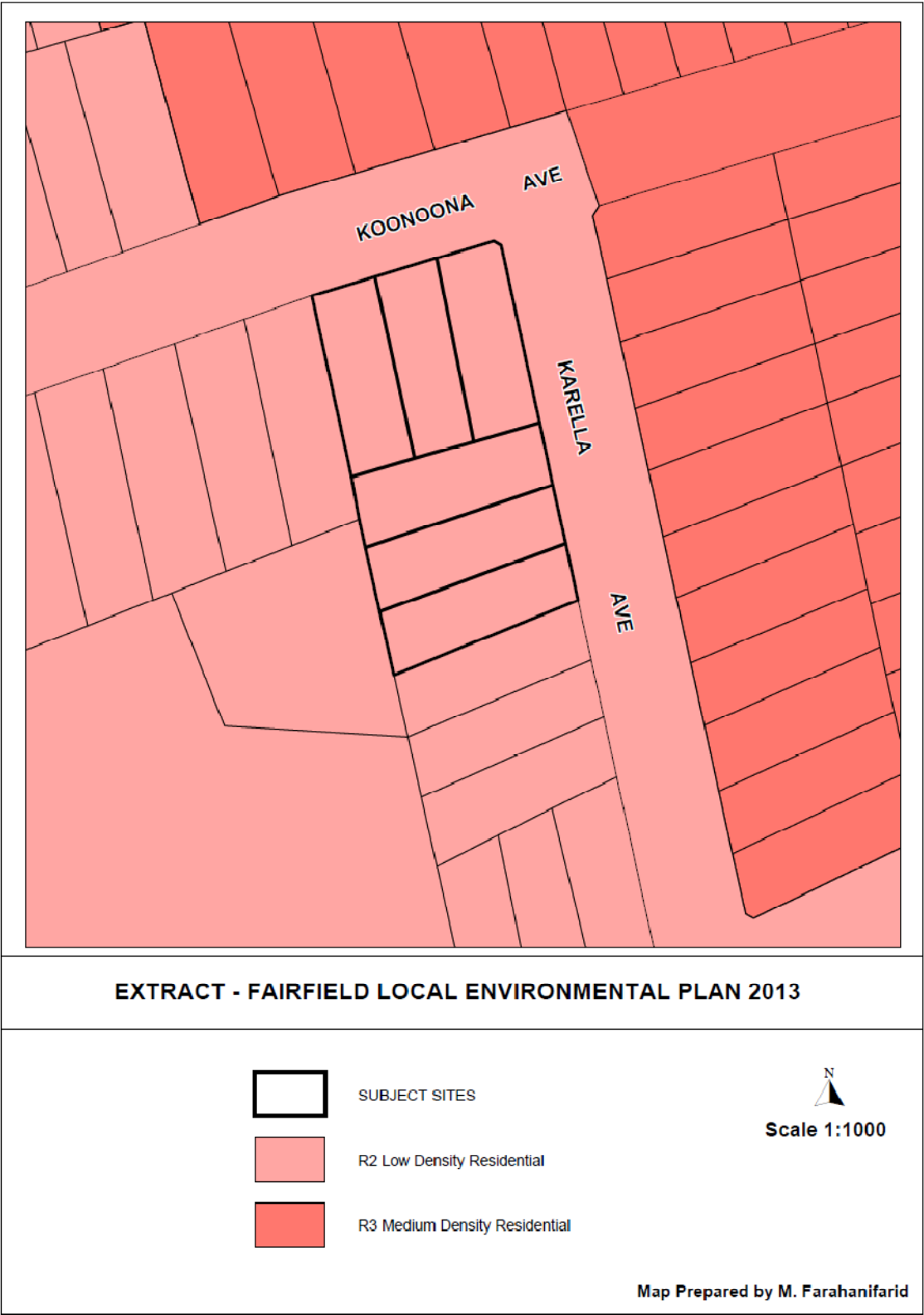


Figure 4 - Fairfield site Aerial Photo



Figure 5 - Fairfield Location Map

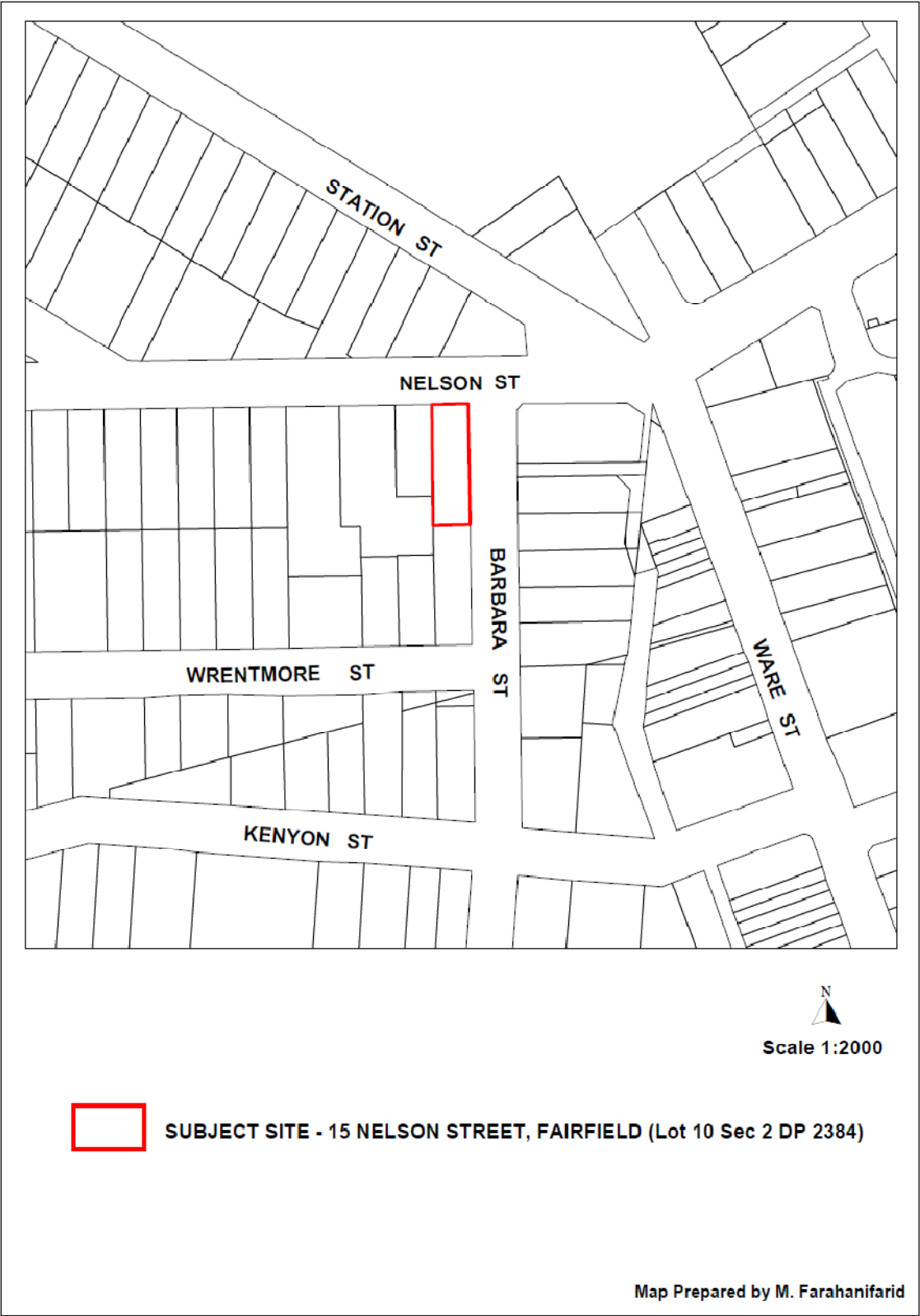
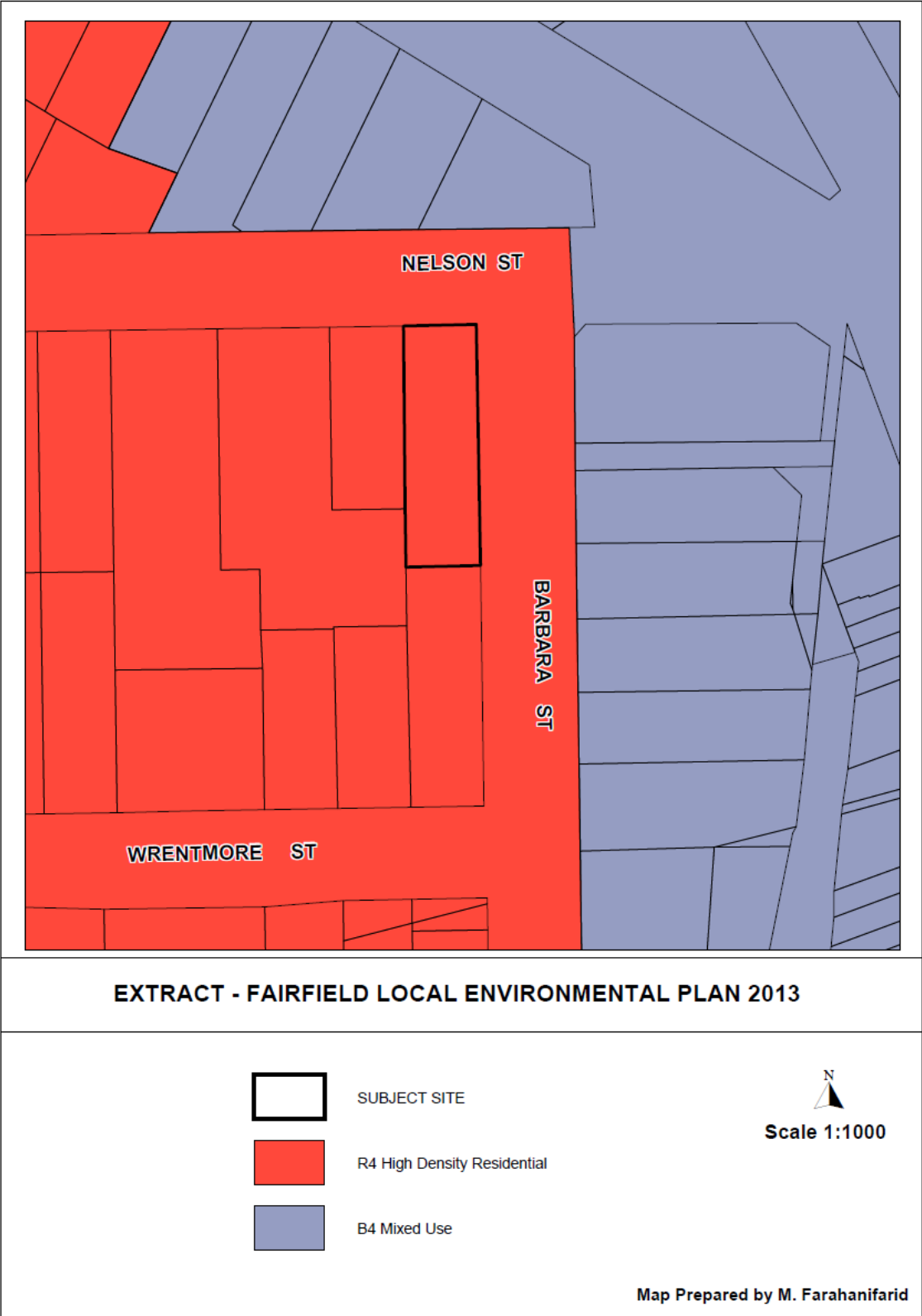


Figure 6 - Zoning Map for the Fairfield Site



Part 1 - Objectives

The purpose of the planning proposal is to rezone the sites from their current zones to that of an open space zoning (public park).

In the case of 15 Nelson Street, Fairfield, the rezoning will reflect the current use of the site as a pocket park. Whilst rezoning of the sites in Villawood (1, 3, 5 Karella Ave and 54, 56, 58 Koonoona Ave) will reflect the intended use of these sites as a future neighbourhood park.

In order to achieve the objectives of the proposal, amendments will be required to the Zoning, Height of Building, Floor Space Ratio, Minimum Lot Size and Minimum Lot Size Dual Occupancy Maps of the Fairfield Local Environmental Plan 2013. The amendments are further discussed in the following section.

Part 2- Explanation of provisions

To achieve the objective of the Planning Proposal, the Fairfield Local Environmental Plan 2013 (FLEP 2013) will need to be amended as follows:

Fairfield Site

1. Rezone Lot 10 Section 2 DP 2384 (15 Nelson Street, Fairfield) from **R4 High Density Residential** to **RE1 Public Recreation** by amending the Land Zoning Map
2. Amend the Height of Building Map to remove the 20 metre maximum height limit from the above sites (the FLEP 2013 does not specify a height limit within the RE1 – Public Recreation Zone)
3. Amend the Floor Space Ratio Map to remove the 2:1 maximum FSR limit from the above site (the FLEP 2013 does not specify an FSR limit within the RE1 – Public Recreation Zone)

Refer to figures 7-9 for proposed Zone, FSR and HOB amendment maps.

Villawood Sites

4. Rezone the following lots from **R2 Low Density Residential** to **RE1 Public Recreation** by amending the Land Zoning Map
 - Lot 313 DP 16186 (1 Karella Avenue, Villawood)
 - Lot 312 DP 16186 (3 Karella Avenue, Villawood)
 - Lot 311 DP 16186 (5 Karella Avenue, Villawood)
 - Lot 314 DP 16186 (54 Koonoona Avenue, Villawood)
 - Lot 315 DP 16186 (56 Koonoona Avenue, Villawood)
 - Lot 316 DP 16186 (58 Koonoona Avenue, Villawood)
5. Amend the Height of Building Map to remove the 9 metre maximum height limit from the above sites (the FLEP 2013 does not specify a height limit within the RE1 – Public Recreation Zone)
6. Amend the Floor Space Ratio Map to remove the 0.45:1 maximum FSR limit from the above sites (the FLEP 2013 does not specify an FSR limit within the RE1 – Public Recreation Zone)
7. Amend the Minimum Lot Size Map to remove the 450sqm minimum requirement for the above sites (the FLEP 2013 does not specify minimum lot sizes within the RE1 – Public Recreation Zone)
8. Amend the Minimum Lot Size Dual Occupancy Map to remove the 600sqm minimum requirement for the above sites (the FLEP 2013 does not specify minimum lot sizes for dual occupancies within the RE1 – Public Recreation Zone)

Refer to figures 10-14 for proposed Zone, Height of Building, Floor Space Ratio , Minimum Lot Size and Minimum Lot Size Dual Occupancy amendment maps.

**PROPOSED MAP
AMENDMENTS TO THE
FAIRFIELD LOCAL
ENVIRONMENTAL PLAN 2013**

Figure 7- Proposed Zone Amendment - Fairfield Site

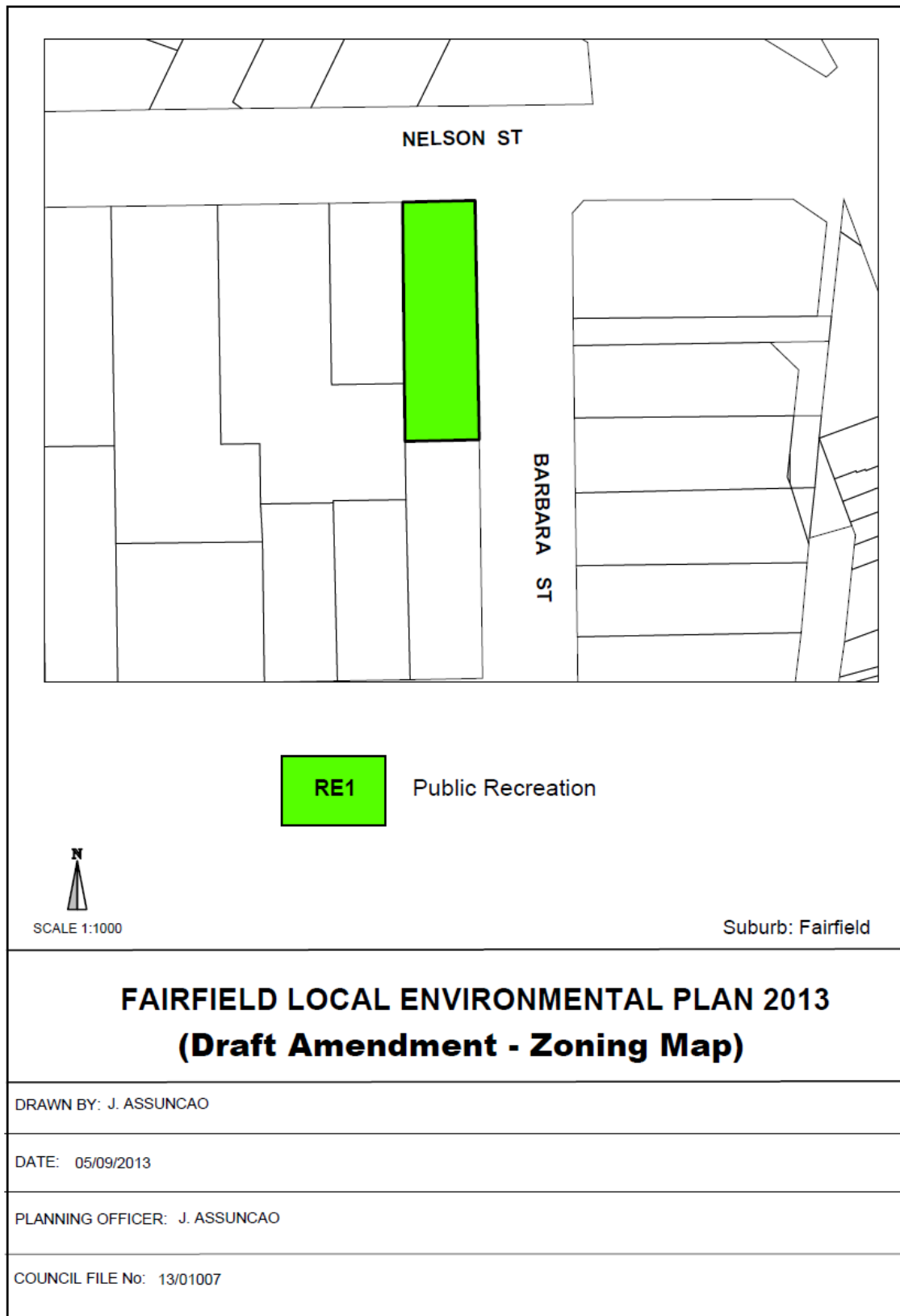


Figure 8- Proposed Floor Space Ratio Amendment – Fairfield Site

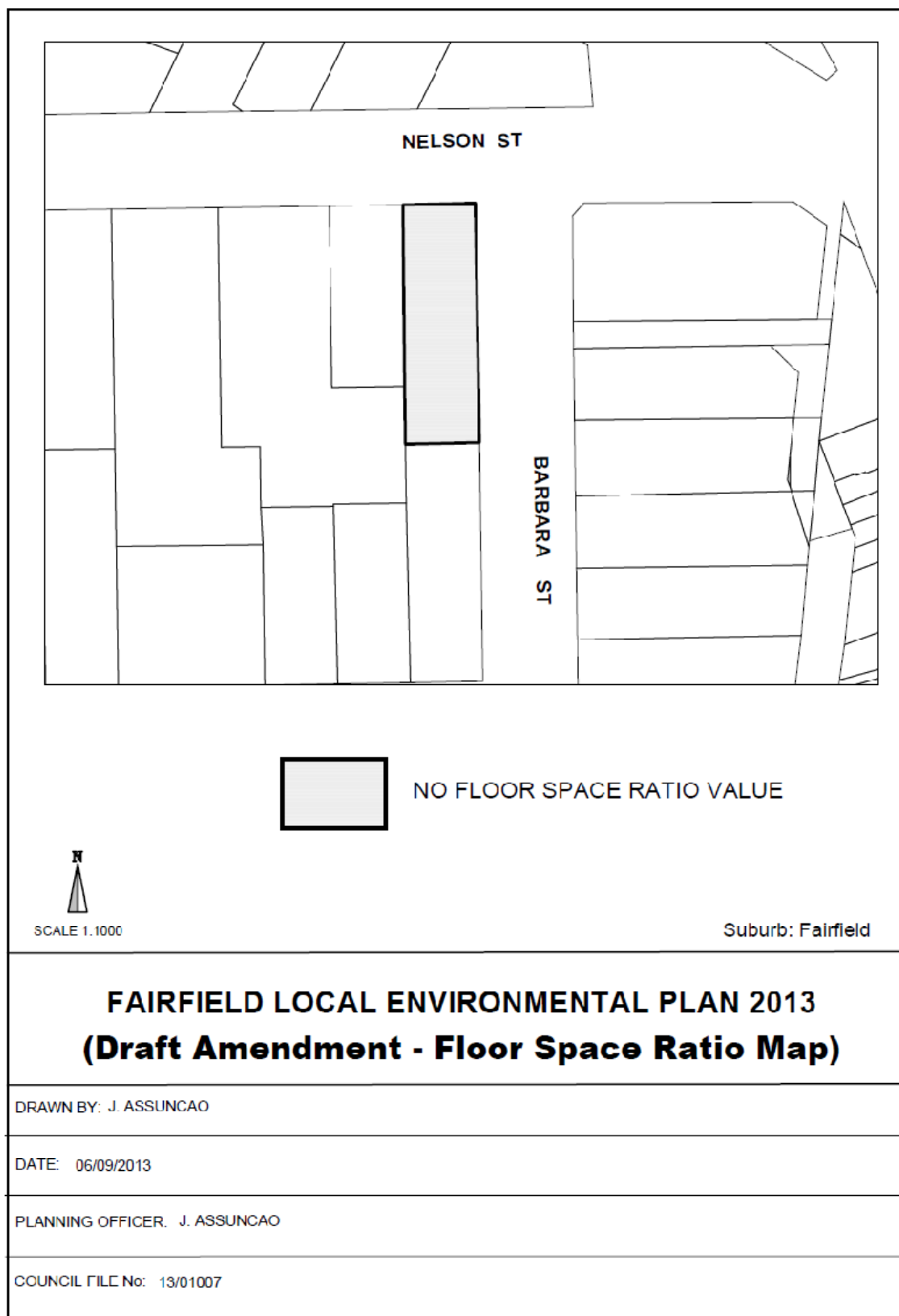


Figure 9 - Proposed Building Height Amendment – Fairfield Site

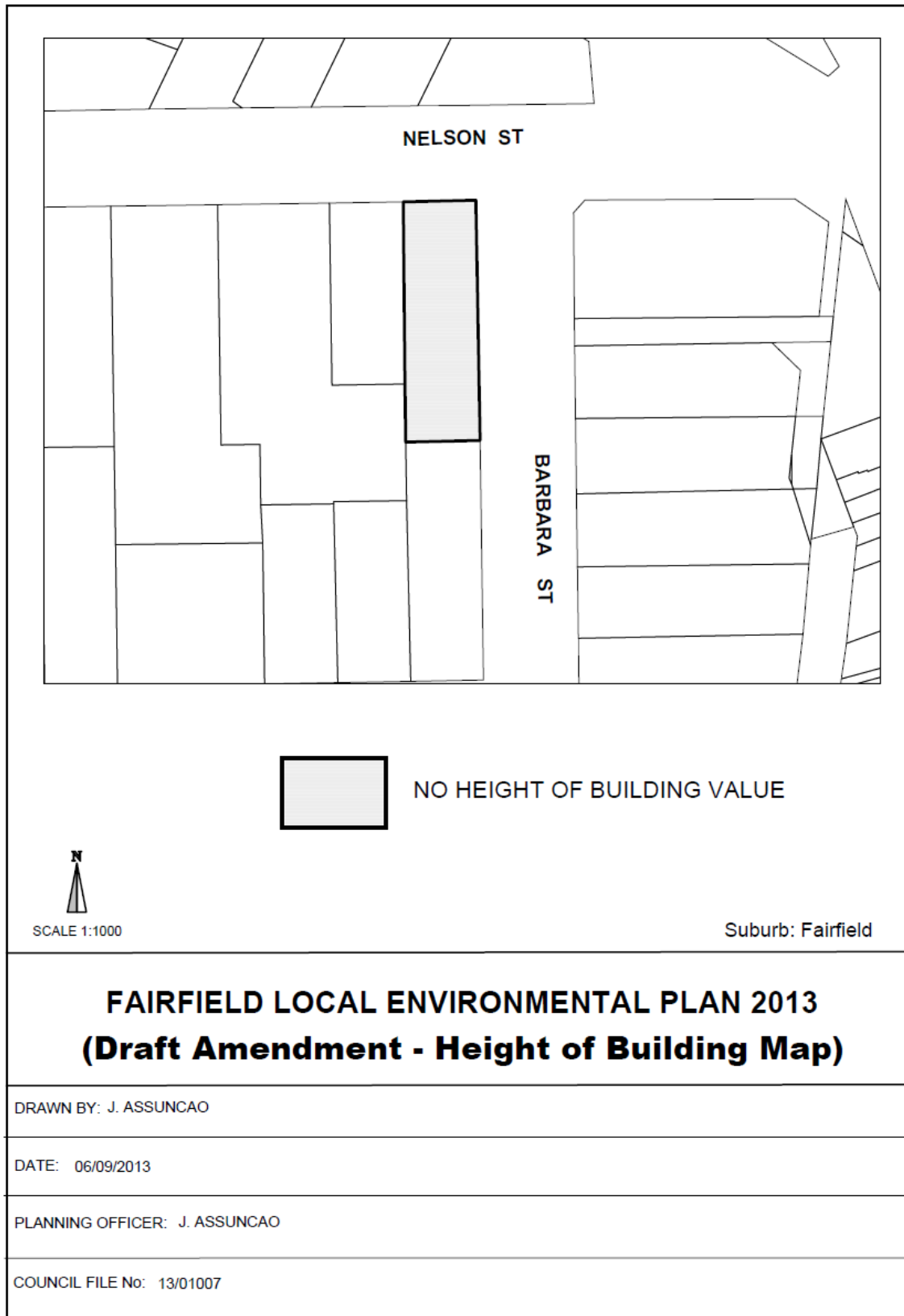


Figure 10 - Proposed Zoning Map Amendment - Villawood Sites

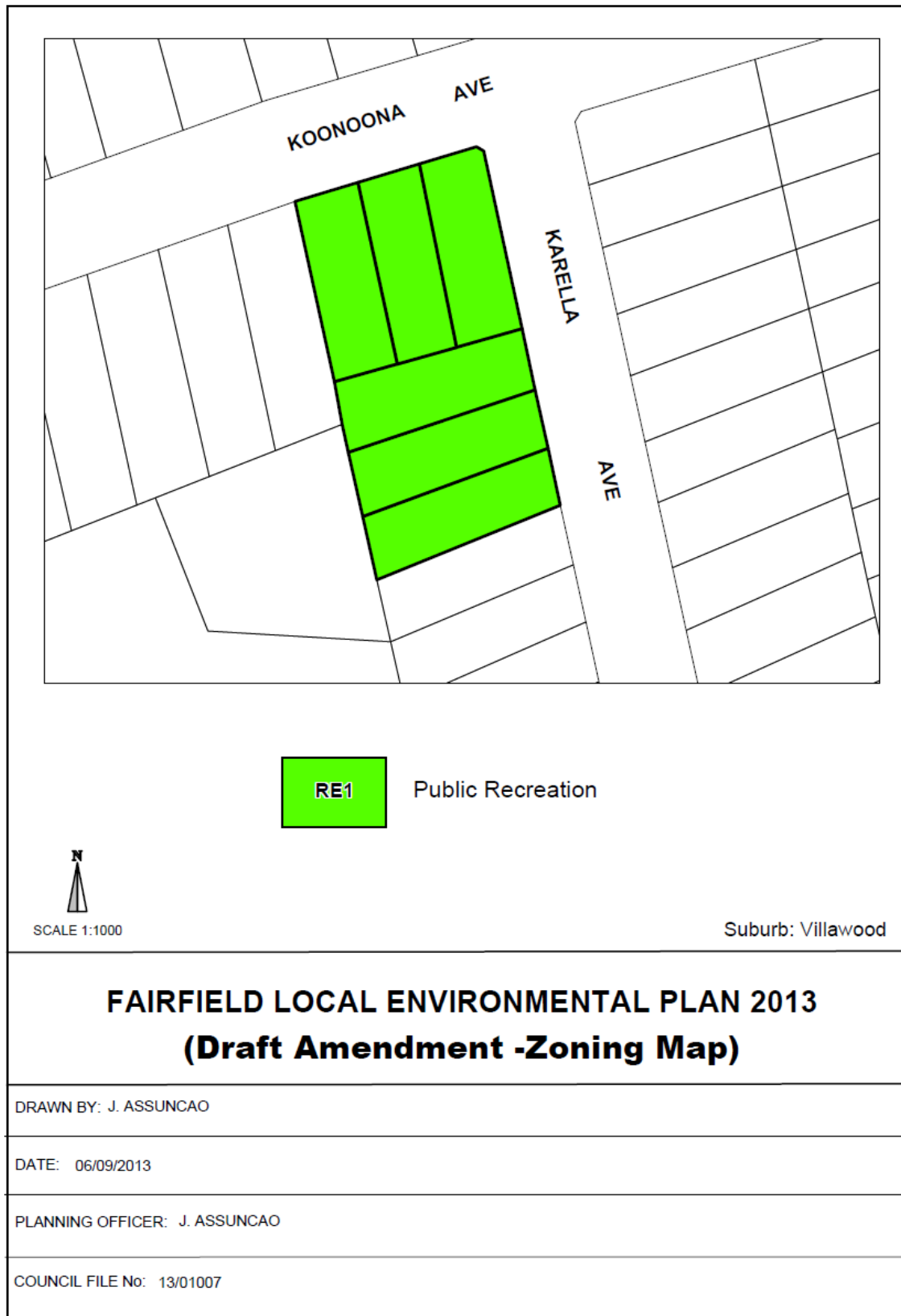


Figure 11 - Proposed Building Height Amendment - Villawood Sites

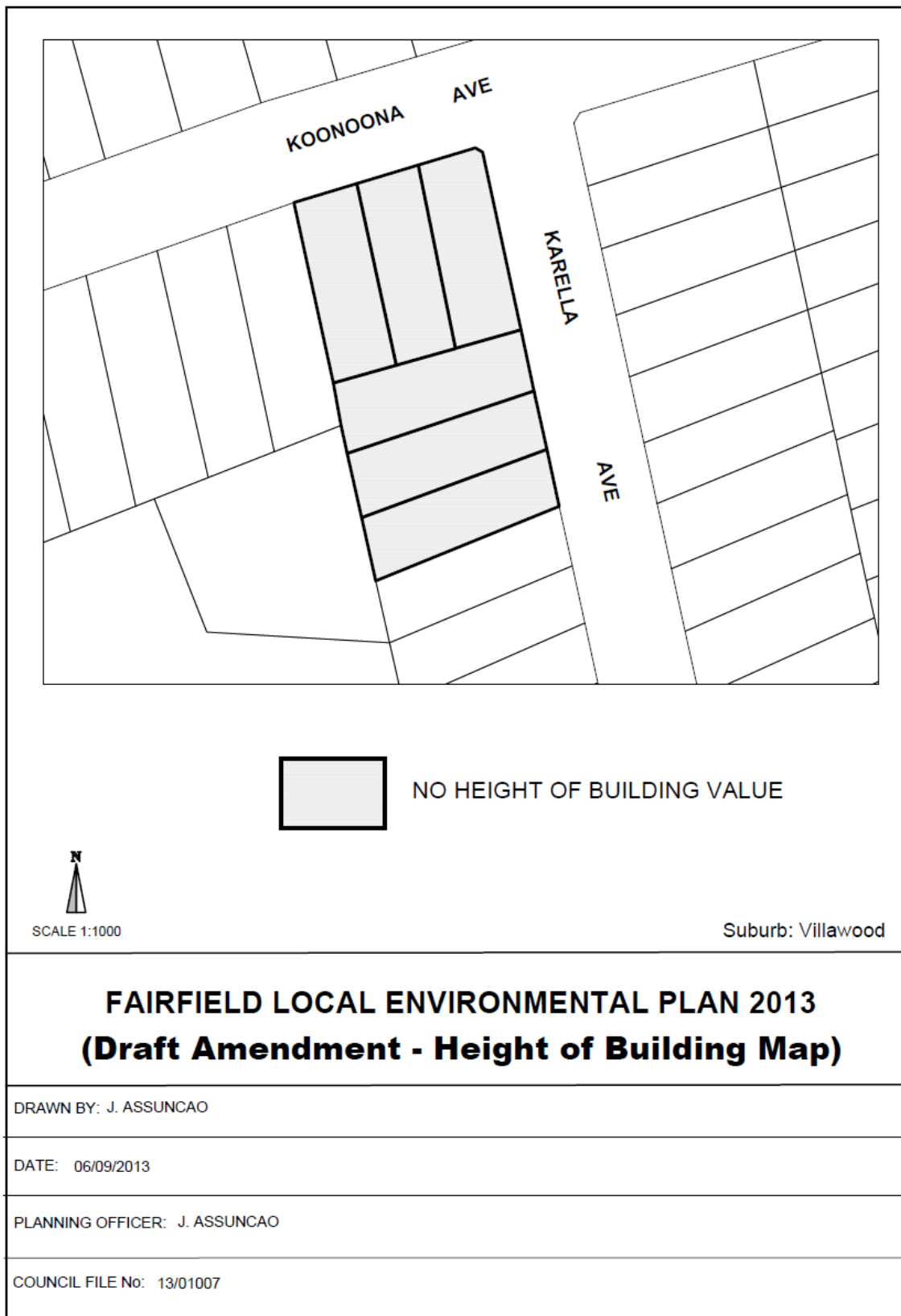


Figure 12 - Proposed Floor Space Ratio Amendment - Villawood Sites

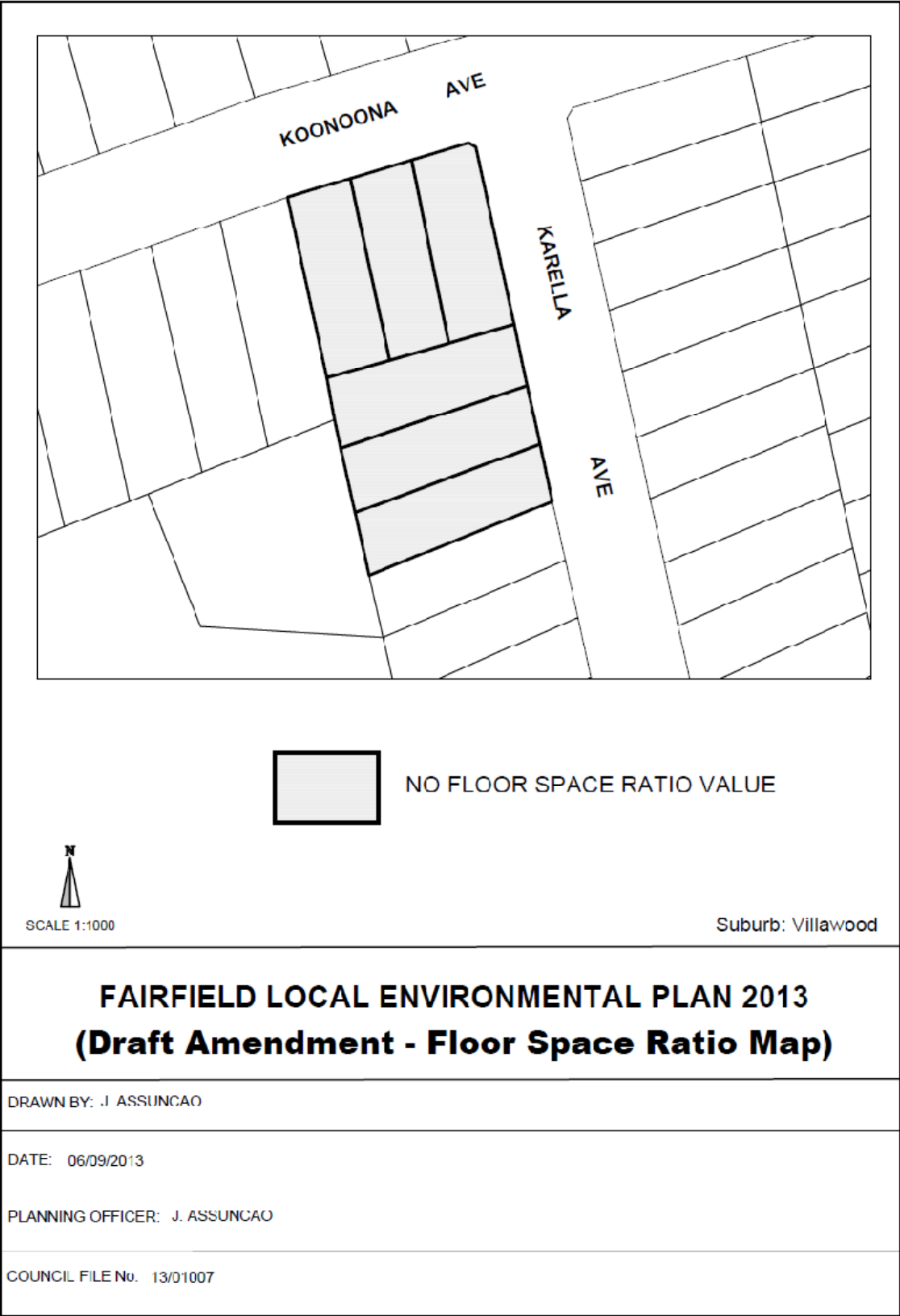


Figure 13 - Proposed Minimum Lot Size Amendment - Villawood Sites

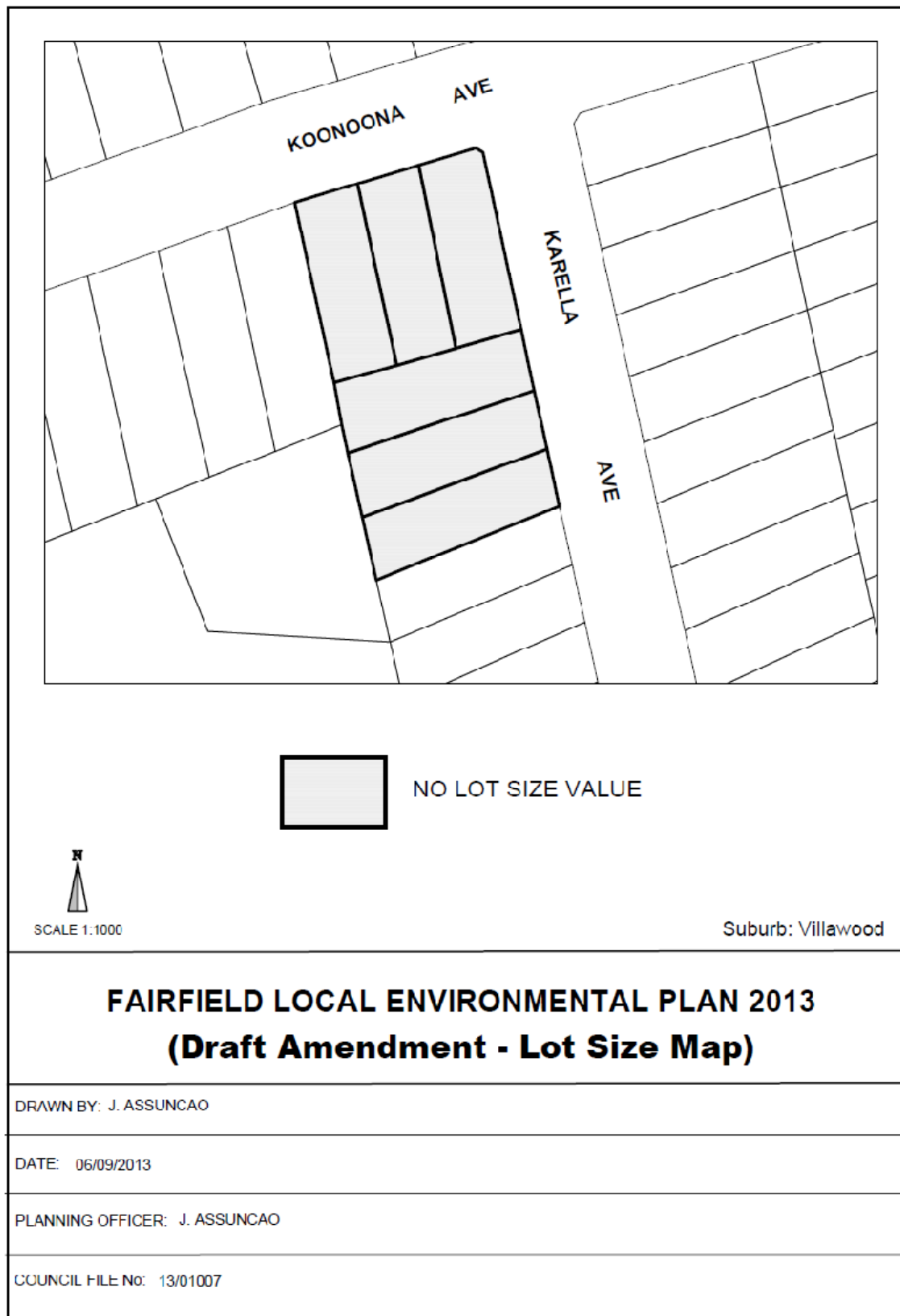
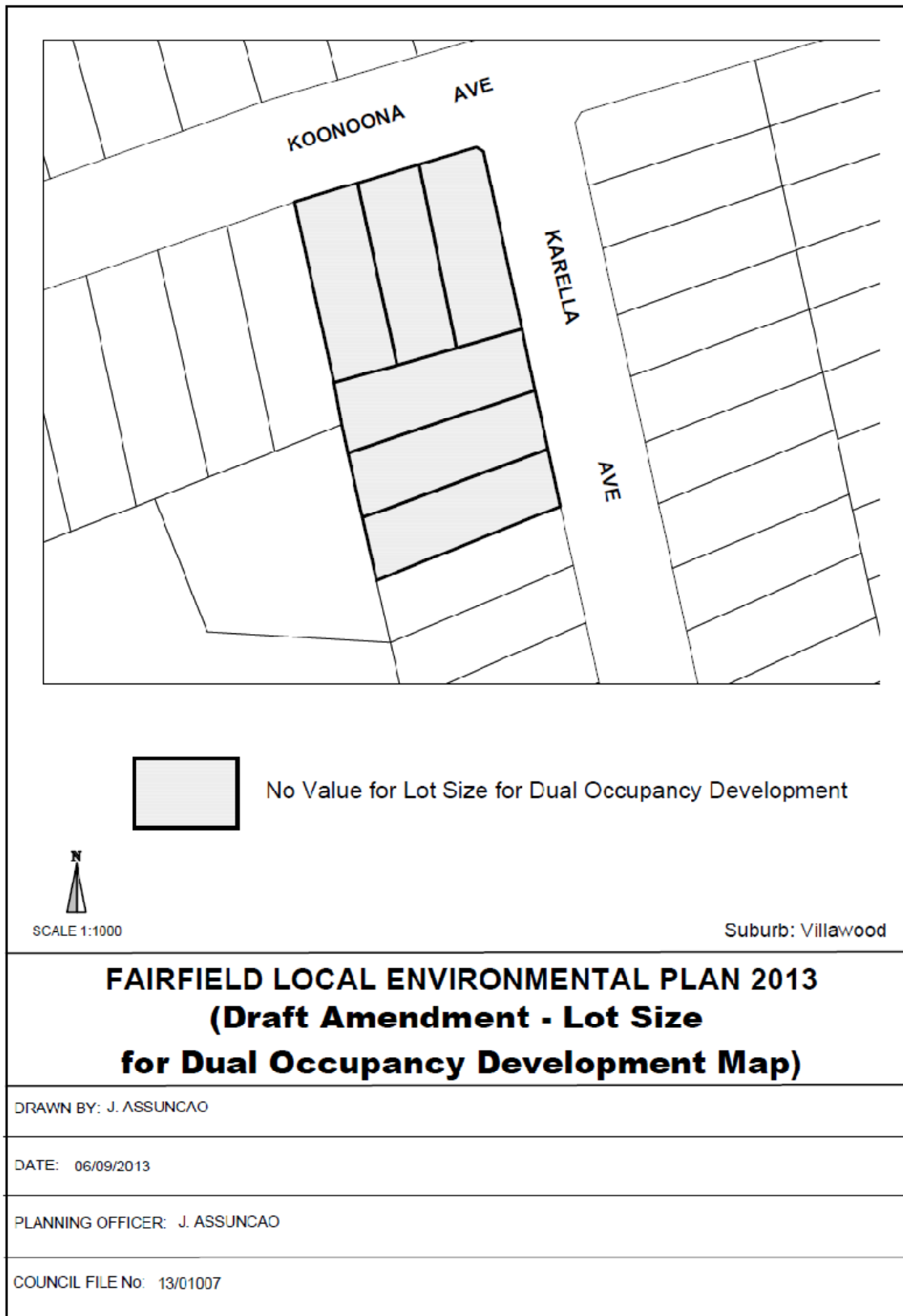


Figure 14 - Proposed Minimum Lot Size Dual Occupancy Amendment - Villawood Sites



Part 3- Justification

Section A – Need for a planning proposal

1. Is the planning proposal a result of any strategic study or report?

Yes, the planning proposal to rezone the subject sites for open space is the result of various Council strategic studies.

The planning proposal seeks to implement the findings and recommendations of the Fairfield Section 94 Review, the Fairfield Open Space Strategy 2007 and the draft Fairfield Residential Development Strategy 2009. A brief outline of these strategies is provided below:

FAIRFIELD OPEN SPACE STRATEGY 2007 (FOSS 2007)

The aims of this strategy are as follows:

- To provide a commentary on the progress of implementation of the 1999 Fairfield Open Space Strategy.
- To identify critical strategies from the 1999 Fairfield Open Space Strategy yet to be implemented.
- To develop new strategies for the ongoing planning, design and management of open space.
- To identify new priorities for open space management. To inform the review of Council's Section 94 Contributions Plan.
- Provide an acquisition and disposal rationale for land parcels for open space.

FOSS 2007– Relationship to Regional Strategies

The FOSS 2007 provided the following commentary in regards to its relationship to Regional Strategies applicable at the time it was prepared:

“THE METROPOLITAN STRATEGY

Developed by the New South Wales Government, the Metropolitan Planning Strategy is a framework that provides a vision for Sydney and its sustainable growth and development over the next 25 years. The two components for specific discussion are the strategies for Centres and Corridors and Parks and Public Places”

Of relevance to this proposal is the FOSS 2007 reference to *Parks and Public Places* which is reproduced as follows:

“Parks and Public Places

The vision for open spaces within the Sydney Metropolitan area is to promote fair access, diversity and quality within an open space network of parks, reserves, cycle ways and walking trails. The Strategy highlights the provision and access to open space in western Sydney is a priority.”

It should be noted that since the release of the FOSS 2007, the Metropolitan Strategy has been superseded by the release of the Metropolitan Plan for Sydney 2036 (MPS 2036). In terms of open space the MPS 2036 provides the following direction:

“Strategic Direction H – Achieving Equity Liveability and Social Inclusion objective H.2.3

Local government to undertake open space planning procedures in accordance with updated Recreation and Open Space Planning Guidelines for Local Government, to deliver parks, playing fields and public open spaces that suit new multiple uses.”

FOSS 2007– Relationship to Recreation and Open Space Planning Guidelines for Local Government

The relevance of the FOSS 2007 is further supported by *Section 1.3 of the Recreation and Open Space Planning Guidelines for Local Government* which states the following:

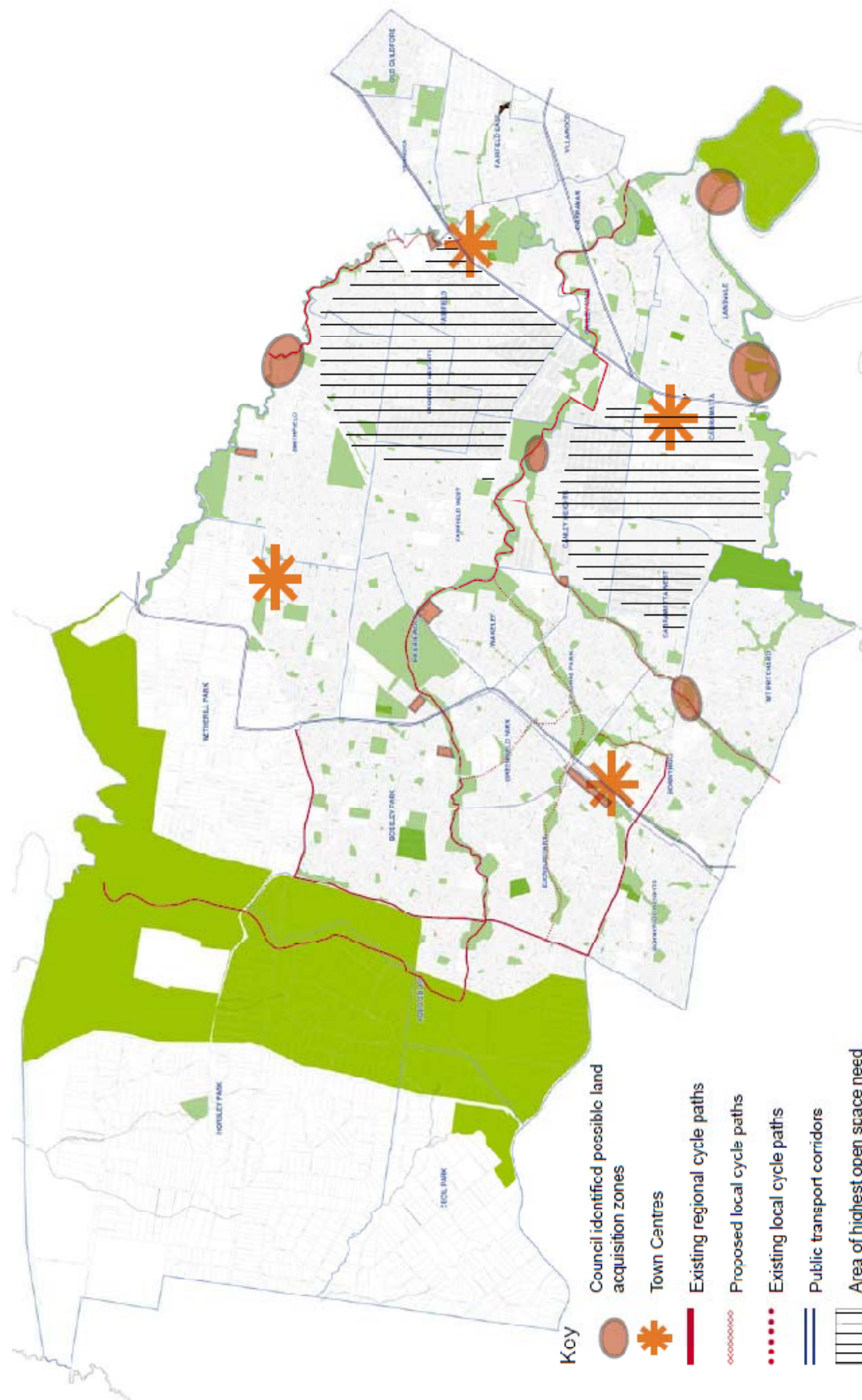
“1.3 Local level policies

At a local level, the council policies and strategic planning framework will help guide consistency. Community Strategic Plans, which include planning for social and environmental issues, may identify community goals and aspirations which can be supported by open space and recreation planning.

Open space strategies should be tied to council capital works programs as part of resourcing strategies and asset management plans.”

An extract of the FOSS 2007 is provided as **Figure 15** which highlights areas within the city as “*areas of highest open space need*” which includes the locality of Fairfield which is of relevance to this proposal.

Figure 15- Extract form Fairfield Open Space Strategy 2007– Fairfield Site



DRAFT FAIRFIELD RESIDENTIAL DEVELOPMENT STRATEGY 2009 (FRDS 2009)

The following commentary provides further justification on the proposals consistency with the draft FRDS 2009.

Draft FRDS 2009 - Villawood Sites

The draft FRDS 2009, which was exhibited with Council's FLEP 2013, is a 20 year strategy which guides the location and type of future residential development within the Fairfield Local Government Area.

The Metropolitan Strategy has identified Villawood as a Village Centre. The draft FRDS 2009 acknowledges Villawood as a Village Centre and it's on this basis that an overall strategy for the development of the locality has been developed.

The draft FRDS 2009 has identified Villawood, with its recommendations guiding the residential zoning for the locality under the FLEP 2013, as a location that is suitable for higher forms of residential development. However, it acknowledges that Villawood has limited community facilities that would require additional investment prior to encouraging development.

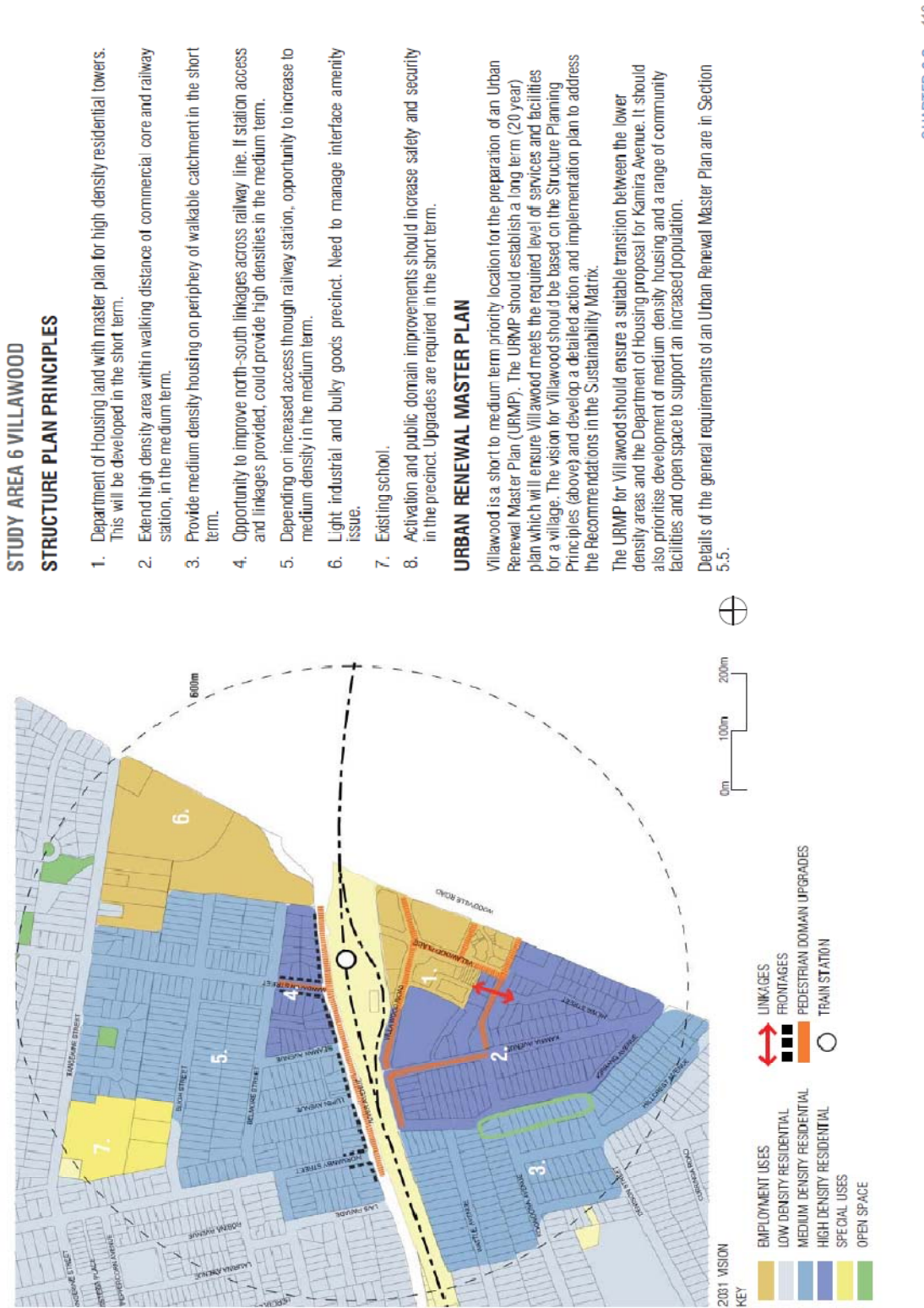
The provision of additional open space will ensure that this type of community asset is able to contribute to future demands imposed by future anticipated increases in population resulting from increased housing opportunities facilitated by the FLEP 2013.

In regards to Open Space in the Villawood locality, the draft FRDS 2009 provides the following assessment:

Village	Aspirational Target	Current Status	Recommendations
Open Space and Recreation	1 local park (1-4ha) 3 neighbourhood parks (0.25-2ha) Cycle links to other centres and key destinations Universally accessible pedestrian facilities throughout centre	No local parks and neighbourhood parks are poorly distributed	Provide additional open space to support new developments and increases in density.

An extract of the relevant section of the draft FRDS 2009 for Villawood is included as **Figure 16**.

Figure 16 - Extract from Draft Fairfield Residential Development Strategy Villawood Site



Draft FRDS 2009 -Fairfield Site

The need for open space is likely to be increased given that the areas north and west of the Fairfield Town Centre have been identified as being suitable for higher density residential by the draft FRDS 2009. The findings of the draft FRDS 2009 are further discussed below.

The Metropolitan Strategy has identified Fairfield as a Potential Major Centre. The draft FRDS 2009 acknowledges Fairfield Town Centre as a Potential Major Centre and it's on this basis that an overall strategy for the development of the locality has been developed.

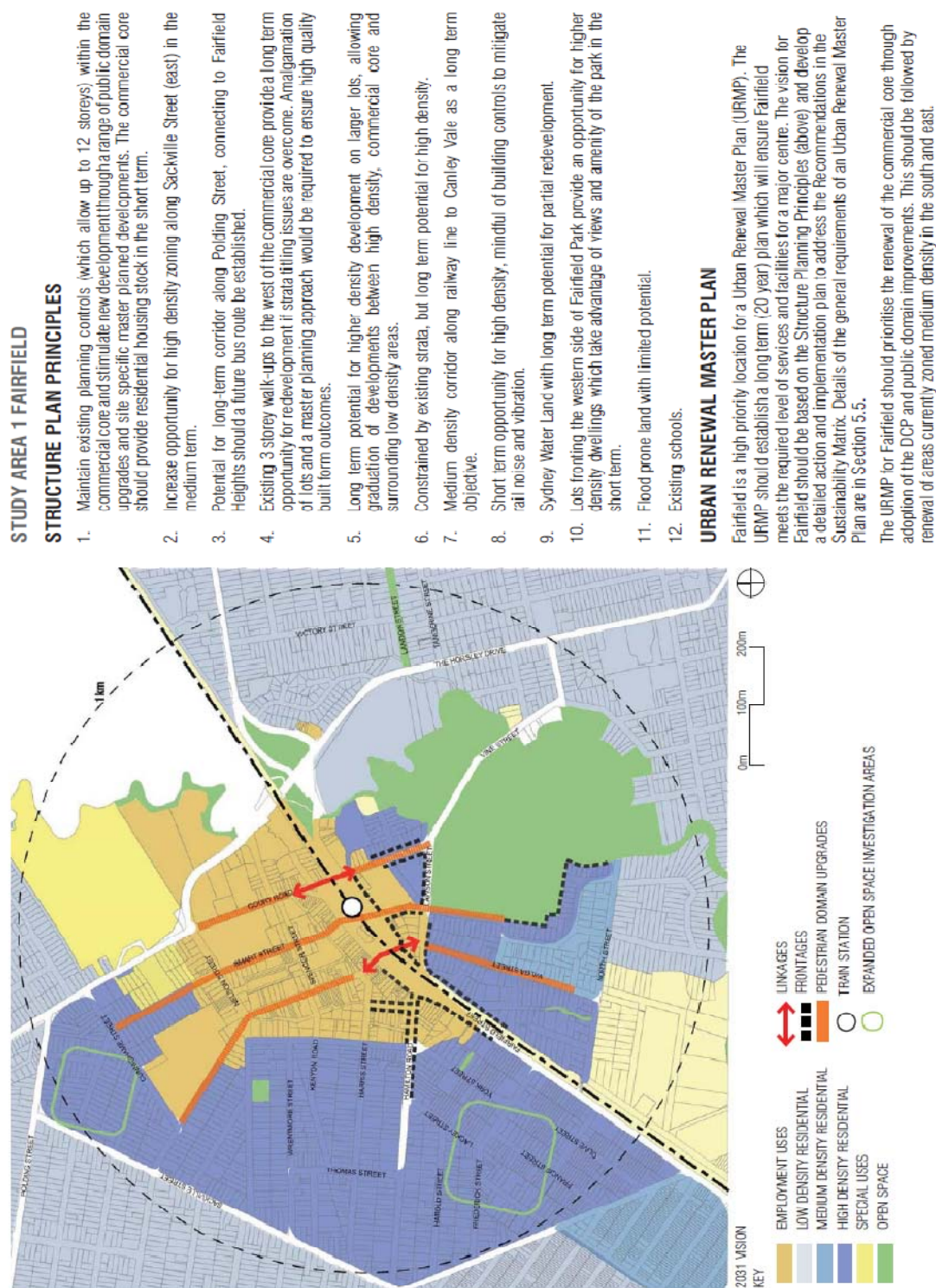
In regards to Open Space in the Fairfield locality, the draft FRDS 2009 provides the following assessment:

Village	Aspirational Target	Current Status	Recommendations
Open Space and Recreation	District level park (3-10ha) linking into surrounding district level open space; Range of local (1-4ha) and neighbourhood (0.25-2ha) parks across residential area. Cycle links to other centres and key destinations; Universally accessible pedestrian facilities throughout the centre.	Contains a district level park but local parks are limited particularly in the west.	Ensure increased density within the western half of the catchment is supported by additional open space. Improve pedestrian linkages between residential areas and Fairfield Park.

It is important to note that since the preparation of the draft FRDS 2009, Council has developed the subject site as a small pocket park.

An extract of the relevant section of the draft FRDS 2009 for Fairfield is included as **Figure 17**.

Figure 17 - Extract form Draft Fairfield Residential Development Strategy – Fairfield Site



SECTION 94 ANALYSIS

The Fairfield Section 94 Review provided the following commentary in regards to its relationship to the proposed plan:

Villawood Sites

As part of the preparation of the Fairfield Section 94 Plan (S94) 2011, an analysis was conducted in regards to the quantum of open space that would be required as the result of the expected increases in population in the Villawood Catchment. The analysis indicated that the Villawood catchment has the lowest rate of open space per person when compared to other catchments within the city. An extract of the plan highlighting this inequity is reproduced below:

	Existing Population*	Current Passive Open Space Provision (2011)*	Rate per person m2 (2011)	Additional Population (2031)	Rate per person m2 (2031)
Villawood	4,795	13,321	2.78	1,532	2.11
Fairfield	31,042	144,920	4.67	6,349	3.88
Cabramatta	40,561	175,455	4.33	5,284	3.83
Western LGA	70,315	682,889	9.71	7,550	8.77

It is important to note that the S94 Plan has been developed to ensure that any increases in population will not result in the rate of open space per person being reduced.

The S94 Plan has indicated that at least 4,259m2 of additional passive open space will be required (approximately 1 neighbourhood park), in the Villawood catchment, to address expected population growth to 2031.

It is important to note that the rate of 2.78sqm of open space per person, as provided by the S94 Plan is not Council's policy. This benchmark was established to ensure that any increases in population will not reduce the provision of open space below the current lowest rate that exists within the Fairfield LGA.

Council's policy position for open space is to provide up to 12.1sqm per person where funding allows. The S94 Plan states that Council will investigate other opportunities to increase the availability of open space from other funding sources given that a greater contribution from developers is not viable.

Fairfield Site

As part of the preparation of Council's S94 Plan an analysis was conducted in regards to the quantum of open space that would be required as the result of the expected increase in population in the Fairfield Catchment, which is estimated to increase in the next 20 years.

The S94 Plan estimates that 2.78m² of passive open space is required per additional person, and on this basis, would equate to a requirement of an additional 1.77 Hectares of open space for the next 20 years.

The plan estimates that a neighbourhood park should be sized between 4000 -5000 square metres. This equates to the provision of approximately 4 - 5 additional neighbourhood parks to be provided in the next 20 years to keep up with the expected increase in demand as the population increases.

It should be noted that at the time of preparation of this proposal, Council, as part of a separate process, has commenced the process of rezoning land for open space purposes in the Fairfield Catchment area in response to commentary above. Although the subject site is sized well below that required to be designated a neighbourhood park, it nevertheless provides the community with additional open space.

The primary purpose of rezoning the subject is to formalise the zoning to reflect its current use as a pocket park.

CONCLUSION

The proposal to rezone the identified site in the Fairfield locality is consistent with the findings of the FOSS 2007, draft FRDS 2009 and the analysis that was conducted as part of the preparation of S94 Plan.

It is also important to note that, as part of a separate process, Council has commenced the rezoning of sites in Smithfield (which is adjacent to the Fairfield Heights Town Centre and within the Fairfield Catchment under the S94 Plan) that will facilitate provision of approximately 3500 sqm of open space in the future which complements the rezoning of the Fairfield site.

Villawood was not identified by the FOSS 2007. However, the proposal to rezone the identified sites in the Villawood locality is consistent with the findings of the draft FRDS 2009 and the analysis that was conducted as part of the preparation of Council's Section 94 Plan 2011.

The draft FRDS 2009 indicates that additional open space will be required within the Villawood catchment to support new developments and anticipated increases in population as the result of increased housing opportunities facilitated by the FLEP 2013.

Part 3 – Justification - continued

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

Yes, the planning proposal is the best means of achieving the intended outcome, for the reasons outlined below:

- a) The proposal seeks to provide additional open space in the Fairfield and Villawood localities in order to address the shortfall of open space to meet the current and future demand for open space facilities.
- b) Rezoning of the sites for open space purposes will ensure that the zoning of the sites are consistent with the purpose of which they have been acquired. In the case of the Fairfield site the rezoning will reflect the current use of the site as a pocket park.

3. Is there a net community benefit?

Yes, the proposal is the result of the strategies discussed earlier in this proposal that identify that there is a deficiency in the provision of open space available to the community in the localities of Fairfield and Villawood to meet the current demand.

The subject sites are located in existing Low and High Density Housing Zones and are either near or within areas where medium to high density housing is permissible under the FLEP 2013.

This proposal seeks to provide additional open space in the above localities to meet the current need as well as any future need as a result of increased housing opportunities facilitated by the FLEP 2013.

Part 3 – Justification - continued

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The subject sites are located in Fairfield and Villawood. The proposal seeks to provide additional open space in the above localities to address a shortfall in current demand as well as a proactive response to expected demand of open space as the result of anticipated increases in population resulting from increased housing opportunities facilitated by the FLEP 2013.

It is therefore considered appropriate to give effect to the objectives and directions of Metropolitan Plan for Sydney 2036 (MPS 2036) dealing with open space as well as those objectives and directions that deal with increased residential densities as the two are interrelated.

In addition, at the time of preparation of this Planning Proposal, a draft Metropolitan Plan for Sydney had been released. In this regard, this Planning Proposal also briefly discusses its relationship to the draft plan.

Table A below details how the planning proposal is consistent with the objectives and actions contained within both the MPS 2036 and Draft West Central Subregion Strategy.

Table A – Relationship to Strategic Planning Framework

METROPOLITAN PLAN FOR SYDNEY 2036			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/ X
STRENGTHENING THE 'CITY OF CITIES'	OBJECTIVE A3 To contain the urban footprint and achieve a balance between greenfield growth and renewal in existing areas	The Proposal will provide additional open space in areas that have been identified for increased housing densities. The proposed/capacity for increased densities in Villawood and Fairfield are in established areas and will not contribute to the growth of the urban footprint.	✓
GROWING AND RENEWING CENTRES	OBJECTIVE B1 To focus activity in accessible centres Action B1.1 Plan for centres to grow and change over time.	The MPS 2036 states the following which is consistent with this proposal: <i>"Focusing new housing in and around centres helps to make efficient use of existing</i>	✓

		<i>infrastructure, increases the diversity of housing supply, allows more trips to be made by public transport and helps strengthen the customer base for local businesses. Combined with other factors such as high quality civic spaces, a diverse range of retail premises and businesses will help to make centres attractive places to live. Locating a greater proportion of dwellings closer to employment and services can also help make the city more liveable and socially inclusive."</i> The proposal will seek to formalize the zoning of the subject sites to reflect their current/future use as open space (public parks). This complements the MPS 2036 which aims to accommodate the majority of Sydney's new housing in existing and proposed centres by providing additional open space facilities to cope with anticipated demand resulting from increases in population density in those particular localities.	
HOUSING SYDNEY'S POPULATION	OBJECTIVE D1 To ensure an adequate supply of land and sites for residential development Action D1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas	Higher density development has been proposed for the areas surrounding Villawood and Fairfield which is consistent with this direction which aims to locate approximately 70% of new dwellings in existing urban areas. Proposed higher density housing in these areas will contribute to dwelling targets identified in the relevant Metropolitan and sub regional strategies. The proposal will seek to formalize the zoning on the subject sites to reflect the current and future use as open space	✓

		which will cater for the current and expected future demand resulting from the actions/objectives of this direction.	
ACHIEVING EQUITY, LIVEABILITY AND SOCIAL INCLUSION	OBJECTIVE H1 To ensure equity, liveability and social inclusion are integrated into plan making and planning decision-making. Action H1.1 incorporate equity, liveability and social inclusion as a strategic direction in Subregional Strategies to ensure they can be implemented at the local level and in council LEPs Action H2.3 local government to undertake open space planning processes in accordance with updated Recreation and Open Space Planning Guidelines for Local Government, to deliver parks, playing fields and public spaces that suit new multiple uses	The proposal is consistent with the actions contained in this direction. In respect to Liveability - the MPS 2036 states the following: <i>“A socially inclusive Sydney equates to a more liveable city”</i>; and <i>“A socially inclusive Sydney equates to a more liveable city, one that will continue to enjoy social stability by providing equal and fair access, generate a diverse range of social, cultural and economic opportunities that make it a more interesting and enjoyable place for all its people.</i> <i>These issues are addressed throughout the Metropolitan Plan as well as being specifically addressed in this strategic direction by:</i> • <i>planning for built environments that contribute to health and wellbeing</i> • <i>planning for well-located, quality parks, playing fields, open and public space</i> • <i>identifying and protecting places of special cultural, social and community value such as places of Aboriginal heritage, and</i> • <i>identifying, encouraging and strengthening cultural and artistic life”</i> The proposal seeks to provide more open space to cope with	✓

		current demand as well as future demand expected from anticipated increases in population. The following is a commentary on how the proposal specifically addresses key actions of the MPS 2036. With the relevant sections to this proposal reproduced below: <i>Action H1.1</i> <i>The Subregional Strategies will translate the objectives of the Metropolitan Plan into local actions, including LEP preparation. Equity, liveability and social inclusion will be integrated into subregional planning to ensure:</i> - <i>local open space provision is adequate, accessible and appropriate, with good access to regional open space</i> This proposal is consistent with this action as it ensures that local open space provision is adequate. <i>Action H2.3</i> The proposal is a direct result of the directions and recommendations of the Fairfield Open Space Strategy 2007 (FOSS) and Council's Section 94 review. The FOSS is consistent with Section 1.3 of the <i>Recreation and Open Space Planning Guidelines for Local Government</i> which states the following: <i>"1.3 Local level policies</i> <i>At a local level, the council policies and strategic</i>	
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		<i>planning framework will help guide consistency. Community Strategic Plans, which include planning for social and environmental issues, may identify community goals and aspirations which can be supported by open space and recreation planning.</i> <i>Open space strategies should be tied to council capital works programs as part of resourcing strategies and asset management plans.”</i> The proposal is consistent with this action.	
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DRAFT WEST CENTRAL SUBREGION STRATEGY

STRATEGY	OBJECTIVE/ACTION	COMMENTS	✓/ X
CENTRES & CORRIDORS	B2 INCREASE DENSITIES IN CENTRES WHILST IMPROVING LIVEABILITY	Increased densities have been identified for areas in and around Villawood and Fairfield by the draft FRDS 2009 and zoned accordingly in the FLEP 2013.	✓
	B2.1 Plan for housing in centres consistent with their employment role. B2.1.2 West Central Councils to investigate increasing densities in all centres where access to employment, services and public transport are provided or can be provided.	The proposal will seek to formalize the zoning on the subject sites to reflect the current and future use as open space which will cater for the current and expected future demand.	
STRATEGY	OBJECTIVE/ACTION	COMMENTS	✓/ X
HOUSING	C1 ENSURE ADEQUATE SUPPLY OF LAND AND SITES FOR RESIDENTIAL DEVELOPMENT	The subject sites are located in areas that have been identified for higher density residential development which is consistent with the draft FRDS 2009 and the	✓

	C1.3 Plan for increased housing capacity targets in existing areas.	FLEP 2013. The rezoning of these sites for open space will ensure that there is adequate provision to cope with existing and future demand resulting from increases in population. The proposal complements the objectives of the direction.	
	C2 PLAN FOR A HOUSING MIX NEAR JOBS, TRANSPORT AND SERVICES C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres. C2.1.1 West Central councils to ensure the location of new dwellings maintain the sub region's performance against the target for the State Plan Priority E5. C2.1.2 Local councils to provide in their LEPs, zoned capacity for a significant majority of new dwellings to be located in strategic and local centres.	As mentioned above, the subject sites are located in areas that have been identified for higher density residential development which is consistent with the draft FRDS 2009 and the Fairfield LEP 2013. The rezoning of these sites for open space will ensure that there is adequate provision to cope with existing and future demand resulting from increases in population. The proposal complements the objectives of the direction.	✓
PARKS, PUBLIC PLACES AND CULTURE	F2 PROVIDE A DIVERSE MIX OF PARKS AND PUBLIC PLACES F2.1 Improve the quality of local open space	The Fairfield Open Space Strategy 2007 (FOSS) is consistent with the key aspects of this strategy/actions, a brief commentary is provided below: The FOSS has recommended that Council develop an inventory of its open space assets this is consistent with the DP&I's work	✓

		on creating a open space inventory for all local and regional open space in Sydney. The Parks Improvement Program has been implemented within Council to upgrade and embellish existing open space facilities. This is consistent with the strategy as it improves the quality of existing open space. The FOSS has identified areas that lack access to open space. This proposal seeks to provide additional open space in Villawood and Fairfield. (Refer to Figure 16 & 17 of this proposal). This is consistent with this strategy. The relevant section is reproduced below: <i>“.. While developing their principal LEPs councils should consider open space strategies to assess the amount, type, accessibility and distribution of local open space.”</i> It is argued that although this proposal is outside of Council’s principle LEP it is consistent with the above principle.	
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PARKS, PUBLIC PLACES AND CULTURE (continued)	F2.2 Investigate future options for open space provision and management	The strategy states the following: <i>“The west central subregion is almost completely urbanised which means that there is limited opportunity for new open space provision. For this reason, new open space provision will need to be considered as part of large scale infill developments and local councils should plan for the acquisition of lands for local open space as part of developer contributions and in some cases offer bonus provisions for dedication of lands in strategically significant areas such as open space corridors.”</i> This proposal is consistent with this strategy as it seeks to provide additional open space in existing urban areas. The provision of additional open space in the areas of Fairfield and Villawood will address the deficiencies in the current provision of open space as well as to meet the expected demand from expected increases in population in these localities. Funding for the acquisition of these open space sites are provided by Council’s superseded Section 94 Plan 1999 and from monies expected to be collected from the current Fairfield Developer Contributions Plan 2011.	✓
DRFAT METROPOLITAN PLAN FOR SYDNEY			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/ X
A LIVEABLE CITY	Objective 9: Deliver accessible and adaptable recreation and open space	The provision of open space will address the existing shortfall of open space in the subject localities as well as anticipated demand in these areas which have been identified for increased housing densities.	✓

		Council officers therefore consider that this proposal is consistent with this aspect of the strategy.	
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5. Is the planning proposal consistent with the local Council's community strategic plan or other local strategic plan?

Fairfield City Plan 2010-2020 Community Strategic Plan sets out goals and aspirations of Council and the Community in respect to what they want to see happen in Fairfield City in the next decade. Of relevance to this proposal are those goals that deal specifically with open space.

Table B details how the planning proposal is consistent with the relevant goals contained within Fairfield City Plan 2010-2020.

Table B – Relationship to the Fairfield City Plan 2010-2020

Themes	Goals	Planning Proposal	Consistency
COMMUNITY WELLBEING	GOAL 2: Being Healthy and Active “We enjoy good health (physical, psychological, social and environmental), have access to high quality facilities and services and contribute to our own wellbeing through a healthy lifestyle.” Strategies – What we will do to achieve the goal - Providing a range of open space, sporting fields and recreation facilities and programs	The proposal will seek to formalize the zoning of the land to reflect the current and future use of the subject sites as public parks.	YES
PLACES & INFRASTRUCTURE	GOAL 4: Our City has quality public spaces as well as entertainment, leisure and recreation opportunities.		

	“Our City has high quality destinations, well used open space, town and neighbourhood centres that provide for a variety of active and passive activities as well as a range of leisure and recreation opportunities.” Strategies – What we will do to achieve the goal - Providing well developed open and public space and connections that meet the needs of the community in its location, size and type of facilities		
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Based on the above assessment it is considered that the planning proposal is consistent with the Fairfield City Plan 2010-2020. The proposal will aid in the achieving the relevant goals as set out in the Plan.

6. Is the planning proposal consistent with the applicable state environmental policies?

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

SEPP Title	Relevance	Consistency of Planning Proposal
SEPP 1 – Development Standards	N/A	
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	
SEPP 6 – Number of Storeys in a Building	N/A	
SEPP 14 – Coastal Wetlands	N/A	
SEPP 15 – Rural Landsharing Communities	N/A	
SEPP 19 – Bushland in Urban Areas	N/A	
SEPP 21 – Caravan Parks	N/A	
SEPP 22 – Shops and Commercial Premises	N/A	
SEPP 26 – Littoral Rainforests	N/A	
SEPP 29 – Western Sydney Recreation Area	N/A	

SEPP Title	Relevance	Consistency of Planning Proposal
SEPP 30 – Intensive Agriculture	N/A	
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	N/A	
SEPP 33 – Hazardous and Offensive Development	N/A	
SEPP 36 – Manufactured Home Estates	N/A	
SEPP 39 – Spit Island Bird Habitat	N/A	
SEPP 41 – Casino Entertainment Complex	N/A	
SEPP 44 – Koala Habitat Protection	N/A	
SEPP 47 – Moore Park Showground	N/A	
SEPP 50 – Canal Estate Development	N/A	
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
SEPP 55 – Remediation of Land	N/A	
SEPP 59 – Central Western Sydney Regional Open Space and Residential	N/A	
SEPP 60 – Exempt and Complying Development	N/A	
SEPP 62 – Sustainable Aquaculture	N/A	
SEPP 64 – Advertising and Signage	N/A	
SEPP 65 – Design Quality of Residential Flat Development	N/A	
SEPP 70 – Affordable Housing (Revised Schemes)	N/A	
SEPP 71 – Coastal Protection	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	N/A	
SEPP (Exempt and Complying Development Codes) 2008	N/A	This planning proposal does not contain provisions that would affect the application of the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	
SEPP (Infrastructure) 2007	N/A	This planning proposal does not contain provisions that would affect the application of the SEPP.
SEPP (Major Development) 2005	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Rural Lands) 2008	N/A	
SEPP (Sydney Drinking Water Catchment)	N/A	

SEPP Title	Relevance	Consistency of Planning Proposal
2011		
SEPP (State and Regional Development) 2011	N/A	
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Temporary Structures) 2007	N/A	
SEPP (Urban Renewal) 2010	N/A	
SEPP (Western Sydney Employment Area) 2009	N/A	
SEPP (Western Sydney Parklands) 2009	N/A	

The relevant Sydney Regional Environmental Plans are outlined in the table below:

SREP Title	Relevance	Consistency of Planning Proposal
SREP 9 – Extractive Industry (No 2 – 1995)	N/A	
SREP 18 – Public Transport Corridors	N/A	
SREP 20 – Hawkesbury-Nepean River (No 2 – 1997)	N/A	
GMREP No.2 – Georges River Catchment	N/A	

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 is outlined in the table below:

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
1. Employment and Resources			
1.1 Business and Industrial Zones	- Encourage employment growth in suitable locations - Protect employment land in business and industrial zones - Support the viability of identified strategic centres.	N/A	N/A
1.2 Rural Zones	Protect agricultural production value of rural land.	N/A	N/A
1.3 Mining, Petroleum	Ensure future extraction of State and regionally	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
Production and Extractive Industries	significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.		
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	N/A	N/A
1.5 Rural Lands	Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes.	N/A	N/A
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	N/A	N/A
2.2 Coastal Protection	Implement the principles in the NSW Coastal Policy.	N/A	N/A
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	N/A	N/A
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	N/A	N/A
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	- Encourage a variety and choice of housing types to provide for existing and future housing needs - Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services - Minimise the impact of	The planning proposal seeks to rezone land that is currently zoned for residential purposes for open space purposes. The loss of residential land is seen as negligible as the provision of open space will complement the proposed higher	YES

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	residential development on the environment and resource lands.	density residential development proposed for the localities. The increased residential densities will offset the loss of any residential zoned land.	
3.2 Caravan Parks and Manufactured Home Estates	▪ Provide for a variety of housing types ▪ Provide opportunities for caravan parks and manufactured home estates.	N/A	N/A
3.3 Home Occupations	▪ Encourage the carrying out of low-impact small businesses in dwelling houses.	N/A	N/A
3.4 Integrating Land Use and Transport	▪ Improve access to housing, jobs and services by walking, cycling and public transport. ▪ Increase choice of available transport and reducing car dependency. ▪ Reduce travel demand and distance (especially by car) ▪ Support the efficient and viable operation of public transport services ▪ Provide for the efficient movement of freight	N/A	N/A
3.5 Development Near Licensed Aerodromes	▪ Ensure effective and safe operation of aerodromes ▪ Ensure aerodrome operation is not compromised by development ▪ Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	mitigation measures.		
3.6 Shooting Ranges	▪ Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, ▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land ▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	N/A	N/A
4. Hazard and Risk			
4.1 Acid Sulfate Soils	▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	N/A	N/A
4.2 Mine Subsidence and Unstable Land	▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	N/A	N/A
4.3 Flood Prone Land	▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>. ▪ Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	N/A	N/A
4.4 Planning for	▪ Protect life, property and	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
Bushfire Protection	the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. ▪ Encourage sound management of bush fire prone areas.		
5. Regional Planning			
5.1 Implementation of Regional Strategies	▪ To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	N/A	N/A
5.2 Sydney Drinking Water Catchments	▪ To protect water quality in the hydrological catchment.	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	▪ Ensure that the best agricultural land will be available for current and future generations to grow food and fibre ▪ Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning ▪ Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas	N/A	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	▪ Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route ▪ Prevent inappropriate development fronting the highway	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	- Protect public expenditure invested in the Pacific Highway - Protect and improve highway safety and efficiency - Provide for the food, vehicle service and rest needs of travellers on the highway - Reinforce the role of retail and commercial development in town centres, where they can best serve the population of the towns.		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A (Revoked)	N/A	N/A
5.6 Sydney to Canberra Corridor	N/A (Revoked – See amended direction 5.1)	N/A	N/A
5.7 Central Coast	N/A (Revoked – See amended direction 5.1)	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek	N/A	N/A
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	N/A	N/A
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes - Facilitate the removal of reservations of land for public purposes where the land is no longer required	The proposal is consistent with this direction as it seeks to formalize the zone of the lands to reflect their current/future use. The rezoning of the subject sites will provide	YES

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	for acquisition.	the community with Council's intention to provide for additional open space in the localities of Fairfield and Villawood. The rezoning will ensure that subject sites are zoned for the purpose in which they have been acquired.	
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	N/A	N/A
7. Metropolitan Planning			
7.1 Implementation of the metropolitan Plan for Sydney 2036	Planning proposal shall give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metro Strategy.	The planning proposal is consistent with the direction. Further details are provided earlier on in this proposal under Part 3 – Justification (Section B)	YES

Part 3 – Justification - continued

Section C – Environmental, social and economic impact

8. 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?

No, the subject sites do not contain any critical habitat or threatened species, communities etc.

The subject site in Fairfield contains a pocket park, whilst the subject sites in Villawood currently occupied by low density residential dwellings.

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

There are no effects for the subject site located in Fairfield as this site has been developed as a pocket park.

In respect to the subject sites located in Villawood, the planning proposal involves minimal adverse environmental effects. Of those effects that may be present, such as stormwater quality, waste generation, soil and sediment control when the subject sites are subsequently converted to open space, will be resolved through the relevant approval processes.

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

The planning proposal will have social benefits for the local community who will benefit from access to more open space facilities. The proposal will seek to formalize the zone of the land to reflect their current/future uses as open space.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

The proposal seeks to provide public infrastructure in the form of additional land for open space. The subject sites have been identified as the result of the findings and recommendations of Fairfield Section 94 Review, the Fairfield Open Space Strategy 2007, and the draft Fairfield Residential Development Strategy 2009.

15. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultations with public authorities have not commenced. These will be subject to the conditions of any Gateway Determination that may be issued by the DP&I. However, Council officers are of the opinion that this proposal will not require consultation with any State and

Commonwealth public authorities due to the minor nature of the proposal. The proposal seeks to effectively down zone the subject sites from residential to open space and will not require additional infrastructure and services such as utilities.

In the case of the subject site located in Fairfield, this site has been developed as a pocket park and the rezoning merely seeks to formalise the zoning to reflect its current use.

Part 4 – Community Consultation

In the event that a gateway determination is issued by the Department of Planning and Infrastructure to proceed with the rezoning of the subject site, Council has resolved to adopt the following consultation strategy:

1. Notice in the local newspaper as per legislative requirements
2. Letters to owners and or occupiers of properties within an approximate 50 metre radius of the subject sites.

It is considered that for this type of proposal, a 28 day public consultation period would be appropriate. The gateway determination may also specify additional requirements for the exhibition of the planning proposal.

Part 5 – Project Timeline

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

No.	Step	Process content	Timeframe
1	s.56 – request for Gateway Determination	Prepare and submit Planning Proposal to DP&I	Mid/Late September 2013
2	Gateway Determination	- Assessment by DP&I (including LEP Panel) - Advice to Council	1 month: November
3	Completion of required technical information and report (if required) back to Council	- Prepare draft controls for Planning Proposal - Update report on Gateway requirements	1 month: December 2013
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	28 days notification period: December - January 2013
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	December - January 2013
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&I public hearing is not required.	Council officers consider that a public hearing is not required.
7	Consideration of submission	Assessment and consideration of submissions	1 month
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	1 month: February 2013
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	Minimum 1 month
10	Report back to Council	Includes assessment and preparation of report to Council	1 month
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	1 month
12	Plan is made	Notified on Legislation web site	1 month
Estimated Time Frame to take into account additional reporting that may be required in response to issues that may arise.			12 months

Attachments

Please note these attachments are provided separately as electronic documents on the accompanying CD.

ATTACHMENT A

Fairfield Open Space Strategy 2007

ATTACHMENT B

Council Report February 2013

ATTACHMENT C

Draft Residential Development Strategy 2009