

FCC ref: 17/06780

29 August 2017

Catherine Van Laeren
Director – Sydney West Region
Planning Services
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Catherine

**PLANNING PROPOSAL IN RESPECT OF 682 CABRAMTTA ROAD WEST,
BONNYRIGG - SEEKING REZONING FROM R2 LOW DENSITY RESIDENTIAL TO
R3 MEDIUM DENSITY RESIDENTIAL - REQUEST FOR GATEWAY
DETERMINATION**

Council at its meeting of 22 August 2017 resolved to forward the above Planning Proposal to the Minister for Planning, under Section 56 of the Environmental Planning & Assessment Act 1979.

The purpose of the Planning Proposal is to up-zone 682 Cabramatta Road West, Bonnyrigg from R2 Low Density Residential to R3 medium Density Residential, to facilitate Medium density development onsite.

The Planning Proposal seeks the following:

1. Amend *Fairfield Local Environmental Plan (FLEP) 2013* as follows:

- 1.1. Bonnyrigg, 682 Cabramatta Road West (Lot 11 DP 611520), amend the Land Zoning Map to show the site as R3 Medium Density Residential;
- 1.2. Bonnyrigg, 682 Cabramatta Road West (Lot 11 DP 611520), remove the development standards showing on the Lot Size Map and Lot Size for Dual Occupancy Development Map.

29 August 2017

To enable the Department's consideration of this matter and the issuing of a Gateway Determination, the following information is submitted:

1. Planning Proposal including proposed amendments to Fairfield Local Environmental Plan 2013;
2. Council Officer's report and Council resolution;
3. Evaluation Criteria for the Delegation of Plan Making Functions.

As the Minister has delegated plan making powers to Council in October 2012, it is requested that DP&E issue authority to Council to exercise delegation to make this plan.

Should you require any additional information in respect of this matter, please do not hesitate to contact Patrick Warren on 9725 0215.

Yours sincerely



CHRIS SHINN

CO-ORDINATOR STRATEGIC PLANNING

Planning Proposal

682 Cabramatta Road West, Bonnyrigg,
Lot 11 DP 611520

Proposed amendment to Fairfield Local Environmental
Plan 2013

Rezoning from R2 Low Density Residential to R3
Medium Density Residential

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Appendix A – Council Report

1 – Introduction

This Planning Proposal has been prepared by Fairfield City Council on behalf of the Armenian Cultural Centre Inc. The Proposal constitutes an amendment to FLEP 2013 comprising a rezoning from R2 Low Density Residential to R3 Medium Density Residential. The intended outcome is to facilitate future Medium Density Residential development on the following site:

- Lot 11 DP 611520

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and “A guide to preparing Planning Proposals” by the Department of Planning and Environment dated August 2016. The Planning Proposal has been drafted in accordance with the Guideline, detailing:

- Objectives and intended outcomes;
- Explanation of Provisions;
- Justification;
- Community consultation; and
- Summary and Recommendations

1.1 Site and Context Analysis

The subject site is located between the Indo Chinese age care facility (to the east), Bonnyrigg High school (to the west and south) and the arterial road corridor of Cabramatta Road West (to the north). The closest residential development is located adjacent to the eastern side of the subject site being the Indo Chinese Aged Care facility. To the north is the Bonnyrigg Living Communities precinct which is zoned R1 General Residential with development guided by the Bonnyrigg Living Communities Masterplan. The site is otherwise geographically disconnected and isolated from other Low Density Residential development.

The Characteristics of the subject site are as follows:

- The site is currently occupied by a double storey split level building owned by the Armenian Cultural Centre Inc., the ground floor has been leased as a reception hall since 1995 and the first floor is utilised for the Armenian Community;
- The site is located 250 metres from the B1 Neighbourhood Centre at the intersection of Cabramatta Road West and Elizabeth Drive. This contains retail, commercial and medical services as well as an Aldi Supermarket;
- The site is located within 150 metres walking distance of the 801, 807 and 808 bus services which connect into the Brown Road T-Way allowing fast travel south to Liverpool and North to Parramatta;
- The subject site has a Lot width of 50.29 metres and a lot depth of 100.58 metres, lot size is 5059sqm;
- The site is located directly opposite from the boundary of the Master planned Bonnyrigg living communities zoned R1 General Residential;
- The site is not affected by Overland or Mainstream Flooding;

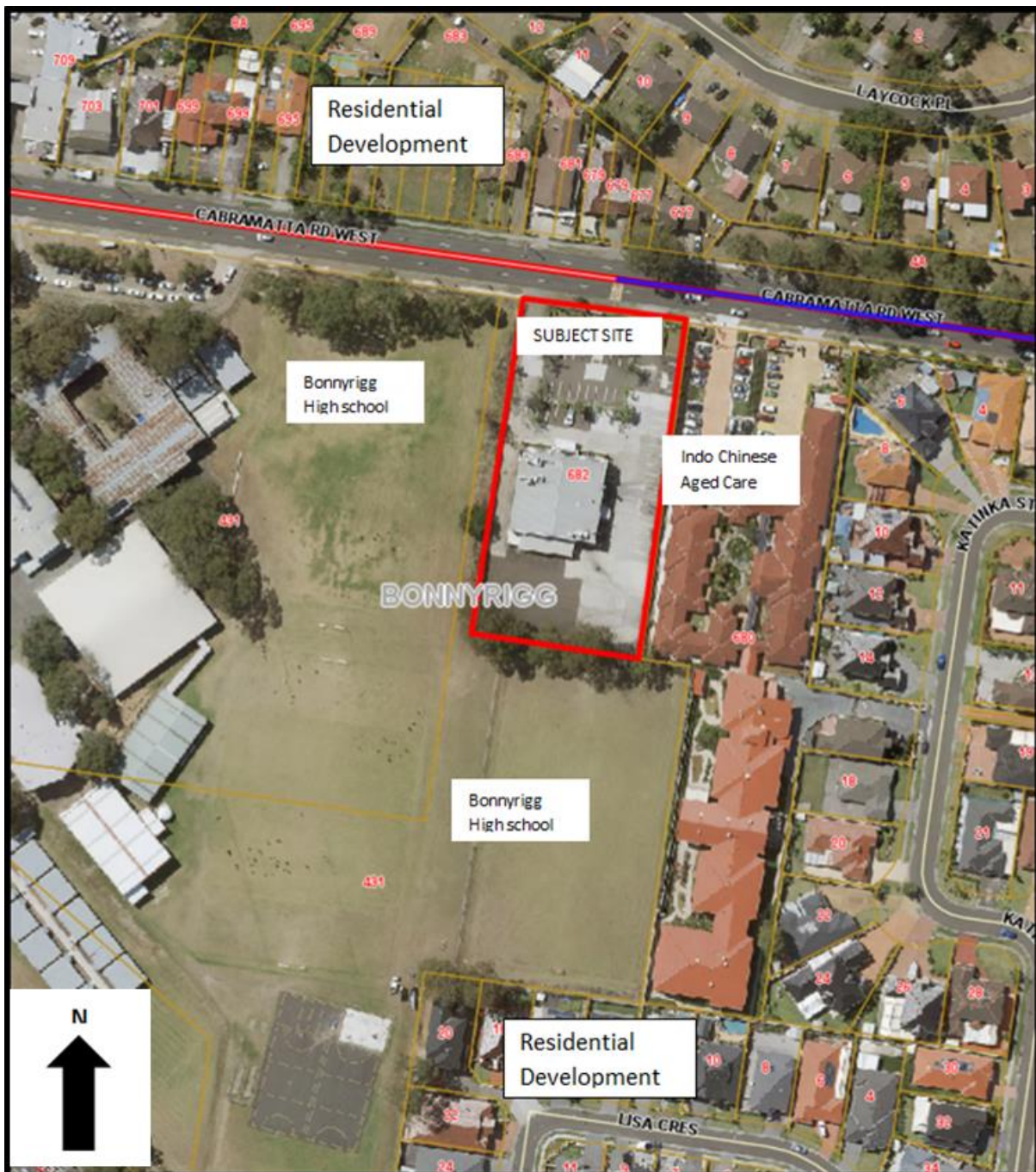


Figure 2. Aerial Photo – Subject Site and Adjoining Land Uses



Figure 3. Aerial Photo – Subject Site and Adjoining Land Uses

Part 1 – Objectives

The planning proposal applies to the following land:

#	Street Address	Suburb	Lot	DP
1	682 Cabramatta Road West	Bonnyrigg	11	611520

The purpose of the Planning Proposal is to:

- Facilitate medium density residential development on the subject site to provide for a greater mix of housing close to services and transport.

In summary, the objective of the Planning Proposal is to amend the *Fairfield Local Environmental Plan 2013* to:

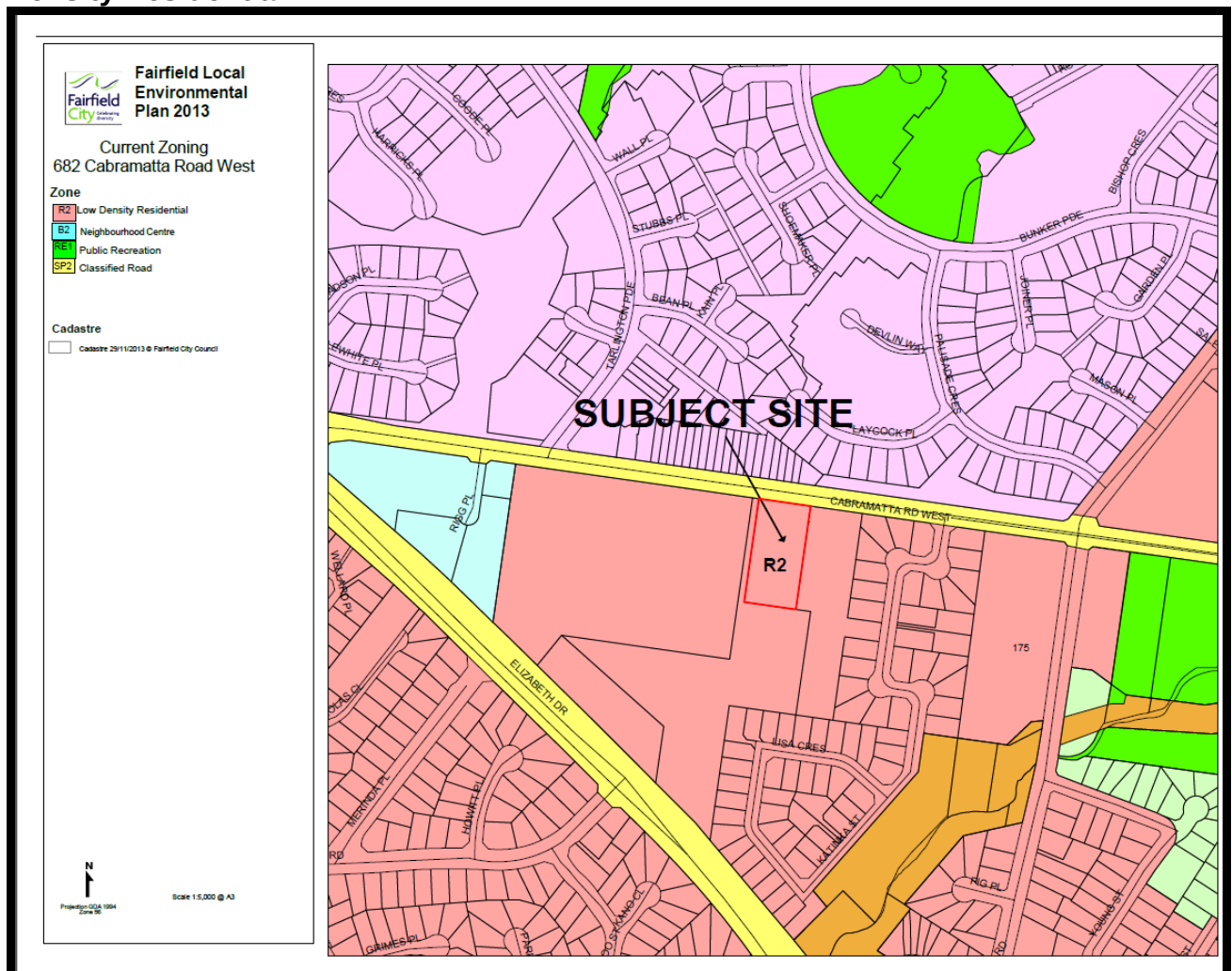
- Rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential;
- Amend the Minimum Lot Size Development Map by removing the provision for the subject site.
- Amend the Minimum Lot Size for Dual Occupancy Map by removing the provision for the subject site.

Part 2 – Explanation or provisions

The planning proposal will achieve the above objectives by amending the Fairfield LEP 2013 zoning map, Lot Size for Dual Occupancy Map and Minimum Lot Size Map.

The planning proposal seeks to amend the Fairfield LEP 2013 by rezoning the subject site from R2 Low Density Residential to R3 Medium Density Residential and subsequently increasing removing the minimum Lot Size and Lot Size for Dual Occupancy controls. The rezoning will provide opportunity for medium density housing providing a greater mix and a more affordable option within the western half of the city. The maps below indicate the proposed LEP controls for the subject site.

Zoning Maps – Rezoning from R2 Low Density Residential to R3 Medium Density Residential



Fairfield Local Environmental Plan 2013

Proposed Zoning
682 Cabramatta Road West

Zone

- R2 Low Density Residential
- B2 Neighbourhood Centre
- R1 Public Recreation
- SP2 Classified Road
- R3 Medium Density residential

Cadastre

2011/2013 © Fairfield City Council

SUBJECT SITE

R3

CABRAMATTA RD WEST

ELIZABETH DR

175

15

14

13

12

11

10

9

8

7

6

5

4

3

2

1

0

N

Projection: GDA 1994 Zone 56

Scale 1:5,000 @ A3

Minimum Lot Size for Dual Occupancy Maps

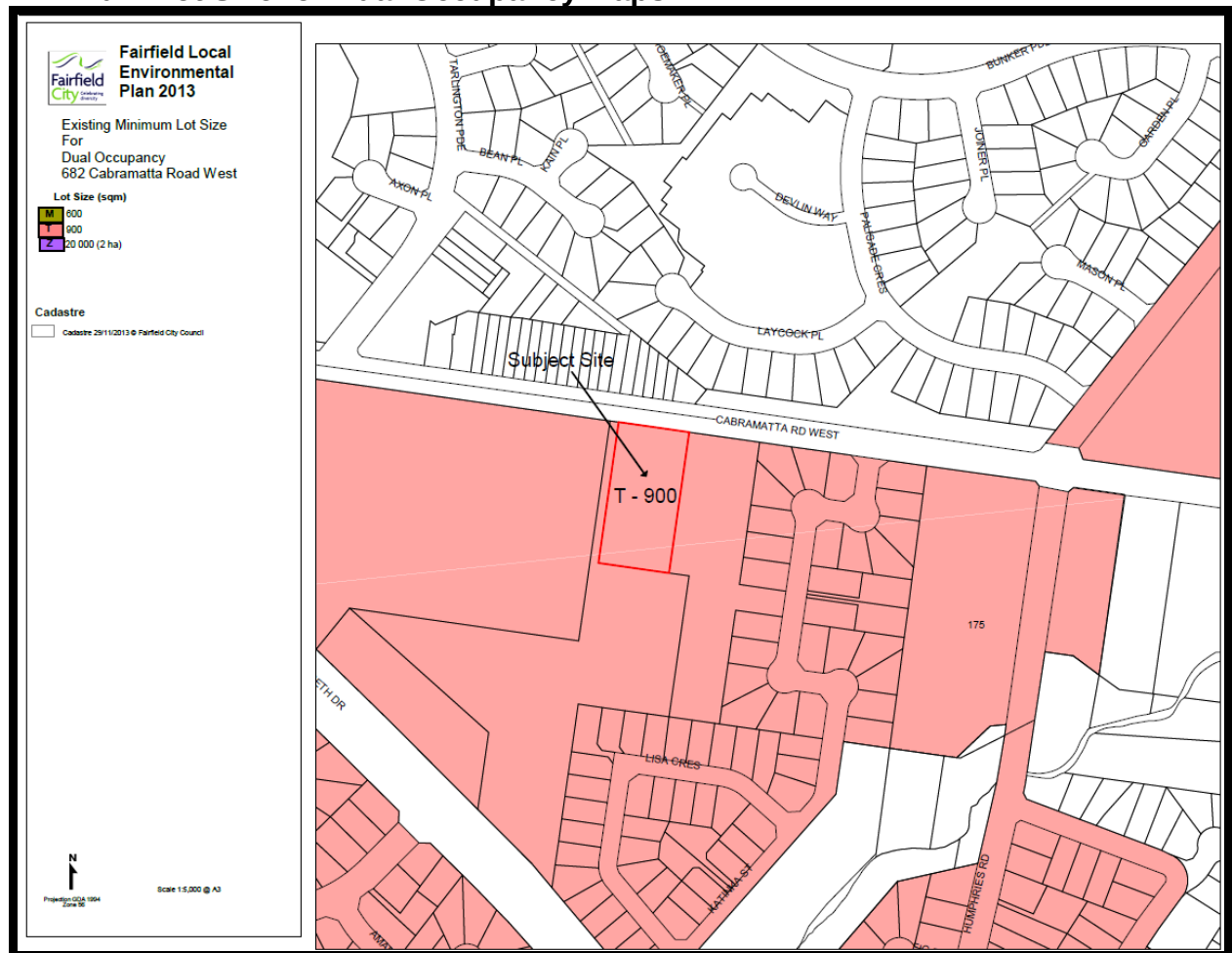


Figure 3 - Current Minimum Lot Size for Dual Occupancy Development Map

Minimum Lot Size for Dual Occupancy Maps

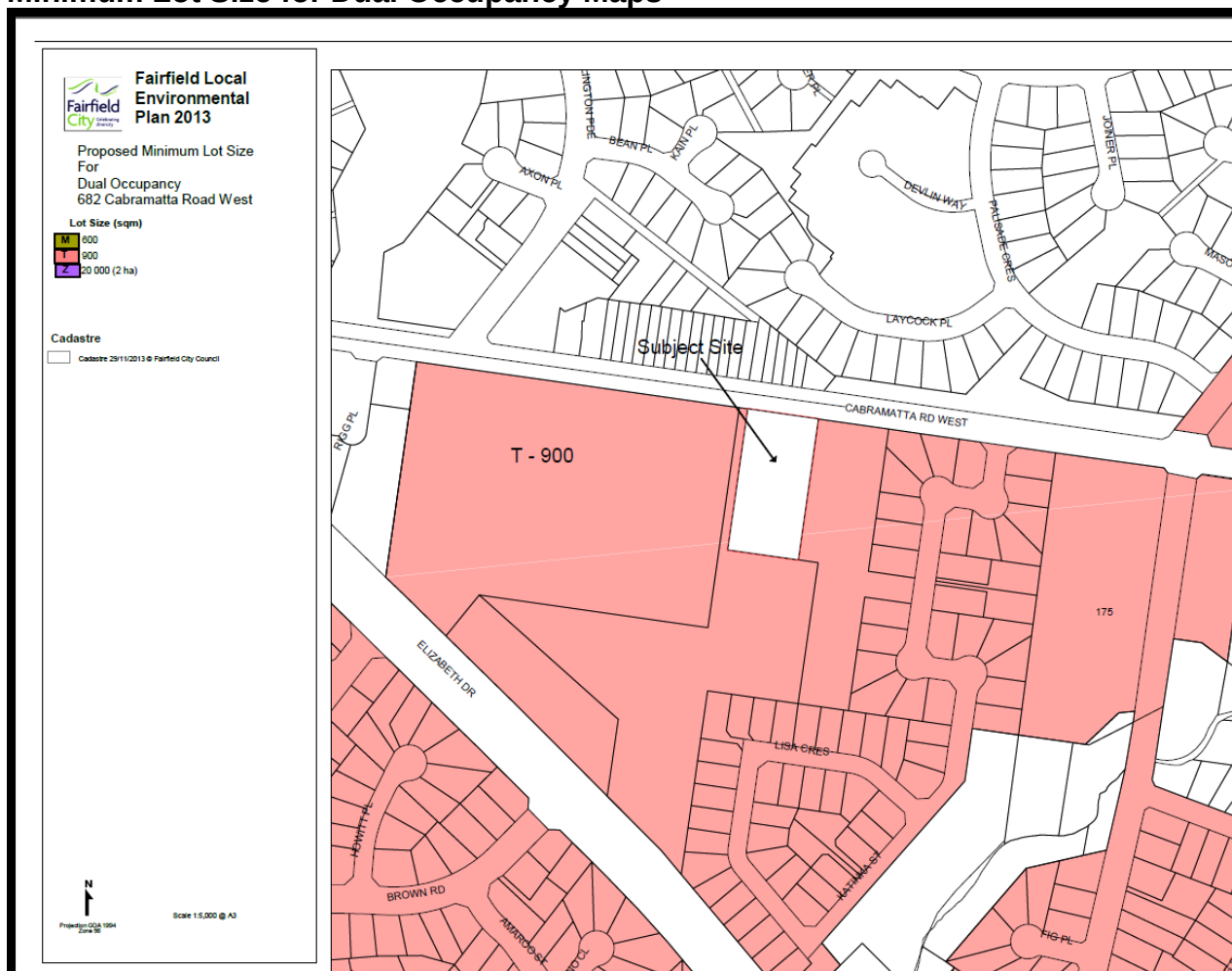


Fig 4 - Proposed Minimum Lot Size for Dual Occupancy Development Map

Minimum Lot Size Maps

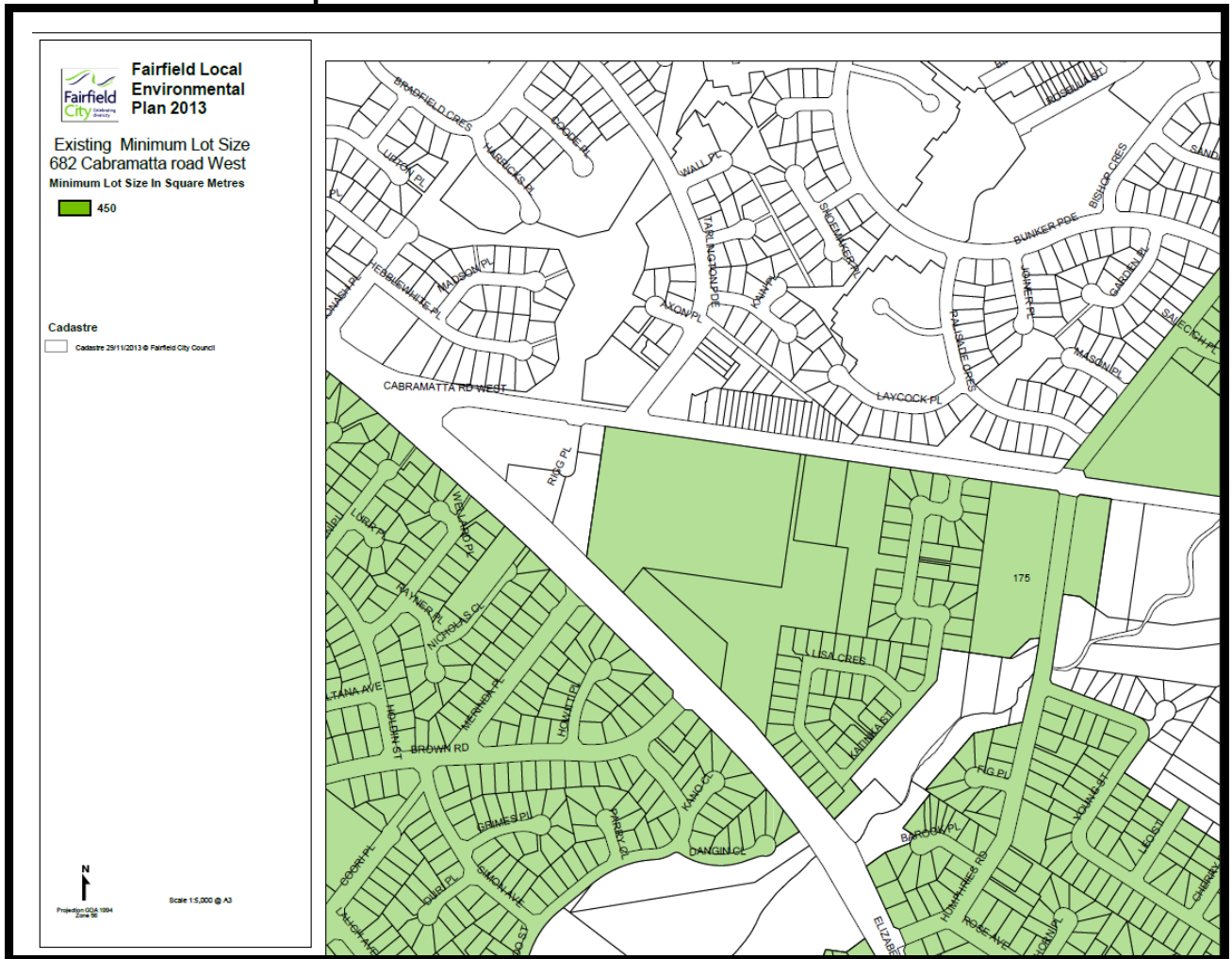


Fig 5 Existing Minimum Lot Size

Fairfield Local Environmental Plan 2013

Proposed Minimum Lot Size
682 Cabramatta road West
Minimum Lot Size In Square Metres

450

Cadastre
 Cadastre 28/11/2013 © Fairfield City Council

Scale 1:5,000 @ A3

Part 3 – Justification

Section A – Need for a planning proposal

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

No the Planning Proposal is not the result of any strategic study or report. The Planning Proposal is Applicant initiated and has been justified on planning merit based on the subject sites proximity to services and public transport.

The Planning Proposal also attempts to implement the findings and recommendations of the Draft South West District Plan, A plan for Growing Sydney and Fairfield Residential Development Strategy 2009.

A brief outline of these strategies is provided below.

Draft South West District Plan

The Draft South West District Plan was released by the greater Sydney Commission in December 2016 and outlines the vision for Sydney's future over the next 20 years. The Plan covers 3 broad topics:

- A Productive City;
- A Liveable City;
- A Sustainable City.

Liveable City: Action L3 instructs Councils to *"increase housing capacity across the district"* and *"Increase diversity and housing choice"*.

The intended outcome of this Planning Proposal is to facilitate Medium Density Residential housing. Medium Density affords for greater dwelling number and typology.

In facilitating the up zoning from Low Density Residential to Medium Density Residential the Planning Proposal will better allow Fairfield to meet its dwelling targets and increase the diversity of existing housing stock. The western half of the City currently lacks dwelling diversity. The concept plan submitted with the Planning Proposal demonstrates 20 units including 4 villas with a unit mix of 16x3 bedroom villas, 2x2 bedroom villas and 2x1 bedroom villas.

The Draft South West District Plan highlights a need for an additional 31,450 dwellings for the entire South West District over the next 5 years. Fairfield LGA has a target of 3,050 dwellings over the next 5 years.

Council Officer Comment:

The proposal to increase the dwelling yield on site through medium density will facilitate Fairfield's ability to contribute towards this target.

The Planning Proposal demonstrates consistency with the actions, objectives and outcomes of the Draft South West District Plan.

Fairfield Residential Development Strategy 2009 (RDS 2009)

The Fairfield Residential Development Strategy (RDS) identifies areas east of the Cumberland Highway that have potential for further increase in residential density. The RDS encourages increases in density around corridors and centres.

The Planning Proposal site is located west of the Cumberland Highway. However, the Planning Proposal is generally consistent with a number of the RDS objectives including:

- The need to accommodate an approximate 24,000 additional dwellings by 2031, within the existing urban areas as prescribed in the department of planning's previous subregional strategy;
- Addressing high levels of disadvantage and the need to build on its economy;
- Providing a greater dwelling mix and a more affordable housing option.

The Fairfield RDS (stage 1) identifies the framework for accommodating 60% of the total dwelling target being 14,400 dwellings within the eastern half of the city.

The Fairfield RDS also identifies that the western half of the City will need to accommodate the remaining 40% of the dwelling target or approximately an additional 9,600 dwellings. This stage of the RDS has not been undertaken.

Council Officer Comment:

This Planning Proposal is located in the western half of the city and is assessed based on its merit, being close to existing services and transport infrastructure.

The 801, 807 and 808 bus services run directly in front of the site along Cabramatta Road.

These services provide access to Parramatta and Liverpool, and services to other centres such as Fairfield, Cabramatta and Bonnyrigg. The bus stop is located 150 metres west of the subject site.

A B1 Neighbourhood Centre is located at 718 Cabramatta Road West, 250 metres west of the subject site. The Neighbourhood Centre includes an array of services such as an Aldi supermarket, bulky goods, medical services (Dental, medical imaging, general practitioner), service station and restaurants.

The Planning Proposal demonstrates consistency with the objectives of the Fairfield RDS.

Large Lot Policy

Council adopted the Large Lot Policy in May 2015 for sites zoned R2 Low Density Residential east of the Cumberland Highway with minimum standards required being

a site area of 1,300sqm, located within 800m of existing local centres and 400m from a train station or a well serviced bus stop.

The large lot policy guides proponents on requirements they must consider during the consideration of any up zoning Planning proposal.

Whilst the Planning Proposal falls outside of the scope of the large lot policy due to its location in the western half of the city, the proposal has been assessed on merit including its location to services and transportation and is in line with the core considerations of the policy.

The applicant has provided justification as to why the Large Lot Policy should be varied in this instance to allow this proposal to proceed. The applicant identified that the site is within 150 metres to three bus routes providing access to Fairfield, Cabramatta, Liverpool and Bonnyrigg. The site is also within proximity to B1 Neighbourhood Centre which has a number of services such as medical, Aldi supermarket, restaurants.

Council Officer Comment:

The Planning Proposal is inconsistent with one of the criteria in Council's Large Lot Policy; however it demonstrates consistency with the remaining objectives and on its merit the proposal is considered appropriate.

Fairfield Local Environmental Plan 2013

The Fairfield Local Environmental Plan (FLEP) 2013 facilitates development across land use zones within Fairfield LGA. The applicant proposed the following amendments:

- **Multi Dwelling Housing** – The R3 Medium Density Residential zone allows for the development of medium density housing such as multi-unit dwellings, town houses, villas and dual occupancies.
- **Height of building** – the proposal does not seek to change the current building height of 9 metres.
- **Floor space ratio (FSR)** –The Planning Proposal seeks to increase the FSR from 0.45:1 to 0.5:1. This is a change to the current permissible built form, the impact on adjoining properties and how future development applications would be assessed must be taken into consideration.

Council Officer Comment:

Council officers are in support of the proposed change to R3 Medium Density Residential given the proximity to transport services (bus) and proximity to services such as supermarket, Bonnyrigg Town Centre and Bonnyrigg Living Communities development.

Council officers also support the proposal not changing the existing height of building.

Council officers are not supportive of a variation to the FSR provision to 0.5:1. Chapter 6A of the Fairfield City Wide DCP (FCWDGP) provides development controls for multi dwelling housing in Fairfield LGA.

The increase in FSR for the subject site from the standard 0.45:1 to 0.5:1 would facilitate increased residential densities surrounding transport nodes and is consistent with the Plan for Growing Sydney & LEP Practice Note PN 11-002 (dated 10 March 2011 prepared by the NSW Department of Planning and infrastructure).

However, given that there is no strategic residential development strategy guiding development in the western half of the LGA, the increase in FSR poses a number of issues in regard to development within the proposed R3 Medium Density Residential Zone as detailed below.

Location – The location of the site does not warrant an increase in FSR as the site is not within 400 metres of a strategic centre, such as Bonnyrigg Town Centre.

City Wide Development Control Plan – The existing development controls for the Medium Density zone provide a good amenity outcome for the development within the zone. A FSR of 0.5:1 would have implication on this and without a strategic review, it is considered inappropriate to change the FSR to 0.5:1.

Accordingly, it is proposed to proceed with the Planning Proposal at the existing FSR of 0.45:1.

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 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*. The Planning Proposal is the only mechanism that can achieve the objectives and intended outcomes related to the sites covered by the Planning Proposal.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including *A Plan for Growing Sydney* and the *draft South West District Plan*)?

Table A – Relationship to Strategic Planning Framework

A PLAN FOR GROWING SYDNEY 2036			
STRATEGY	DIRECTION	COMMENTS	✓/X
Economy	Direction 1.1: Grow a more internationally competitive Sydney CBD	Not applicable	N/A
	Direction 1.2: Grow Greater Parramatta as Sydney's second CBD	Not applicable	N/A
	Direction 1.3: Prioritise the growth area from Greater Parramatta to the Olympic Peninsula	Not applicable	N/A
	Direction 1.4: Transform Western Sydney through growth and investment	The proposal will provide the opportunity for redevelopment which will provide opportunities for employment during the construction of the proposal.	✓
	Direction 1.5: Enhance capacity at Sydney's airports and ports	Not applicable	N/A
	Direction 1.6: Expand the Global Economic Corridor to support jobs' growth	Not applicable	N/A
	Direction 1.7: Grow centres that provide more jobs closer to homes	Not necessarily applicable, however, this proposal is seeking to produce more homes closer to a centre with jobs.	✓
	Direction 1.8: Provide better links between Sydney and regional NSW	Not applicable	N/A
	Direction 1.9: Support prioritised industries that can provide jobs	Not necessarily applicable, however, this proposal is seeking to produce more homes closer to a centre with jobs.	✓
	Direction 1.10: Plan for more education and health services to meet Sydney's growing needs	Not necessarily applicable, however, this proposal is seeking to produce more homes and population directly adjoining an existing school.	✓
	Direction 1.11: Deliver infrastructure	Not applicable	N/A
Housing	Direction 2.1: Improve housing supply across Sydney	The proposal will facilitate Medium Density Residential Development which will increase housing supply in the western half of the Fairfield LGA.	✓
	Direction 2.2: Ensure more homes closer to jobs	The subject site is located 150 metres from Neighbourhood centre with job opportunities	✓

A PLAN FOR GROWING SYDNEY 2036

STRATEGY	DIRECTION	COMMENTS	✓/X
		and less than 1 kilometre from Bonnyrigg Town centre which has a micro economy with job opportunities.	
	Direction 2.3: Improve housing choice to suit different needs and lifestyles	The proposal will facilitate Medium Density Residential development which will allow for multitude of housing types including villa, town house, and multi-unit development. These housing types are not permissible in the Low density residential zone. Dual occupancy controls are relaxed making them a more achievable development typology than in R2 Zone.	✓
	Direction 2.4: Deliver well planned new areas of housing.	The existing Fairfield City Wide DCP Chapter 6A will guide the increase in Density and ensure well planned and orderly development.	✓
Communities	Direction 3.1: Revitalise existing suburbs	The proposal will facilitate new housing stock and will revitalise and increase Bonnyrigg's amenity.	✓
	Direction 3.2: Create a network of green and open spaces across Sydney	Not necessarily applicable, however, this proposal is seeking to produce more homes closer to existing open space and recreation opportunities.	✓
	Direction 3.3: Create healthy built environments	This proposal is seeking to produce more homes closer to existing open space and recreation opportunities as well as being assessed under the existing City Wide DCP which will guide the development of the site.	✓
	Direction 3.4: Promote Sydney's heritage, arts and culture	Not applicable	N/A
Environment	Direction 4.1: Protect Sydney's natural environment and distinct biodiversity	Site has previously been developed and does not contain Ecologically Endangered Communities or SEPP 44 Koala habitat.	✓
	Direction 4.2: Plan for natural hazards like fires and floods	The site is not flood or fire affected.	✓
	Direction 4.3: Manage the impact of development on the environment	Increase in density will be appropriately controlled by Chapter 6A of Councils DCP which takes into consideration management of environmental impacts.	✓

Table B – Relationship to Draft South West District Plan

DRAFT SOUTH WEST DISTRICT PLAN			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/X
A Productive City	P1: Establish the Western Sydney City Deal	The proposal is within Fairfield LGA and as such will benefit from the City Deal.	✓
	P2: Develop and implement an economic development strategy for the western city	Not applicable	✓
	P3 Develop and implement a centres framework for the district	The proposal will facilitate redevelopment and density in close proximity to an existing centre.	✓
	P4 Review the role and staging of the Leppington district centre in the context of the Western Sydney Airport and Western Sydney City Deal.	Not applicable	N/A
	P5: Develop and implement a framework for the enterprise corridor.	Not applicable	N/A
	P6: Identify transport improvements which deliver east west and north south connectivity	Not applicable	N/A
	P7: Build the Badgally transport connection, including an active transport link.	Not applicable	N/A
	P8: Prioritise the planning of spring farm parkway.	Not applicable	N/A
	P9: Develop a threshold for Greenfield dwelling numbers based on transport provision.	Not applicable	N/A
	P10: Encourage and support the use of public transport.	Planning Proposal site within walking distance of Bus service 801,807 and 808. These services provide good links to major centres such as Parramatta and Liverpool as well as other centre such as Fairfield, Cabramatta and Bonnyrigg.	✓
	P11: Develop specific guidelines to inform the planning of new communities in the land release areas.	Not applicable	N/A
	P12: Develop a South West Priority Growth Area land use and infrastructure plan	Not applicable	N/A
	P13: “Designate Liverpool as a collaboration area”.	Not applicable	N/A
	P14: Support the development and delivery for the Campbelltown-Macarthur square strategic centre with a CBD transformation plan.	Not applicable	N/A
	P15: Plan for the Liverpool health and education super precinct as part of the Liverpool Collaboration area.	Not applicable	N/A
	P16: Work with state agencies, especially Sydney water to enable the timely Delivery of infrastructure for employment and urban services land.	Not applicable	N/A
	P17: Set parameters for the delivery of	Not applicable	N/A

DRAFT SOUTH WEST DISTRICT PLAN			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/X
	local jobs as a condition of approval for rezoning in new release areas".		
	P18: Plan for and facilitate the attraction of new jobs in Wilton Newtown.	Not applicable	N/A
	P19: Identify and Plan for efficient movement of freight to, from and within the district, with least impact on residents 'amenity.	Not applicable	N/A
A Productive City 'Continued'	P20: Provide adequate access to and from the Moorebank intermodal Terminal.	Not applicable	N/A
	P21: Leverage the south west District's potential as a visitor destination".	Not applicable	N/A
	P22: Develop better understanding of the value and operation of employment and urban services land.	Not applicable	N/A
A Liveable City	L1: Prepare Local Housing Strategies.	Planning Proposal provides increase in housing supply and for an increase in diversity of housing topology.	✓
	L2: Identify the opportunities to create the capacity to deliver 20-year strategic housing supply targets	The Proposal will facilitate increase in housing supply and dwelling mix within the western half of the City.	✓
	L3: Councils to increase housing capacity across the District.	Planning Proposal provides increase in housing supply and for an increase in diversity of housing mix within the City.	✓
	L4: Encourage housing diversity	Planning Proposal provides increase in housing supply and for an increase in diversity of housing mix within the City.	✓
	L5: Independently assess need and viability	Not applicable	N/A
	L6: Support Councils to achieve additional affordable housing	Planning Proposal provides increase in housing supply and for an increase in diversity of housing mix within the City. The smaller dwelling types will provide a more affordable option for the community.	✓
	L7: Provide guidance on Affordable Housing Targets	Planning Proposal provides increase in housing supply and for an increase in diversity of housing mix within the City. The Smaller dwelling types will provide a more affordable option for the community.	✓
	L8: Undertake broad approaches to facilitate affordable housing	Planning Proposal provides increase in housing supply and for an increase in diversity of housing topology.	✓
	L9: Coordinate infrastructure planning and delivery for growing communities	Not applicable	N/A
	L10: Provide data and projections on population and dwellings for local government areas across greater Sydney	The proposal seeks to permit up to 20 dwellings on site.	✓

DRAFT SOUTH WEST DISTRICT PLAN			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/X
	L11: Provide design – led planning to support high quality urban design	The existing Fairfield City Wide DCP provides guidance to developments within the Medium Density Residential zone.	✓
	L12: Develop guidelines for safe and healthy built environments	The existing Fairfield City Wide DCP provides guidance to developments within the Medium Density Residential zone.	✓
	L13: Conserve and enhance environmental heritage including, Aboriginal, European and natural.	Not applicable	N/A
	L14: Develop a South West District sport and recreation participation strategy and sport and recreation facility plan.	Not applicable	N/A
	L15: Support planning for shared spaces	Not applicable	N/A
	L16: Planning for School facilities	Not applicable	N/A
	L17: Support the provision of culturally appropriate services.	Not applicable	N/A
	L18: Support planning for emergency services	Not applicable	N/A
	L19: Support planning for cemeteries and crematoria	Not applicable	N/A
A Sustainable City	S1: Protect the Qualities of the scenic hills landscape.	Not applicable	N/A
	S2: Review criteria for monitoring water quality and waterway health	Not applicable	N/A
	S3: Protect the south creek environment and development approaches to achieve excellent environment performance	Not applicable	N/A
	S4: Improve the management of waterways in priority growth areas.	Not applicable	N/A
	S5: Monitor water levels and water quality in Thirlmere Lakes	Not applicable	N/A
	S6: Develop a strategic conservation plan for Western Sydney”	Not applicable	N/A
	S7: Update information on areas of high environmental value.	Not applicable	✓
	S8: Use funding priorities to deliver the district green grid priorities	The proposal will generate Development Contributions which will be used to acquire and embellish new and existing open space parcels.	✓
	S9: Develop support tools and methodologies for local open space planning	The proposal will generate Development Contributions which will be used to acquire and embellish new and existing open space parcels.	✓
	S10: Update the urban green cover in NSW Technical Guidelines to respond to solar access to roofs.	Not applicable	N/A
	S11: Identify land for future waste reuse and recycling.	Not applicable	N/A
	S12: Embed the NSW climate change Policy Framework into local planning	Not applicable	N/A

DRAFT SOUTH WEST DISTRICT PLAN			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/X
	decisions		
	S13: Support the development of initiatives for a sustainable low carbon future.	Not applicable	N/A
A Sustainable City Cont'd	S14: Support the development of environmental performance targets and benchmarks.	Not applicable	N/A
	S15: Incorporate the mitigation of urban heat island effect into planning for urban renewal projects and priority growth areas.	Not applicable	N/A
	S16: Review the guidelines for air quality and noise measures for development near rail corridors and busy roads.	Not applicable	N/A
	S18: Address flood risk issues in the Hawkesbury Nepean Valley.	Not applicable	N/A
A Vision Toward Our Greater Sydney 2036	IM1: Align land use planning and infrastructure planning	The proposal seeks to introduce density in close proximity to services and centres.	✓
	IM2: Develop a framework to monitor growth and change in greater Sydney	Not applicable	N/A
	IM3: Develop an interactive information hub-the greater Sydney Dashboard	Not applicable	N/A
	IM4: Report on Local planning	The proposal seeks to permit up to 20 dwellings on site.	✓
	P1: Establish the western Sydney City Deal	The proposal is within Fairfield LGA and as such will benefit from the City Deal.	✓
	P2 Develop and implement and economic development strategy for western city.	Not applicable	N/A
	P3: Develop and implement a centres framework for the district	The proposal is in proximity to existing centres.	✓
	P4: Review the role and staging of the Leppington town centre in the context of the Western City Airport and Western Sydney City Deal.	Not applicable	N/A
	P5: Develop and implement a framework for the enterprise corridor	Not applicable	N/A
	P6: Identify transport improvements which deliver east west and north south connectivity	Not applicable	N/A
	P7: Build the Badgally transport connection, including and active transport link.	Not applicable	N/A
	P8: Prioritise the planning of Spring Farm Parkway.	Not applicable	N/A
	P9: Develop a threshold for greenfield dwelling numbers based on transport provision.	Not applicable	N/A
	P10: Encourage and support the use of public transport.	Planning Proposal site within walking distance of Bus service 801,807 and 808. These services provide good links to major centres such as Parramatta and Liverpool as	✓

DRAFT SOUTH WEST DISTRICT PLAN			
STRATEGY	OBJECTIVE/ACTIONS	COMMENTS	✓/X
		well as other centre such as Fairfield, Cabramatta and Bonnyrigg.	
	P11: Develop specific guidelines to inform the planning of new communities in land release areas	Not applicable	N/A
A Vision Toward Our Greater Sydney 2036 Cont'd	P12: Develop a south west priority growth area a land use and infrastructure plan	Not applicable	N/A
	P13: Designate Liverpool as a collaboration area.	Not applicable	N/A
	P14: Support the development and delivery for the Campbelltown- Macarthur strategic centre of a CBD transformation plan.	Not applicable	N/A
	P15: Plan for the Liverpool health and education super precinct as part of Liverpool collaboration area	Not applicable	N/A
	P16: Work with state agencies especially Sydney water to enable the timely delivery of infrastructure for employment and urban services land.	Not applicable	N/A
	P17: Set parameters for the delivery of local jobs as a condition of approval for rezoning in new release areas.	Not applicable	N/A
	P18: Plan for and facilitate the attraction of new jobs in Wilton New Town	Not applicable	N/A

Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

Fairfield City Residential Development Strategy 2009

The Fairfield Residential Development Strategy (RDS) identifies areas east of the Cumberland Highway that have potential for further increase in residential density. The RDS encourages increases in density around corridors and centres.

The Planning Proposal site is located west of the Cumberland Highway. However, the Planning Proposal is generally consistent with a number of the RDS objectives including:

- The need to accommodate an approximate 24,000 additional dwellings by 2031, within the existing urban areas as prescribed in the department of planning's previous subregional strategy;
- Addressing high levels of disadvantage and the need to build on its economy;
- Providing a greater dwelling mix and a more affordable housing option.

The Fairfield RDS (stage 1) identifies the framework for accommodating 60% of the total dwelling target being 14,400 dwellings within the eastern half of the city.

The Fairfield RDS also identifies that the western half of the City will need to accommodate the remaining 40% of the dwelling target or approximately an additional 9,600 dwellings. This stage of the RDS has not been undertaken.

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	Consistency	Consistency of Planning Proposal
SEPP 1 – Development Standards	Yes	This planning proposal is consistent with this SEPP
SEPP 14 – Coastal Wetlands	Yes	-This planning proposal is consistent with this SEPP
SEPP 19 – Bushland in Urban Areas	Yes	-This planning proposal is consistent with this SEPP
SEPP 55 – Remediation of Land	Yes	-Site has not previously had history of development requiring remediation of land. No land contamination.
SEPP 60 – Exempt and Complying Development	Yes	Site is consistent with SEPP exempt and complying development.
SEPP 65 – Design Quality of Residential Flat Development	Yes	-Only concept plan submitted – proposal is consistent with SEPP 65
SEPP 70 – Affordable Housing (Revised Schemes)	Yes	- Only concept plan submitted – proposal is consistent with SEPP 70 Affordable rental housing (revised schemes).
SEPP 71 – Coastal Protection	Yes	-Coastal protection act applies LGA wide. Proposal is consistent with SEPP 71

SEPP Title	Consistency	Consistency of Planning Proposal
		Coastal Protection
SEPP (Building Sustainability Index: BASIX) 2004	Yes	-Proposal is consistent with SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	Proposal is consistent with SEPP (Housing for seniors or People with A Disability)
SEPP (Exempt and Complying Development Codes) 2008	Yes	SEPP (Exempt and Complying Development Codes) 2008
SEPP (Affordable Rental Housing) 2009	Yes	Proposal is consistent with SEPP (Affordable Rental Housing) 2009
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Proposal consistent with consistent with SEPP (Sydney Drinking Water Catchment) 2011

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

SREP Title	Relevance	Consistency of Planning Proposal
SREP 8 (Central Coast Plateau Areas)	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 9 – Extractive Industry (No 2 – 1995)	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 16 Walsh Bay	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 20 – Hawkesbury-Nepean River (No 2 – 1997)	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 24 – Homebush Bay Area	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 26 – City West	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 30 – St Marys	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP 33 – Cooks Cove	N/A	Residential up zoning in Bonnyrigg - no issues relevant
SREP (Sydney Harbour Catchment) 2005	N/A	Residential up zoning in Bonnyrigg - no issues relevant
GMREP No.2 – Georges River Catchment	N/A	Residential up zoning in Bonnyrigg - no issues relevant

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.	- This Planning proposal is consistent with the Business and industrial zones s117 direction - This planning proposal is within 250 metres of the neighbourhood centre at 718 Cabramatta Road west. - The proposal is for residential uplift R2 to R3 and is	Yes

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		consistent with the objectives of business and industrial zones.	
1.2 Rural Zones	N/A	N/A	N/A
1.3 Mining, Petroleum Production and Extractive Industries	N/A	N/A	N/A
1.4 Oyster Aquaculture	N/A	N/A	N/A
1.5 Rural Lands	N/A	N/A	N/A
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas	- Identified as being within the buffer zone of shale plains woodland which is considered an ecologically endangered community - Received feedback from Councils natural resources team, was determined the site was clear of shale plains woodland.	Yes
2.2 Coastal Protection	Implement the principles in the NSW Coastal Policy.	N/A	N/A
2.3 Heritage Conservation	N/A	N/A	N/A
2.4 Recreation Vehicle Areas	N/A	N/A	N/A
<i>Draft Coastal Management</i>	N/A	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 residential development on the environment and resource lands.	- A concept design by the applicant provided with the Planning Proposal which shows 20 proposed units including: 2*1 bedroom units; 2*2 bedroom units; 16*3 bedroom units - Planning Proposal provides increase in housing supply and for an increase in diversity of housing mix within the City. The smaller dwelling types will provide a more affordable option for the community.	Yes
3.2 Caravan Parks and Manufactured Home Estates	N/A	N/A	N/A
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses	- Home occupations are permitted without consent in the current land use zoning R2 – Low Density Residential and also within the proposed land use zoning R3 - Medium Density Residential. - There are currently no dwelling houses situated on	Yes

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		- site. - The concept design unit mix it enables portions of the site to be used for home occupations. - The proposal is therefore consistent with the direction	
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	- The Planning Proposal is considered consistent with 117 directions. - Within walking distance metres walking distance of the 801,807 and 808 buses located on Cabramatta Road west adjacent to the subject site. - These buses travel from Liverpool via Fairfield LGA and terminate in Parramatta. Within Fairfield LGA they stop within Bonnyrigg plaza, neighbourhood centres, Mt Pritchard community club - Buses also travel along Cabramatta Road West and stop at Stockland's, Bonnyrigg town centre and Rigg Place B1 neighbourhood centre. - There is provision of medical services at Rigg Place including medical imaging , dentist , chemist , GP - There is a provision of restaurants and an ALDI supermarket. - The number of trips generated by the development will be thirteen (13) during peak hours. Therefore, the impact of the proposal on adjoining road network is considered "insignificant." - Therefore the proposal is consistent with this 117 direction.	Yes
3.5 Development Near Licensed Aerodromes	N/A	N/A	N/A
3.6 Shooting Ranges	N/A	N/A	N/A
4. Hazard and Risk			
4.1 Acid Sulfate Soils	N/A	N/A	N/A
4.2 Mine Subsidence and Unstable Land	N/A	N/A	N/A
4.3 Flood Prone Land	N/A	N/A	N/A
4.4 Planning for Bushfire Protection	N/A	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
5. Regional Planning			
5.1 Implementation of Regional Strategies	N/A	N/A	N/A
5.2 Sydney Drinking Water Catchments	N/A	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A	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	- This planning proposal does not include any wording that would result in provisions being adopted by Councils LEP which would result in having to gain consent from the minister or relevant state authority in order for development to take place in the future. - Councils traffic engineers have stipulated that; <i>"The application shall be referred to the Roads and Maritime Services for comments."</i>	Yes
6.2 Reserving Land for Public Purposes	N/A	N/A	N/A
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	N/A	N/A
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.	The housing typology put forward in the concept plan, being villa and unit style development is consistent with the R3 zoning medium density residential housing.	Yes

Section C – Environmental, social and economic impact

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?

Environmental Impacts

The Planning Proposal was referred to Council's Natural Resource team for comment as the site was shown to be within the proximity of Shale Plains Woodland located on the adjacent site (Bonnyrigg High school) which is identified as an Ecologically Endangered Community (EEC).

Comment was received stating *"The subject site does not have any vegetation of value on the site"*.

No threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Planning Proposal.

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

Traffic and transport impacts

The Planning Proposal was referred to Council's Traffic and Transport team to ascertain impacts on Council's road and public transportation network. The following comments were received:

- *The number of trips generated by the development will be thirteen (13) during peak hours. Therefore, the impact of the proposal on adjoining road network is considered insignificant;*
- *The application shall be referred to the Roads and Maritime Services for comments;*
- *The number of car parking spaces shall comply with Chapter 12 of Fairfield City Wide DCP 2013;*
- *The access driveway widths shall comply with Table 3.2 of AS/NZS 2890.1:2004;*
- *The size of the parking spaces and aisle width shall comply with Figure 2.2 of AS/NZS 2890.1:2004.*

The traffic generating impacts of any future development will be appropriately managed through Chapter 12 of Council's DCP and issues pertaining to driveway and car parking widths shall be managed through the appropriate AS/NZS standard. The traffic impact of the Planning Proposal is *"insignificant"* on Council's road and transport infrastructure and is therefore considered acceptable.

Waste Impacts

The Planning Proposal was referred to Council's Waste Strategy and Sustainability team in order to ascertain impacts on waste disposal services within Council's Local Government Area (LGA). The following comments were received:

“The application for 682 Cabramatta Road, Bonnyrigg looks fine from a waste point of view. Every townhouse/villa has a room (garage or backyard) to store their garbage and recycling bin.

We will provide 1 x 240L garbage bin and 1 x 240L recycling for each townhouse/villa. Also we do not provide onsite collection therefore garbage and recycling bins will be collected from the kerbside.”

The impact on Councils waste services is considered manageable and any future development onsite will be managed by Council through the collection of waste from the kerbside and through the provision of garbage and recycling bins.

Development Assessment Impacts

The Planning Proposal was referred to the Development Assessment team for comment in relation to the impacts any future development application would have on adjoining sites. The following comments were received:

- *The subject site contains an Armenian Cultural Centre which is currently operating as a reception centre under existing use rights. If the site does benefit from existing use rights then it would appear that the proposed zoning will maintain those rights.*
- *Based on the documentation submitted, it would appear that the subject site is not located within and appropriate distance to any major transport services. The location of higher density nodes near services, facilities and public transport is an important consideration and the subject site may not meet these location requirements.*
- *The subject site is considered to be isolated considered given that it is immediately surrounded by the Indo – Chinese Elderly Hostel and Bonnyrigg High School.*
- *The minimum lot width and depth of 22 metres for multi dwelling housing is achieved for the subject site.*
- *Cabramatta Road West is a classified road and accordingly, the proposal should be referred to roads and Maritime Services for comment. The submitted documentation is lacking in detail regarding if the if the increase in zoning will require additional traffic control measures (such as but not limited to, a left in and left out arrangement only). All vehicle movements should ensure that they enter and exit in a forward direction.*
- *There is no on street car parking available for the subject site. Accordingly, all car parking demand generated by the development of the land will need to be provided onsite. It is noted that providing private car parking spaces in a central location may not be an appropriate outcome given that they are accessible by anyone within the development.*
- *The location of the driveway may conflict with an existing power pole located on the footpath. If there is a conflict then the pole will be required to be relocated at the sole cost of the applicant.*
- *The Planning Proposal seeks to increase the FSR of the site from 0.45:1 to 0.5:1. The submitted concept indicates that the maximum FSR for the site is 0.45:1. Accordingly, concern is raised that an increase in the maximum permitted floor*

area on the subject site may result in an unacceptable impact on the amenity of nearby residential dwellings (the adjacent seniors housing). The increase in FSR is not likely to be supported.

- *Waste storage and management should be considered given that the proposal fronts a classified road. It is noted that Councils Waste Service Vehicles do not enter private property.*
- *Any proposal for multi – unit dwellings on the subject site would need to be designed with the provisions of Chapter 6A Multi Dwelling Housing – Town houses and Villas of Fairfield City Wide DCP 2013. The mix of units and unit per site area would determine the number of units that could be provided on site.*
- *Consideration should be given to the acoustic attenuation given that the proposal will increase sensitive land uses within close proximity to a major noise source (Cabramatta Road West).*

The Development Planning Branch does not support the proposed FSR at 0.5:1. An FSR at 0.5:1 is unlikely to result in a positive urban design outcome for surrounding sensitive land uses including the adjoining Indo – Chinese Elderly Hostel. Chapter 6A of Councils City Wide Development Control Plan (DCP) guides multi dwelling housing within Fairfield local government area (LGA) and the controls within Chapter 6A have been specifically tailored to facilitate an FSR of 0.45:1. Any future Development application would have to comply with Chapter 6A to ensure an acceptable level of amenity is achieved for adjoining and adjacent properties.

It is noted that a large power pole may block driveway access proposed on the draft concept Plan submitted with the Planning Proposal. Any future development application will have to address this issue.

There have been no flood constraints identified on the subject site. As such all drainage matters can be dealt with at the development application stage.

The Development Assessment team has identified possible acoustic issues that would result from any future medium density development as the site borders sensitive land uses. These concerns are noted and can be dealt with at a development application stage under Chapter 6A of Councils DCP.

Concerns over proximity to public transportation services have been raised. Should any medium density residential development occur in the future onsite residents would be serviced by the 801 and 807 bus service travelling north to Parramatta which is located 135 metres west of the subject site. A B1 Neighbourhood Centre is located at 718 Cabramatta Road West located west of the subject site. The 808 bus service is located 300 metres south of the subject site.

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

There will be no adverse social or economic impacts as a result of the Planning Proposal. There is potential for adverse impacts to arise as a result of any future development application for medium density housing. These impacts can be mitigated through the implementation of appropriate Council controls in relation to acoustics, privacy, amenity and access. On merit the Planning Proposal will enable a

higher and better use of the subject land in a way considered to be compatible with its surrounding environment.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The subject site within walking distance of Bus service 801,807 and 808. These services provide good links to major centres such as Parramatta and Liverpool as well as other centre such as Fairfield, Cabramatta and Bonnyrigg.

The Planning Proposal will not alter the extent of land zoned SP2 – Infrastructure associated with (Classified road) Cabramatta Road West.

The Planning Proposal will result in increased demand on existing infrastructure. This demand is considered minor in nature and will not place significant strain on public infrastructure.

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

Section to be completed post Gateway Determination.

It is expected that consultation with NSW Roads and Maritimes Service will be required.

Part 4 – Maps

This part of the Planning Proposal deals with the maps associated with the Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the Planning Proposal, Fairfield Local Environmental Plan 2013 will be amended as follows:

- Amend the relevant zoning map – Sheet LZN_012 to rezone the subject land from R2 Low Density Residential to R3 Medium Density Residential.
- Amend the relevant Lot Size for Dual Occupancy map – Sheet LSD_012 to remove the 900sqm lot size from the subject site.
- Amend the relevant Lot Size map – Sheet LSZ_012 to remove the 450sqm minimum lot size from the subject site.

Part 5 – Community Consultation

Community consultation is required under Section 56(2)(C) and 57 of the *Environmental Planning and Assessment Act 1979*.

The Act determines the requirements for Community consultation for Planning Proposals which is determined during the gateway process.

The following minimum requirements are set out below:

- Council website and available at the administration building.
- Public notice with the Fairfield corporate section of the local newspaper that circulates widely in local government area; and
- Letters sent out to owners and or occupiers of properties within an approximate 300 metre radius of 682 Cabramatta Road West, Bonnyrigg;

The Act set out the community consultation requirement for Planning Proposals and these are determined at the gateway.

Part 6 – 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 Department of Planning and Environment (DP&E)	August 2017
2	Gateway Determination	- Assessment by DP&E (including LEP Panel) - Advice to Council	2 months (October 2017)
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 (November 2017)
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	1 month (December 2017)
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	1 month (January 2018)
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&E public hearing is not required.	1 month (February 2018)
7	Consideration of submission	Assessment and consideration of submissions	1 month (February 2018)
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	1 month (March 2018)
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	Minimum 1 month (April 2018)
10	Report back to Council	Includes assessment and preparation of report to Council	1 month (May 2018)
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by parliamentary council PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	1 month (June 2018)
12	Plan is made	Notified on Legislation web site	1 month (July 2018)
Estimated Time Frame			11 months

PATRICK WARREN - STRATEGIC PLANNER

FOR ACTION

Subject: Planning Proposal seeking to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential
File Reference 17/06780
Meeting Date: 22/08/2017
Target Date: 19/09/2017
Notes:

95: SUBJECT: Planning Proposal seeking to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential
Premises: 682 Cabramatta Road West Bonnyrigg (Lot 11 DP 611520)
Applicant/Owner: Armenian Cultural Centre Inc. (Directors - Joseph Chnorhokian, Vrege Kolokossian & Ara Boyajian)
Zoning: R2 Low Density Residential
File Number: 17/06780
MOTION: (Wong/Azzo)

That:

1. Council endorse the Planning Proposal (Attachment A of the report) to amend Fairfield Local Environmental Plan (FLEP) 2013 in relation to the subject site 682 Cabramatta Road West Bonnyrigg (Lot 11 DP 611520) as follows:
 - 1.1 Amend the Land Zoning Map from R2 Low Density Residential to R3 Medium Density Residential.
 - 1.2 Remove the development standards shown on the minimum Lot Size for Dual Occupancy Development Map and the Minimum Lot Size Map.
2. Council refer the Planning Proposal, included in Attachment A of the report, to the NSW Department of Planning and Environment (NSW 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 NSW DP&E that it seeks to utilise the delegated functions under Section 23 of the Environmental Planning and Assessment Act 1979 (EP&A) for the making of local environmental plans. The delegated functions will be undertaken by the Director Community Outcomes who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1992.

4. The outcome of the public exhibition of the Planning Proposal be reported back to Council following completion of the public exhibition period.

CARRIED

ACTION TAKEN BY OFFICER

✓ pls see Governance to arrange delegation

Please update any action taken, or the finalisation of this Item, in InfoCouncil by clicking on  in the Add-Ins Toolbar, to Add/Edit Notes.

OUTCOMES COMMITTEE

Meeting Date 8 August 2017

Item Number. 95

SUBJECT: Planning Proposal seeking to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential
Premises: 682 Cabramatta Road West Bonnyrigg (Lot 11 DP 611520)
Applicant/Owner: Armenian Cultural Centre Inc (Directors - Joseph Chnorhokian, Vrege Kolokossian & Ara Boyajian)
Zoning: R2 Low Density Residential

FILE NUMBER: 17/06780

REPORT BY: Patrick Warren, Strategic Planner

RECOMMENDATION:

That:

1. Council endorse the Planning Proposal (Attachment A of the report) to amend Fairfield Local Environmental Plan (FLEP) 2013 in relation to the subject site 682 Cabramatta Road West Bonnyrigg (Lot 11 DP 611520) as follows:
 - 1.1 Amend the Land Zoning Map from R2 Low Density Residential to R3 Medium Density Residential.
 - 1.2 Remove the development standards shown on the minimum Lot Size for Dual Occupancy Development Map and the Minimum Lot Size Map.
2. Council refer the Planning Proposal, included in Attachment A of the report, to the NSW Department of Planning and Environment (NSW 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 NSW DP&E that it seeks to utilise the delegated functions under Section 23 of the Environmental Planning and Assessment Act 1979 (EP&A) for the making of local environmental plans. The delegated functions will be undertaken by the Director Community Outcomes who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1992.
4. The outcome of the public exhibition of the Planning Proposal be reported back to Council following completion of the public exhibition period.

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.

OUTCOMES COMMITTEE

Meeting Date 8 August 2017

Item Number. 95

SUPPORTING DOCUMENTS:

AT-[A](#) Planning Proposal - 682 Cabramatta Road West Bonnyrigg

36 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 682 Cabramatta Road West Bonnyrigg.

The Armenian Cultural Centre Inc. (Applicant) seeks to dispose of the site and rezone to R3 Medium Density Residential, as the current site and lease arrangement does not meet the Armenian community's needs. The Applicant advises they have investigated a number of other development options for the site such as an aged care facility under the State Environmental Planning Policy (SEPP) (Housing for seniors or People with a Disability) 2004; however they have deemed it unfeasible.

The subject site is currently occupied by a double storey split level building owned by the Armenian Cultural Centre Inc. The ground floor has been utilised for the Armenian Community while the first floor has been leased as a reception hall since 1995.

A pre-planning proposal meeting was held on 16 December 2015. The issues identified at the meeting include:

- Potential traffic implications associated with Cabramatta Road West that would need to be addressed, particularly given that it is a Roads & Maritime Services controlled road;
- Public transportation issues including the identification of strategic bus routes;
- Up zoning Proposals within western half of the city;
- An electricity pole has potential to block the access proposed in the concept plan.

REPORT

Subject Site

OUTCOMES COMMITTEE

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The subject site is located between the Indo Chinese age care facility (to the east), Bonnyrigg High school (to the west and south) and the arterial road corridor of Cabramatta Road West (to the north). The closest residential development is located adjacent to the eastern side of the subject site being the Indo Chinese Aged Care facility. To the north is the Bonnyrigg Living Communities precinct which is zoned R1 General Residential with development guided by the Bonnyrigg Living Communities Masterplan. The site is otherwise geographically disconnected and isolated from other Low Density Residential development as shown in Figures 1 and 2.

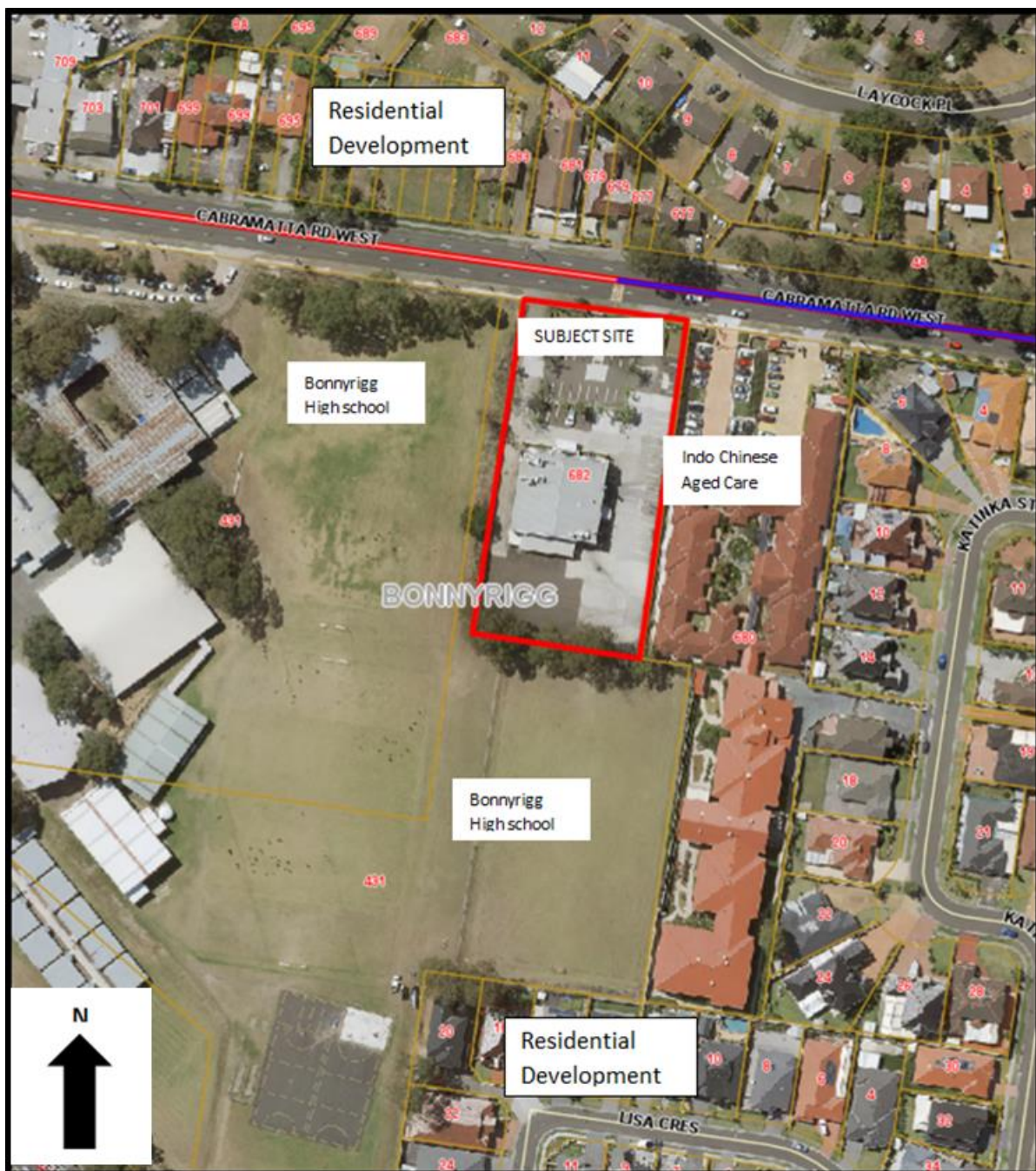


Figure 1. Aerial Photo – Subject Site and Adjoining Land Uses

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Figure 2. Aerial Photo – Subject Site and Adjoining Land Uses

The Characteristics of the subject site are as follows.

- Located within 250 metres of the B1 Neighbourhood Centre at the intersection of Cabramatta Road West and Elizabeth Drive. This contains retail, commercial and medical services as well as an Aldi Supermarket;
- Located within 150 metres walking distance of the 801, 807 and 808 bus services which connect into the Brown Road T-Way allowing fast travel south to Liverpool and North to Parramatta;

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- The subject site has a width of approximately 50 metres and a depth of approximately 100 metres;
- The lot size is approximately 5,059 square metres;
- Located directly opposite the boundary of the master planned Bonnyrigg Living Communities precinct which is zoned R1 General Residential;
- Not affected by Overland or Mainstream Flooding;
- Not subject to Geotechnical Landslip;
- Not located within a Bushfire Prone Area;
- Does not contain a heritage item nor is it within a Heritage Conservation Area;
- Does not contain any Ecologically Endangered plant or animal species;
- Not burdened or benefited by any easements;
- Serviced by the infrastructure of Sydney Water. The site has current gas and electricity connections.

Summary of the Planning Proposal

Council is in receipt of a Planning Proposal prepared and lodged by C.C. Weston and Associates in February 2017 on behalf of the owner, the Armenian Cultural Centre Inc. The proposal seeks to:

1. Rezone land currently zoned R2 Low Density Residential at 682 Cabramatta Road West to R3 Medium Density Residential;
2. Remove the development standards shown on the minimum Lot Size for Dual Occupancy Development Map to remove reference to the subject site;
3. Remove the Development standards shown on the minimum lot size map to remove reference to the subject site.
4. Amend the development standards shown on the Floor Space Ratio (FSR) Map to apply an FSR of 0.5:1.

A concept plan lodged with the Planning Proposal has suggested a dwelling yield of up to 20 units with a housing mix of:

- 2x1 bedroom units;
- 2x2 bedroom units;
- 16x3 bedroom units

It is noted that this Plan is concept only and any future development onsite will be assessed by Council in the form of a Development Application at the Development Assessment stage.

A Summary of the Concept Plan and proposed amendments to Fairfield Council's zoning maps are provided below.

OUTCOMES COMMITTEE Meeting Date 8 August 2017 Item Number. 95	
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Meeting Date 8 August 2017

Item Number. 95

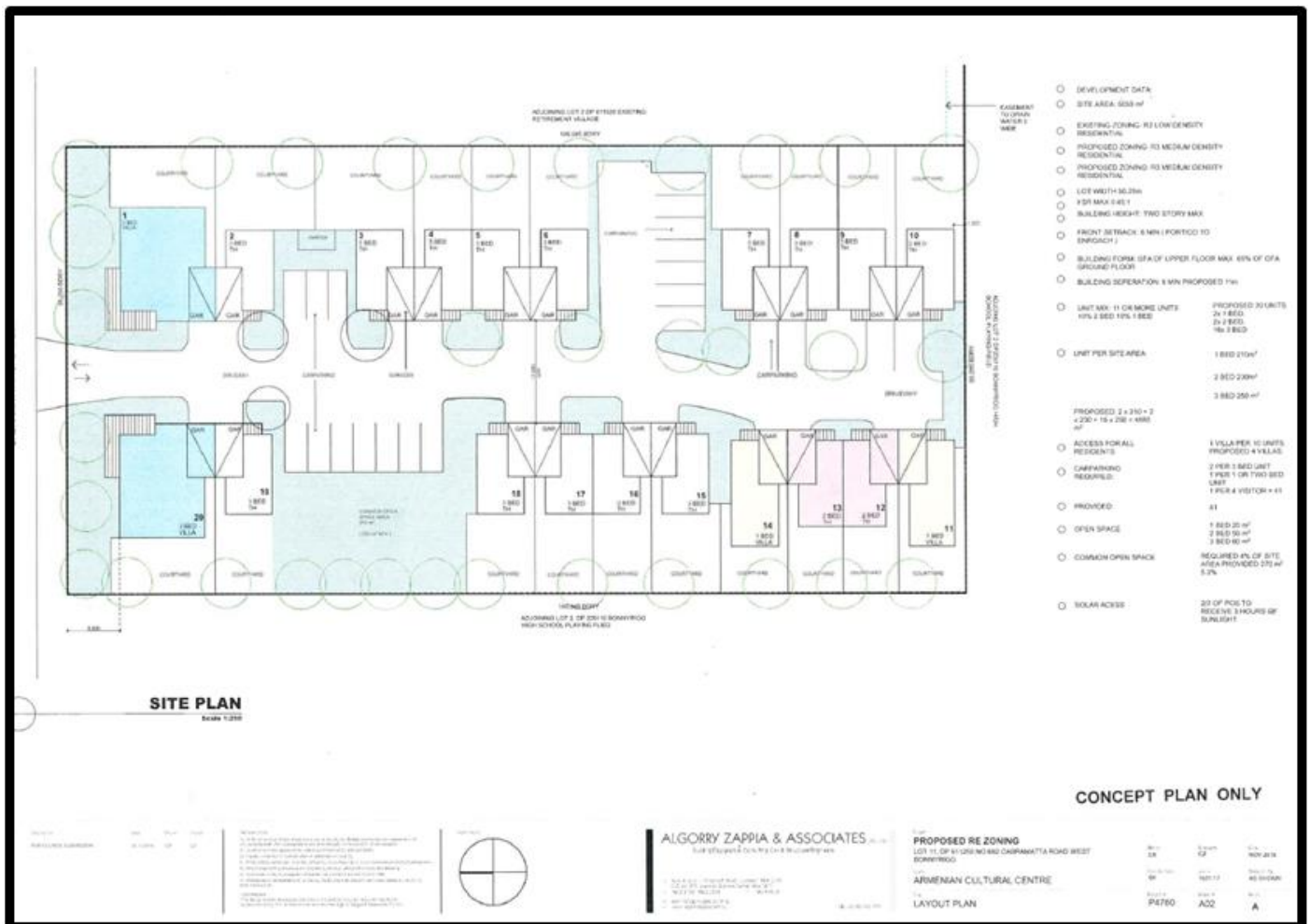


Figure 3. Concept Plan – Subject Site showing unit mix

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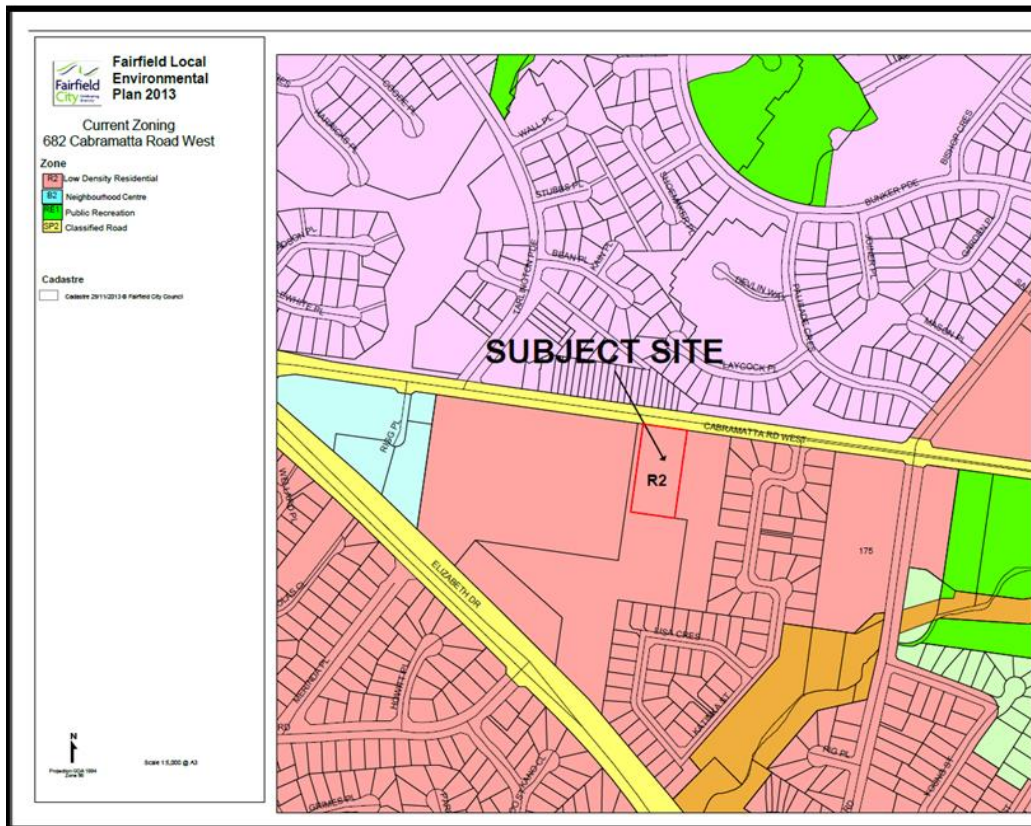


Figure 4. Current zoning

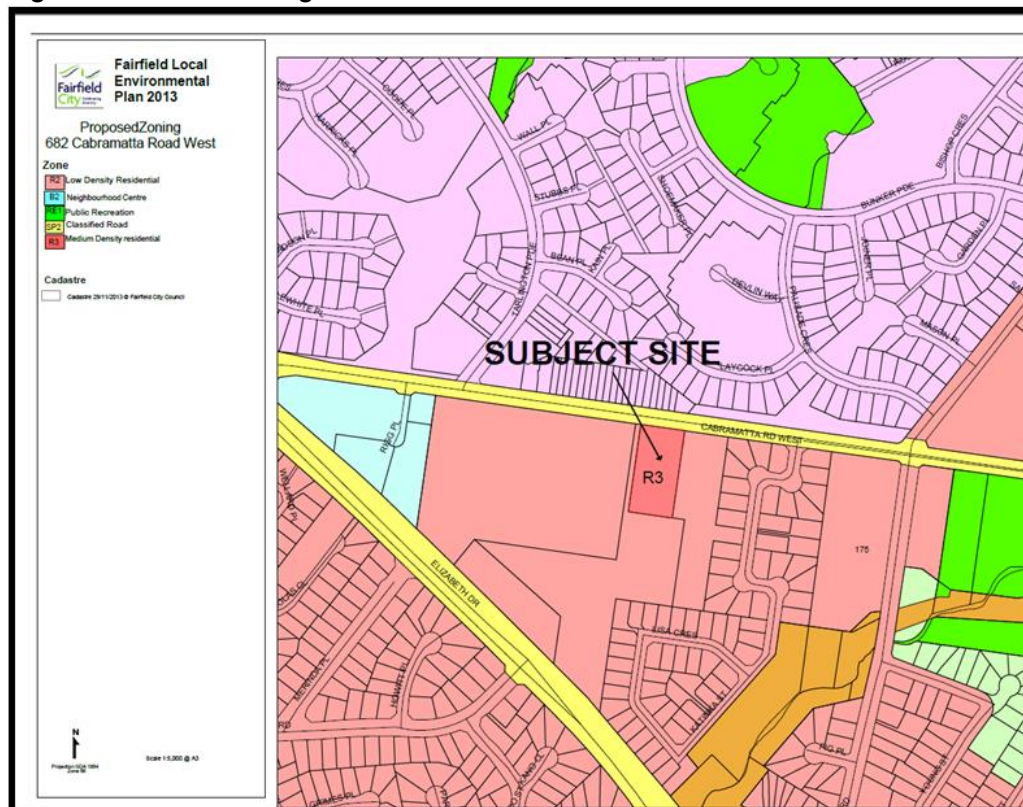


Figure 5. Proposed zoning

STRATEGIES**Draft South West District Plan**

The Draft South West District Plan was released by the greater Sydney Commission in December 2016 and outlines the vision for Sydney's future over the next 20 years. The Plan covers 3 broad topics:

- A Productive City;
- A Liveable City;
- A Sustainable City.

Liveable City: Action L3 instructs Councils to *"increase housing capacity across the district"* and *"Increase diversity and housing choice"*.

The intended outcome of this Planning Proposal is to facilitate Medium Density Residential housing. Medium Density affords for greater dwelling number and typology.

In facilitating the up zoning from Low Density Residential to Medium Density Residential the Planning Proposal will better allow Fairfield to meet its dwelling targets and increase the diversity of existing housing stock. The western half of the City currently lacks dwelling diversity. The concept plan submitted with the Planning Proposal demonstrates 20 units including 4 villas with a unit mix of 16x3 bedroom villas, 2x2 bedroom villas and 2x1 bedroom villas.

The Draft South West District Plan highlights a need for an additional 31,450 dwellings for the entire South West District over the next 5 years. Fairfield Local Government Area (LGA) has a target of 3,050 dwellings over the next 5 years.

Council Officer Comment:

The proposal to increase the dwelling yield on site through medium density will facilitate Fairfield's ability to contribute towards this target.

The Planning Proposal demonstrates consistency with the actions, objectives and outcomes of the Draft South West District Plan.

Fairfield Residential Development Strategy 2009 (RDS 2009)

The Fairfield Residential Development Strategy (RDS) identifies areas east of the Cumberland Highway that have potential for further increase in residential density. The RDS encourages increases in density around corridors and centres.

The Planning Proposal site is located west of the Cumberland Highway. However, the Planning Proposal is generally consistent with a number of the RDS objectives including:

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- The need to accommodate an approximate 24,000 additional dwellings by 2031, within the existing urban areas as prescribed in the department of planning's previous subregional strategy;
- Addressing high levels of disadvantage and the need to build on its economy;
- Providing a greater dwelling mix and a more affordable housing option.

The Fairfield RDS (stage 1) identifies the framework for accommodating 60% of the total dwelling target being 14,400 dwellings within the eastern half of the city.

The Fairfield RDS also identifies that the western half of the City will need to accommodate the remaining 40% of the dwelling target or approximately an additional 9,600 dwellings. This stage of the RDS has not been undertaken.

Council Officer Comment:

This Planning Proposal is located in the western half of the city and is assessed based on its merit, being close to existing services and transport infrastructure.

The 801, 807 and 808 bus services run directly in front of the site along Cabramatta Road. These services provide access to Parramatta and Liverpool, and services to other centres such as Fairfield, Cabramatta and Bonnyrigg. The bus stop is located 150 metres west of the subject site.

A B1 Neighbourhood Centre is located at 718 Cabramatta Road West, 250 metres west of the subject site. The Neighbourhood Centre includes an array of services such as an Aldi supermarket, bulky goods, medical services (Dental, medical imaging, general practitioner), service station and restaurants.

The Planning Proposal demonstrates consistency with the objectives of the Fairfield RDS.

Large Lot Policy

Council adopted the Large Lot Policy in May 2015 for sites zoned R2 Low Density Residential east of the Cumberland Highway with minimum standards required being a site area of 1,300sqm, located within 800m of existing local centres and 400m from a train station or a well serviced bus stop.

The large lot policy guides proponents on requirements they must consider during the consideration of any up zoning Planning Proposal.

Whilst the Planning Proposal falls outside of the scope of the large lot policy due to its location in the western half of the city, the Proposal has been assessed on merit including its location to services and transportation and is in line with the core considerations of the policy.

The Applicant has provided justification as to why the Large Lot Policy should be varied in this instance to allow this proposal to proceed. The Applicant identified that the site is

within 150 metres to 3 bus routes providing access to Fairfield, Cabramatta, Liverpool and Bonnyrigg. The site is also within proximity to B1 Neighbourhood Centre which has a number of services such as medical, Aldi supermarket, restaurants.

Council Officer Comment:

The Planning Proposal is inconsistent with one of the criteria in Council's Large Lot Policy; however it demonstrates consistency with the remaining objectives and on its merit the proposal is considered appropriate.

Fairfield Local Environmental Plan 2013

The Fairfield Local Environmental Plan (FLEP) 2013 facilitates development across land use zones within Fairfield LGA. The Applicant proposed the following amendments:

- **Multi Dwelling Housing** – The R3 Medium Density Residential zone allows for the development of medium density housing such as multi-unit dwellings, town houses, villas and dual occupancies.
- **Height of building** – the proposal does not seek to change the current building height of 9 metres.
- **Floor space ratio (FSR)** – The Planning Proposal seeks to increase the FSR from 0.45:1 to 0.5:1. This is a change to the current permissible built form, the impact on adjoining properties and how future development applications would be assessed must be taken into consideration.

Council Officer Comment:

Council Officers are in support of the proposed change to R3 Medium Density Residential given the proximity to transport services (bus) and proximity to services such as supermarket, Bonnyrigg Town Centre and Bonnyrigg Living Communities development.

Council Officers also support the proposal not changing the existing height of building.

Council Officers are not supportive of a variation to the FSR provision to 0.5:1. Chapter 6A of the Fairfield City Wide DCP (FCWDGP) provides development controls for multi dwelling housing in Fairfield LGA.

The increase in FSR for the subject site from the standard 0.45:1 to 0.5:1 would facilitate increased residential densities surrounding transport nodes and is consistent with the Plan for Growing Sydney & LEP Practice Note PN 11-002 (dated 10 March 2011 prepared by the NSW Department of Planning and infrastructure).

However, given that there is no strategic residential development strategy guiding development in the western half of the LGA, the increase in FSR poses a number of issues in regard to development within the proposed R3 Medium Density Residential Zone as detailed below.

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Location – The location of the site does not warrant an increase in FSR as the site is not within 400 metres of a strategic centre, such as Bonnyrigg Town Centre.

City Wide Development Control Plan – The existing development controls for the Medium Density zone provide a good amenity outcome for the development within the zone. A FSR of 0.5:1 would have implication on this and without a strategic review, it is considered inappropriate to change the FSR to 0.5:1.

Accordingly, it is proposed to proceed with the Planning Proposal at the existing FSR of 0.45:1.

CONSISTENCY WITH APPLICABLE MINISTERIAL DIRECTIONS

Gateway Planning Proposals are required to consider the Department of Planning and Environment Section 117 Ministerial Directions

The planning proposal discusses a number of relevant Directions provided by the Department of Planning and Environment and is consistent with the following directions:

- **3.1 Residential Zones:** The proposal is consistent with this direction as it will facilitate residential development in proximity to public transport.
- **3.4 Integrating Land Use and Transport:** The proposal is consistent with the objectives of this direction as it facilitates residential development within walking distance to public transport, and provides a mix of housing near a large number of bus services.
- **7.1 Implementation of A Plan for Growing Sydney:** The planning proposal is consistent with this direction as it will facilitate additional residential development in proximity to public transport, shops, services and employment

A review of all Section 117 Directions was also undertaken by Council officers to ensure overall consistency. See Attachment A.

OTHER ISSUES

Environmental Impacts

The Planning Proposal was referred to Council's Natural Resource team for comment as the site was shown to be within the proximity of Shale Plains Woodland located on the adjacent site (Bonnyrigg High school) which is identified as an Ecologically Endangered Community (EEC).

However, comment was received stating *"The subject site does not have any vegetation of value on the site"*.

Council Officer Comment:

No threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Planning Proposal.

Traffic and transport impacts

The Planning Proposal was referred to Council's Traffic and Transport team to ascertain impacts on the road and public transportation network. The following comments were received:

- *The number of trips generated by the development will be approximately thirteen (13) during peak hours. Therefore, the impact of the proposal on adjoining road network is considered insignificant;*
- *The application shall be referred to the Roads and Maritime Services for comment;*
- *The number of car parking spaces shall comply with Chapter 12 of Fairfield City Wide DCP 2013;*
- *The access driveway widths shall comply with Table 3.2 of AS/NZS 2890.1:2004;*
- *The size of the parking spaces and aisle width shall comply with Figure 2.2 of AS/NZS 2890.1:2004.*

Council Officer Comment:

The traffic generating impacts of any future development will be appropriately managed through Chapter 12 of Council's City Wide DCP and issues pertaining to driveway and car parking widths shall be managed through the appropriate AS/NZS standard at Development Assessment stage. The traffic impact of the Planning Proposal is "*insignificant*" on road and transport infrastructure and is therefore considered acceptable.

Waste Impacts

The Planning Proposal was referred to Council's Waste Strategy and Sustainability team in order to ascertain impacts on waste disposal services within Council's Local Government Area (LGA). The following comments were received:

- *The application for 682 Cabramatta Road, Bonnyrigg appears ok from a waste perspective. The concept plans show every townhouse/villa has a room (garage or backyard) to store their garbage and recycling bin.*
- *Council will provide 1 x 240L garbage bin and 1 x 240L recycling for each townhouse/villa. Also Council do not provide onsite collection therefore garbage and recycling bins will be collected from the kerbside."*

Council Officer Comment:

The impact on Council's waste services is considered manageable and any future development onsite will be managed by the Development Assessment process.

Development Assessment Impacts

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The Planning Proposal was referred to the Development Assessment team for comment in relation to the impacts any future development application would have on adjoining sites. A number of comments were received, including those which are specific to the development application stage of the proposal. The following comments are those of a strategic nature to be considered at this stage of the proposal.

- *The subject site contains an Armenian Cultural Centre which is currently operating as a reception centre under existing use rights. If the site does benefit from existing use rights then it would appear that the proposed zoning will maintain those rights.*
- *Based on the documentation submitted, it would appear that the subject site is not located within and appropriate distance to any major transport services. The location of higher density nodes near services, facilities and public transport is an important consideration and the subject site may not meet these location requirements.*
- *The subject site is considered to be isolated considered given that it is immediately surrounded by the Indo – Chinese Elderly Hostel and Bonnyrigg High School.*
- *The minimum lot width and depth of 25 metres for multi dwelling housing located on a Classified Road is achieved for the subject site.*
- *Cabramatta Road West is a classified road and accordingly, the proposal should be referred to roads and Maritime Services for comment.*
- *There is no on street car parking available for the subject site. Accordingly, all car parking demand generated by the development of the land will need to be provided onsite.*
- *The location of the driveway may conflict with an existing power pole located on the footpath. If there is a conflict then the pole will be required to be relocated at the sole cost of the Applicant.*
- *The Planning Proposal seeks to increase the FSR of the site from 0.45:1 to 0.5:1. The submitted concept indicates that the maximum FSR for the site is 0.45:1. Accordingly, concern is raised that an increase in the maximum permitted floor area on the subject site may result in an unacceptable impact on the amenity of nearby residential dwellings (the adjacent seniors housing). The increase in FSR is not likely to be supported.*

Council Officer Comment

Many of the comments provided can be addressed at the DA stage of the process. However, the Development Planning Branch does not support the proposed FSR at 0.5:1. An FSR at 0.5:1 is unlikely to result in a positive urban design outcome for surrounding sensitive land uses including the adjoining Indo – Chinese Elderly Hostel. Chapter 6A of Councils City Wide Development Control Plan (DCP) guides multi dwelling housing within Fairfield LGA and the controls within Chapter 6A have been specifically tailored to facilitate an FSR of 0.45:1. Any future Development application would have to comply with Chapter 6A to ensure an acceptable level of amenity is achieved for adjoining and adjacent properties.

The Development Assessment team has identified possible acoustic issues that would result from any future medium density development as the site borders sensitive land

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uses. These concerns are noted and can be dealt with at a development application stage under Chapter 6A of Council's DCP.

Development Assessment branch had concerns over proximity to public transportation services. The proposal is in close proximity to three bus routes providing access to Liverpool, Parramatta, Fairfield, Cabramatta and Bonnyrigg.

Social and Economic Impacts

At this stage of the proposal there will be limited adverse social or economic impacts as a result of the Planning Proposal. The proposal seeks to introduce a smaller dwelling type to the site and the western half of the LGA where there is a lack of housing diversity.

Any further specific issue can be assessed at the Development Assessment Stage of the proposal.

CONSULTATION STRATEGY

Community consultation is required under Section 56(2)(C) and 57 of the *Environmental Planning and Assessment Act 1979*.

The Act determines the requirements for Community consultation for Planning Proposals which is determined during the gateway process.

However, the following minimum consultation will be undertaken.

1. Advertisement on Council's website and available for viewing at the administration building;
2. Public notice with the Fairfield corporate section of the relevant local newspaper that circulates widely in the local government area; and
3. Letters sent out to owners and or occupiers of properties within an approximate 300 metre radius of 682 Cabramatta Road West, Bonnyrigg.

The Act sets out the community consultation requirement for Planning Proposals and these are determined at the gateway.

CONCLUSION

The Proposal seeks to increase density within the proximity of a transport node (Brown Road T-WAY and 801, 807 and 808 Bus services) and a neighbourhood centre at 718 Elizabeth Drive. The Planning Proposal meets the broader strategic goals outlined in the following State and Council Strategies as well as the relevant Section 117 Directions.

The Planning Proposal to rezone 682 Cabramatta Road West to R3 Medium Density Residential at an FSR of 0.45:1 is recommended by Council officers.

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It is recommended Council forward the Planning Proposal for the subject site to the Department of Planning and Environment for a Gateway Determination.

Patrick Warren
Strategic Planner

Authorisation:

Coordinator Strategic Planning

Acting Group Manager City Strategic Planning

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File Name: **OUT080817_5.DOC**

***** END OF ITEM 95 *****

ATTACHMENT 4 – EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area: Fairfield Local Government Area

Name of draft LEP: Fairfield LEP 2013 – Draft Amendment

Planning Proposal in respect of 682 Cabramatta Road West,
Bonnyrigg – seeking rezoning from R2 Low Density Residential to
R3 Medium Density Residential

Address of Land

682 Cabramatta Road West, Bonnyrigg

This Planning Proposal applies to (682 Cabramatta Road West
/ Bonnyrigg / R2 – Low Density Residential)

Intent of draft LEP:

Up zone the subject site from R2 - Low Density Residential to R3
Medium Density Residential.

Additional Supporting Points/Information:

Subject site is within proximity to peak transport services including the 807 and 808 bus services. Subject site is within 300 meters of a B1 Neighborhood Centre with a multitude of retail, commercial and medical services. Site is accessible from the T-WAY located at Brown Road.

Information submitted with the Planning Proposal includes:

- Letter requesting gateway determination;
- Council report;
- Council resolution;
- Evaluation Criteria for the delegation of Plan Making Functions.

Evaluation criteria for the issuing of an Authorisation	Council response		Department assessment	
	Y*/N	NR*	Y*/N	NR*
(Note: Where the matter is identified as relevant and the requirement has not been met, Council is to attach information to explain why the matter has not been addressed)				
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director- General? #	Y			
Does the planning proposal adequately address any inconsistency with all relevant 117 Planning Directions?		NR		
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPP)?	Y			
Minor Mapping Error Amendments	Y/N	NA	Y/N	NA
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		NA		
Heritage LEPs	Y/N	NA	Y/N	NA
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		NA		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		NA		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		NA		
Reclassifications	Y/N	NA	Y/N	NA

Is there an associated spot rezoning with the reclassification?		NA		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?		NA		
Spot Rezonings	Y/N	NA	Y/N	NA
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		NA		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principle LEP into a Standard Instrument LEP format?		NA		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferred has been addressed?		NA		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?		NA		
Section 73A matters (Note: the Minister or Delegate) will need to form an Opinion under section 73 (A (1)(c)) of the Act in order for a matter in this category to proceed).	Y/N	NA	Y/N	NA
Does the proposed instrument correct an obvious error in the principal instrument consisting of a misdescription, the consistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?		NA		
Does the proposed instrument address matters in the principal instrument that are of a consequential, transition, machinery or the other nature		NA		
Does the proposed instrument deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have significant adverse impact on the environment or adjoining land?		NA		

NOTES

* Where a Council responds “yes” or can demonstrate that the matter is “not relevant” in most cases, the planning proposal will routinely be delegated to Council to finalise as a matter of local planning significance.

Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.