

Fairfield LEP 2013 – Rezoning of land at 512-516, 518 & 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood .

Proposal Title : Fairfield LEP 2013 – Rezoning of land at 512-516, 518 & 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood .

Proposal Summary : Fairfield LEP 2013 – To rezone land at 512-516 (Lot 3 DP 310205), 518 (Lot 106 DP 778586), 520 (Lot 105 DP 778586) Smithfield Road, Prairiewood and part of 2 Myrtle Road (Lot 2 DP 312105), Prairiewood from R2 Low Density Residential to R3 Medium Density Residential zone.

The planning proposal has been prepared by Fairfield City Council to permit medium density housing on these sites.

PP Number : PP_2016_FAIRF_003_00 **Dop File No :** 16/05218

Proposal Details

Date Planning Proposal Received : 04-Apr-2016 **LGA covered :** Fairfield

Region : Metro(Parra) **RPA :** Fairfield City Council

State Electorate : FAIRFIELD **Section of the Act :** 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 512-516, 518 and 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood ,

Suburb : Prairiewood **City :** Fairfield **Postcode :** 2165

Land Parcel : Lot 3 DP 310205, Lot 106, DP 778586, 105 DP 778586 and part Lot 2 DP 310205

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy :

Consistent with Strategy :

MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings 23
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Lobbyists Code of
Conduct has been
complied with : **Yes**

If No, comment :

Have there been meetings or
communications with
registered lobbyists? : **No**

If Yes, comment : **The Department's Lobbyist Contact Register has been checked on 7 April 2016, and there are no records on the Department's Lobbyist Contract Register regarding this matter.**

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The planning proposal seeks to rezone the sites to R3 Medium Density Residential to allow for town house development and formalise existing town house development.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council has provided an explanation and relevant maps for the proposed amendment.**

The objectives of the planning proposal will be achieved by amending the following Fairfield LEP maps:

Land Zoning Map – Sheet LZN_011 (changing the zoning from R2 Low Density Residential to R3 Medium Density Residential zone).

Lot Size for Dual Occupancy Development Map – Sheet LSD_011 (amend the map to remove the minimum 900 square metres for dual occupancy layer for the site).

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 33—Hazardous and Offensive Development

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

STATE ENVIRONMENTAL PLANNING POLICY No.33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

The site is not affected by the provisions of this SEPP. However, the provisions of the "Planning NSW Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning" accompanying the SEPP (copy in Documents) require Council to have regard to development which increases residential density in proximity to potentially hazardous development.

The site directly adjoins a service station, which requires compliance with provisions of the SEPP No. 33. Council has advised that the proposed new provisions of the Fairfield City Wide DCP, would also require the subject land to undergo an assessment and include measures to achieve consistency with relevant provisions of the SEPP 33 Guidelines.

Given the intensification of residential development adjoining the service station it is recommended that Fire and Rescue NSW be consulted.

Comment: In view of the proposed actions by Council, the proposal is considered to be not inconsistent with the provisions of this SEPP.

STATE ENVIRONMENTAL PLANNING POLICY No. 55 – REMEDIATION OF LAND

Clause 6.1 of the SEPP states that a change of zone cannot be permitted unless the planning proposal has considered whether the land is contaminated and if it is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be after remediation) or the land is remediated before the land is used for that purpose.

Council has considered /inspected the site and determined that there is little chance of contamination and the subject land therefore does not trigger application of the SEPP 55.

Comment: Given the use of the site for low density residential purposes and horse stables it is considered that the potential for site contamination is low. Council's conclusions are supported.

S117 DIRECTIONS:

3.1 RESIDENTIAL ZONES

This direction applies when a planning proposal affects an existing or proposed

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residential zone or any other zone in which significant residential development is permitted or proposed to be permitted and approval of the Secretary of the Department of Planning and Environment is required if the reduction in density is involved.

This direction applies as the planning proposal proposes to rezone the site from R2 Low Density Residential to R3 Medium Density Residential zone.

The planning proposal is consistent with this Direction as it proposes to increase the residential density in proximity to a public transport route (Liverpool – Parramatta bus transitway), existing services and facilities.

3.4 INTEGRATED LAND USE AND TRANSPORT

The direction applies to the planning proposal.

Under this direction, a planning proposal must include provisions that give effect to and are consistent with the aims, objectives and principle of:

- (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001) and
- (b) The right Place for Business and Services – Planning Policy (DUAP 2001).

Central to these two documents is the objective of improving access to housing, jobs and services by walking, cycling and public transport, and the reducing travel demand including the number of trips generated by development and the distance travelled, especially by car.

The proposal is considered to be consistent with the direction as the site is well situated along two major roads and with access to high frequency public transport – Liverpool – Parramatta transitway.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council has provided the following maps:

- Site Identification – an aerial view of the site and showing Liverpool to Parramatta Transitway.
- An extract from existing Land Zoning Map;
- Draft Land Zoning Map;
- An extract from existing Lot Size for Dual Occupancy Development Map;
- Draft Lot Size for Dual Occupancy Development Map; and

It is considered that the maps are adequate for consultation purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has advised that the planning proposal will be exhibited for not less than 28 days. This is supported.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Fairfield LEP 2013 is a Standard Instrument LEP. The planning proposal is to amend the Fairfield LEP 2013.**

Assessment Criteria

Need for planning proposal : **The planning proposal is not a result of any strategic study or report. The planning proposal is however the result of Council's assessment and recognition of the site's location in relation to the Bus Transitway Corridor, size of the site and its potential ability to provide for different housing choice.**

SITE

The planning proposal has been prepared by Fairfield City Council. The site is generally regular in shape and has a total area of 15, 255.69 square metres. 2 Myrtle Road and 518 Smithfield Road have been developed for residential use and horse stables and associated outbuildings. 520 Smithfield Road has a single storey dwelling. 512-516 Smithfield Road has public housing development consisting of 18 detached dwellings owned by NSW Land and Housing Corporation.

The site contains vegetation which Council has advised will undergo detailed assessment in an arborist report prepared for any future development application. The site is not identified on the Fairfield Local Environmental Plan 2013 Terrestrial Biodiversity Map.

To the north, south and east of the subject site is residential development of predominately one and two storey housing. The site adjoins a service station and take away food and drink premises on the corner of Myrtle Road and Smithfield Road. Fairfield Showground and Deer Park Reserve are located directly to the north west of the subject site.

The site is located adjacent to the Liverpool – Parramatta bus transitway which provides a high frequency public transport service. Electricity, telecommunications, gas, water and sewer utilities and services are located at the site.

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Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY (the Plan)

The proposal is considered to be consistent with the goals and actions of the Plan as explained below:

- Direction 1.4: Transform the productivity of Western Sydney through growth and investment. The proposal by providing additional dwellings and choice of housing will contribute towards increasing the productivity of Western Sydney.
- Direction 2.1: Accelerate housing supply across Sydney. The planning proposal will provide additional housing which will support expected increase in population.
- Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs. The provisions of additional housing in close proximity to the Transitway Bus Service will provide housing closer to public transport and jobs.
- Direction 2.3: Improve housing choice to suit different needs and lifestyles. The proposal will provide housing choice by introducing medium density housing.
- Direction 3.1: Revitalisation existing suburbs. Additional housing will help revitalise Prairiewood with increase in people using existing shopping centres, community facilities, schools and seeking employment.

The proposed R3 Medium Density Residential zone on the site is also considered to be consistent with the guiding principles for the South West Region in the Plan as it will facilitate housing supply along a key public transport corridor.

FAIRFIELD CITY PLAN 2012-2022 (DECEMBER 2012)

Fairfield City Plan 2012-2022 (the City Plan) contains the Community's vision, priorities and outcomes for Fairfield City over the next 10 years.

The planning proposal is consistent with the relevant goals contained within the City Plan as it has the potential to provide a range of additional housing types to meet the needs of the increased population.

FAIRFIELD RESIDENTIAL DEVELOPMENT STRATEGY

The Fairfield Residential Development Strategy (the Strategy) is a 20 year strategy that guides the location and type of future residential development within the eastern half of the Local Government Area (LGA). The Strategy has adopted a centres based planning approach to guide the location of new housing within the existing urban areas of the Fairfield LGA.

The planning proposal is consistent with the objectives of the Strategy as it will provide additional dwellings that will assist Council in meeting targets for the provision of housing within close proximity to the Parramatta-Liverpool Transitway corridor and within 1km to Greenfield Centre and 1.5 km to Prairiewood Shopping Centre.

Environmental social economic impacts :

ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The site does not contain threatened species, critical habitat, ecological communities or their habitat. The planning proposal therefore will not result in any adverse impacts to those species, communities or habitats.

The planning proposal is not expected to result in negative environmental effects. Further, as explained under consistency with the SEPP No. 33 Hazardous and Offensive Development of this report, part of the site (518 & 520 Smithfield Road and 2 Myrtle Road, Prairiewood) would be subject to assessment under the provision of that SEPP. This will ensure that the planning proposal site is protected from the nearby hazardous development.

The planning proposal will have positive social and economic benefits as it will provide additional residential land in close proximity to jobs, services and public transport.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Integral Energy
Fire and Rescue NSW
Transport for NSW - Roads and Maritime Services
Sydney Water
Telstra**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Letter to DP&E Advising of Planning Proposal.pdf	Proposal Covering Letter	Yes
Planning Proposal - Various sites Prairiewood.pdf	Proposal	Yes
Fairfield Council March 23 Ordinary Council Minutes.pdf	Study	Yes
Fairfield Council March Outcomes Committee Report.pdf	Study	Yes
Maps - Proposed Amendments to Fairfield LEP 2.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones
3.4 Integrating Land Use and Transport**

Additional Information : **RECOMMENDATION**

It is recommended that the planning proposal proceed subject to the following conditions:

1. Community consultation is required under Section 56(2)(c) and 57 of the EP&A Act as follows:

(a) the planning proposal must be publicly exhibited for 28 days, and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with the planning proposal as identified in section 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

Endeavour Energy
Road and Maritime Services
Sydney Water
Telstra
Fire and Rescue NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and be given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held in relation to this matter by any person or body under section 52(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

DELEGATION OF GATEWAY DETERMINATION

The proposal is considered to be a local planning matter and it is recommended that the determination function of the Gateway be exercised under delegation by the Director, Sydney Region West.

DELEGATION TO COUNCIL

Fairfield City Council has requested plan making functions be delegated to Council in this instance. Given the local planning nature of the planning proposal, it is recommended that delegations of the Plan Making functions be given to Council in this instance.

Supporting Reasons : The planning proposal is supported, as it will facilitate development that will contribute additional housing and housing diversity along a key transport corridor.

Signature:



Printed Name:

Debra John

Date:

18 MAY 2016