

Outcomes Committee



AGENDA

DATE OF MEETING: 9 February 2016
LOCATION: Lunch Room
TIME: 6:30pm

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ITEM	SUBJECT	PAGE
	- APOLOGIES AND LEAVE OF ABSENCE	
	- CONFIRMATION OF MINUTES	
	SECTION A	
	'Matters referred to Council for its decision'	
1:	Withdrawal of Existing Subsidy for 45 Chifley Street, Smithfield	
	Premises: 45 Chifley Street, Smithfield	
	Applicant: NA	
	Property Owner: Peerless Star Trading Pty Ltd, Mr R Chiu & Mr C L Sheh & Mrs M F Sheh	
	Zoning: R2 Low Density Residential	
	DIVISION: Not Required	
		6
2:	2015-2016 Operational Plan - Quarterly Report (Oct – Dec 2015)	
		11
	SECTION B	
	'Matters submitted to the Committee for decision subject to the right of referral'	
3:	Development Control Plan Review 2016	
	Premises: NIL	
	Applicant: NIL	
	Property Owner: NIL	
	Zoning: NIL	
	DIVISION: Required	
		73
4:	Planning Proposal - Various sites Prairiewood	
	Premises: 512-516,518,520 Smithfield Road, 2 Myrtle Road	
	Applicant: C Watts and J Fizzel	
	Property Owner: C Watts, J Fizzel, Mr VH Tran, NSW Land & Housing Corporation	
	Zoning: R2 Low Density zone	
	DIVISION: Required	
		103
5:	Adoption of Fairfield City Centres Study 2015	
		153
6:	Expanding Complying Development to Include 1 and 2 Storey Medium Density Housing Types	
		343

4: Planning Proposal - Various sites Prairiewood

Premises: 512-516,518,520 Smithfield Road, 2 Myrtle Road
Applicant: C Watts and J Fizzel
Property Owner: C Watts, J Fizzel, Mr VH Tran, NSW Land & Housing Corporation
Zoning: R2 Low Density zone
DIVISION: Required

RECOMMENDATION:

That:

1. In accordance with Option 1 of the report, Council inform the Department of Planning that it wishes to commence the Gateway process to amend the Fairfield Local Environmental Plan (LEP) 2013 to rezone properties at 512-516,518,520 Smithfield Road, 2 Myrtle Road from R2 to R3 Medium Density Residential with a maximum FSR of 0.45:1.
2. Council consult with the NSW Roads and Maritime Services in relation to the preparation of the Planning Proposal.
3. Council note the Group Manager City and Community Development has been delegated the power to approve the final version of the Planning Proposal and authorise its submission to the Minister for approval under the Gateway process. The Group Manager City and Community Development who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1993.
4. In requesting the Gateway Determination, Council advise NSW DP&E that it seeks to utilise the delegation for LEP Plan Making (delegated by the Minister under Section 23 of the Environmental Planning and Assessment Act 1979 (EP&A)). The delegated functions will be undertaken by the Group Manager City and Community Development who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1993.
5. Council receive a further report on the proposal following public exhibition to be carried out in accordance with the public consultation strategy outlined in this report.

Note: This report deals with a planning decision made in the exercise of a function of Council under the Environmental Planning & Assessment Act and a Division needs to be called.

FILE NO.: 15/20026
REFERENCE NO.: A1619477
REPORT BY: Harumi Watanabe
PREVIOUS ITEMS: There are no previous items for this report.

ATTACHMENTS:

A.	Locality Plan	1 page
B.	Letters to ratepayers of 520 and 512-518 Smithfield Road	2 pages
C.	Planning Proposal to be submitted to the Department of Planning and Environment	28 pages
D.	S117 Directions	4 pages
E.	Consultation Map	1 page
F.	Property ownership	1 page

CITY PLAN

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

SUMMARY

Council is in receipt of a Planning Proposal prepared by C.C Weston & Associates on behalf of the owners, Mr J Fizzel and Mr C Watts that seeks to:

1. rezone land currently zoned R2 Low Density Residential at 518 Smithfield Road and 2 Myrtle Road, Prairiewood to R3 Medium Density Residential;
2. Apply a floor space ratio of 0.5:1 under the provisions of Clause 4.4 of FLEP 2013.

The site directly adjoins existing medium density housing at 512-516 Smithfield Rd and is close proximity to the Liverpool to Parramatta Bus T-Way. In addition housing in the area has access to a range of services and facilities associated with the Prairiewood Town Centre and Greenway Local Centre.

Given these attributes Council officers recommend that Council provide support to the preparation of a planning proposal to rezone the site from R2 Low Density to R3 Medium Density Housing.

As detailed further in this report, given the nature of existing medium density housing at 512-516 Smithfield Rd and the scope for future infill housing at 520 Smithfield Rd it is recommended that Council also include these additional sites in the planning proposal for rezoning to R3.

BACKGROUND - Existing Site

The subject sites at 518 Smithfield Road and 2 Myrtle Road have a combined area of approximately 5,890sqm. The sites together are an irregular shaped lot being 104.817m in depth and 82.86m in width at its widest points.

The Applicant identifies the area zoned SP2 Infrastructure on 2 Myrtle Road does not form part of this planning proposal as it is identified for acquisition for road widening purposes. Given the area zoned SP2 is approximately 656sqm, the area that relates to this planning proposal is 5,234sqm.

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The characteristics of the site are as follows:

- Site currently contains two single storey dwellings – one on 518 Smithfield Road and another on 2 Myrtle Road, Prairiewood. Site also contains various outbuildings and horse stables;
 - Site is located within 500m from Greenfield Local centre and 1,500m of Prairiewood Stocklands Shopping Centre, which contains retail, commercial, entertainment and medical services;
- Located adjacent to the Liverpool to Parramatta dedicated Bus Transit Way and is located approximately 170m from the nearest TWAY bus stop.

Surrounding Development

The subject sites adjoin a Service station on 522 Smithfield Road (corner of Myrtle Road and Smithfield Road), medium density housing on 512-516 Smithfield Road and low density housing north of 2 Myrtle Street.

The map below shows the site in its immediate context, with surrounding land uses:



Planning Proposal

The planning proposal seeks to rezone the site to R3 Medium Density Residential to permit town house and villa development. It also seeks to amend the FSR control from 0.45:1 to 0.5:1.

Applicant's Justification

The Applicant Planning Proposal provides information in support of the Proposal with the Applicant's key points for justification being:

Consistency with A Plan for Growing Sydney – the Applicant notes that the planning proposal will :

- provide housing choices to support the growth of Western Sydney
- provide additional housing in close proximity to the T-Way Bus Service
- ○ contribute to revitalising Prairiewood through improved housing stock

Consistency with Fairfield City Plan 2012-2022 - the Applicant notes that the planning proposal is consistent with the theme of community wellbeing.

Inclusion of 520 & 512-516 Smithfield Road, Prairiewood

Prior to submission of the current application the proponent approached the owners of 520 Smithfield Road, Prairiewood for inclusion in the planning proposal also for rezoning from R2 to R3 Medium Density. However, the Applicant advises that this attempt proved unsuccessful.

Given the Applicant's unsuccessful attempts for 520 Smithfield Road to form part of this planning proposal, Council officers sent letters (**Attachment B**) to the owners of 520,522 & 512-516 Smithfield Road to notify them of planning merits to potentially include their site as part of this planning proposal. At the time this report was being prepared no comments were received from ratepayers of 520,522 and 512-516 Smithfield Road.

Given the context, it is recommended that the following be included as part of this planning proposal:

520 Smithfield Road, Prairiewood

The inclusion of these would allow the orderly development of these properties, which are in closer proximity to the T-WAY and the nearest T-WAY stop and avoid this property from being 'isolated' by medium density housing development in future. The site has an

- area of 512m² and under Council's current planning controls would have scope for lower scale duplex housing.

512-516 Smithfield Road, Prairiewood

The inclusion of this would formalise an existing use on the site – townhouses and villas approved on 19 July 1985 under building permit 1013/85.

Under preparation of the planning proposal the owners of the above properties would again be given an opportunity to comment on the proposed rezoning of their sites from R2 Low Density to R3 Medium Density Housing.

The inclusion of 512-516 and 520 Smithfield Road will have a combined total area of 15,255.69m² that is proposed to be rezoned from R2 Low Density Residential to R3 Medium Density Residential (see **Attachment A** for a locality plan).

INTERNAL ASSESSMENT

The planning proposal has been referred to the following internal Council departments for comments:

- Development Planning and Engineering Department
 - Traffic Engineering Branch
 - Environmental Health Branch

The following comments have been received:

Traffic Engineering Branch

The provision of access off Smithfield Road is a concern, however it was determined that access will be off Smithfield Road as access is denied off Myrtle Road. Additionally, the SP2 infrastructure zoned portion in 2 Myrtle Road is to remain SP2 Infrastructure for the purpose of road widening. The need to identify the area required for road as a separate lot in any future plan of subdivision has been requested.

Based on the comments above the Traffic Engineering branch raises no objections to the proposal provided that it is referred to the NSW Roads Maritime and Services branch for comment and other additional information be conditioned at the development application stage.

Development Planning and Engineering Branch

The Development Planning Branch does not support a proposed Floor Space Ratio (FSR) of 0.5:1. An FSR that is greater than 0.45:1 is unlikely to facilitate or encourage a high quality residential development outcome. The development controls provided within Chapter 6A of Council's City Wide Development Control Plan (DCP) sets the benchmark for multi-unit developments. These controls have been specifically adopted and tailored to a specific FSR control (ie. 0.45:1) to ensure that acceptable amenity can be achieved for the internal occupants of the development also bearing in mind the impact on the amenity to the adjoining neighbouring properties. An FSR beyond 0.45:1 is likely to compromise the objectives of these development standards and unlikely to achieve an acceptable urban outcome.

Any proposed redevelopment of the site for medium density purposes will need to ensure the amalgamation of the subject site with 520 Smithfield Road, otherwise the redevelopment will likely result in the isolation of this property with a poor amenity outcome, particularly being located next to a service station. This should form the basis for any re-zoning of the subject site and mechanisms put in place that facilitates this requirement.

It is noted that there are a number of large trees on the site. Retention of these trees should be included for any re-development purposes. The site also adjoins a service station. In this regard, any redevelopment will need to take into consideration any buffer requirements between the two land uses to ensure a satisfactory level of amenity can be achieved for the subject site and to ensure risk and safety of property and persons can be maintained, particularly against the requirements of SEPP No. 33 – Hazardous and Offensive Development.

In regards to engineering matters, no flooding issues with the proposal have been identified. As such, all drainage matters can be dealt with at the development application stage.

Environmental Health Branch

Environmental Health assessed the proposal's consistency with State Environmental Planning Policies (SEPPs). The planning proposal questions whether a contamination report may need to be prepared for compliance with SEPP33 – Hazardous and Offensive Development.

During Council's inspection of the site, no indication of contamination was observed from the current use of the Myrtle Road property as horse stables and yards. It was noted that a number of structures at the property had asbestos sheet roofs. A hazardous materials management plan will be required for any proposed demolition of these structures prior to any development of the site.

A report on compliance with Advisory Paper SEPP 33- Hazardous and Offensive Development, in particular *Planning NSW Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning* was raised.

Council's Strategic Planners considered this paper, in particular *Section 3 Strategic Planning* and *Section 4 Development Planning*. While Section 4 seeks for the Applicant to consider SEPP33, it was determined that under *Part 3 Potentially Hazardous or potentially offensive development* of the legislation the SEPP 33 did not apply for this proposal as it does not directly relate to potentially hazardous or offensive development. While the Advisory paper seeks for applicants and authorities to consider development within the vicinity of potentially hazardous industry, SEPP 33 does not specifically apply to planning proposals. Currently the sites adjacent to the service station (520 Smithfield and 2 Myrtle Road) would have to consider SEPP 33 in the redevelopment of their sites even in the R2 Low Density Residential Zone.

It was determined that, as SEPP33 is triggered by buffer zones and setbacks, appropriate setbacks will need to be determined at the Development application stage where *Planning NSW Hazardous Industry Planning Advisory Paper No.10 – Land Use Safety Planning* shall have to be considered by the Applicant. Additionally other issues related to detailed design of the buildings such as building fabric and configuration are more appropriately considered at a DA Stage.

It is also noted that under an accompanying report to Council it is proposed that additional requirements will be included in the City Wide DCP requiring development adjoining potentially hazardous uses (e.g. services stations) to address relevant guidelines of SEPP 33 Hazardous and Offensive development.

Environmental health require a clearance certificate regarding the clean-up notice issued to the property owner regarding the removal of asbestos from the property at 518 Smithfield Road Prairiewood.

Strategic Planning Assessment

As part of the review, assessments of the strategic planning issues were undertaken as follows.

A Plan for Growing Sydney

The metropolitan Plan for Sydney indicates that it seeks to accelerate housing supply across the metro area to improve housing choice, and accelerate urban renewal. The Plan identifies a housing target of 664,000 new dwellings by 2031 for all of Sydney. Targets for individual Councils are still to be set through subregional strategies; however Council is still working towards a previous target set in 2007 of 24,000 additional dwellings by 2031.

The proposal is assessed against the broad strategic goals of A Plan for Growing Sydney. The vision for Sydney to be a 'strong global city, a great place to live' is supported by four goals. The planning proposal addresses directives under each goal as follows:

Goals	Directions & Actions	Applicant Comment
1. <i>A competitive economy with world-class services and transport</i>	1.4 transform the productivity of Western Sydney through growth and investment	The PP will provide additional housing choices in the west of the city
2. <i>A city of housing choice, with homes that meet our needs and lifestyles</i>	1. Accelerate housing supply across Sydney 2. Accelerate urban renewal across Sydney – providing homes closer to jobs 3. Improve housing choice to suit different needs and lifestyles	The planning proposal will provide additional housing stock above that expected in an R2 Low Density Residential Zone The provision of additional housing in close proximity to the TWAY Bus Service will provide improved accessibility to employment centres The planning Proposal will provide housing choices by introducing medium density housing.
3. <i>A great place to live with communities that are strong, healthy and well connected</i>	3.1 Revitalise existing suburbs	Additional housing will revitalise Prairiewood with an increase in people using existing shopping centres, community facilities, schools and seeking employment
4. <i>A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources</i>	4.1 Protect our natural environment and biodiversity	The Planning Proposal provides the use of a valuable land resource close to a transport node

Planning Comment:

The Applicant adequately addresses directions under A Plan for Growing Sydney in support of their proposal.

Fairfield Residential Development Strategy 2009 Stage 1 (RDS)

The Fairfield RDS (Stage1) identifies the framework for accommodating the 60% of the total dwelling target, being 14,400 dwellings, within the eastern half of the City. It was envisaged that approximately 7,200 dwellings would comprise two storey medium development and 7,200 high density dwellings in apartments up to six storeys. Council is currently awaiting a Gateway Determination from the Department of Planning and Environment to permit public exhibition of a rezoning of four precincts within Fairfield, Fairfield Heights, Fairfield East and Villawood.

Stage 2 of a Residential Development Strategy for accommodating the 40% of the total dwelling target, being 9,600 dwellings, within the western half of the City has not yet been undertaken. The timing for the development of a strategy that will identify the most appropriate locations for medium and high density has yet been determined. The Planning Proposal subject to this report is located within the western half of the City. The principle of up zoning land near transport nodes, existing services and facilities that increases accessibility are manifested in the current planning proposal. In particular it is noted that the St Johns Bus Transitway (TWAY) station is located 180m away.

Large Lot Policy

Council adopted the Large Lot Policy in May 2015 for sites zoned R2 Low Density Residential east of the Cumberland Highway and with a minimum site area of 1,300m² and within 800m of an existing local centre and public transport or 400m from a train station or well serviced bus stop.

The Large Lot Policy informs proponents seeking to develop medium density development within the existing Zone R2 of Council's requirements for consideration of any planning proposal seeking a change in residential zoning.

Planning Comment:

Whilst the planning proposal falls outside of the scope of the current Fairfield Residential Development Strategy (Stage1) and the Large Lot Policy as it is located in the western half of the City, the proposal has been assessed on its planning merits including proximity to public transport, services and facilities and open space. It meets the core considerations of the policy.

Fairfield Local Environmental Plan 2013

The Fairfield Local Environmental Plan (FLEP) 2013 governs how land in Fairfield City is developed through land-use zones.

Zoning

The proposal seeks to amend the land use zone from zone R2 Low Density Residential to ~~R2~~ R3 Medium Density Residential. The changes would allow the following type of development to be permissible with consent under the proposed zone:

Multi-dwelling housing – The R3 Medium Density Residential zone allows for the development of multi-dwelling housing such as townhouses and villa development. Additionally, dual occupancies can be developed without the development standard of

- minimum lot sizes as applicable under the R2 Low Density Zone. Townhouses and villa development can be strata subdivided.

Neighbourhood Shops – The R3 Medium Density Residential zone allows for neighbourhood shops to be developed with consent. Council has recently introduced DCP controls to limit proliferation of neighbourhood shops in residential areas. Neighbourhood shops are limited to one per site, at a maximum floor area of 80sqm. Strata-subdivided sites are considered as one site. This is further supported in council's Draft Centres Study 2015. Under the current proposal there is no expressed intention to develop neighbourhood shops.

Floor Space Ratio and Site Specific Development Control Plan (SSDCP)

Floor Space Ratio (FSR) is the ratio of a buildings overall floor area to the size of its site. The FSR control helps Council limit the scale of development.

As the proposal seeks to increase density on the site and change the permissible built form, consideration needs to be given as to the impact on adjoining properties and how future development applications can be assessed

The proposal propositions an increased FSR of 0.5:1 from 0.45:1 for the subject site.

Comment:

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).

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 400m of any local centre.

Car parking - There is no intention to provide underground car parking which may merit consideration of a change in FSR. This would provide scope for greater residential amenity.

Site Specific Development Control Plan

As the proposal seeks to increase density on the site and change the permissible built form, consideration needs to be give as to the impact on adjoining properties and how future development applications can be assessed.

The increase in FSR is not justified and does not demonstrate that there will be no impact on the amenity of future residents on the subject sites. There are number of significant discrepancies between the proposed Site Specific Development Control Plan (SSDCP) and the current existing Multidwelling, Townhouses and Villas chapter (Chapter 6A) within the Fairfield Citywide DCP 2013:

1. The SSDCP proposes a dwelling density at 1 dwelling per 210sqm, regardless of whether it is a 1 bedroom or 3 bedroom dwelling. This will see an overdevelopment of the subject sites, decreased open space for those sites with a 3 bedroom dwelling and decreased amenity for neighbouring townhouses and villas.
2. The SSDCP proposes no minimum unit mix to this townhouse development.
3. The SSDCP proposes an overall gross floor area of the upperfloors to be a max of 100% of the total ground floor area at ground level. Currently, the Fairfield Citywide DCP only allows a max of 65% for the upperfloors in order to protect the privacy and amenity of adjoining sites.
4. The SSDCP sets a minimum of 40sqm for private open space, regardless of whether development is for 1 or 3 bedrooms. Currently, the Fairfield Citywide DCP 2013 has a sliding scale for private open space dependant on the number of rooms proposed. While the proposed open space provision has increased the open space area for a 1 bedroom development, it has decreased the open space area for 3 bedroom developments.

The SSDCP also mentions *rooftops* as potential areas for “private open space”, however the Fairfield Citywide DCP and Council’s Development Planning Branch would not be supportive of rooftops on townhouse development due to potential privacy and noise transmission issues.

Due to the inadequacies of the SSDCP submitted and issues raised regarding the increase in FSR, Council officers are not supportive of the SSDCP. It is considered that the scope and nature of controls in the City Wide DCP in concert with the LEP height and existing FSR restrictions will provide a sufficient planning framework for future redevelopment of the site as medium density housing.

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 the Parramatta to Liverpool TWAY.
- **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 D**.

Other Issues

Flooding: The site is not identified as being within flood prone land or identified as containing an overland flow path.

Acid Sulfate Soils: The site is not identified as being affected by acid sulphate soils nor is it within 500m of acid sulphate soils

Land Contamination: The site is not on known contaminated land. The Fairfield City Wide DCP Chapter 3 (3.1.2 Land Contamination) contains requirements which need to be followed at the time a development application is submitted to Council.

Threatened Species: The site contains vegetation identified as Shale Plains Woodland on 2 Myrtle Road, Prairiewood. The proposal identifies that this will be addressed in an aborist report for any future development application

Road widening and Access: The site contains road widening and access restrictions on the property known as 2 Myrtle Road, Prairiewood. In relation to the SP2 Infrastructure zone the proposal does not seek to rezone any of the SP2 zoned land, nor does it propose any access from Myrtle Road, Prairiewood.

OPTIONS AVAILABLE TO COUNCIL

As a result of reviewing the Planning Proposal in association with the relevant strategies and studies and supporting information, the following options are available to Council:

Option 1 – Support the Planning Proposal and rezone various parcels to Medium Density Residential at an FSR of 0.45:1

Option 1 would seek rezoning of the subject site and adjoining parcels at 512-516, 518 and 520 Smithfield Road from R2 Low Density residential to R3 Medium Density residential and keep the existing FSR at 0.45:1. This will allow medium density residential development such as town house and villa development at a scale that is consistent with existing development opportunity.

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The issues with this option are:

- No current RDS guiding the future residential zoning of the western part of the city
- Allowing medium density can set a precedent for other applications

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The benefits of this option are:

- Short term development and increase in housing choice into the western half of the City
- Replace existing land occupied by horse stables to fit into the character of the residential zone
- Consistent with relevant s117 directions
- Providing housing mix within Prairiewood
- Consistent with the Strategic direction of *A Plan for Growing Sydney*
- Prevents inefficient subdivision of the land for low density residential development in a location supported by good access to public transport, services and retail facilities.

- The outcome is more aligned to desirable strategic planning outcomes in providing a consistent zoning treatment for the area and does not isolate 512-516 and 520 Smithfield Road
Provides scope for infill development at 520 Smithfield and greater certainty for future renewal of 512-516 Smithfield

Pursuant to the recommendations to this report this is the preferred Option being put forward by Council officers.

Option 2 –Council support Planning Proposal for only 518 Smithfield Road and 2 Myrtle Road at an FSR of 0.45:1

Option 2 is if Council choose to support the planning proposal in principle for only 518 Smithfield Road and 2 Myrtle Road.

- The issues with this option are:

No current RDS guiding the future residential zoning of the western part of the city
Isolation issues raised regarding 520 Smithfield Road with ad-hoc approach to zoning

- The benefits of this option:

- Short term development and housing choice in the western half of the City
- Replace existing land occupied by horse stables to fit into the character of the residential zone
- Consistent with relevant s117 directions
Consistent with the Strategic direction of *A Plan for Growing Sydney*
Prevents inefficient subdivision of the land for low density residential development in a location supported by good access to public transport, services and retail facilities.

Option 3 – Support the Planning Proposal to rezone various parcels to Medium Density Residential at an FSR of 0.5:1

Option 3 is to proceed with the planning proposal to rezone the site to R3 Medium Density Residential at an FSR for 0.5:1. This will allow for medium density residential, such as town house and villa development.

- The issues with this option are:

- Site constraints. The practicality of effectively developing the site at an FSR of 0.5:1 when considering all other development controls including; setbacks, potential SEPP 33 buffers, private open space, vegetation, dwelling mix, car parking, access etc.
- 0.5:1 is considered an over development of the site. The degree of site coverage and housing form arising is inappropriate and out of character with the surrounding area and does not result in sufficient amenity for future occupants of the site.
No current RDS guiding the future residential zoning of the western part of the city.

- The benefits of this option are:

Short term development and economic input into the city

- Replace existing land occupied by horse stables to fit into the character of the residential zone
- Consistent with the Strategic direction of *A Plan for Growing Sydney*
- Consistent with relevant s117 directions
- Prevents inefficient subdivision of the land for low density residential development in a location supported by good access to public transport, services and retail facilities.

Option 3 – Not support the Planning Proposal to rezone the sites

Option 3 is for Council to not support the planning proposal to rezone the site to R3 Medium Density Residential.

- The issues with this option are:
 - Current use of land for horse stables is not in character with existing residential amenity.
 - Reduces opportunity for increased housing choice in the western half of the City
 - Potential inefficient subdivision of land for low density residential in a located supported by good access to public transport, services and retail facilities.
- The benefits of this option are:
 - To align with any future RDS West of the city
 - Not consistent with strategic goals of *A Plan for Growing Sydney*

CONSULTATION STRATEGY

A rezoning of 512-516, 518 and 520 Smithfield Road and 2 Myrtle Road, Prairiewood whether for medium density residential would be advertised broadly. The recommended strategy is as follows:

1. Newspaper advertising as legislatively required
2. Letters to owners and or occupiers of properties within an approximate 300 metre radius of 518 Smithfield Road and 2 Myrtle Road, Prairiewood (See **Attachment E** for map of extent of properties proposed to be consulted).
3. Consultation with the RTA regarding the site directly to the north of 518 Smithfield Road and 2 Myrtle Road.

RECOMMENDATION

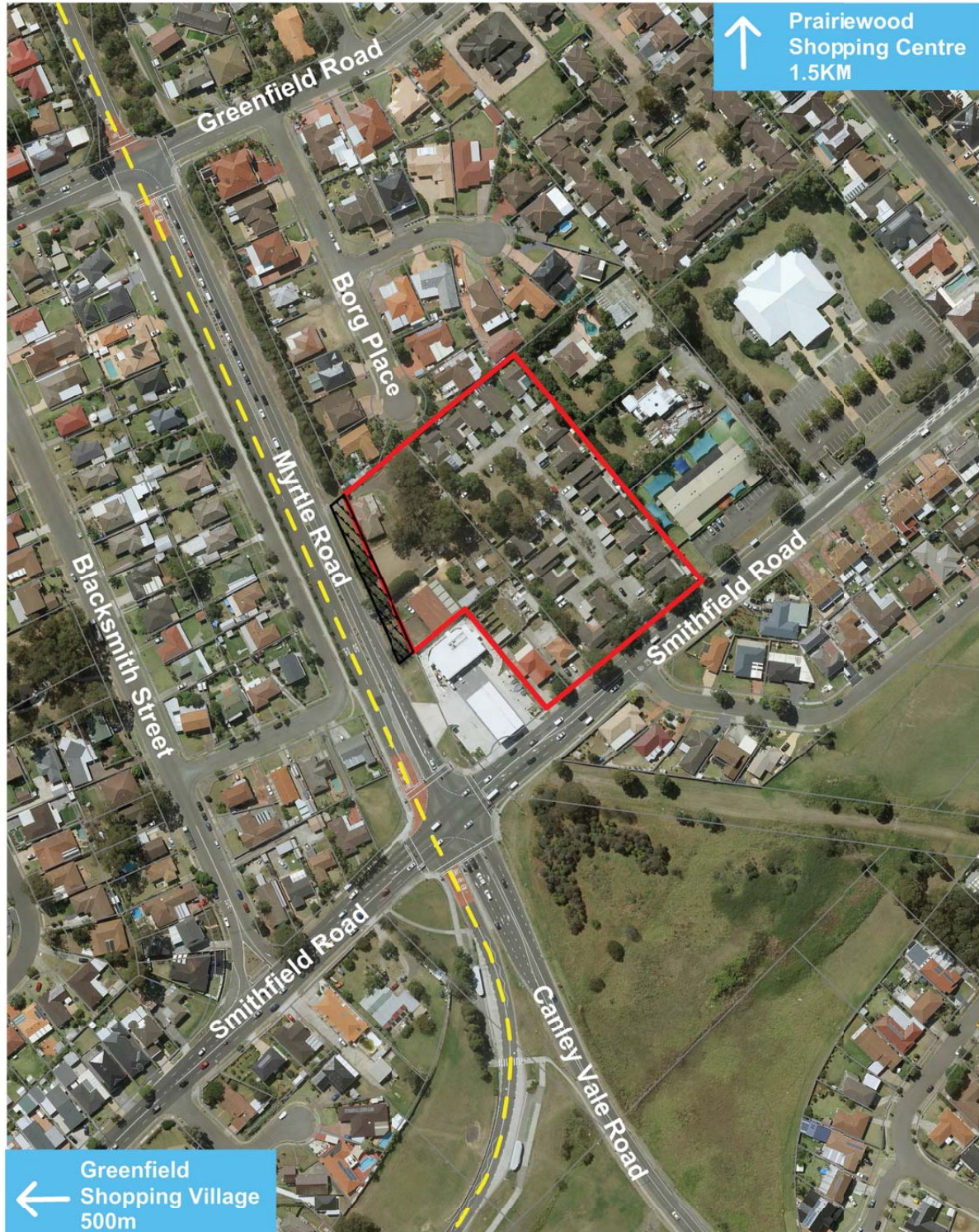
The proposal seeks to increase density within the proximity of a transport node and meets the broader strategic goals outlined in *A Plan for Growing Sydney*. The planning proposal to rezone 512-516, 518 and 520 Smithfield Road and 2 Myrtle Road Prairiewood to R3 Medium Density Residential at an FSR of 0.45:1 is recommended by support by Council officers.

It is recommended Council forwarded the planning proposal for the subject sites to the Department of Planning and Environment for a Gateway Determination.

Attachment A

Planning Proposal

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



Subject sites for planning proposal

SP2 zone not part of planning proposal

Liverpool to Parramatta Transitway



Attachment B

Fairfield City Council, Administration Centre, 86 Avoca Road, Wakeley 2176

Tel: (02) 9725 0222 Fax: (02) 9725 4249 ABN: 83 140 439 239

All communications to:

Fairfield City Council, PO Box 21, Fairfield NSW 1860

Email address: mail@fairfieldcity.nsw.gov.au

19 November 2015

Our ref: f15/10982

PLANNING PROPOSAL SMITHFIELD & MYRTLE ROAD PRAIRIEWOOD – HAVE YOUR SAY

Dear Sir,

A planning proposal has been received to rezone low density residential land at 518 Smithfield Road and 2 Myrtle Road, Prairiewood to allow two storey townhouses in a Medium Density Residential Zone.

You own land that is being investigated with the potential to be included within this planning proposal, incorporating the service station site at 522 Smithfield Road, a dwelling house at 520 Smithfield Road and existing medium density development at 512-516 Smithfield Road, Prairiewood.

As a planning principle, increasing residential densities is best suited in areas within close proximity to public transport, services and facilities. The locality is close to the St Johns Park transitway station with access to Greenfield, St Johns and Prairiewood local centres.



Your comments are important and will be considered in the decision making process. If you would like to discuss this further, please call me on 9725 0103.

Yours sincerely,

HARUMI ARRASCUE- WATANABE
STRATEGIC LAND USE PLANNER



Attachment B

Fairfield City Council, Administration Centre, 86 Avoca Road, Wakeley 2176

Tel: (02) 9725 0222 Fax: (02) 9725 4249 ABN: 83 140 439 239

All communications to:

Fairfield City Council, PO Box 21, Fairfield NSW 1860

Email address: mail@fairfieldcity.nsw.gov.au

9 December 2015

Our ref: f15/10982

PLANNING PROPOSAL SMITHFIELD & MYRTLE ROAD PRAIRIEWOOD – HAVE YOUR SAY

Dear Sir,

This letter is a friendly reminder that a planning proposal has been received to rezone low density residential land at 518 Smithfield Road and 2 Myrtle Road to a medium density residential zone. As mentioned in my previous letter to you dated **19 November 2015** (attached) Council are investigating the potential to include your land in this planning proposal.

This is an invitation to discuss any issues or comments regarding the possible inclusion of your property to this planning proposal. Alternatively if you support the inclusion of your property in this planning proposal I am also happy for you to contact me on 9725 0103 or via email on hwatanabe@fairfieldcity.nsw.gov.au.

Should we not hear from you by **23 December 2015**, Council will continue to assess the planning proposal in accordance with planning legislation, and include your site within this planning proposal.

Should the planning proposal proceed, there will be a chance for you to comment during the public exhibition stage.

Yours sincerely,

HARUMI ARRASCUE- WATANABE
STRATEGIC LAND USE PLANNER

Attachment C

Planning Proposal

Proposed amendment to amend
Fairfield Local Environmental Plan 2013

Rezoning of 512-516 Smithfield Road (Lot 3 DP 310205), 518 Smithfield Road (Lot 106 DP 778586) and 520 Smithfield Road (Lot 106 DP 778586) and part 2 Myrtle Road (part Lot 2 DP 312105) Prairiewood from R2 Low Density Residential to R3 Medium Density Residential Zone



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Introduction

This Planning Proposal has been prepared by Fairfield City Council for amendment of the FLEP 2013 comprising rezoning of land at Lot 3 DP 310205 - No. 512-516 Smithfield Road, Lot 106 DP778586 - No. 518 Smithfield Road, Lot 105 DP 778586 - No. 520 Smithfield Road and Lot 2 DP 312105 – 2 Myrtle Road, Prairiewood from R2 Low Density Residential to R3 Medium Density Residential in order to permit the future development of medium density housing on these sites.

It should be noted that Lot 2 DP 312105 Myrtle Road is zoned part SP 2 Infrastructure and R2 Low Density Residential, the SP 2 Infrastructure zoned portion of the subject property will remain SP2 Infrastructure.

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 dated October 2012. 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

Site and Context Analysis

The subject properties are described as Lot 3 DP 310205 - No. 512-516 Smithfield Road, Lot 106 DP778586 - No. 518 Smithfield Road, Lot 105 DP 778586 - No. 520 Smithfield Road and Lot 2 DP 312105 - 2 Myrtle Road, Prairiewood.

The sites are generally irregular in shape and have a total area of 15,255.69 m².

The subject properties slope gently from the south to the north. 2 Myrtle Road and 518 Smithfield Road have been developed for residential use and horse stables with associated outbuildings. Existing on 520 Smithfield Road is a single storey dwelling, while on 512-516 Smithfield Road there is a public housing development consisting of 18 detached dwellings owned by NSW Land and Housing Corporation.

The site contains vegetation which will undergo detailed assessment in an arborist report prepared for any future development application. The site is not identified as containing any terrestrial biodiversity in *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 subject adjoin a service station and take away food and drink premises on the corner of Myrtle Road and Smithfield Road. Directly to the north west of the subject site is the Fairfield Showground and Deer Park Reserve.

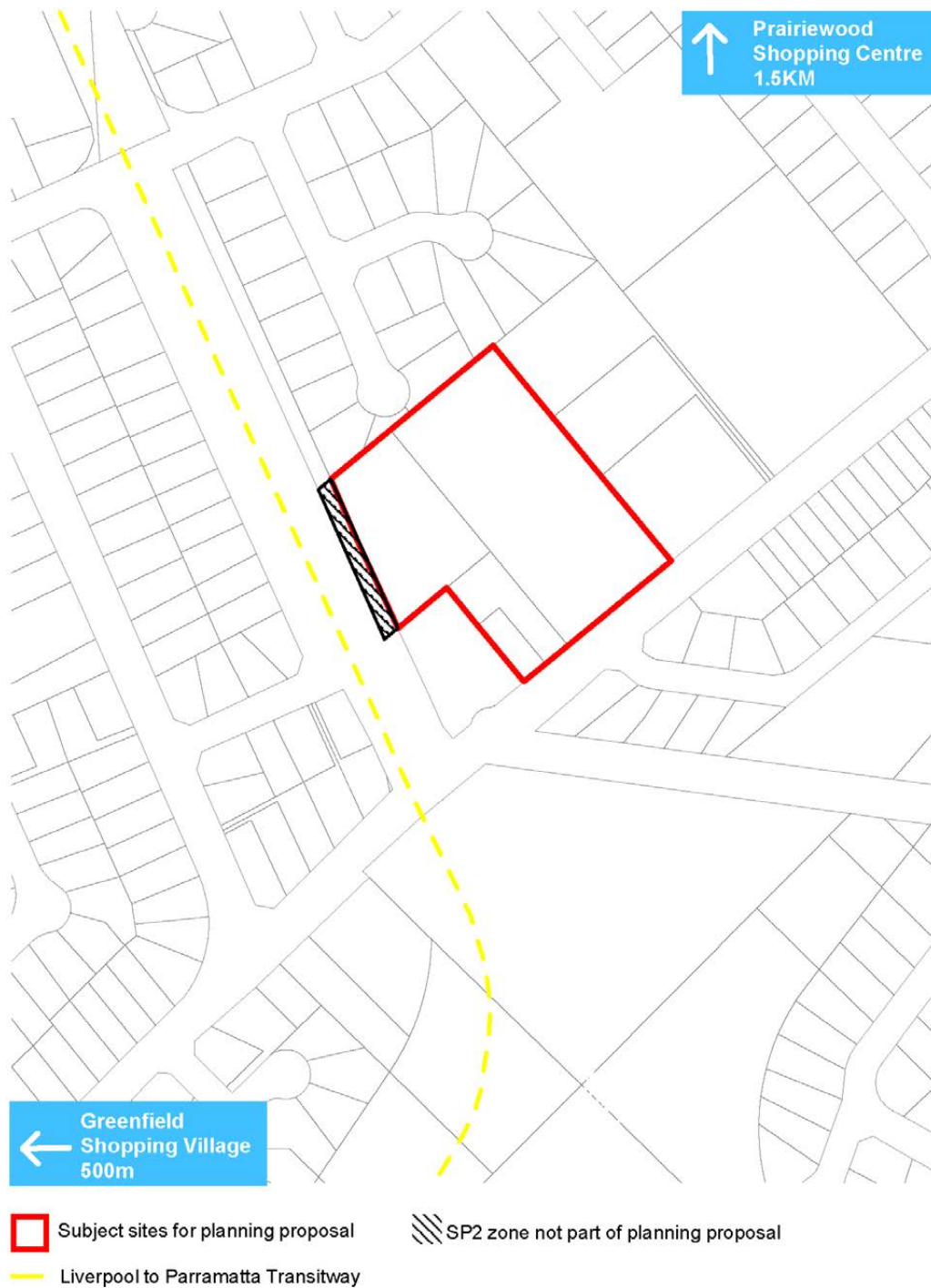
The subject properties are located adjacent to a T-Way Bus Service which provides public transport access to Liverpool/ Parramatta. The full range of utility services is currently available to the site including electricity, telecommunications, gas, water and sewer.

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Site Identification



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Part 1 – Objectives

The purpose of the planning proposal is to:

- rezone 15,255.69m² of land a 512-516, 518, 520 Smithfield Road and part of 2 Myrtle Road, Prairiewood from R2 Low Density Residential to R3 Medium Density Residential to permit medium density housing under Fairfield LEP 2013;

The intended outcome will be a medium density development adjacent to Myrtle Road on the Liverpool to Parramatta Transitway and within 1km proximity to Green Village

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

1. R3 Medium Density Residential zoned land to permit medium density housing.

The planning proposal is in accordance with Council's decision at its meeting on (9 February 2016) - see **Attachment A** for Council report.

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Part 2 – Explanation of provisions

To achieve the objectives mentioned above, the Planning Proposal will need to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

1. Amend Land Zoning Map Sheet 11 to rezone Lot 3 DP 310205 (No. 512-516 Smithfield Road), Lot 106 DP778586 (No. 518 Smithfield Road), Lot 105 DP 778586 (No. 520 Smithfield Road) and part Lot 2 DP 312105 (2 Myrtle Road, Prairiewood) from R2 Low Density Residential to R3 Medium Density Residential in order to permit medium density housing. The Planning Proposal does not seek to amend the SP2 Infrastructure zone applying to Lot 2 DP 312105 Myrtle Road which will still include a portion of land fronting Myrtle Road as SP2 Infrastructure zone.
2. Amend Lot Size for Dual Occupancy Development Map to remove the minimum 900sqm for dual occupancy layer at Lot 3 DP 310205 (No. 512-516 Smithfield Road), Lot 106 DP778586 (No. 518 Smithfield Road), Lot 105 DP 778586 (No. 520 Smithfield Road) and part Lot 2 DP 312105 (2 Myrtle Road, Prairiewood)

Refer to Appendices depicting the above mentioned site and related maps.

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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 a result of any strategic study or report.

The planning proposal is a result of the following:

- A. The assessment and recognition of the sites' location to the Bus Transit Way corridor, the size of the subject site and its potential ability to provide for different housing choice.
- B. Recognition that the Planning Proposal is consistent with the planning principles of 'A Plan for Growing Sydney'
- C. Recognition that the Planning proposal is consistent with the NSW Department of Planning and Infrastructure in its LEP Practice Note PN11-002 dated 10 March 2011, which states that the R2 Low Density Residential zone is 'generally not suitable adjacent to major transport nodes or larger activity centres where residential densities should be higher'.

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

The Planning Proposal is the best means of achieving the objectives and intended outcomes in the following respects:

- The planning proposal results in the most effective and efficient development of the land for new residential housing.
- The proposal seeks to provide additional medium density housing in the Prairiewood locality.
- The proposal seeks to address the current and future demand for housing choice in the Prairiewood locality.
- Rezoning the land is the most effective means of achieving the desired future development of the site.
- The timing of the Planning Proposal is appropriate to meet the demand for housing and generate economic activity benefits in the area.
- The Planning Proposal mirrors similar sites on the Bus Transit Way that have been rezoned R3 Medium Density Residential.
- The planning proposal is formalising an existing medium density development on 512-516 Smithfield Road.

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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 the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

'A Plan for Growing Sydney' (the Sydney Metropolitan Strategy) was released in December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area.

'A Plan for Growing Sydney' ('The Plan') applies to the subject properties. A Plan for Growing Sydney is the Government's plan to bring all stakeholders together with a common purpose – to develop a competitive economy with world-class services and transport; to deliver greater housing choice to meet our changing needs and lifestyles; to create communities that have a strong sense of wellbeing; and to safeguard our natural environment.

'The Plan' sets the boundaries for future urban development and identifies the strategic transport corridors and Major Centres best placed to focus sustainable commercial and residential growth in the future. It therefore is essential to determine how the Planning Proposal meets the strategic directions and objectives of 'The Plan'.

The proposal is assessed against the broad strategic goals of A Plan for Growing Sydney. The vision for Sydney to be a 'strong global city, a great place to live' is supported by four goals. The planning proposal addresses directives under each goal as per follows:

Goals	Directions & Actions	Comment	Y/N
1. A competitive economy with world-class services and transport	1.4 transform the productivity of Western Sydney through growth and investment	The PP will provide additional housing choices in the west of the city	Y
2. A city of housing choice, with homes that meet our needs and lifestyles	2.1 Accelerate housing supply across Sydney 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs 2.3 Improve housing choice to suit different needs and lifestyles	The planning proposal will provide additional housing it support expected increase in population The provision of additional housing in close proximity to the TWAY Bus Service will provide housing closer to jobs. The planning Proposal will provide housing choices by introducing medium density housing	Y
3. A great place to live with communities that are strong, healthy and well connected	3.1 Revitalise existing suburbs	Additional housing will help revitalise Prairiewood with an increase in people using existing shopping centres, community facilities, schools and seeking employment	Y
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	4.1 Protect our natural environment and biodiversity	The Planning Proposal provides the use of a valuable land resource close to a transport node and will not detract from the natural and biodiversity characteristics of the surrounding area	Y

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The Planning Proposal is consistent with the strategic direction detailed in 'The Plan' by providing a range of housing types and contributing to meet the projected increase in housing for the area.

Sub West District Strategy & Draft West Central Sub Regional Plan

The Greater Sydney Commission is yet to release the subregional strategies for public comment. Given these circumstances, no comments can be provided in relation to the current situation of the Commission or the plans in process.

The planning proposal is generally consistent with the Aims of the draft West Central Strategy in providing housing diversity and consolidating housing density in proximity to a public transport node.

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

Fairfield City Plan 2012-2022 (December 2012)

Fairfield City Plan 2012-2022 ('the City Plan') sets contains the Community's Vision, Priorities and Outcomes for Fairfield City over the next 10 years. Of relevance to The Planning Proposal are those goals that deal specifically with housing availability.

Table 2 below details how the planning proposal is consistent with the relevant 'Community Wellbeing' goals contained within City Plan.

Theme	Goal	Comment	Y/N
Places and Infrastructure	2.2 Cater for growth and residents desire for their children and grandchildren to live locally	The planning proposal is consistent with the relevant Places and Infrastructure goals in that it provides additional housing types for population growth in Fairfield City.	YES
Community Well Being	3.3 A range of housing types that cater for difference life stages, family needs and levels of affordability	The Planning Proposal is consistent with the relevant Community Wellbeing goals in that it has the potential to provide a range of housing types to meet the needs of the increased population. The Planning Proposal will aid in meeting the changing life requirements and ambitions of the residents of Fairfield	YES

Residential Development Strategy

The Fairfield Residential Development 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 existing urban areas of the Fairfield LGA.

Currently the Residential Development Strategy only covers the eastern half of the LGA, however the planning proposal can still be assessed against the sustainability elements discussed in the Fairfield Development Strategy.

Future Housing Needs and Diversity

The planning proposal meets these strategies as it will provide additional dwellings that will assist Council in meeting key targets for the provision of diverse housing. The proposal is also

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located in an existing urban area within close proximity to the Parramatta-Liverpool Transitway corridor and within 1km to Greenfield Centre and 1.5km to Prairiewood Shopping Centre.

Any future development on the site will be required to meet the applicable controls in the Fairfield DCP which will also ensure any future development integrates with surrounding neighbourhood.

Special Needs Groups

The planning proposal meets these strategies for the following reasons:

- The provision of high density housing will assist in meeting the special needs of groups identified in Fairfield LGA such as children, older generations, low income earners and culturally diverse populations.
- The unique location of the Planning Proposal in terms of public transport and services make any future dwellings accessible by an ageing population.
- The Planning Proposal will provide for a new development on the site that will cater for a range of groups.
- The Planning Proposal will allow greater flexibility to provide diverse housing compared to existing planning controls that only allow for low density development.

Affordable Housing

The planning proposal meets the strategies as it will increase housing choice within the locality and thus ultimately providing a more affordable option. The Planning Proposal will provide greater flexibility in the provision of housing and the opportunity to enhance stocks of affordable housing.

Sustainable Development

The planning proposal meets the strategies as it is located within existing urban areas which have high levels of infrastructure and services. Furthermore, all development will be constructed as per Council's Development Control Plan, enforced by the Development Planning team.

Large Lot Policy

Council adopted the Large Lot Policy in May 2015 to aid the development of large lots within Council's LGA that have the capacity to provide for medium density development. The proposed Large Lot Policy would inform proponents of Council's requirements for the consideration of any planning proposal seeking medium density development on sites zoned R2 Low Density Residential east of the Cumberland Highway and with a minimum site area of 1,300m².

Given that the proposal falls outside of the scope of the Large Lot Policy, the proposal has been assessed on its planning merits.

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

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

SEPP Title	Relevance	Consistency of Planning Proposal
SEPP 1 – Development Standards	NA	
SEPP 14 – Coastal Wetlands	NA	
SEPP 15 – Rural Land sharing	NA	
SEPP 19 – Bushland in Urban Areas	Yes	The Planning Proposal is not located within proximity of urban bushland affected by the provisions of the SEPP.

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SEPP Title	Relevance	Consistency of Planning Proposal
SEPP 21 – Caravan Parks	NA	
SEPP No 26 – Littoral Rainforests	NA	
SEPP No.29 – Western Sydney recreation area	NA	
SEPP 30 – Intensive Agriculture	NA	
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning proposal will provide for urban consolidation adjacent to the TWAY bus service. The planning proposal does not contain provisions that would affect the application of the SEPP.
SEPP 33 – Hazardous and Offensive Development	NA	The site is not directly affected by the provisions of the SEPP. However, the Planning NSW Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning accompanying the SEPP require Council to have regard to development which increases residential density in proximity to potentially hazardous development. The site directly adjoins a service station at the corner of Smithfield Rd and Edensor Rd. Development of the service station required compliance with provisions of the SEPP. Notwithstanding, in light of proposed new provisions of the Fairfield City Wide DCP future medium density housing on the subject land would be required to undergo assessment and include measures to achieve consistency with relevant provisions of the SEPP33 Guidelines.
SEPP 36 – Manufactured Home Estates	NA	
SEPP 39 – Spit Island Bird Habitat	NA	
SEPP 44 – Koala Habitat Protection	NA	
SEPP 47 – Moore Park Showground	NA	
SEPP 50 – Canal Estate Development	NA	
SEPP 52 – Farm Dams and other works in Land and Water Management Plan Areas	NA	
SEPP 55 – Remediation of Land	Yes	Under the SEPP, Clause 6.1 states that a change of zone cannot be permitted unless the planning authority 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 stated (or will be after remediation) - That the land is remediated before

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SEPP Title	Relevance	Consistency of Planning Proposal the land is used for that purpose
		Assessment by Council has determined that the history of use of the subject land does trigger application of the SEPP 55.
SEPP 59 – Central Western Sydney Regional Open Space and Residential	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP 62 – Sustainable Aquaculture	NA	
SEPP 64 – Advertising and Signage	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP 65 – Design Quality of Residential Flat Development	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP 70 – Affordable Housing (Revised Schemes)	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP 71 – Coastal Protection	NA	
SEPP (Affordable Rental Housing) 2009	Yes	The Planning Proposal does not contain provisions that would affect the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	A BASIX assessment will be prepared at the Development Application stage. The Planning Proposal does not contain provisions that would affect the application of the SEPP
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal does not contain provisions that would affect the application of the SEPP
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Infrastructure) 2007	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	NA	
SEPP (Major Development) 2005	NA	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NA	
SEPP (Miscellaneous Consent Provisions) 2007	NA	
SEPP (Penrith Lakes Scheme) 1989	NA	
SEPP (Rural Lands) 2008		
SEPP (SEPP 53 Transitional Provisions) 2011	NA	
SEPP (State and Regional Development) 2011	NA	
SEPP (Sydney Drinking Water Catchment) 2011	NA	
SEPP (Sydney Region Growth Centres) 2006	NA	

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SEPP Title	Relevance	Consistency of Planning Proposal
SEPP (Three Ports) 2013	NA	
SEPP (Urban Renewal) 2010	NA	
SEPP (Western Sydney Employment Area) 2009	NA	

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

SREP Title	Relevance	Consistency of Planning Proposal
SREP 9 – Extractive Industry (No 2 – 1995)	NA	
SREP 18 – Public Transport Corridors	Yes	Liverpool to Parramatta Bus Transit Way adjoins the subject site. The Planning Proposal does not contain provisions that would affect the application of the SEPP
SREP 20 – Hawkesbury-Nepean River (No 2 – 1997)	NA	
GMREP No.2 – Georges River Catchment	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP, measures that will need to be addressed to maintain water quality in the Georges River will be addressed at DA Stage.

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 are 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.	Not applicable. The planning proposal does not affect land within an existing or proposed business or industrial zone	NA
1.2 Rural Zones	Protect agricultural production value of rural land.	Not applicable. The planning proposal does not affect land within an existing or proposed rural zone.	NA
1.3 Mining, Petroleum Production and Extractive Industries	Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate	Not applicable. The planning proposal will not have the effect on mining, petroleum production and extractive industries.	NA

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Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	development.		
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	Not applicable. The planning proposal does not propose a change in land that would have adverse impacts on Oyster Aquaculture.	NA
1.5 Rural Lands	Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes	Not applicable. The planning proposal does not affect land within an existing or proposed rural or environment protection zone.	NA
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.	NA
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy	Not applicable. The planning proposal does not apply to land within the coastal zone	NA
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Not applicable. The planning proposal does not apply to an item of environmental heritage, nor does it seek to amend any existing heritage provisions.	NA
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable. The planning proposal does not apply to any area of significant conservation, nor will it allow land to be developed for a recreation vehicle area.	NA
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 service - Minimise residential development on the environment and resource lands.	Consistent. The proposal will facilitate residential development in proximity to public transport, existing services and facilities.	Yes
3.2 Caravan Parks and Manufactured Home Estates	- Provide for a variety of housing types □ - Provide opportunities for caravan parks and manufactured home	Not applicable. The planning proposal does not relate to caravan parks or manufactured home estates.	NA

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Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	estates.		
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses.	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	NA
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	Consistent. The planning 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 the Parramatta to Liverpool TWAY.	Yes
3.5 Development Near Licensed Aerodromes	- Ensure effective and safe operation of aerodromes - Ensure aerodrome operation is not compromised by development □ - Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.	Not applicable. The planning proposal does not apply to land near a licenced aerodrome.	NA
3.6 Shooting Ranges	- Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, □ - Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land - Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	NA
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Not applicable. The planning proposal does not apply to land affected by acid sulphate soils.	NA
4.2 Mine Subsidence	Prevent damage to life,	Not applicable. The planning	NA

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Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
and Unstable Land	property and the environment on land identified as unstable or potentially subject to mine subsidence.	proposal does not apply to land within a proclaimed Min subsidence District or to land identified as unstable.	
4.3 Flood Prone Land	- Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. □ - Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Not applicable. The planning proposal does not apply to land within a flood prone area.	NA
4.4 Planning for Bushfire Protection	- Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. □ - Encourage sound management of bush fire prone areas	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.	NA
5. Regional Planning			
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	Not applicable.	NA
5.2 Sydney Drinking Water Catchments	To protect water quality in the hydrological catchment	Not applicable.	NA
5.8 Second Sydney Airport: Badgerys Creek	Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek	Not applicable.	
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	Consistent. The planning proposal will not include provisions which will require future development applications for the subject site to obtain concurrence, consultation or referral to a Minister or Public Authority. The RMS have provided	Yes

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Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		written agreement to the rezoning proposed, however will be contacted during the Public Exhibition stage of this planning proposal.	
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes □ - Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.	Yes
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	Consistent. The planning proposal will not create unnecessarily restrictive site specific planning controls.	Yes
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.	Consistent. The planning proposal will facilitate additional residential development in proximity to public transport, shops, services and employment.	Yes

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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?

The subject properties contain no critical habitat or threatened species, populations or ecological communities, or their habitats on or around the subject site that will be affected by the Planning Proposal.

The subject properties are currently occupied by the following:

- **512-516 Smithfield Road, Prairiewood** - 18 detached dwellings
- **518 Smithfield Road & 2 Myrtle Road, Prairiewood** – a single storey brick and tile dwellings, horse stables with associated outbuilding
- **520 Smithfield Road, Prairiewood** – Single storey brick dwelling

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

The Planning Proposal is considered minor in respect to environmental impact. It is considered that any future development will need to manage stormwater quality, waste generation, soil and sediment control which will result from 518 Smithfield Road, 2 Myrtle Road and 520 Smithfield Road being cleared. These impacts are capable of being mitigated through appropriate sedimentation controls and conditions placed on development consent.

Additionally, the application of State Environmental Planning Policy 33 will need to be considered as part of any future development applications proposed for 518 & 520 Smithfield Road and 2 Myrtle Road, Prairiewood.

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

There will be no adverse social or economic effects as a result of the Planning Proposal. It is considered that 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.

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Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The subject properties are serviced and have access to the full range of public infrastructure to adequately facilitate the Planning Proposal. This includes access to T-Way Bus service, Smithfield Road (non-classified regional road) road access, water, sewer, electricity and telecommunications services.

The planning proposal will not alter the extent of land zoned SP2 – Infrastructure associated with the adjoining Parramatta to Liverpool Bus T Way Corridor and identified for acquisition by a relevant State Authority.

The planning proposal will result in minor infill development that will not place any significant increase in demand for existing infrastructure.

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

Section to be completed following Gateway Determination.

(The Gateway Determination will determine consultation required. Insert this information after Gateway Determination - Delete before printing)

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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 Land Zoning Map - Sheet LZN_011 to rezone the subject land from R2 Low Density Residential to R3 Medium Density Residential.
- Amend the relevant Lot Size for Dual Occupancy Development Map– Sheet LSD_011 to remove the 900sqm minimum lot size over the subject sites.

Appendix A contains maps of existing and proposed zones and development standards applying to this Planning Proposal.

- The land subject to the Planning Proposal
- Current and proposed Land Use Zone
- Current and proposed Lot Size for Dual Occupancy Development Map

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Part 5 - Community Consultation

If supported, the planning proposal will be exhibited for a period of not less than 28 days in accordance with Section 5.2 'The Planning Proposal' of 'A Guide to preparing Local Environmental Plans' to allow for proper consultation with the community and affected landowners.

It is proposed that at a minimum this will involve the notification of the public exhibition of the Planning proposal:

- On the Fairfield City Council website
- In a local relevant news paper
- In writing to the owners and occupier of adjoining and nearby properties

Council at its meeting on ##### resolved on the following consultation strategy:

Community consultation is required under Sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at the Gateway.

The Gateway Determination dated 29 January 2015 requires that the planning proposal be made publicly available for a period of 14 days.

Section to be completed following Gateway Determination.

(The Gateway Determination will determine consultation required. Insert this information after Gateway Determination - Delete before printing)

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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 DP&I	March 2016
2	Gateway Determination	- Assessment by DP&I (including LEP Panel) - Advice to Council	May 2016
3	Completion of required technical information and report (if required) back to Council	- Prepare draft controls for Planning Proposal - Update report on Gateway requirements	INSERT DATE
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	28 Days
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	INSERT DATE
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&I public hearing is not required.	
7	Consideration of submission	Assessment and consideration of submissions	1 month
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	1 month
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	Minimum 1 month
10	Report back to Council	Includes assessment and preparation of report to Council	1 month
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	1 month INSERT MONTH
12	Plan is made	Notified on Legislation web site	1 month
Estimated Time Frame			12 months

Attachment C

A.1 Land Subject to Planning Proposal

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



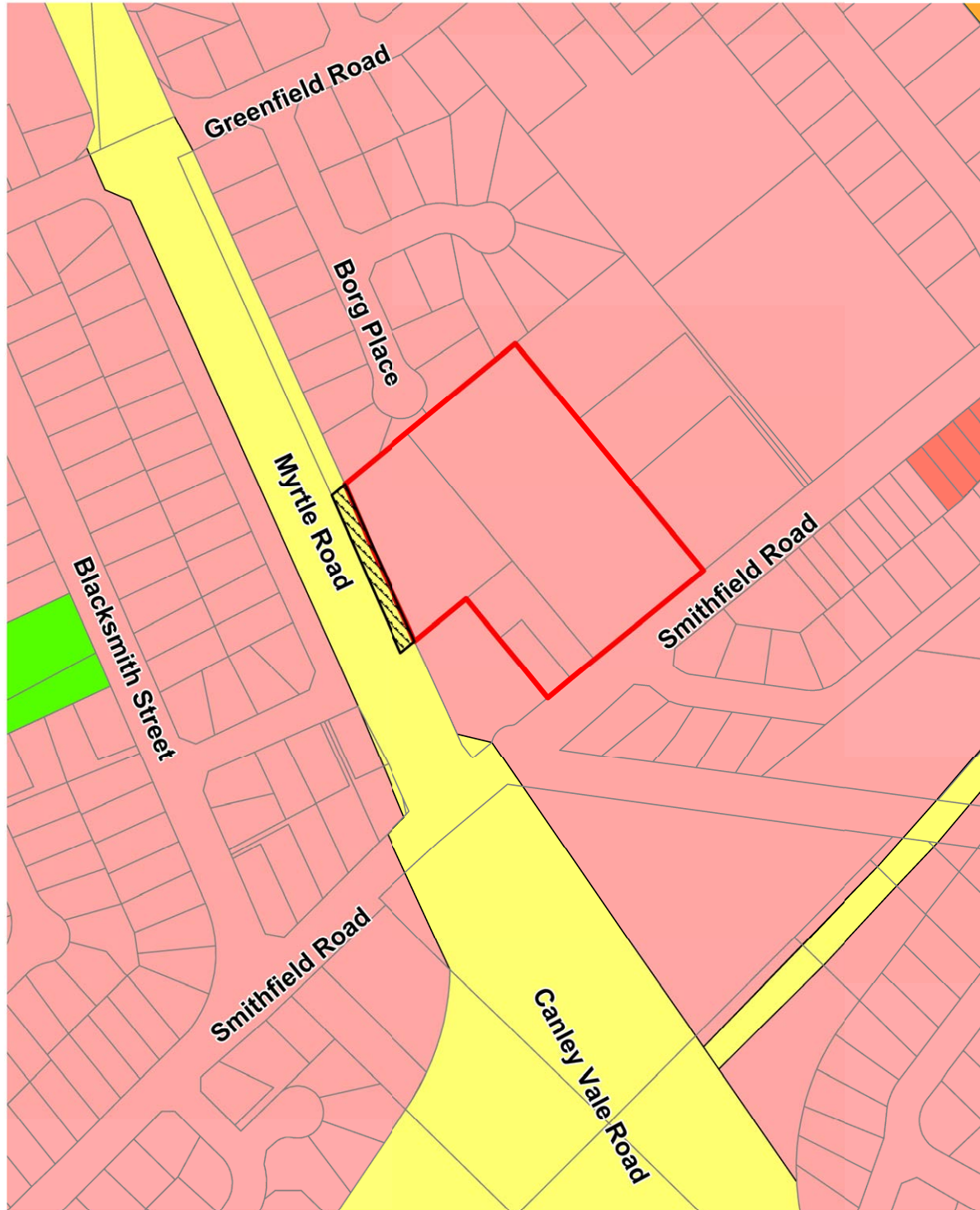
 Subject sites for planning proposal

 SP2 zone not part of planning proposal

Attachment C

A.2 Current Land Use Zone

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



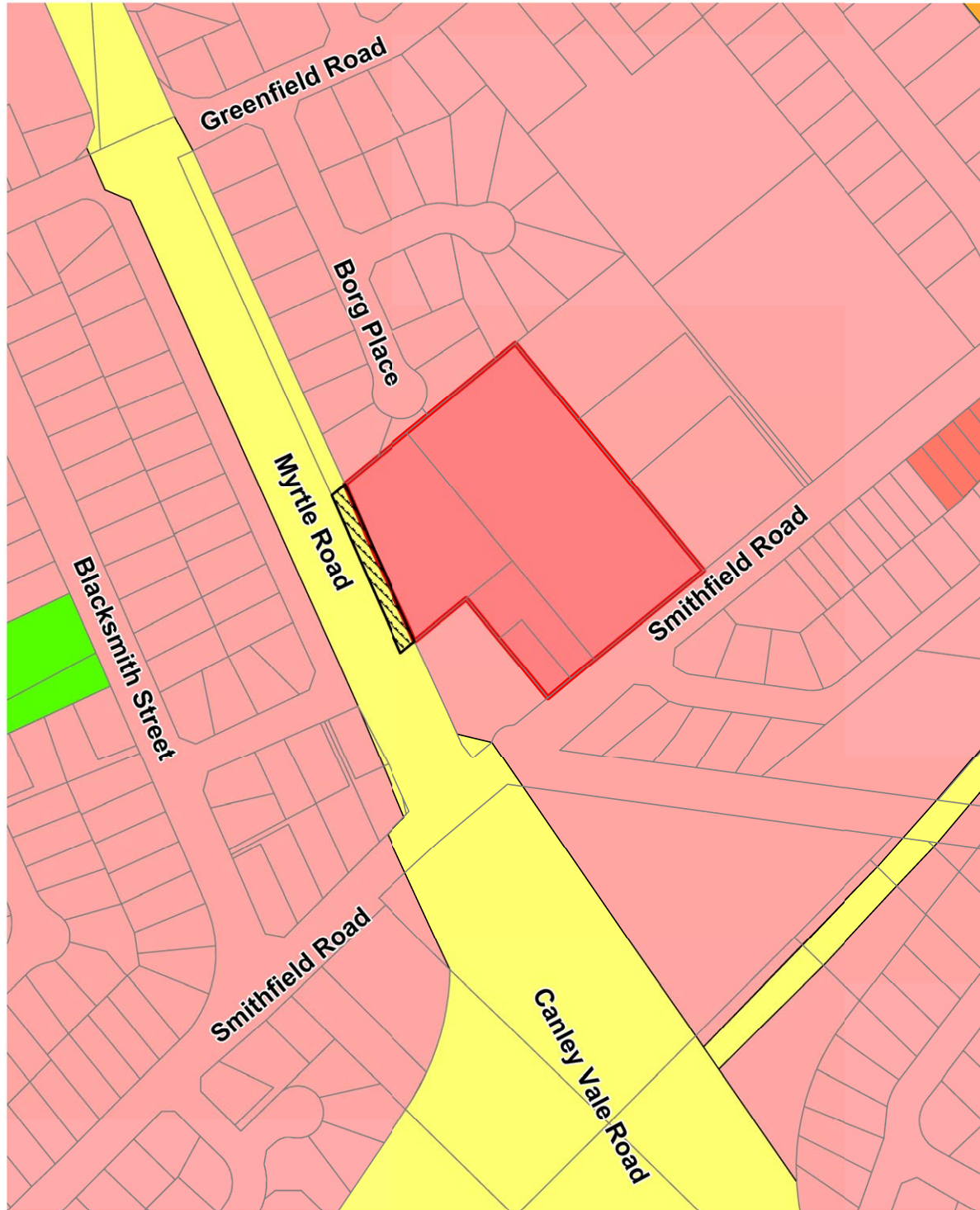
- Subject sites for planning proposal
- SP2 zone not part of planning proposal

- R2 Low Density Residential zone
- SP2 Infrastructure Zone

Attachment C

A.3 Proposed Land Use Zone

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



 Subject sites for planning proposal

 SP2 zone not part of planning proposal

R2 Low Density Residential zone

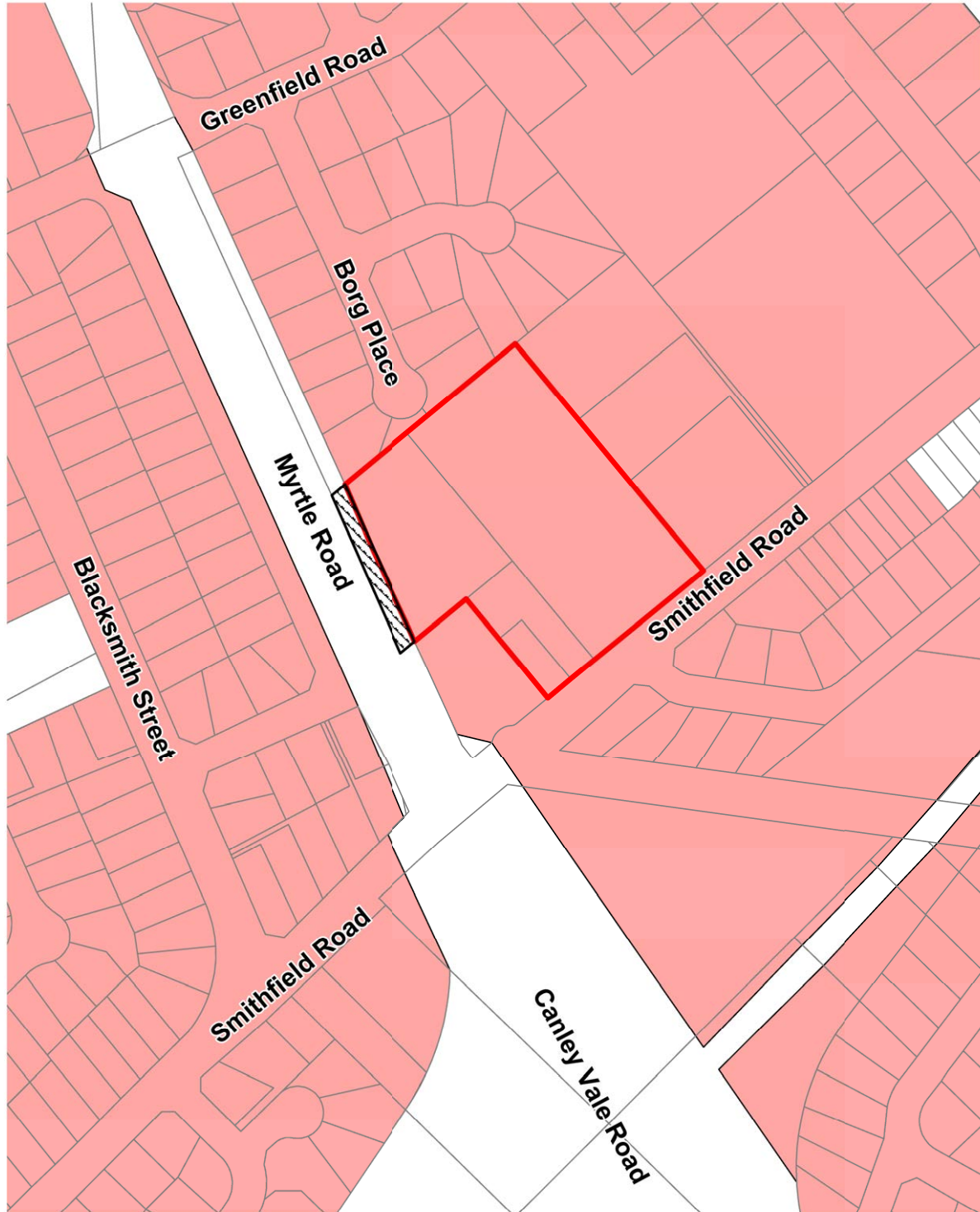
SP2 Infrastructure Zone

R3 Medium Density Residential zone

Attachment C

A.4 Current Lot Size for Dual Occ Development Map

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



Subject sites for planning proposal

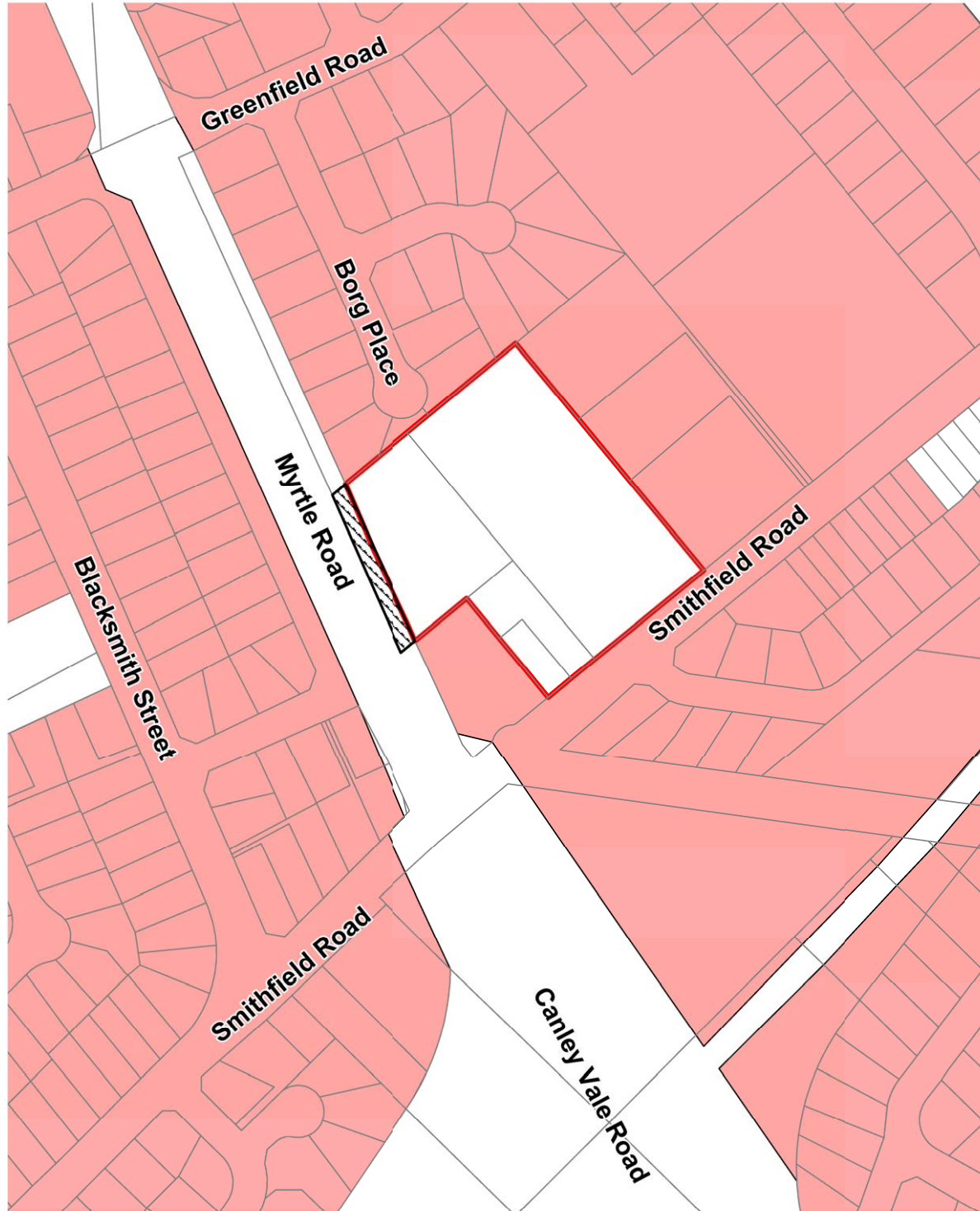
SP2 zone not part of planning proposal

T - 900sqm

Attachment C

A.5 Proposed Lot Size for Dual Occ Development Map

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



- Subject sites for planning proposal
- SP2 zone not part of planning proposal

T - 900sqm

Attachment D

Section 117 Directions

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 are 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.	Not applicable. The planning proposal does not affect land within an existing or proposed business or industrial zone	NA
1.2 Rural Zones	Protect agricultural production value of rural land.	Not applicable. The planning proposal does not affect land within an existing or proposed rural zone.	NA
1.3 Mining, Petroleum Production and Extractive Industries	Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not applicable. The planning proposal will not have the effect on mining, petroleum production and extractive industries.	NA
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	Not applicable. The planning proposal does not propose a change in land that would have adverse impacts on Oyster Aquaculture.	NA
1.5 Rural Lands	Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes	Not applicable. The planning proposal does not affect land within an existing or proposed rural or environment protection zone.	NA
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.	NA
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy	Not applicable. The planning proposal does not apply to land within the coastal zone	NA
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage	Not applicable. The planning proposal does not apply to an item of environmental heritage, nor does it seek to amend any existing heritage provisions.	NA

Attachment D

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	significance.		
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable. The planning proposal does not apply to any area of significant conservation, nor will it allow land to be developed for a recreation vehicle area.	NA
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 service - Minimise residential development on the environment and resource lands.	Consistent. The proposal will facilitate residential development in proximity to public transport,	C
3.2 Caravan Parks and Manufactured Home Estates	- Provide for a variety of housing types □ - Provide opportunities for caravan parks and manufactured home estates.	Not applicable. The planning proposal does not relate to caravan parks or manufactured home estates.	NA
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses.	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	NA
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	Consistent. The planning 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 the Parramatta to Liverpool TWAY.	C
3.5 Development Near Licensed Aerodromes	- Ensure effective and safe operation of aerodromes - Ensure aerodrome operation is not compromised by development □ - Ensure development for residential purposes or human occupation, if	Not applicable. The planning proposal does not apply to land near a licenced aerodrome.	NA

Attachment D

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.		
3.6 Shooting Ranges	- Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range. □ - Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land - Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	NA
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Not applicable. The planning proposal does not apply to land affected by acid sulphate soils.	NA
4.2 Mine Subsidence and Unstable Land	Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not applicable. The planning proposal does not apply to land within a proclaimed Min subsidence District or to land identified as unstable.	NA
4.3 Flood Prone Land	- Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. □ - Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Not applicable. The planning proposal does not apply to land within a flood prone area.	NA
4.4 Planning for Bushfire Protection	- Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. □ - Encourage sound	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.	NA

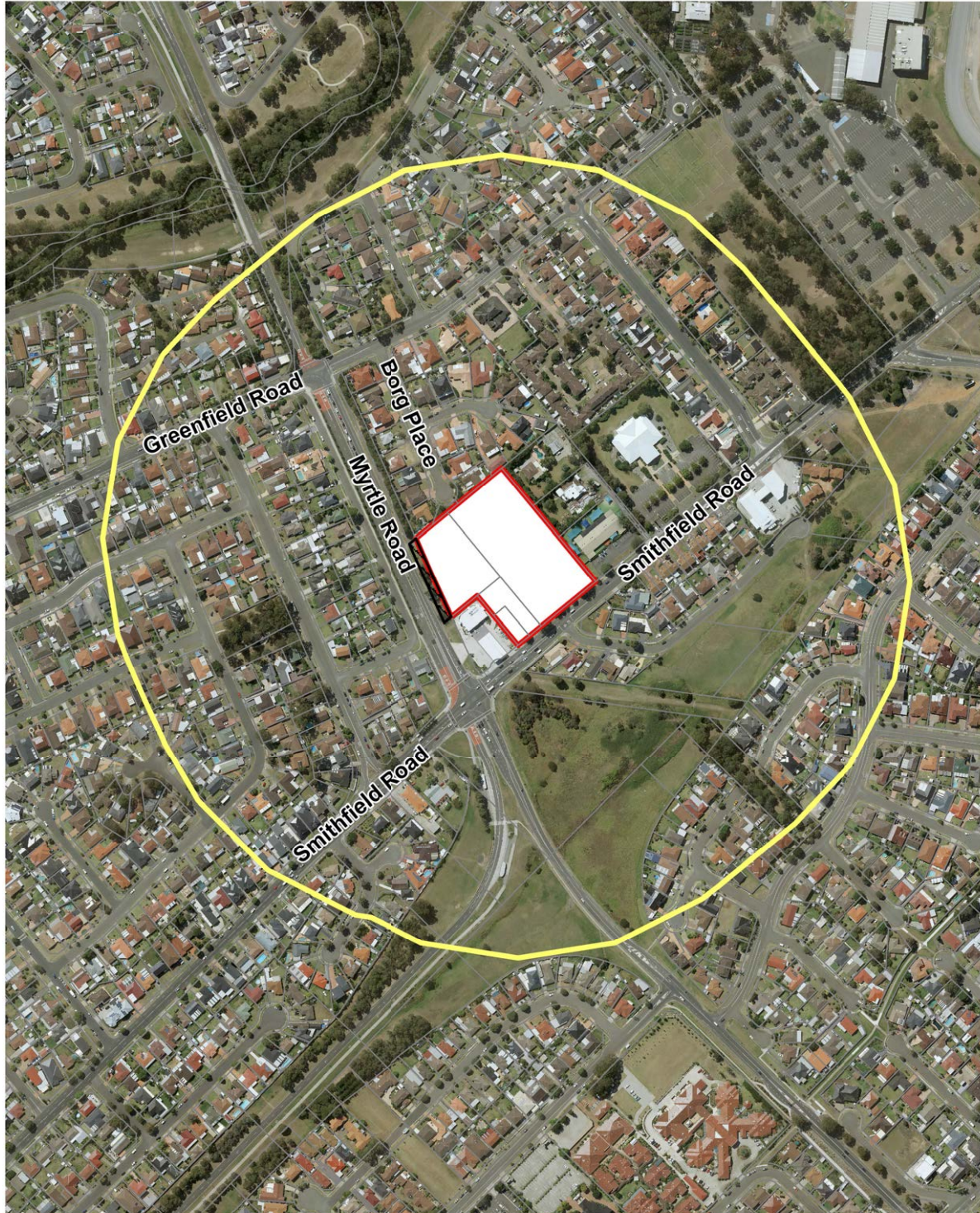
Attachment D

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	management of bush fire prone areas		
5. Regional Planning			
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	Not applicable.	NA
5.2 Sydney Drinking Water Catchments	To protect water quality in the hydrological catchment	Not applicable.	NA
5.8 Second Sydney Airport: Badgerys Creek	Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek	Not applicable.	
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	Consistent. The planning proposal will not include provisions which will require future development applications for the subject site to obtain concurrence, consultation or referral to a Minister or Public Authority. The RMS have provided written agreement to the rezoning proposed, however will be contacted during the Public Exhibition stage of this planning proposal.	C
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes - Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.	C
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	Consistent. The planning proposal will not create unnecessarily restrictive site specific planning controls.	C
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.	Consistent. The planning proposal will facilitate additional residential development in proximity to public transport, shops, services and employment.	C

Attachment E

Consultation Map - Properties to be notified

512-516, 518, 520 Smithfield Road & 2 Myrtle Road Prairiewood



 Subject sites for planning proposal

 SP2 zone not part of planning proposal

 Consultation buffer - 300m

Attachment F

Property ownership

Address	Ratepayer
512-516 Smithfield Road, Prairiewood Lot 3 DP 310205	NSW Land & Housing Corporation
518 Smithfield Road, Prairiewood Lot 106 DP 778586	Mr JW Fizzell
520 Smithfield Road, Prairiewood Lot 105 DP 778586	Mr VH Tran
2 Myrtle Road, Prairiewood Lot 2 DP 310205	Mr C Watts