

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

SUBJECT: Post Exhibition - Villawood Town Centre Planning Proposal and Development Control Plan

FILE NUMBER: 18/05059

PREVIOUS ITEMS: 42 - Planning Proposal seeking to implement the Villawood Town Centre Urban Design Study - Outcomes Committee - 10 Apr 2018
33 - Villawood Town Centre Development Control Plan - Outcomes Committee - 14 May 2019

REPORT BY: Chris Shinn, Coordinator Strategic Planning

RECOMMENDATION:

That:

1. Council adopt the Planning Proposal, as exhibited (Attachment A of the report), to amend Fairfield Local Environmental Plan 2013 for land identified as Villawood Town Centre.
2. Pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979, Council proceed to finalise the Planning Proposal under delegated authority in accordance with the Guide to Preparing Local Environment Plans (LEP).
3. Council adopt the draft Villawood Town Centre Development Control Plan (DCP) as amended post exhibition (Attachment B of the report).
4. In accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000, Council give public notice within 28 days of its decision to adopt the Villawood Town Centre DCP. The DCP will come into effect when the associated Planning Proposal LEP is gazetted.
5. Upon gazettal of the Villawood Town Centre LEP Amendment and the Villawood Town Centre DCP coming into force, the Villawood Town Centre Structure Plan be repealed.

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

SUPPORTING DOCUMENTS:

AT-A	Planning Proposal - Villawood Town Centre	51 Pages
AT-B	Villawood Town Centre DCP	30 Pages

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

AT-C	Gateway Determination	5 Pages
AT-D	Public Consultation Response to Submissions - Villawood Town Centre.	9 Pages

CITY PLAN

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

SUMMARY

Council has previously endorsed the preparation of a new suite of planning controls for the Villawood Town Centre that reflect the recommendations of an Urban Design Study prepared for the Centre and adopted by Council in 2018.

The proposed new planning controls relate to heights, floor space ratios (FSRs), setbacks and building form requirements that will be applied under the Villawood Town Centre Planning Proposal and draft Town Centre Development Control Plan (DCP) and are attached to this report. These proposals are aimed at revitalising Villawood Town Centre as well as promoting desired urban design outcomes and improved amenity for the Centre.

This report addresses the submissions received and seeks Council's endorsement of the Planning Proposal and draft Town Centre DCP following public exhibition. As a result of the submissions received, a number of amendments to the Villawood Town Centre DCP are recommended. These are detailed further in this report and in Attachment B.

It is recommended that Council endorse the Planning Proposal so that it can be forwarded to the Department of Planning, Industry and Environment (DPIE) for finalisation and gazettal. The associated new draft Villawood Town Centre DCP will come into force upon gazettal of the Local Environmental Plan (LEP) amendment.

It is further recommended that the current Villawood Town Centre Structure Plan be repealed upon gazettal of the LEP amendment.

BACKGROUND

Chronology

The key steps relating to preparation of the proposed new planning controls for the Villawood Town Centre have been as follows:

- March 2018 – Council adopted the Villawood Town Centre Urban Design Study (UDS).
- April 2018 – Council resolved to support a planning proposal (**Attachment A**) implementing the Villawood Town Centre UDS and sought Gateway Determination to amend the Fairfield LEP 2013 for the Villawood Town Centre.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

- May 2018 – Council considered a report and supported the exhibition of a new draft Villawood Town Centre DCP (**Attachment B**).
- 13 July 2018 – a Gateway Determination (**Attachment C**), endorsing public exhibition of the planning proposal, was issued by the NSW DPIE.
- The Planning Proposal and the new draft Town Centre DCP were publicly exhibited in accordance with the consultation strategy, from Wednesday 19 June 2019 to Friday 19 July 2019. Six written submissions were received from the public and 9 from State Government agencies.

Subject Area

The area subject to the planning proposal and DCP are shown in Figure 1 (below) and applies to all of the Villawood Town Centre zoned B2 Local Centre, all of the NSW Land and Housing land zoned R4 High Density Residential and the R2 Low Density Residential parcel at 20 Kamira Avenue.



Figure 1. Area subject to Planning Proposal and Town Centre DCP

Summary of Planning Proposal

The Planning Proposal seeks to:

- Rezone 20 Kamira Avenue, Villawood from R4 High Density Residential to RE1 Public Recreation and add the property to the Land Reservation Acquisition map.
- Rezone part of 896 Woodville Road, Villawood from B2 Local Centre to RE1 Public Recreation and add that part of the property to the Land Reservation Acquisition map.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

- Increase the maximum Height of Buildings for the town centre from 3 storeys (10 metres), 6 storeys (20 metres) and 8 storeys (26 metres) to 6 storeys (20 metres), 8 storeys (27 metres), 9 storeys (30 metres) and 12 storeys (39 metres).
- Increase the maximum Floor Space Ratio for the NSW Land and Housing Corporation (LAHC) site from 2:1 to 2.5:1.
- Introduce a minimum site area to land within the B2 Local Centre zoned area to ensure orderly development and to set criteria on how the landowners can achieve the maximum permissible height of buildings.

Summary of Villawood Town Centre DCP

The draft Town Centre Development Control Plan (**Attachment B**) seeks to:

- Ensure high quality development outcomes for residents and businesses within the proposed new development as well as the broader community.
- Ensure safe and active streets and increased economic viability through retail/commercial activity.
- Encourage more landscaping, vegetation and private open space in residential developments.
- Provide better and safer pedestrian links, appropriate vehicular access and on-site parking.

CONSULTATION

In accordance with the requirements of the DPIE Gateway Determination issued for the planning proposal and relevant provisions of the *Environmental Planning and Assessment Regulations 2000*, the planning proposal and draft Town Centre DCP were publically exhibited for a period of 28 days from 19 June 2019 until 19 July 2019.

Public consultation included:

- Notification in writing of affected land owners within the town centre;
- Notification in writing of land owners immediately adjoining and surrounding the town centre within approximately 300 metres;
- Copies of the documents were made available at Council's Administration Centre;
- Publication of a notice in the local newspaper; and
- Publication of all relevant information on Council's website.

Targeted consultation included:

- **Land owner 20 Kamira Avenue** – A meeting on 27 June 2019 occurred with the land owners of 20 Kamira Avenue, Villawood which is proposed to be rezoned from R4 High Density Residential to RE1 Public Recreation.
- **Community Meeting** – On-site meeting with interested residents and landowners at the Villawood Senior Citizens Centre on 3 July 2019.
- **Sydney South West Health** – On-site meeting with Sydney South West Health Officers to discuss the proposal on 8 July 2019.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

In accordance with Condition No.3 of the Gateway Determination, the following public authorities were also notified in writing in regarding the Proposal.

- NSW Roads and Maritime Services;
- NSW Land and Housing Corporation;
- Rail Corporation NSW;
- Transport for NSW;
- State Emergency Service;
- Office of Environment and Heritage;
- Sydney Metro Airports (Bankstown Airport Limited);
- Department of Infrastructure and Regional Development;
- Sydney Water, and;
- Canterbury-Bankstown Council.

Relevant Service Providers:

- Telstra;
- Endeavour Energy;
- NSW Police;
- South Western Sydney Local Health District;
- Transport for NSW Buses, and;
- Jemena Gas.

During the public exhibition period, Council received 6 written submissions from residents and landowners. Below is a summary of the key issues raised, associated Council Officer comments, and whether (or not) the comments resulted in amendments being recommended to the Town Centre DCP. More detailed information on the responses to submissions can be found in **Attachment D**.

Residents and Landowner Submissions

Car parking and traffic

Issue – Lack of car parking spaces and need for secure parking for new residents. Concern with traffic management associated with the redevelopment of the town centre

Council Officer response – Each development will be required to provide their own on-site car parking for both residential dwellings and retail / commercial / other uses. The existing Council owned car park will be retained. Local Area Traffic Management (LATMs), including roundabouts and pedestrian crossings, will be investigated in more detail as developments occur.

Pedestrian access and accessibility of Villawood Station

Issue – a number of residents and business owners raised concern regarding the current accessibility of Villawood Train Station and that there is no lift.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

Council Officer response – This issue has also been raised within the UDS which informed the Planning Proposal and Town Centre DCP. It is noted that construction of a new pedestrian connection and lift will be a State Government funded initiative. Council Officers will continue to work with NSW State Government to advocate for a new pedestrian connection and lift at Villawood Train Station in accordance with the adopted Urban Design Study.

Overall concern with the redevelopment of the town centre

Issue – One submission did not support the proposal, raised concerns regarding population, loss of shops and provided a large amount of previous correspondence to a range of NSW Ministers regarding the Villawood Town Centre.

Council Officer response – Currently there is little economic activity, limited opportunity for feasible residential development and limited open space within Villawood Town Centre. This proposal seeks to revitalise the existing Villawood Town Centre by:

- Providing opportunity for more housing close to existing heavy rail and bus services.
- Providing more dwellings in the form of apartments will bring more people to the town centre and increase the number of people accessing the retail and commercial offerings within the centre.
- More people accessing the retail and commercial shops will mean greater economic viability and revitalisation the retail strip.
- Ensuring that this increase in residential density is supported by more public open space, public domain improvements and road network improvements.

Aldi site specific issues

Issue – In-principle Aldi is supportive of the revitalisation of the town centre, however raised a number of concerns specific to their property, including:

- Concern that the plan requires acquisition of their property, will impact truck access to service the site, requirement of 75% active frontage not realistic for a supermarket development such as Aldi, noise mitigation measures, applicability of the controls to a redevelopment of the Aldi store.

Council Officer comments – The proposal does not identify acquisition of Aldi land. The Town Centre DCP identifies a 6 metre setback to Aldi's western and south-western boundary to reflect the footpath width on the western side of Villawood Place. This will provide for a better town centre public domain amenity and improved pedestrian movement in accordance with the adopted Villawood Urban Design Study. The setback requirement has been clarified in the DCP and only applies if the Aldi site is redeveloped as a mixed-use precinct. Truck access, active street frontage for supermarkets, larger retail or medical uses, and noise mitigation has been clarified in the DCP to address Aldi's concerns.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

Acquisition

Issue – The Planning Proposal identifies 1 privately owned property in proximity to Hilwa Park for potential acquisition to reflect the Villawood Urban Design Study to increase the size of Hilwa Park.

The relevant landowner provided a submission to the planning proposal and does not object to the future acquisition of their land for open space purposes.

Council Officer response – Council staff have had ongoing discussions with the relevant landowner. Council will be kept informed of any further developments with the issue of potential acquisition.

Public Authority Consultation

During the public exhibition period, Council received 9 written submissions from public authorities. Below is a summary of the key issues raised, associated Council Officer comments and whether (or not) the comments resulted in amendments being recommended to the Town Centre DCP. More detailed information in relation to responses to submissions can be found in **Attachment D**.

NSW Roads and Maritimes Services (RMS)

Issues – NSW RMS has been consulted throughout the process in relation to the relevant traffic modelling of significant intersections within proximity to the town centre.

A number of meetings and comments have been provided by the RMS with multiple modelling iterations undertaken to address their concerns. The RMS has not yet provided formal comments, however the RMS have informally advised that they generally accept the results of traffic modelling commissioned by Council.

Council Officer response – Council's Traffic Consultant has finalised the traffic modelling of the key intersections. The results identify that the town centre proposal will have very limited impact on the overall function of the intersections, which were modelled in accordance with the RMS requirements.

The traffic modelling indicated that the future upgrade apportionment to those key intersections, attributable to the proposed additional density within Villawood Town Centre, is between 0.0% and 0.5% of the total traffic impact. Most of the traffic at those intersections is attributable to background regional traffic and not from the town centre sites.

Once a final response from the RMS is received, it will be incorporated into the final documents to be forward to DPIE.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

Transport for NSW

Issues – Assessment recommended to identify if public and active transport was adequate and to examine the adequacy of existing facilities, connection with public transport, impact on existing bus services.

Council Officer response – Villawood currently benefits from an existing train station, which provides direct services to the Sydney CBD, Cabramatta and Liverpool. The proposed road network will not detrimentally impact bus services. It will, however, improve bus circulation within the town centre. Additional population will support the operation of the existing bus services.

Sydney Water

Issues – No objections to the proposal – detailed comments on connections will occur at the Development Application stage.

Council Officer response – Noted

Sydney South West Health District (SSWHD)

Issues – Relocated pedestrian bridge and lift for the Villawood Station and wider footpaths generally across the centre. Suggested that the existing Council car park be made into a basement arrangement and that a park be provided above. Recommends additional controls to maximise private open space. Recommends affordable housing be addressed.

Council Officer response – This issue has also been raised within the Urban Design Study which informed the Planning Proposal and Town Centre DCP. It is noted that construction of a new pedestrian connection and lift will need to be a State Government funded initiative.

Council Officers will continue to work with NSW State Government and provide relevant information to advocate for a new pedestrian connection and lift at Villawood Train Station in accordance with the adopted Urban Design Study.

The current DCP and Urban Design Study does not preclude Council from investigating a basement car park and creating additional open space above in the future. An additional section is recommended for inclusion in the DCP to ensure private open space is adequately addressed.

The current Fairfield City Council Voluntary Planning Agreement Policy provides a mechanism to obtain affordable housing for the community should a developer approach Council.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

NSW Environment, Energy and Science (EES)

Issues – NSW EES recommends an Open Space Study be completed for this planning proposal.

NSW EES recommends that the proposal should be consistent with Western City District Plan – Planning Priority W15 Increasing urban tree canopy cover and delivering Green Grid connections and add additional provisions relating to green walls and / or green roofs.

Council Officer response – the Planning Proposal seeks to address open space needs by increased provision of open space by requiring LAHC to dedicate over 3,000m² of open space; future Council acquisition of 20 Kamira Avenue to provide additional open space for Hilwa Park; and requires dedication of a portion of 898 Woodville Road to allow planting and pedestrian connections. Council is currently preparing a City Wide Open Space Strategy which will inform open space provision across the City as a whole including Villawood.

Additional wording to reflect Planning Priority W15 has been recommended for inclusion in the Town Centre DCP to reflect the greater need for urban tree canopy. It is also noted that further tree canopy requirements for town centres will be addressed by the public domain planning currently underway for 9 key centres including Villawood.

Additional wording is recommended in Section 4.17 Landscaping of the Town Centre DCP to address the issue around green roofs and walls.

NSW Land and Housing Corporation

Issues – DCP form too prescriptive, recommends a more flexible approach.

Development scenarios may not be able to achieve the 3,500m² open space parcel, recommends the minimum be set at 3,000m².

Seeking to broaden the active uses to the entire ground floor of the LAHC site.

Council Officer response – nothing precludes the LAHC submitting a concept plan for their site at Development Application (DA) stage that is consistent with the principles of the Villawood Urban Design Study.

It is proposed to amend the DCP from “a minimum area of 3,500m²” to “a minimum area of 3,000m²” which under Council’s Development Contribution Plan is consistent with the minimum area for a neighbourhood park, being between 3,000m² and 5,000m². The dedication of this park will be resolved through a future Voluntary Planning Agreement.

To increase the active use on the LAHC site a zone change would be required as the current R4 High Density Residential zone does not permit full scale retail or commercial uses. It does however, permit other uses such as medical, community facilities and neighbourhood shops of no more than 80m² to help activate the street level.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

Endeavour Energy

Issue – Future redevelopment will have an overall impact on the network, however, Zone Substation (ZS) in Yennora has capacity.

Council Officer response – Noted that Yennora ZS has capacity and will require works in the longer term by Endeavour Energy.

Canterbury-Bankstown City Council

Issue – Potential loss of flood storage capacity in the area, overland flood implications and potential flooding in Canterbury Bankstown local government area (LGA). Upgrade the intersection of Woodville Road and Hume Highway.

Council Officer response – Council's Catchment Branch advise that floodwater from this site does not enter the Canterbury-Bankstown LGA, rather there is a small overland flow path draining into Burns Creek at Tangerine Street, downstream of where the creek discharges into the LGA. Council's traffic study indicates that there will be little impact on the Woodville Road/Hume Highway intersection from the development proposed within the Town Centre.

Sydney Metro Airports (Bankstown Airport)

Issue – The Airspace for the Villawood Town Centre is controlled from 61 metres Australian Mean Sea Level.

Council Officer response – inclusion of a new Section 5.10 Protection of Air Space is recommended to the DCP to adequately reference the Protection of Airspace Regulations. This will ensure applicants and assessing Officers are aware of the relevant controls.

Woodville Alliance

Issue – Increase in residential density and retail space will result in the increase of volume of cars and the demand for parking in the town centre. The proposed layout features central car parking that disrupts what could be public car free space in the middle of the development and limited accommodation for car parking generally.

Should be a stronger focus on retail that encourages community interaction, such as cafes. The current proposal displays the demolition of senior citizen's centre and childcare centre to make way for high-rise development.

Council Officer response – Sites that redevelop will be required to provide their own on-site car parking (both residential and commercial). The DCP and Urban Design Study does not preclude Council from investigating a basement car park and creating additional open space above in the future.

OUTCOMES COMMITTEE

Meeting Date 21 April 2020

Item Number. 26

The DCP includes provisions relating to Active Street Frontages requiring active uses in the key areas of the centre.

The Planning Proposal and DCP do not preclude the site being redevelopment with the inclusion of new community facilities. Any redevelopment would need to be done in consultation with Council as the owner of the buildings on the LAHC land.

CONCLUSION

The Villawood Town Centre Planning Proposal and Town Centre DCP have been prepared to implement the recommendations of the Urban Design Study adopted by Council for the Town Centre in 2018. Together these documents will implement a suite of new planning controls to revitalise the Centre.

Public exhibition of the proposed new planning controls has been undertaken according to requirements of the Gateway Determination issued by DPIE and relevant planning legislation. A total of 14 submissions were received from the community and public authorities, with the issues raised being dealt with in this report. In a number of instances, this has resulted in recommended amendments to the draft Villawood Town Centre DCP.

It is recommended that Council proceed to adopt the Planning Proposal and the draft Villawood Town Centre DCP.

Chris Shinn
Coordinator Strategic Planning

Authorisation:

Acting Manager Strategic Land Use Planning
Group Manager City Strategic Planning

Outcomes Committee - 21 April 2020

File Name: **OUT21042020_1.DOCX**

***** END OF ITEM 26 *****