

Planning Services

Gateway Determination Report

LGA	Fairfield LGA
PPA	Fairfield City Council
NAME	Fairfield Heights Town Centre (690-775 homes, 0 jobs)
NUMBER	PP_2018_FAIRF_002_00
LEP TO BE AMENDED	Fairfield Local Environmental Plan 2013
ADDRESS	Fairfield Heights Town Centre
DESCRIPTION	Refer page 4-6 of Attachment A2
RECEIVED	8 May 2018
FILE NO.	IRF18/3039
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of planning proposal

The planning proposal (**Attachment A1-A2**) seeks to increase the development controls for B2 Local Centre zoned land within the Fairfield Heights Town Centre (the town centre) by amending the Fairfield Local Environmental Plan (LEP) 2013, as follows:

- increase the building height for land within the town centre from 9m to 14m (approx. 4 storeys) and 20m (approx. 6 storeys);
- apply a minimum site area of 700sqm, 1500sqm and 2200sqm to certain sites within the town centre on the Town Centre Precinct, Minimum Site Area map; and
- introduce a new design excellence clause which includes a provision to allow a further 6.5m building height for selected gateway sites within the town centre, to develop up to 8 storeys subject to satisfying the design excellence principles.

The proposal would facilitate the provision of 690 to 775 additional dwellings. It is noted that no further jobs will be created through the planning proposal.

Site description

The planning proposal applies to B2 Local Centre zoned land within the Fairfield Heights Town Centre (the town centre). The town centre is located along The Boulevarde, between Polding Street in the north and Beemera Street in the south. The Boulevarde intersects with Bodalla Street, Stanbrook Street, Karabar Street, Kihilla Street and Station Street within the site. An outline of the town centre is provided at Figure 1 (overleaf).

Approximately 101 properties are affected by the planning proposal and these are identified in Table 1 (refer to page 4-6) of **Attachment A2**.

The existing land uses within the town centre include a range of mixed use developments with retail floor at the ground level, opportunities for office premises on the first level and shop-top housing above.



Figure 1 - Aerial photo of the Site

Existing planning controls

Under the Fairfield Local Environmental Plan (LEP) 2013, the following zone and development controls apply to the town centre:

- B2 Local Centre zone (see Figure 2 overleaf); and
- a 9m maximum building height.

A floor space ratio and a minimum lot size does not apply to the town centre.

The B2 Local Centre zone permits the following land uses: boarding houses; child care centres; entertainment facilities; function centres; information and education facilities; medical centres; passenger transport facilities; indoor recreation facilities; registered clubs; respite day care centres; restricted premises; roads; service stations; shop-top housing; and tourist and visitor accommodation.



Figure 2 - Land Zoning Map Extract

Surrounding area

The town centre is surrounded by R3 Medium Density Residential and some R4 High Density Residential zoned land. The R3 and R4 area contains mainly single storey and double storey (brick veneer) detached dwellings, dual occupancies and pockets of medium density villa/ town house type housing. The area is also well serviced by a number of child care centres and public open space.

It is noted that the surrounding R3 zoned land and R4 zoned land to the east of the town centre have a maximum building height of 9m but the R4 zoned land to the west has a maximum building height of 13m.

Summary of recommendation

It is recommended that the planning proposal proceed with conditions as it will assist in revitalising the Fairfield Heights Town Centre and provide additional housing in a suitable location with access to jobs, infrastructure and services.

In the preparation of the proposal, it is noted that the format of the proposal has not strictly followed the guidelines in the Department's 'Planning Proposals – A guide to preparing planning proposals' and minor recommended changes are discussed, as follows.

PROPOSAL

Part 1 - Objectives or Intended Outcomes

The objective of this planning proposal as outlined in the cover letter (**Attachment A1**), is to implement Council's recently adopted urban design study for the Fairfield Heights Town Centre, and to:

- facilitate urban renewal of the town centre;
- revitalise and provide an economic boost to the town centre;
- provide for increased heights to achieve greater residential densities;
- provide for greater residential densities in close proximity to services and transport;
- increase housing choice and mix within Fairfield Heights; and
- provide minimum sites areas to ensure lots are consolidated to achieve the maximum built form and density in an orderly manner.

Department comment

It is noted that the above objectives are not identified in the planning proposal but in the cover letter. For clarity, it is recommended that prior to public exhibition, Council amends the planning proposal by removing the current words under this heading and, in lieu, includes a short, concise statement setting out what is planned to be achieved and how it is to be achieved in a manner that can be easily understood by the public, incorporating – but not limited to – the above objectives.

Part 2 - Explanation of provisions

The planning proposal seeks to amend the Fairfield LEP 2013 by:

- increasing the building height for land within the town centre from 9m to 14m (approx. 4 storeys) and 20m (approx. 6 storeys);
- applying a minimum site area of 700sqm, 1,500sqm and 2,200sqm to certain sites within the town centre on the Town Centre Precinct, Minimum Site Area map; and
- introducing a new design excellence clause which includes a provision to allow a further 6.5m building height for selected gateway sites within the town centre, to develop up to 8 storeys subject to satisfying the design excellence principles.

As indicated, the proposal seeks to facilitate 690 to 775 additional dwellings. It is noted that no further jobs will be created through the planning proposal and it will not amend the current B2 Local Centre zone for the town centre.

Council also proposes to prepare a draft site-specific development control plan (DCP) to guide the incremental development throughout the town centre and this will include certain recommendations from the Urban Design Study for the Fairfield Heights Town Centre (**Attachment E**).

Department comment

It is noted that the proposed amendments, as stated under this part, are limited and do not fully explain the provisions.

To clarify, council officers provided further details of the proposed design excellence clause and advised it is intended to introduce a similar clause to clause 7.13 Design Excellence of Campbelltown LEP 2015, with added bonus provisions. This Campbelltown clause includes a list of matters that determine design excellence.

To ensure that this part of the proposal provides an adequate explanation, it is recommended prior to public exhibition the planning proposal is amended, as follows:

- the wording under: Part 2 – Explanation of provisions, is expanded to fully describe the proposed provisions and includes:
 - an explanation of the proposed design excellence clause and how it will be applied to the gateway sites in the town centre, including proposed matters to determine design excellence;

Miscellaneous

Further, it is recommended that the proposal be amended by:

- identifying that there are no additional jobs generated by the proposed density increase (as advised by Council); and that
- a draft DCP is prepared and concurrently exhibited with the planning proposal.
Note: Council officers have agreed to this approach.

Mapping

The current and proposed maps are provided in Section 2.3, Section 3, Section 6 and Appendix A of the planning proposal. The planning proposal will amend the following maps:

- Height of Building Map (HOB_016); and
- Town Centre Precinct, Minimum Site Area Map (CL2_016).

Proposed maps as shown, overleaf.

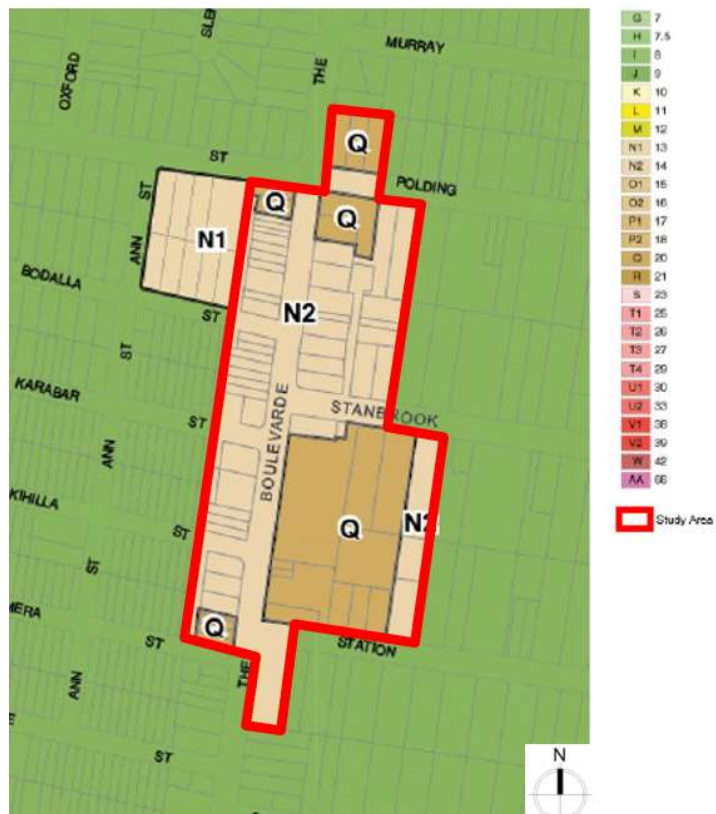


Figure 3 - Proposed Height of Building Map

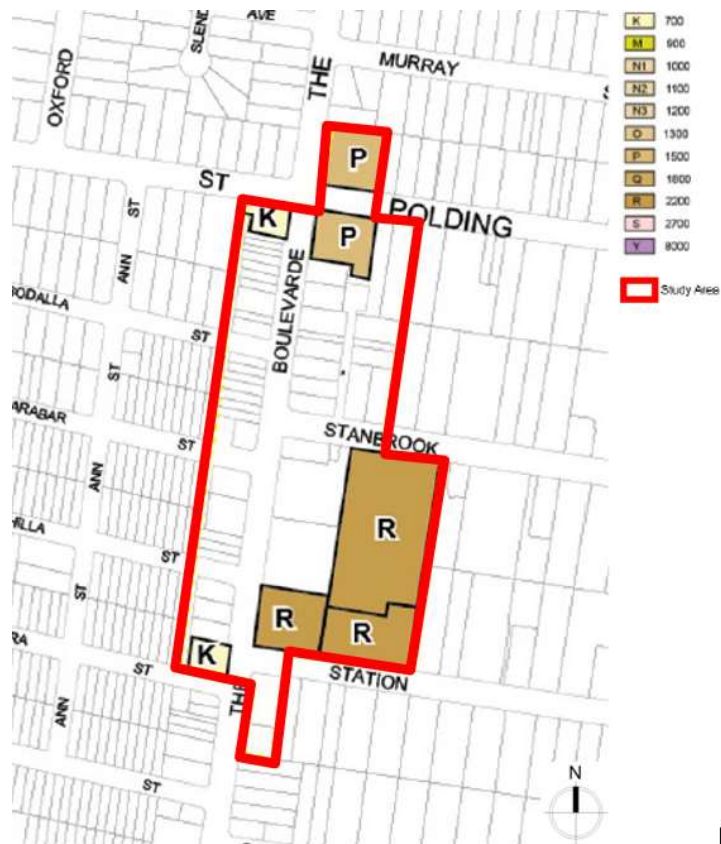


Figure 4 - Proposed Town Centre Precinct, Minimum Site Area Map

Department comment

It is noted that the current Land Zoning Map and Height of Building Map extracts within the planning proposal (page 9 and 41 of **Attachment A2**) do not reflect the current controls for land adjacent to the town centre (i.e. R4 zoned land). In addition, Section 6 of the planning proposal makes reference to the Minimum Lot Size Map (LSZ_016) which is incorrect and should be the proposed Town Centre Precinct, Minimum Site Area Map (CL2_016).

Therefore, it is recommended that prior to public exhibition Council amends the planning proposal as follows:

- insert current maps that illustrate the existing controls for the town centre and the surrounding land; and
- replace references to the Minimum Lot Size Map (LSZ_016) with Town Centre Precinct, Minimum Site Area Map (CL2_016).

NEED FOR THE PLANNING PROPOSAL

The planning proposal is the result of an urban design study for the Fairfield Heights Town Centre (**Attachment E**) commissioned by Council. This process was originally initiated by an individual landowner planning proposal.

The urban design study identified a number of constraints and opportunities to enhance the town centre. The study focussed on urban design objectives and principles for the town centre and provided recommendations on accessibility and connectivity; built form and land uses; centre vitality and economy; civic and open spaces; and housing (refer to page 13-15 of **Attachment A2**).

Based on the urban design principles in the urban design study, the following urban framework has been developed for the town centre:

- the Boulevarde as the main street with active retail at ground level;
- shop-top housing 4-6 storeys (with partial 8 storeys at gateways with design excellence);
- providing the potential for approximately 690 to 775 apartments;
- Gateway treatments to define north/south entry points;
- new civic spaces in the heart of the town centre;
- new development is to be accessed and serviced from new rear laneways; and
- new open space options and access provisions for existing and future residents.

The urban framework is illustrated overleaf.

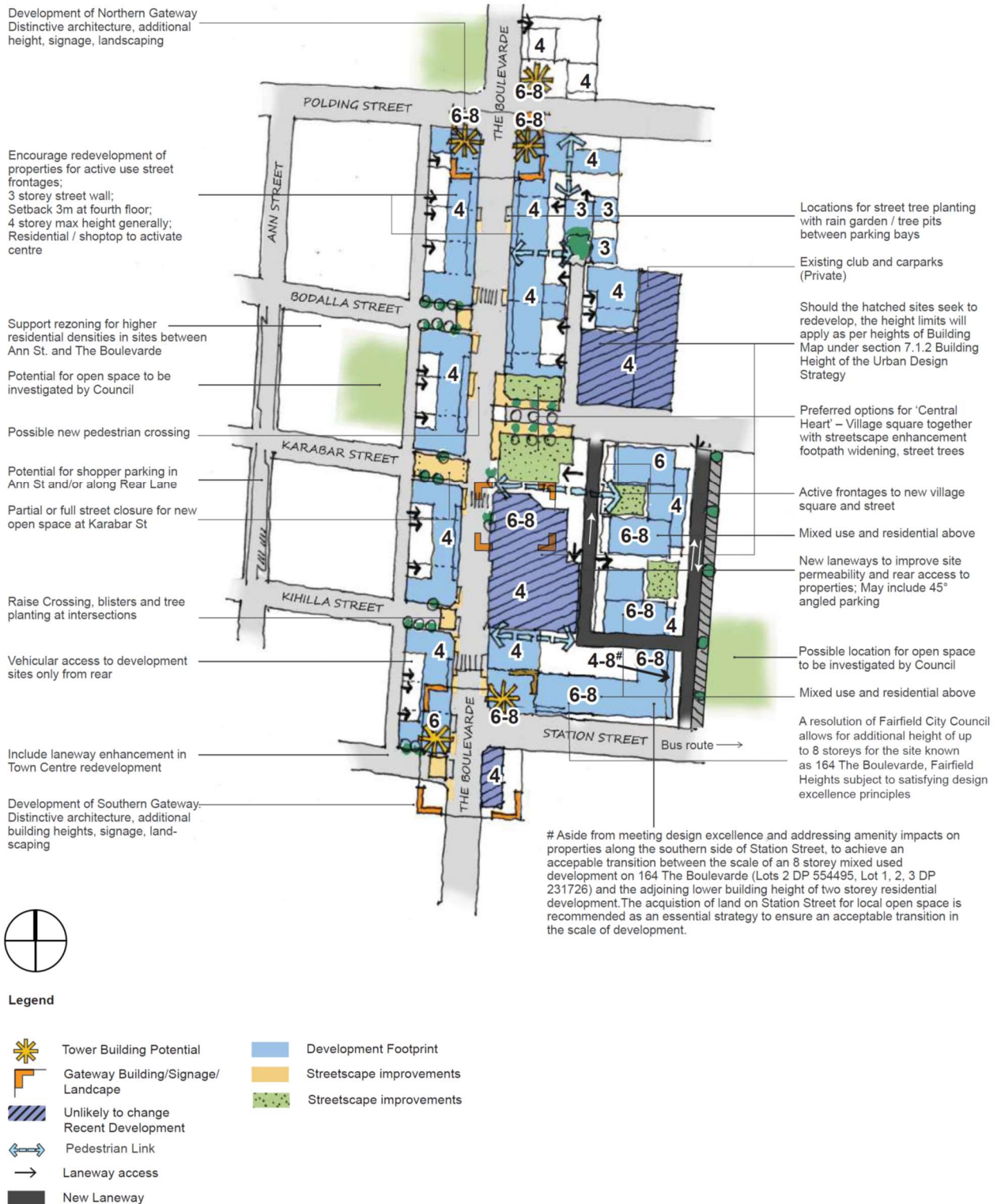


Figure 5 - Urban Framework for Fairfield Heights Town Centre

To achieve this outcome, the planning proposal is the best and most appropriate means of achieving Council's intentions. A planning proposal is the only means available to introduce these amendments under the Fairfield LEP 2013.

STRATEGIC ASSESSMENT

Regional / District

Greater Sydney Region Plan (March 2018)

The planning proposal is consistent with the objectives and actions of the Greater Sydney Region Plan as it proposes to provide additional housing that is diverse (Objective 10 and 11), and a revitalised town centre (Objective 12).

Western City District Plan (March 2018)

The town centre is located within the Western City District therefore the Western City District Plan (the Plan) applies to this planning proposal. Fairfield Heights Town Centre is identified as a local centre within the Plan, therefore the planning proposal is consistent with Planning Priority W6 as it aims to renew a local centre.

In addition, it will provide greater housing supply in a location with access to jobs, services and public transport (Planning Priority W5).

Local

Fairfield Residential Development Strategy 2009

The Fairfield Residential Development Strategy established the framework to ensure that the Fairfield LGA can accommodate the additional dwellings targeted under the Western City District Plan. The strategy focused on the eastern centres of the LGA including Fairfield Heights.

The strategy also identified significant capacity for growth mainly in the existing medium-high density zones in the eastern half of the LGA and recommended a number of up-zoning to accommodate the additional density (14,000 dwellings) to be carried out as part of standard instrument translation.

The planning proposal is consistent with this strategy as it will increase dwelling stock within the town centre, and maintain the opportunity for diverse retail and commercial services.

Fairfield City Community Strategic Plan 2012-2022

The planning proposal is consistent with this strategic plan as it will provide additional housing types (Theme 1); enable the town centre to meet the changing needs of the community (Theme 2); and, provide an attractive and vibrant town centre (Theme 4).

Section 9.1 Ministerial Directions

Consistent: The planning proposal is consistent with the following Section 9.1 directions identified below.

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres. This direction applies to the planning proposal as it affects land zoned B2 Local Centre.

The planning proposal is consistent with this direction as it will retain the existing business zone for the town centre and not reduce the potential floor space for employment uses.

Direction 3.1 Residential Zones

This direction aims to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services, and minimise the impact of residential development on the environment and resource lands. This direction applies as the B2 zone permits shop-top housing.

The planning proposal is consistent with this direction as it will provide additional housing in a suitable location with access to existing infrastructure and services.

Direction 3.4 Integrating Land Use and Transport

The objective of this direction is to increase the choice of available transport and reduce dependence on cars.

The planning proposal is consistent with this direction as the town centre contains a number of bus stops therefore future residents will be able to adequately access public transport services.

To ensure that this direction is fully addressed, it is recommended as a determination condition, that Council amplifies its commentary against this direction in the planning proposal to include the frequency of bus services and major destinations.

Direction 6.3 Site Specific Provisions

The site-specific clause will enable gateway sites within the town centre to obtain additional heights (up to 8 storeys) provided they meet the design excellence requirements.

This direction aims to discourage unnecessarily restrictive site-specific development controls. The planning proposal is consistent with this direction, as while it will introduce a site-specific clause, this clause is not restrictive.

State environmental planning policies

The planning proposal is consistent with all relevant State Environmental Planning Policies.

SITE-SPECIFIC ASSESSMENT

Social

The planning proposal has the potential to generate opportunities for community benefits that can be provided through development contribution funds accumulated from future developments within the town centre and voluntary planning agreements.

The Urban Design Study has identified preferred sites for a town centre village square as well as public open space purposes (refer to Figure 5) and recommends Council investigate the feasibility of acquisition. Another key proposed community benefit is a new laneway along the eastern boundary of the town centre adjoining the existing R3 Medium Density Residential zoned land. This laneway would provide improved vehicular circulation along with pedestrian connectivity, with at grade angled car parking and provide a second street frontage to proposed open space.

Other public benefits identified are streetscape enhancement, footpath widening and street trees.

Environmental

The planning proposal does not impose any adverse impact on the critical habitat or threatened species, populations or ecological communities or their habitats.

Economic

The planning proposal advises that the proposed density increase will result in an increased population and would be a catalyst to reactivate the economy within the town centre.

Traffic and Transport

The planning proposal does not currently address potential traffic impacts associated with the increased densities in the town centre. Council notes that a traffic study may be prepared to determine the impacts on the existing road network capacity and infrastructure.

It is recommended that prior to public exhibition Council prepares a traffic study to ensure the proposed density increase does not have any adverse impacts on the surrounding road network. Council officers have agreed to this approach.

In addition, it is also recommended that Council consult with the Roads and Maritime Services and Transport for NSW in relation to the planning proposal.

Infrastructure

The town centre has access to existing infrastructure and utilities. The planning proposal notes that the existing infrastructure has the capacity to meet the needs of the proposed additional dwellings. In addition, the town centre is serviced by adequate bus services, retail, business, entertainment, and community uses that serve local needs.

It is recommended that during the public exhibition stage, Council consults the relevant utility providers including Sydney Water, Telstra, Jemena Gas, and Endeavour Energy on the planning proposal.

Other Matters

The town centre does not contain any State or local heritage items. In addition, the town centre is not affected by flooding, bushfire or acid sulfate soils.

CONSULTATION

Community

A public exhibition period of 28 days is considered an appropriate amount of time to gauge the response by the community.

Agencies

The Department recommends that Council consulted the following State agencies in relation to the planning proposal:

- Roads and Maritime Services;
- Transport for NSW;
- Sydney Water;
- Telstra;

- Jemena Gas; and
- Endeavour Energy

Should these agencies require any additional information, or specify any additional matters to be addressed, the proposal is to be updated to respond to the submission, a copy of which is to be included with the updated planning proposal.

TIME FRAME

Council proposes a timeframe of 12-months to finalise this planning proposal. Given the nature of the planning proposal, a 12-month timeframe is considered appropriate.

LOCAL PLAN-MAKING AUTHORITY

Council has requested delegation of the plan making function be issued to it in relation to this planning proposal. Given that the planning proposal affects Council owned land (i.e. 53 Stanbrook Street, Fairfield Heights which is a public carpark), authorisation to exercise delegation should not be issued to Council.

CONCLUSION

The Department recommends that the planning proposal proceeds with conditions, given that it will provide additional housing in an appropriate location and will assist in revitalising the Fairfield Heights Town Centre.

RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is required with the following public authorities:
 - Roads and Maritime Services;
 - Transport for NSW;
 - Sydney Water;
 - Telstra;
 - Jemena Gas; and
 - Endeavour Energy.
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.
5. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - remove the current words under Part 1 – Objectives or Intended Outcomes and, in lieu, include a short, concise statement setting out what is planned to be achieved and how it is to be achieved in a manner that can be easily

understood by the public, incorporating – but not limited to – the objectives specified in Council's letter of 8 May 2018;

- Under Part 2 – Explanation of Provisions, the explanation is to be expanded to fully address the intended provisions and an explanation of the proposed excellence clause is to be included clarifying how it will be applied to the gateway sites, including proposed matters to determine design excellence;
- identify that there are no additional jobs generated by the proposed density increase and include this advice in an appropriate section of the planning proposal;
- prepare the draft DCP and concurrently exhibit this plan with the planning proposal;
- replace all current maps in the planning proposal with versions that illustrate the existing controls for the town centre and the surrounding land;
- replace references to the Minimum Lot Size Map with a Town Centre Precinct, Minimum Site Area Map;
- address the traffic impacts of the proposed amendments on the existing road network as informed by a traffic study;
- provide further commentary against 9.1 Direction 3.4 Integrating Land Use and Transport, by addressing the frequency and major destinations of bus services, serving the town centre; and,
- remove the words 'Sections 56(2)(c) and 57' from 7. Part 5 – Community Consultation, and replace with the words: "Sections 3.34 (2)(c) and schedule 1, clause 4"



28/6/2018

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2/07/2018

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