

Fairfield LEP 2013 - Additional Permitted Uses at Greenway Supacenta, 1183-1185 The Horsley Drive, Wetherill Park

Proposal Title : **Fairfield LEP 2013 - Additional Permitted Uses at Greenway Supacenta, 1183-1185 The Horsley Drive, Wetherill Park**

Proposal Summary : **The planning proposal seeks to enable Additional Permitted Uses under Schedule 1 of Fairfield Local Environmental Plan 2013 to permit 'Commercial Premises' and 'Business and Office Premises' at Greenway Plaza at 1183-1185 The Horsley Drive, Wetherill Park. The intent of the proposal is to avoid the need for the proponents to submit development applications to Council each time there is a change of retail or commercial use or need for internal fit outs or works. In addition, the change would allow applications for change of use and internal works to be considered by private certifiers under the SEPP (Exempt and Complying Development Codes) 2008.**

PP Number : **PP_2017_FAIRF_003_00**

Dop File No : **17/05959**

Proposal Details

Date Planning
Proposal Received : **18-Apr-2017**

LGA covered : **Fairfield**

Region : **Metro(Parra)**

RPA : **Sydney West Joint Regional Plan**

State Electorate : **FAIRFIELD**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Housekeeping**

Location Details

Street : **1183-1185 The Horsley Drive**

Suburb : **Wetherill Park**

City : **Fairfield**

Postcode : **2164**

Land Parcel : **Lot 1 DP 1136897**

DoP Planning Officer Contact Details

Contact Name : **Stuart McIntosh**

Contact Number : **0298601551**

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RPA Contact Details

Contact Name : **Sam Down**

Contact Number : **0292339900**

Contact Email : **sdown@urbis.com.au**

DoP Project Manager Contact Details

Contact Name : **Adrian Hohenzollern**

Contact Number : **0298601505**

Contact Email : **Adrian.Hohenzollern@planning.nsw.gov.au**

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Secretary to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning proposal.

Have there been meetings or communications with registered lobbyists? :

No

If Yes, comment :

The Department's Lobbyist Contact Register has been checked on 22 April 2017 and there are no records of contact with lobbyists in relation to this proposal.

Supporting notes

Internal Supporting

Notes :

External Supporting

Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment :

The primary objective of the proposed LEP amendment is to address the prohibition of commercial premises within the Greenway Supacenta, which occurred as a result of the conversion from the Fairfield Local Environmental Plan 1994 to the standard template

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instrument.

The proposed amendment includes an additional clause to Schedule 1 - Additional Permitted Uses of the LEP to support retail, business and office premises within an existing building of the bulky goods retail centre at 1183-1185 The Horsley Drive, Wetherill Park (known as Greenway Supacenta).

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

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

Comment : The planning proposal identifies the subject site is a small portion of the overall Greenway Plaza, known as Greenway Plaza, which includes a ground floor and mezzanine level.

The proposal seeks to amend Fairfield Local Environmental Plan 2013 Schedule 1 by inserting the following clauses:

20. Use of certain land at 1183-1185 The Horsley Drive, Wetherill Park

(1) This clause applies to part Lot 1 in DP709356 and identified as Site 21 on the Key Sites Map.

(2) Development for the following uses is permitted with consent:

a. Commercial premises at ground floor level; and

b. Business and office premises at mezzanine level

(3) If development for the purposes of a shop is permitted under this Clause, the retail floor area must not exceed 1,500 square metres.

The Schedule 1 amendment will be accompanied by an amendment to the Key Sites Map which will identify the land to which the clause applies.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP (Infrastructure) 2007

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

Adequate information has been supplied to address consistency with the strategic Planning framework, regional/sub-regional strategies and Section 117 Directions, however the planning proposal requires updating to address Sydney South West District Plan.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **A draft Key Sites Map has been supplied in Figure 4 (page 11), the subject site is marked as Key Site 21.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The proposal states that public exhibition will occur in accordance with the requirements of the Gateway determination.**

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **January 2018**

Comments in relation to Principal LEP : **Amending the Fairfield LEP 2015 is considered to be the best mechanism to achieve the objectives of the planning proposal.**

Assessment Criteria

Need for planning proposal : **A planning proposal is the best way of achieving the intended outcomes.**

Consistency with strategic planning framework : **SYDNEY SOUTH WEST DISTRICT PLAN (Draft)
The planning proposal is generally consistent with this plan. However, this will need to be addressed in the planning proposal prior to public exhibition.**

Environmental social economic impacts : **It is anticipated that the amended planning controls will result in predominately positive economic social and environmental effects:**

ECONOMIC IMPACTS

Appendix C of the proposal provides an economic statement which concludes there are unlikely to be any adverse economic impacts associated with the proposed LEP amendment. The planning proposal states that any environmental impacts of any specific development would be considered pursuant to a development application.

ENVIRONMENTAL IMPACTS

Appendix D of the proposal concludes that the proposed development has no unacceptable traffic, parking or servicing implications.

SOCIAL IMPACT

The proposal will allow for the continued role of Greenway Supacenta as a service centre. Maintaining jobs to support the local population, enabling people to live, work and shop within their local area.

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Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority
Consultation - 56(2)(d)
:

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
2016.3.9 Panel Advice.pdf	Proposal	Yes
2016.8.17 Panel Briefing Meeting.pdf	Proposal	Yes
2016.8.17 Panel Briefing Meeting - Attachment 3.pdf	Proposal	Yes
Cover Letter.pdf	Proposal Covering Letter	Yes
Appendix A - Planning Proposal.pdf	Proposal	Yes
Appendix B - Correspondence between Council and Urbis - 6.11.2014.pdf	Proposal	Yes
Appendix C - Correspondence between Council and Urbis - 14.1.2014.pdf	Proposal	Yes
Appendix D - Council Outcome Committee Meeting - 10.3.2015.pdf	Proposal	Yes
Appendix E - Council Outcomes Committee Meeting - 12.5.2015.pdf	Proposal	Yes
Appendix F - Correspondence between Council and Urbis - 21.5.2015.pdf	Proposal	Yes

Planning Team Recommendation

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

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S.117 directions: 1.1 Business and Industrial Zones
 3.4 Integrating Land Use and Transport
 4.3 Flood Prone Land
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **RECOMMENDATION**

It is recommended that the planning proposal proceeds subject to the following:

1. Prior to community consultation, the planning proposal is to be amended to;
 - a. amend the proposed clause in Section 3.2.2 Schedule 1 Amendment to reflect the Sydney West Joint Regional Planning Panel recommendations dated 17 August 2016.
 - b. update Section 5.2 to address the Draft South West District Plan.

The amended planning proposal is to be forwarded to the Department for endorsement prior to commencing exhibition.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- a. the planning proposal must be made publicly available for a minimum of 28 days;
and
- b. the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2016).

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from its obligation to conduct a public hearing regarding reclassifying land.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

Signature: _____



Printed Name: _____

Adrian Holzgoller

Date: _____

24 / 4 / 17