

Fairfield LEP 2013 – Planning proposal to rezone land at 17-21 Longfield Street, Cabramatta

Proposal Title : **Fairfield LEP 2013 – Planning proposal to rezone land at 17-21 Longfield Street, Cabramatta**

Proposal Summary :

The planning proposal seeks to:

- Rezone the site (17-21 Longfield Street, Cabramatta) from B5 Business Development to R4 High Density Residential;
- Introduce a Floor Space Ratio of 2:1;
- Introduce a maximum Height of Building of 20 metres; and
- Amend Schedule 1 of the Fairfield LEP 2013 to introduce recreation facilities (indoor) and take away food and drink premises (with 160 square metres as maximum floor area) as additional permitted use over the site.

PP Number : **PP_2016_FAIRF_006_00** Dop File No : **16/08549**

Proposal Details

Date Planning Proposal Received :	16-Jun-2016	LGA covered :	Fairfield
Region :	Metro(Parra)	RPA :	Fairfield City Council
State Electorate :	FAIRFIELD	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	17-21 Longfield Street		
Suburb :	Cabramatta	City :	Fairfield
		Postcode :	2166
Land Parcel :	Lot 34 and 35 DP 456221		

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	730
Gross Floor Area :	0	No of Jobs Created :	231

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

If No, comment :

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

If Yes, comment : **The Department's Lobbyist Contact Register has been checked on 22 June 2016, and there are no records on the Department's Lobbyist Contract Register regarding this matter.**

Supporting notes

Internal Supporting Notes : **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.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The objective of the planning proposal is to rezone the site from B5 Business Development to R4 High Density Residential to facilitate redevelopment of the site for the purposes of:**

- a total residential units of between 500 – 650 one, two and three bedroom units;
- approximately 80 – 100 over 55's dwellings;
- 150 bed aged care facility including a high dependency dementia unit;
- a 100 place childcare centre;
- a medical centre;
- community facility (if required by Council);
- an indoor recreational facility (gym);
- additional permitted uses for:
 - o an indoor recreational facility (gym)
 - o take-away food and drink premises
- improved pedestrian and cyclist connections though the site and surrounding area;
- and
- improved traffic and parking conditions compared to existing approved uses at the site.

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

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

Comment : **1. Rezone the subject site from B5 Business Development to R4 High Density Residential;**

2. Introduce a Floor Space Ratio of 2:1;

3. Introduce a maximum Height of Building of 20 metres; and

4. Utilise Schedule 1 of the Fairfield LEP 2013 to introduce an additional permitted use over the site as below:

21 Use of certain land at 17-21 Longfield Street, Cabramatta

1) This clause applies to 17-21 Longfield Street, Cabramatta (being Lot 34 and 35 in DP 456221) and identified as "24" on the Key Sites Map.

2) Development for the purposes of the following is permitted on the land:

a) recreational facilities (indoor);

b) take away food and drink premises.

3) Despite Clause 5.4(7) the maximum combined floor area for Take Away Food and Drink Premises and Neighbourhood Shops is 160 square metres.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

6.3 Site Specific Provisions

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

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

GMREP No. 2 - Georges River Catchment

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

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

If No, explain :

SEPPs/SREPS

STATE ENVIRONMENTAL PLANNING POLICY No. 55 – REMEDIATION OF LAND

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

The initial environmental assessment report conducted by the proponent indicates there are areas of potential concern of low or moderate significance. Council has advised should the planning proposal proceed to Gateway determination, a detailed Stage 2 contamination assessment report be prepared prior to public exhibition.

Comment: As per Council's suggestion it is recommended that a detailed Stage 2 assessment of contamination report will be conducted prior to exhibition. It is considered that the proposal is generally consistent with the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

Council has advised that the initial concept plan generally complies with the provisions of SEPP 65. Council has further advised that subsequent future development applications would need to ensure that they are consistent with the objectives and assessment criteria of SEPP 65.

Comment: The proposal is generally consistent with the SEPP as Council will adopt the design quality principles of the SEPP.

GREATER METROPOLITAN REGIONAL ENVIRONMENTAL PLAN NO 2 – GEORGES RIVER CATCHMENT

The aim of SREP is to protect the environment and water quality of Georges River and its tributaries by ensuring that the impacts of future land uses are considered in a regional context.

Council has advised that a flood study conducted by the proponent concludes that the development of the site is feasible without major impacts on flooding behaviour elsewhere in the floodplain. This issue has been discussed in detail under section 117 Direction 4.3 Flood Prone Land.

S117 DIRECTIONS

Based on the information in the planning proposal this proposal is consistent with the all the relevant s117 Directions except as follows:

1.1 BUSINESS AND INDUSTRIAL ZONES

This direction applies as the planning proposal involves rezoning of land from B5 Business Development to B4 Mixed Use zone.

It is considered that the inconsistency is justified as the planning proposal:

- is justified by Fairfield Employment Lands Strategy – February 2008, Fairfield City Centre Study 2015 and Fairfield Residential Development Strategy 2009;
- the site is currently underutilised as bulky goods and contains a number of industrial uses;
- the site being located in close proximity to residential zoned land, creates land use conflict in its current use and the proposal will remove this land use conflict;

- the proposal will provide opportunity to implement urban renewal within proximity to services and transport provided within Cabramatta Town Centre; and
- the proposal fulfils the employment objectives of the Direction as 231 jobs are estimated to be created.

The approval of the Secretary's delegate is recommended as any inconsistencies with the direction are justified by Strategies.

3.1 RESIDENTIAL ZONES

This direction applies when a planning proposal affects an existing or proposed residential zone or any other zone in which significant residential development is permitted or proposed to be permitted and approval of the Secretary of the Department of Planning and Environment is required if the reduction in density is involved.

This direction applies as the planning proposal proposes to rezone the site from B5 Business Development to R4 High Density Residential zone.

The planning proposal is consistent with this direction as it:

- proposes to implement the objectives of the direction;
- implement the outcomes of the various studies undertaken by Council;
- will facilitate residential development in proximity to public transport;
- rationalises residential zones and proposes to concentrate housing densities around centres and transport nodes to make better use of existing infrastructure and services in those centres; and
- broadens housing choice and flexibility by providing opportunities for residential flat buildings, aged care facility and over 55's dwellings.

3.4 INTEGRATED LAND USE AND TRANSPORT

The direction applies to the planning proposal.

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

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

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

The proposal is considered to be consistent with the direction as the site is well situated along and near major roads with access to public transport.

4.3 FLOOD PRONE LAND

This direction applies when a planning proposal creates, removes or alters a zone or a provision that affects flood prone land.

The site is affected by low risk flooding, land within the probable maximum flood area but not identified as either in a high flood risk or within flood risk precinct (flood map at page 55 of the planning proposal). A flood study conducted by the proponent indicates that the site does not convey an active overland flow. The overland flows are conveyed mainly in bounding Streets. The study concludes that the development of the site is feasible without major impacts on flooding behaviour elsewhere in the floodplain. Council however, intend to conduct a detailed modelling assessment at development

application stage.

In spite of the flood risk mentioned above, the planning proposal is considered to be consistent with the s117 direction as existing clauses 6.3 – Flood Planning and 6.4 - Floodplain Risk Management of the Fairfield LEP 2013 (copy in Documents) require future development on flood liable land to take into consideration the impacts of flooding and incorporate appropriate design measures to ensure the safe occupation and evacuation of buildings in the event of flooding.

However, given the increase in residential capacity of flood prone land, it is recommended that Council formally consult with NSW State Emergency Service prior to exhibition and amend the planning proposal if required.

6.3 SITE SPECIFIC PROVISIONS

The objective of this direction is to discourage unnecessary restrictive site specific planning controls.

The direction requires that a planning proposal that amends another environmental planning instrument in order to allow a particular development to be carried out shall either:

- (a) allow that land use to be carried out in the zone the land is situated on, or
- (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
- (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

It is considered that the planning proposal falls within (b) above as the planning proposal proposes to introduce two additional permitted use, indoor recreation facility (i.e. gym) and take-away food and drink premises to the site and to limit the maximum combined floor area for Take Away Food and Drink Premises and Neighbourhood Shops to 160 square metres.

It is noted the Standard Instrument does not permit take away food and drink premises in the R4 High Density Residential zone. The introduction of take away food and drink premises at the site will provide for some of the needs of the residents of the proposed development particularly the residents of the seniors housing and aged care facility.

Clause 5.4(7) of Fairfield LEP 2013 restricts the retail floor area of a neighbourhood shop to a maximum 80 square metres. Accordingly, the site may be able to accommodate up to two Neighbourhood Shops as the site currently consists of two separate lots (i.e. one neighbourhood shop on each lot). This would result in a total potential maximum of 160 square metres of neighbourhood shop as part of the development.

Fairfield Retail and Commercial Centres Study Policy outlines the issues associated with Neighbourhood Shops which are a permissible use in the R4 High Density Residential zone and are separately defined from shops which are permissible in commercial zones. Neighbourhood Shops are to provide a convenience function and not compete against existing centres.

The Policy provides guidance on assessing applications that propose neighbourhood shops. These include restricting neighbourhood shops to one per allotment, not locating neighbourhood shops within 1km of another shop or other shops on the same side of the road and not co-locate with other retail type outlets (such as fast food outlets). Accordingly Council restricted the combined floor area to 160 square metres.

In light of this the planning proposal's inconsistency with the direction is considered to be of minor nature and approval of the Secretary is recommended.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council has provided the following maps applying to this planning proposal:

- **Location Map**
- **The land subject to the planning proposal**
- **Current and proposed Land Use Zones**
- **Current and Proposed Floor Space Ratio**
- **Current and proposed Height of Buildings**
- **Aerial map**
- **Flood Risk map**

It is considered that the maps are adequate for consultation purposes, however in addition the planning proposal should have included a relevant key sites map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council has advised that the planning proposal will be placed on public exhibition for a minimum of 28 days. Given the nature of the planning proposal, this is supported.

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 :

Comments in relation to Principal LEP :

Fairfield LEP 2013 is a Standard Instrument LEP. The planning proposal is to amend the Fairfield LEP 2013.

Assessment Criteria

Need for planning proposal :

SITE

The site with an area of approximately 4 hectares is located on the northern side of the Longfield Street and has dual street frontage. An aerial view of the site is at page 7 of the planning proposal and location map in Documents. It is bounded by: a large townhouse

development to the west; a mix of low density dwellings, place of public worship and light industrial activities to the north; a mix of uses including bulky goods uses, restaurants and motel to the east; and single dwellings and a mix of uses to the south. The site currently contains two industrial buildings, constructed during 1960.

The site is located outside of the Cabramatta Town Centre Catchment, approximately 1.5 km east of the Cabramatta railway station. Lansvale Neighbourhood Centre is located approximately 250 metres from the site. The centre contains a post office, small convenience store, chemist, newsagent and other retail and commercial uses. There is a regular local bus service along Longfield Street to the Cabramatta town centre, Fairfield and Liverpool. In addition, there are bus services along the Hume Highway to Liverpool, the major regional centre and Fairfield.

EXISTING ZONING

The site is currently zoned B5 – Business Development under Fairfield LEP 2013. No FSR and building height controls currently apply to the site (current zoning map is at page 10 of the planning proposal).

PLANNING PROPOSAL

The planning proposal is informed by the following studies:

- Fairfield Employment Lands Strategy 2008
- Fairfield City Centres Study 2015
- Fairfield City Centres Policy 2015
- Fairfield Residential Development Strategy 2009

Based on the above studies, the following conclusions were made:

- The current zoning no longer represents the most suitable zoning of the site. While it is important that a provision of industrial/business development land remains within the Fairfield LGA, it is equally important to recognise optimal locations for these types of facilities. It is clear that the industrial area particularly east of Hume Highway represents a key employment generating area within the Fairfield LGA and be maintained in the future. However, the subject site and directly surrounding uses are not suitable for purely industrial/business development uses, as demonstrated by the already changing nature, transition and more retail uses.
- There is decreasing need for all industrial employment lands within the Fairfield LGA to remain in their current dated built form and limited access arrangement. As such, the subject site is both not suitable for industrial uses but is also not needed as industrial employment generating land. Notwithstanding, the rezoning proposal represents a unique opportunity to revitalise the site, facilitate jobs that are suitable to the profession of the local communities, aged care and other employment generating uses and represents a local brownfield revitalisation project.

Consistency with
strategic planning
framework :

CONSISTENCY WITH STRATEGIC PLANNING FRAMEWORK

METROPOLITAN STRATEGY

A PLAN FOR GROWING SYDNEY (the Plan)

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

- Direction 1.4: Transform the productivity of Western Sydney through growth and investment. The proposal by providing additional dwellings and choice of housing will contribute towards increasing the productivity of Western Sydney.
- Direction 1.9: Support priority economic sectors. The planning proposal proposes to rezone an old, under productive industrial area to more productive and appropriate land use.
- Direction 1.10: Plan for education and health services to meet Sydney's growing needs. The proposed redevelopment has the potential to provide health facilities (aged care facility and associated support facilities) for the needs of changing demographics in the Fairfield LGA – ethnically diverse, an ageing population and greater proportion of people needing care.
- Direction 2.1: Accelerate housing supply across Sydney. The planning proposal by providing one, two and three bedroom apartments and housing for seniors including aged care and independent living units will cater for a diverse and multi-generational population of the LGA.
- Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs. The proposed development by providing additional dwellings, a child care, aged care and a small neighbourhood shop, will directly help to achieve and accelerate additional housing and providing jobs closer to homes.
- Direction 2.3: Improve housing choice to suit different needs and lifestyles. The proposal will increase housing choice by providing additional apartments, and senior housing in an established area.
- Direction 3.1: Revitalisation existing suburbs. Redevelopment of the site will help to revitalise the eastern edge of Cabramatta, support good urban design outcomes, create public benefits such as connectivity and open space and trigger redevelopment along the Longfield Road.
- Direction 3.3 – Create healthy built environments. The proposal will deliver network of greenspace including a public park, landscaped boulevards, private and communal open space and buffers. Two public plazas and community centre will also be provided. These spaces will encourage social interaction and create a sense of community all of which will contribute to the health and wellbeing of the community.
- Direction 4.3 – Manage the impacts of development on the environment. The proposal provides a productive, liveable and sustainable environment. The urban design ensures a walkable neighbourhood to open space and services for the local and neighbouring community. The site is located within close proximity to bus and rail thereby reducing dependency on cars. Contamination and flooding issues have been addressed to ensure that any adverse impacts are managed.

FAIRFIELD CITY CENTRE STUDY 2015 AND FAIRFIELD CITY CENTRE POLICY 2015

The Policy and Study provide a number of principles, objectives and assessment criteria for which applications are to be assessed.

The proposal is consistent with the objectives of the study as it proposes to rezone approximately 40,000 square metres of B5 Business Development zoned and is seeking to include an additional permitted use for small convenience store, pharmacy restaurant or café, bakery, video store, dry cleaners, etc

FAIRFIELD EMPLOYMENT LANDS STUDY 2008

The Employment Lands Strategy identifies the site within the Cabramatta North Hume Highway Precinct. The strategic recommendation for this precinct is to

protect and promote employment generating uses within the precinct and not permit residential uses, commercial or retail development to protect existing centres.

Council has advised that a review of the current Cabramatta North Hume Highway precinct shows the precinct currently contains uses such as large warehousing sites, residential properties, restaurants, a hotel, services stations and car sales, as well as bulky goods.

The subject site is very large, close to 4 hectares in area. Overtime the site has attracted larger industrial type uses such as warehousing which may require 24 hour operation to stay competitive.

As the site is currently zoned B5 Business Development and its close proximity to residential zoned land, these uses and hours of operation are not entirely appropriate. The size of the site attracts uses that create a land use conflict between the sensitive uses in the residential zones and the industrial zone.

Historically there have been a number of complaints from adjoining land owners relating to the industrial activities on the subject site, particularly relating to noise, hours of operation, large truck movements and trucks parking on the street for extended periods of time.

The planning proposal seeks to remove this land use conflict and introduce more suitable land uses while seeking to maintain the employment capacity of the site through aged care, childcare, and medical centre/uses, neighbourhood shops and take away food and drink.

FAIRFIELD RESIDENTIAL DEVELOPMENT STRATEGY

The Fairfield Residential Development Strategy (RDS) identifies areas within Fairfield City that should be investigated for future increase in residential density. The key principle for the increase in density within the City outlined by the RDS is density around centres and along corridors. This was reflected in the initial RDS which proposed residential density increase in and around the Cabramatta Town Centre.

The proposal is considered to be consistent with the Strategy as it provides opportunity to implement urban renewal within proximity to services and transport.

FAIRFIELD CITY PLAN 2012-2022 (DECEMBER 2012)

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

The planning proposal is consistent with the relevant goals contained within the City Plan as it will assist in facilitating a range of housing types in Cabramatta to meet the needs of families at different stages of their lives and levels of affordability. The proposed development will provide housing choice for all family stages including residential apartments, seniors housing and residential care facilities.

Environmental social
economic impacts :

ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The site does not contain threatened species.

The planning proposal is not expected to result in negative environmental effects. The proponent has provided a traffic assessment report, which proposes a number of mitigation measures to address any impact from the proposal. Council's traffic engineers reviewed the measures and propose to consult with Roads and Maritime Services. All car parking spaces associated with the development are to be provided within the site. Further, car parking and traffic mitigation measures will be reviewed as part of the site specific development control plan process.

Flooding issues has already been discussed under s117 Direction 4.3 Flood Prone Land, where it has been concluded that Council will formally consult with NSW State Emergency

Service prior to exhibition and amend the planning proposal if required.

Similarly, land contamination issue has also been discussed under SEPP No. 55 – Remediation of Land. It is considered that there will be no environment issue from contamination as Council intends to address this issue as part of the detailed contamination assessment report. A Stage 2 contamination assessment report prior to the exhibition will be prepared.

The site is currently a noise generating use and results in complaints from the nearby residents. The proposed development will be designed with appropriate noise attenuation measures, which will be addressed at development application stage.

The planning proposal will have positive social and economic benefits as it will provide residential accommodation for a wide social mix and potentially deliver a cohesive multi-generational living environment, boost the availability of aged care places, help to fill the gap in child care places, and maximise the use of the existing public transport infrastructure.

The change from the existing to residential and residential support uses such as a neighbourhood shop, gym and takeaway food and drink is likely to generate positive economic outcomes for the surrounding area and Fairfield LGA.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
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Timeframe to make LEP :	12 months	Delegation :	RPA
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Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage Integral Energy NSW Police Force Transport for NSW - Roads and Maritime Services State Emergency Service Sydney Water Telstra
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

Stage 2 Contamination assessment report.

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Letter to DP&E Advising of Planning Proposal - PDF.pdf	Proposal Covering Letter	Yes
Planning Proposal - 17-21 Longfield Street, Cabramatta - May 2016 (Adopted Version) - PDF.pdf	Proposal	Yes
Council Repot.pdf	Study	Yes
Supplementary Council Report.pdf	Study	Yes
Planning Proposal - Attachment B.01 Urban Design Report - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.02 Economic Assessment - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.03 Feasibility Study - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.04 Traffic - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.05 Flood Study - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.06 Contamination - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.07 Council Letter - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.08 Cabramatta Opal Letter - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.09 Benchmark Images - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.10 NSW Legislation - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.11 NSW Legislation Seniors housing - 2015.11.17.pdf	Study	Yes
Planning Proposal - Attachment B.12 Cabramatta Circle Research - 2015.11.17.pdf	Study	Yes
Location Map.pdf	Map	Yes
Clause 6.3 Flood planning from Fairfield LEP 2013.pdf	Study	Yes
Clause 6.4 Floodplain risk management of Fairfield LEP 2013.pdf	Study	Yes
Clause 5.4 Controls relating to miscellaneous permissible uses of Fairfield LEP 2013.pdf	Study	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 6.3 Site Specific Provisions**

Additional Information : **RECOMMENDATION**

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

1. In order to fully address the objectives of s.117 Directions 4.3 Flood Prone Land, prior to exhibition of the planning proposal, Council is to:
 - a) consult with the State Emergency Service in terms of the increased residential capacity on flood prone land; and
 - b) Council is to take into account comments received and amend the planning proposal

if necessary.

2. In order to fully address the objectives of the SEPP 55 – Remediation of Land, prior to exhibition Council is to prepare a detailed Stage 2 contamination assessment report and amend the planning proposal if necessary.

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

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

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

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

Endeavour Energy
Roads and Maritime Services
Office of Environment and Heritage (Flood Division)
Sydney Water
Telstra
NSW State Emergency Service
NSW Police

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

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

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

DELEGATION OF GATEWAY DETERMINATION

The proposal is considered to be consistent with State Strategy and of a local nature therefore it is recommended that the determination function of the Gateway be exercised under delegation by the Director, Metropolitan Region (Parramatta).

DELEGATION TO COUNCIL

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

Supporting Reasons :

The planning proposal is supported as it represent a unique opportunity to revitalise the site with predominately residential development, facilitate jobs and other employment generating uses and provide for an aged care facility.

Signature:

Derryn John

Printed Name:

DERRYN JOHN

Date:

14 JULY 2016