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Gateway determination report – PP-2021-3029

Fairfield Accelerated Review (Stage 2) – Amendments to town centres, medium density, heritage and flooding provisions

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Table 1 Reports and plans supporting the proposal

<i>Attachment</i>	<i>Title</i>
A	Planning proposal
B	Cover letter to DPIE
C	Employment generation and study query
D	FLPP Advice
E	Report to Council
F	Heritage study
G	Economic advice
H	Traffic study

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Fairfield
PPA	Fairfield City Council
NAME	PLANNING PROPOSAL IN REPECT OF FAIRFIELD LOCAL ENVIRONMENTAL PLAN 2013 - ACCELERATED LEP REVIEW – STAGE 2 (9,665 + Medium density rezone (TBC) dwellings, 1074 jobs)
NUMBER	PP-2021-3029
LEP TO BE AMENDED	Fairfield Local Environmental Plan 2013
ADDRESS	Fairfield, Canley Vale, Carramar, Cabramatta
DESCRIPTION	Fairfield town centre Canley Vale town centre Carramar town centre Cabramatta town centre 4 x Heritage listings Medium Density zoning Flooding provisions
RECEIVED	12/04/2021
FILE NO.	IRF21/187
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

1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Facilitate implementation of Councils Local Strategic Planning statement and Local Housing study;
- Increase housing supply that is diverse and accessible to jobs, services and transport;

- Support heritage conservation;
- Update flood planning controls to ensure consistency with the Departments proposed model clauses 6.3 – Flood Planning Area and 6.4 – Special Flood Considerations.

It is noted that this planning proposal is the Stage 2 proposal prepared under the Accelerated Review Program. The objectives and outcomes are informed by recommendations of studies and strategies subsidised by the Department as part of the program. The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Fairfield LEP 2013 per the changes below:

- Rezone land and change development controls in the below four town centres;
 - Fairfield Town Centre:
 - Proposed new height of building and floor space ratio controls.
 - Cabramatta Town Centre:
 - New B3 zoned land in the town centre core, and
 - Proposed new height of building and floor space ratio controls;
 - Canley Vale Town Centre:
 - Rezoning to R4 High Density Residential zone and additional B2 Local Centre zoned land and rationalisation of RE1 Public Open Space zoned land;
 - Proposed new height of building and floor space ratio controls;
 - Carramar Town Centre:
 - Rezoning to higher density residential zones within 400m and 800 radius, and additional RE1 Public Recreation zoned land subject to land acquisition;
 - Proposed new height of building and floor space ratio controls;
- Amend FSR and Height controls in the R3 Medium Density Residential Zone;
- Amend Clause 6.3 Flood Planning and Clause 6.4 Floodplain Risk Management;
- Amend Schedule 5 Environmental Heritage to include 4 additional 4 sites as local heritage items.

It is noted that the Planning Proposal has included its own drafting of the provisional Clauses. Typically, these are replaced with an outline of intent, rather than the specific clauses. Given drafting of clauses are subject to legal processes, it is recommended that a condition be placed on the Gateway determination requiring the planning proposal to be updated with a statement to the effect of *'The proposed clauses shown in Part 2 are indicative only and are subject to change at legal drafting'*.

The purpose of this planning proposal is to realise the outcomes of Councils LSPS, LHS and studies funded by the acceleration program. **Table 3** below outlines the number of dwelling and jobs this proposal is seeking to create.

Table 3: number of jobs and dwellings (Attachment C)

Centre – zone	# of jobs	# of dwellings
Fairfield Town Centre	-	2,390
Cabramatta Town Centre	789	1,500
Canley Vale Town Centre	93	1,262

Centre – zone	# of jobs	# of dwellings
Carramar Town Centre	192	3,400
Medium Density Zone	-	TBA
Total	1074	TBC

It is recommended that the planning proposal be updated to identify the additional dwellings under the R3 Medium Density Housing Zone planning review and the total dwelling yield under the Stage 2 proposal.

Site context and proposed controls

Figure 1 below shows the geographic locations of the four town centres in the eastern part of the Fairfield City Council LGA. Given their proximity, an understanding of capacity constraints on infrastructure and cumulative effects on traffic needs to be assessed.

Carramar and Cabramatta sit on the Bankstown train line, whilst Cabramatta, Canley Vale and Fairfield all sit on the Cumberland and Airport/Inner-West/South lines; placing increased demand on rail services.

The three roads which provide links between the town centres and boarder the larger area are Sackville Street, Railway Parade and The Horsley Drive. TfNSW consultation will need to discuss the cumulative effects on the roads and the capacity placed on links over the train line including Bareena St and Lawson St.

It is noted that Prospect Creek and Orphan School Creek traverse the large area.



Figure 1 Subject site: Carramar, Canley Vale, Cabramatta, Fairfield Town Centres (source: NearMap)

Figure 2 has been included to show the land zoning of the subject sites and larger area; **Figure 3** is Council's Structure Plan for the LGA under Council's LSPS.

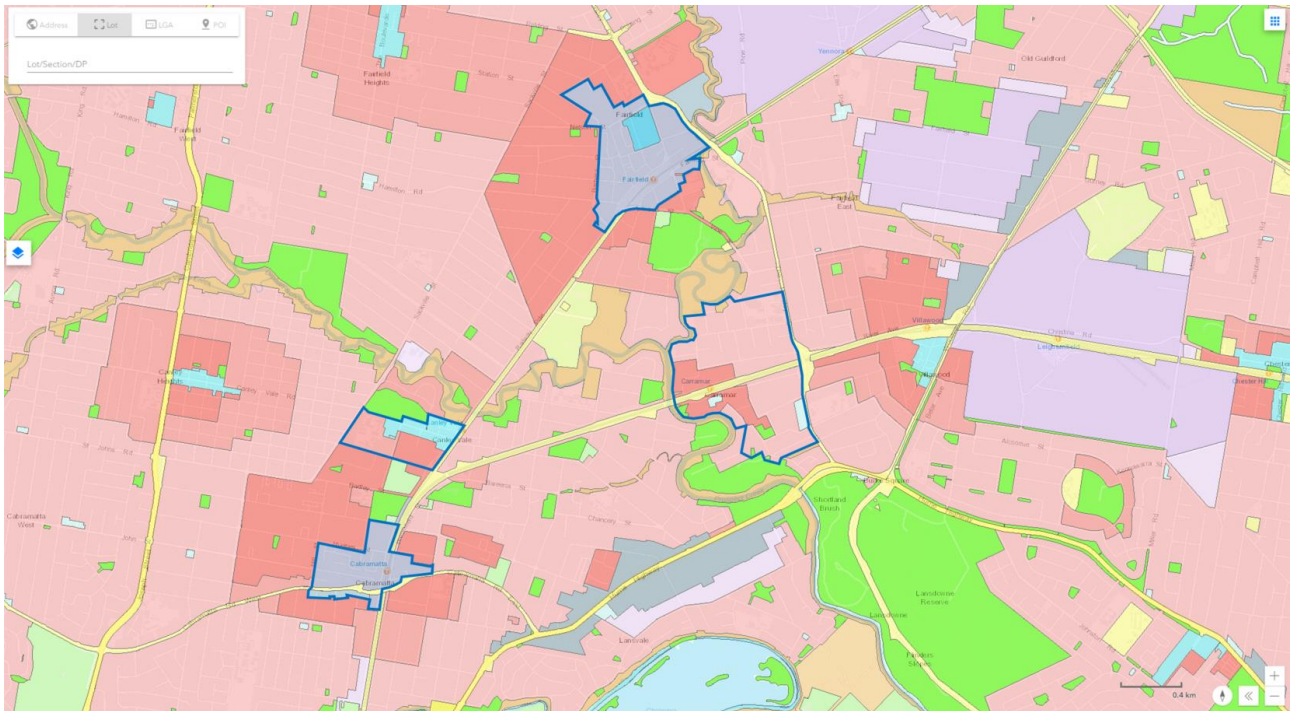


Figure 2 Site context: Carramar, Canley Vale, Cabramatta, Fairfield Town Centres (source: NSW Planning Portal)

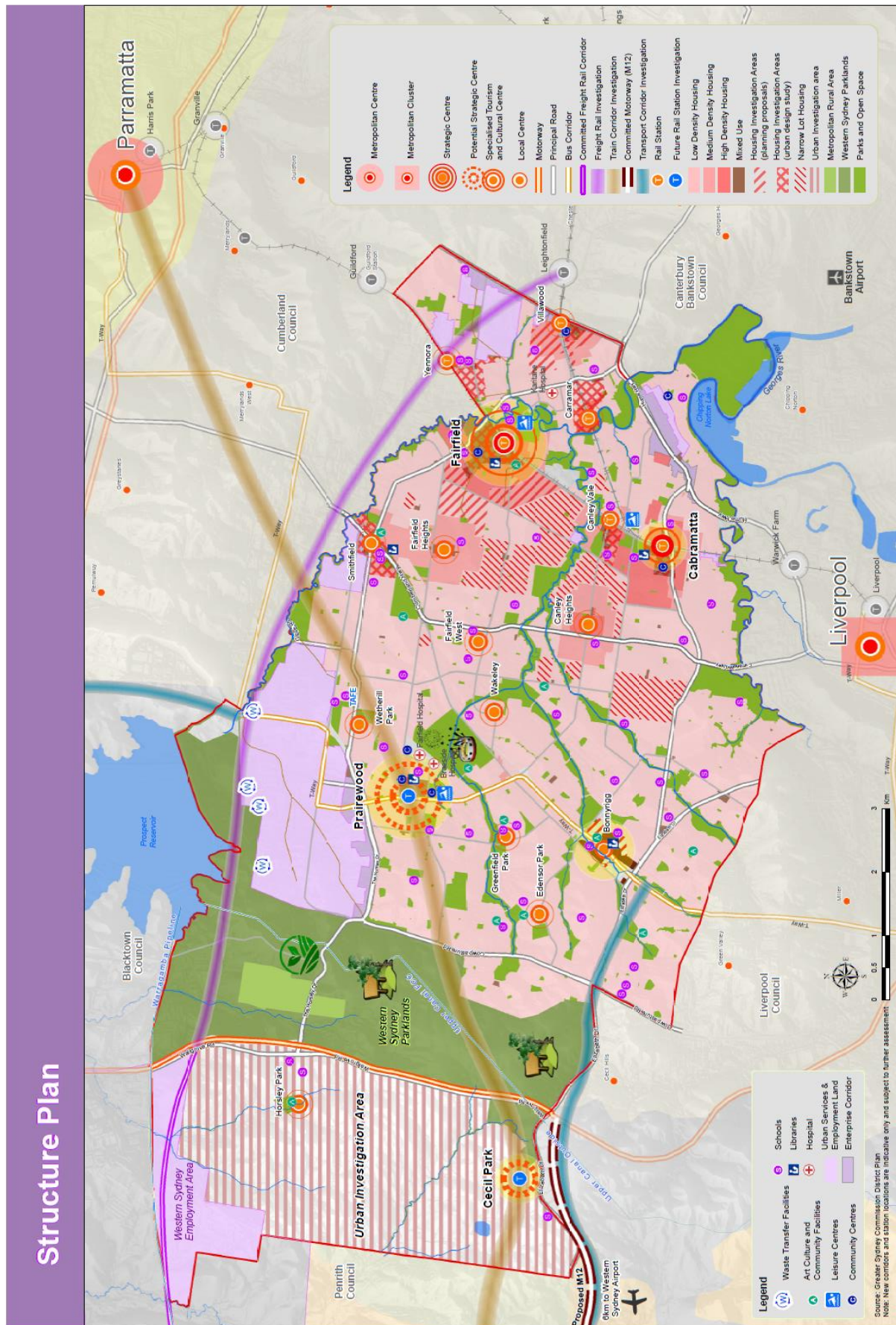


Figure 3: Fairfield Structure Plan

The below outlines a high level summary of the four town centres with proposed changes to their respective planning controls. For details to the proposed changes to LEP clauses, refer to the planning proposal Part 2 (pg.21 to 31).

Fairfield Town Centre

The Fairfield City Centre is comprised of two storey retail/ commercial buildings with retail at ground level, commercial above and service access to the rear, arcades and standalone shopping centres. At ground level, the area is dominated by restaurants and fine-grained shops; fronted by narrow footpaths that discourage street front activation.

There are a number of community and civic facilities in the town centre; including Fairfield Library, Centrelink, Medicare and Hume Community Housing.

- To the north: Is Fairfield High School, high density residential and The Horsley Drive
- To the east: Is Yennora Industrial lands which interface with low density residential, separated by the rail line
- To the south is the rail line, Fairfield Park, Fairfield Adventure park and further high density and medium density residential.
- To the west is land zoned high density residential; though 2 and 3 level walk-ups, single story houses and double story houses still represent the majority of dwelling types.

Table 4.1 Fairfield changes to controls

Zoning	Height of buildings	FSR
Nil	<ul style="list-style-type: none"> - Increase height allowances to reflect proposed built form reflected in the UDS - Height increases range up to 32 metres 	<ul style="list-style-type: none"> - Increase FSR allowances to reflect increased in permitted heights - Amend min lot amalgamation requirements to be consistent with desired built form outcomes of UDS

Cabramatta Town Centre

Cabramatta Town Centre is comprised of single-story retail and two storey retail/ commercial buildings with retail at ground level, commercial above and service access to the rear, arcades and standalone shopping centres. At ground level, the area is dominated by restaurants and fine-grained shops. The site is traversed from north to south by the train line and east to west on the southern border by Cabramatta Road East.

- To the north is Cabravale memorial Park and RE2 Private Recreation including Cabravale Diggers club and associated bowling greens and parking station.
- To the east is a combination of R4 high density residential, R2 low density residential and RE1-RE2 recreation sites. The primary topology to the east is 2 to 3 story walk-ups and single level houses.
- To the south is a combination of R3 medium density residential and R4 high density residential including 1 and 2 story houses and 4 story walk-ups.
- To the west is R4 high density residential and the St Sergius Aged Care and Russian Relief Association of St Sergious of Radonezh facilities.

Table 4.2 Cabramatta changes to controls

Zoning	Height of buildings	FSR
<ul style="list-style-type: none"> - Rezone Town Centre 'Core' from B4 Mixed Use to B3 Commercial Core - Peripheral areas of Town Centre retained as B4 Mixed Use 	<ul style="list-style-type: none"> - Restrict height of buildings in B3 Zone - Height of buildings range in B4 Zone up to TBA 	<ul style="list-style-type: none"> - Increase FSR allowances to reflect increased in permitted height in remaining B4 zone on periphery of Town Centre - Amend min lot amalgamation requirements to be consistent with desired built form outcomes of UDS

Canley Vale Town Centre

The site is dominated by Canley Vale Public school in the western half of the site and Canley Vale Tutorial Centre in the north-west corner. The eastern half of the site contains 2, 3 and 4 story walk ups and two storey retail/ commercial buildings with retail at ground level, commercial above and restaurants on the northern aspect.

- To the north is Adams Parks which contains a cricket pitch, basketball court, outdoor exercise equipment and bike tracks. The north also contains Canley Vale Dog Off-Leash Area and a R3 Medium Density Residential zone which contains Canley Vale Summit Care aged care facility.
- To the east:
- To the south is Cabravale memorial Park and RE2 Private Recreation including Cabravale Diggers club and associated bowling greens and parking station.
- To the west is a R2 low density residential zone which contains single and double story houses.

Table 4.3 Canley Vale changes to controls

Zoning	Height of buildings	FSR
<ul style="list-style-type: none"> - Rezone the existing R3 Medium Density Residential precinct west of Canley Vale Town Centre to R4 High Density. - Rezone a number of properties from R4 High Density Residential to B2 Local Centre - Rezone part of B2 Land (north of Westacott Lane) in Council ownership and currently utilised for open space purposes to RE1 Public Recreation 	<ul style="list-style-type: none"> - Increase max building heights in B2 zone - Increase max building height and FSR for R4 High Density Residential zone if site has minimum frontages (consistent with existing development standards applying under cl.4.4A of FLEP 2013) 	<ul style="list-style-type: none"> - Amend min lot amalgamation requirements to be consistent with desired built form outcomes of UDS

It is noted that no changes have been proposed to Clause: 7.5 Canley Vale – height of buildings

Carramar Town Centre

Carramar is a residential area consisting R2 low density residential, R4 high density residential and two small B1 Neighbourhood Centre zones. It is intersected east to west by the train line and bordered on the western side by Orphan School Creek, a E2 Environmental Conservation Zone

The site is dominated by Canley Vale Public school in the western half of the site and Canley Vale Tutorial Centre in the north-west corner. The eastern half of the site contains 2, 3 and 4 story walk ups and two storey retail/ commercial buildings with retail at ground level, commercial above and restaurants on the northern aspect.

- To the north is Heiden Park and further E2 and Re1 zones containing Fairfield Park, Fairfield Park Tennis Complex and Fairfield Leisure Centre;
- To the east Carramar is border by the Horsley Drive and further R2, R3 and R4 residential zones;
- To the south is Carrawood Park which forms part the NSW Government Strategic Open Space program;
- To the west is the Orphan School Creek E2 Environmental Conservation program.

Table 4.4 Carramar changes to controls

Zoning	Height of buildings	FSR
- Rezone R2 Low Density Residential land in close proximity (400m) of the town centre to R4 High Density Residential.	- R4 High Density Residential zone increase maximum height subject to frontage and site depth minimums.	- R4 High Density Residential zone - increase maximum height and FSR subject to frontage and site depth minimums.
- Rezone R2 Low Density Residential within 800m of town centre to R3 Medium Density Residential.	- R3 Medium Density Residential zone – increase height for corner sites.	- R3 Medium Density Residential zone – increase maximum FSR subject to lot widths.
- Rezone a number of sites within 400- 800m of the town centre from R2 Low Density Residential to RE1 Public Recreation to address open space needs.	- RE1 Public Recreation zone – remove maximum building height controls from land to be rezoned RE1 to ensure consistency with all other RE1 land within the City.	- RE1 Public Recreation Zone – remove minimum lot size requirements and maximum FSR controls to land to be rezoned to RE1 to ensure consistency with all other RE1 zoned land within the City.

Medium Density Residential

The R3 Medium density Residential zoned lands account for 8% of all residential zoned land in Fairfield and are located adjacent to the town centres. The commissioned review of the R3 Medium Residential zone, funded by the Accelerated LEP Review Program, recommended a series of control changes. **Table 4.5** outlines these changes to provisions.

Table 4.5 R3 Medium Density Residential current and proposed controls

Control	Current	Proposed	Condition
Floor space ratio	0.45:1	0.5:1	if the building has a street frontage < 22m
	0.45:1	0.65:1	if the building has a street frontage ≥ 22m
	-	Bonus 0.15:1	If <u>all</u> car parking for a development is provided in the basement
	Additional stipulations: <ol style="list-style-type: none"> Changes will only apply to the eastern area of the city as it has greater access to public transport; The proposed provisions will not apply to R3 land located below the flood planning area (1% AEP + 500mm freeboard). 		
Height of Building	-	10m	(a) the building is located on a corner site that consists of at least 2 street frontages; and (b) the primary and secondary street frontages for the site are at least 22 metres; and (c) all car parking for the development is provided in a basement.
			Additional stipulations: <ol style="list-style-type: none"> Changes will only apply to the eastern area of the city as it has greater access to public transport; The proposed provisions will not apply to R3 land located below the flood planning area (1% AEP + 500mm freeboard).

Additional Local Heritage Items

Figure 4 to 11 below are the aerial view and surrounding land zoning of each heritage item. It is noted that each item is consistent with its surrounding area and zone. As such no incompatible uses are generate.



Figure 4 Subject site: Whitlam House Heritage Item # I109 (source: NearMap)

Figure 5 Site context: Whitlam House Heritage Item # I109 (source: NSW Planning Portal)

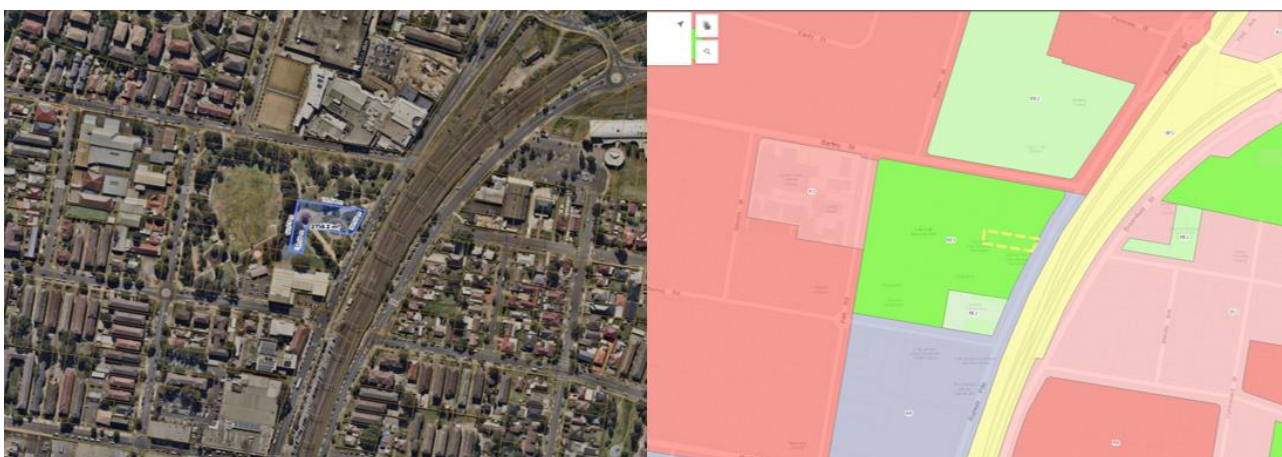


Figure 6 Subject site: Bandstand and Trophy Gun Heritage Item # I17 (source: NearMap)

Figure 7 Site context: Bandstand and Trophy Gun Heritage Item # I17 (source: NSW Planning Portal)

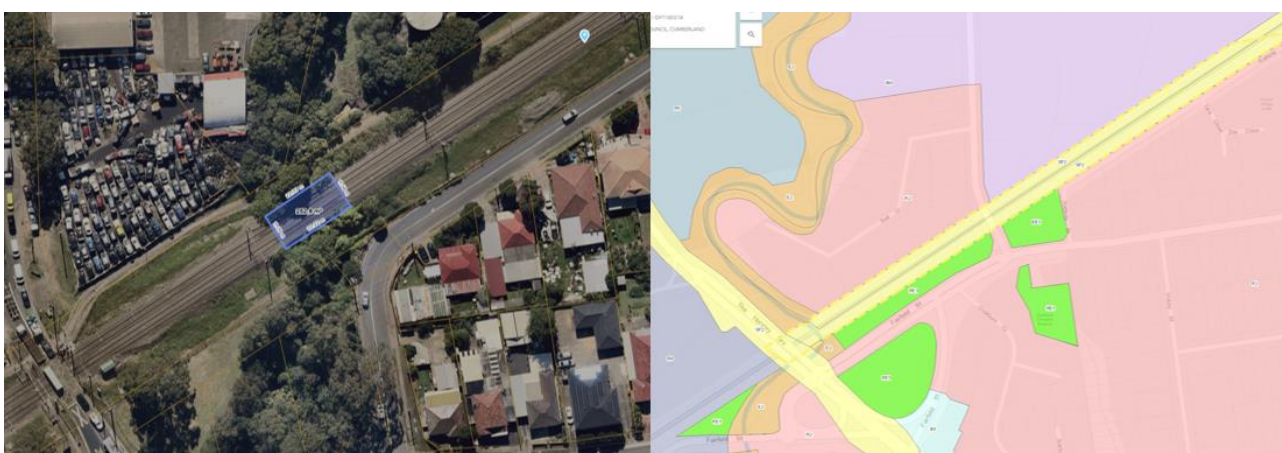


Figure 8 Subject site: Railway viaduct Heritage Item # I109 (source: NearMap)

Figure 9 Site context: Railway viaduct Heritage Item # I109 (source: NSW Planning Portal)

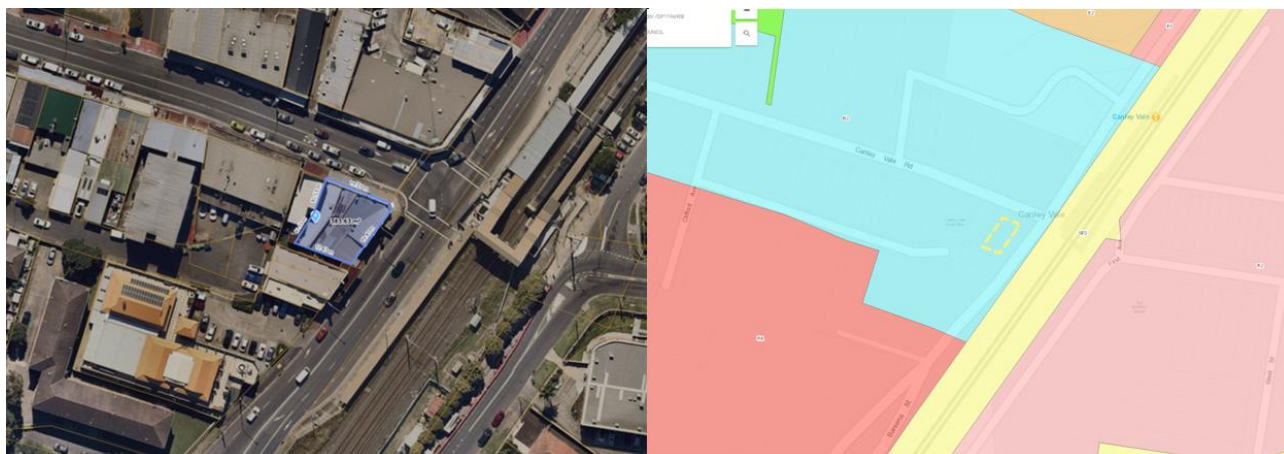


Figure 10 Subject site: Shop Frontage Heritage Item # I125 (source: NearMap)

Figure 11 Site context: Shop Frontage Heritage Item # I125 (source: NSW Planning Portal)

Table 5 below outlines the three heritage items to be added to FLEP 2013 Amendment to Schedule 5 (Heritage) and four items to be added to mapping.

Table 5: Heritage items scheduling and mapping

Suburb	Item name	Address	Property description	Significance	Item no.	Schedule 5	Maps
Cabramatta	Whitlam House	32 Albert St	Lot 11, DP 26969	Local	I108	✓	✓
Cabramatta	Bandstand, memorial, and trophy gun	Railway Parade (Cabravale Park)	Lots 13,14 and 17, Section C, DP 2526	Local	I17	✓	✓
Yennora	Railway viaduct (underbridge) over Stimsons Creek, Fairfield	124-128 Railway St	Lot 6, DP 1185514	Local	I109	✓	✓
Canley Vale	Corner Shop	2-8 Canley Vale Rd	Lot 100, DP 1196908; Lots 1 and 2, DP 23143	Local	I25	X*	✓

* Canley Vale is already in Schedule 5 but needs to be added to the maps.

1.4 Mapping

Current and proposed maps have only been provided for the Heritage items. Proposed mapping changes have not been provided with the planning proposal for the other planning controls due to the confidentiality request by Council.

It is inferred from the planning proposal that the following maps will need to be provided at the exhibition. **Table 6** below indicates which mapping is expected to be provided prior to exhibition.

Table 6: Additional proposed mapping for town centres and zones to be supplied

	LZN	HOB	FSR	Precinct	Active St Frontage	Acquisition
R3 Medium Density Residential		✓	✓			
Cabramatta Town Centre	✓	✓	✓	✓	✓	
Fairfield Town Centre		✓	✓	✓	✓	
Canley Vale Town Centre	✓	✓	✓	✓	✓	✓
Carramar Vale Town Centre	✓	✓	✓	✓	✓	✓

It is recommended that all the current and proposed LEP mappings for town centre, medium density zone and land reservation acquisition must be prepared and publicly exhibited with the planning proposal as part of the community engagement.

1.5 Background

This planning proposal represents stage 2 of the accelerated review of the Fairfield LEP 2013. It is linked to Councils participation in the NSW Governments Accelerated Local Environmental Review Program and associated grant funding for studies to support the preparation of Councils Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS).

According to Council, this subject proposal has been informed by an extensive list of local strategies and studies undertaken as part of the comprehensive review into the strategic and regulatory planning frameworks. These include the LSPS, preliminary draft LHS, draft urban design studies of key town centres, draft traffic studies, medium density housing study, open space review, heritage review and business zones review.

The Department notes that Council is still finalising a number of local strategies and strategic studies that support this proposal. It is recommended that these supporting strategies and studies be finalised and publicly exhibited with the planning proposal to ensure consistency and transparency.

2 Need for the planning proposal

The planning proposal is to realise the strategic outcomes specified by Council's LSPS and LHS and is delivered as part of the NSW Governments Accelerated Local Environmental Plan Review Program. It is to enable planning control changes within the Fairfield, Cabramatta, Canley vale and Carramar Town Centres, R3 Medium Density Residential Zone, the listing of local heritage items and alignment of planning controls with the NSW Government.

No other means are available to achieve the vision outlined in the LSPS without the amendments proposed in this planning proposal; neither is there another way to implement the new flooding clauses and list the heritage items.

3 Strategic assessment

3.1 District Plan

The site is within the Western City District and the Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied that the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 7 District Plan Assessment (next page)

District Plan Priorities	Justification
<p>Planning Priority W1: Planning for a city supported by infrastructure</p>	<p>W1 seeks to align infrastructure with population growth, to meet future needs and to ensure infrastructure is used optimally.</p> <p>Detailed assessment is discussed below in section 4.3. In summary there is not enough information to undertake an adequate assessment of whether current or future infrastructure can meet the need of the proposed growth under the proposal.</p> <p>The Department considers that identifying the capacity of infrastructure and its ability to service needs is critical. Further below are recommendations for gateway Conditions to address infrastructure and funding mechanisms.</p>
<p>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p>	<p>W5 seeks to provide greater housing supply and housing that is more diverse and affordable.</p> <p>This proposal is seeking to implement recommendations of LSPS, LHS and individual supporting urban design studies. These recommendations and objectives are to improve quality and diversity of housing in addition to design of town centres to improve employment use and utility.</p>
<p>Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>W6 seeks to bring people together in great places and to identify, conserve and enhance environmental heritage.</p> <p>This proposal intends to add a further 3 items to FLEP 2013 schedule 5 as local items and to amend mapping for a 4th item to enhance protection of places of local heritage significance.</p>
<p>Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres</p>	<p>W11 seeks to generate investment and business activities in centres.</p> <p>This proposal seeks to generate business centres in Cabramatta. The HOB and FSR changes proposed for all town centres is designed to increase incentive to support business centres within the town centres. The proposed control changes will provide for additional capacity and opportunities for ground and upper level retail and commercial activities.</p>
<p>Planning Priority W18: Delivering high quality open space</p>	<p>W18 seeks to public open space accessibility, protection and enhancement.</p> <p>Based on the open space needs for the future population and to address shortages of open space in the LGA, a key priority of the Stage 2 is to deliver increased RE1 Public Recreation.</p> <p>It is recommended that Council finalise the draft supporting open space analysis and consult with the Departments Open Spaces team to determine if the proposed amount and location of new open space land is suitable to support increased number of dwellings and population.</p>
<p>Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change</p>	<p>W20 seeks to provide resilience to climate change, future shocks and stresses. It also seeks to reduce exposure natural and urban hazards whilst managing extreme heat and heatwaves.</p> <p>Council seek to implement Resilience Planning standardised 6.3 and 6.4 Flooding Clauses (which are still at draft stage). This will bring FLEP in line with updated best practise. It is recommended that Council consult with the Department's Resilience Planning team to ensure it aligns with the ongoing review of the broader natural hazards legislative framework.</p>

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 8 Local strategic planning assessment

Local Strategies	Justification
Planning Priority 1: Provide housing that accommodates the needs of existing and future residents.	The proposal seeks to increase housing supply via amendments to the planning controls for the R3 Medium Density Residential zone and the town centres. The PP states that it future planning proposals will implement the LHS recommendations; it is noted that the LHS is with the Department of Planning for review.
Planning Priority 2: Deliver greater housing diversity and affordability to meet the changing needs of the community.	The planning proposal seeks to amend planning controls which will permit shop top housing, residential flat buildings and medium density housing.
Planning Priority 5: Protect the city's heritage	Proposal seeks to add 3 items to the FLEP 2013 Schedule 3 and amend the mapping for a 4 th . It is conditioned that Council consult with Heritage NSW.
Planning Priority 6: Ensure infrastructure is aligned to accommodate planned growth and community needs	The proposal does not adequately address infrastructure needs to support the proposed uplift, noting there is no specific action in the LSPS. It is conditioned that Council consult NSW Ministry of Health regarding health infrastructure capacity and the Department of Education regarding capacity of primary and high schools to support increased population. It is also conditioned that TfNSW must be consulted to discuss the traffic and transport infrastructure needs.
Planning Priority 10: Adapt to natural hazards and environmental impacts	Proposal seeks to implement the draft 6.3 and 6.4 clauses which are to be included in the standard instrument.
Planning Priority 11: Promote a robust economy which generates diverse services and job opportunities.	The amendments proposed seek to provide for additional population, opportunities for ground and upper level retail and commercial activities.

Table 9 Fairfield Preliminary Draft Local Housing Strategy

Local Strategies	Justification
LSPS Action 1.3: Council will review its Local Environmental Plan and update planning controls to implement the recommendations and directions made in the Local Housing Strategy and reflected in this statement.	<p>This Action is associated with control changes to multiple town centres including;</p> <ul style="list-style-type: none"> ○ Medium density Housing Review ○ Fairfield City Centre ○ Cabramatta Town Centre ○ Canley Vale Town Centre ○ Carramar Neighbourhood & Surrounds. <p>The Department issued the advisory notes of Council's preliminary draft LHS on 29 March 2021. It is recommended that Council to address the advisory notes and update the proposal accordingly.</p>

3.3 Local planning panel (LPP) recommendation

The planning proposal was referred to the Fairfield Local Planning Panel (the Panel) at its meeting on 11 November 2020. The Panel supported Council's recommendation to progress the planning proposal for Gateway determination (**Attachment D**).

The Panel recommended that the Whitlam House heritage item be purchased by Council as a community facility. It is noted that the current proposal does not address this recommendation.

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 10 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.1: Business and Industrial Zones	Consistent	<p>The planning proposal is consistent with this direction. Cabramatta Town Centre seeks to increase business zone by rezoning the Town Centre Core from B4 Mixed use to B3 Commercial Core. It also seeks to increase HOB and FSR controls in the Town Centres B4 Mixed Use and B3 Commercial Core zones.</p> <p>It is noted that Council intends to acquire land which will be rezoned from business purposes to RE1 Public Recreation. Given this rezoning will be offset by additional land zoned for business purposes, this inconsistency is considered minor.</p>

Direction 2.3: Heritage Conservation	Consistent	The planning proposal seeks to add 3 more heritage items to FLEP 2013 Schedule 5 and amend mapping for a 4 th . This is supported by a heritage study (Attachment E).
Direction 2.6: Remediation of Contaminated Land	Consistent	This proposal seeks to rezone land from business uses to public recreation. Councils initial desktop assessment has indicated that there are no activities which would generate potential site contamination. Further detailed assessment can be addressed at the DA stage.
Direction 3.1: Residential Zones	Consistent	The planning proposal seeks to increase density of residential area and realise the concepts of Urban Design Studies. Accordingly increasing housing supply and type whilst reducing land consumption for housing. It is noted that Council intends to acquire land which will be rezoned from residential purposes to RE1 Public Recreation. Given the uplift proposed, this inconsistency is considered minor.
Direction 3.4: Integrating Land Use and Transport	Consistent	The planning proposal seeks to increase density and promote improved land use surrounding public transport; improving use of the trains and access to services by walking.
Direction 3.5: Development Near Regulated Airports and Defence Airfields	Consistent	Carramar is 3.5km's to the north west of Bankstown Airport. The planning proposal identifies that sections of the land are located under the Obstacle Limitation Surface. Additionally, none of the area is impacted by the ANEC/ANEF restrictions.
Direction 4.1: Acid Sulfate Soils	Inconsistent	Carramar is located within Class 5 Acid Sulfate Soils on map Acid Sulfate Soils Map Landslide Risk Map – Sheet CL1_020 and CL1-021. The NSW Planning Portal reports that Acid sulfate soils are not typically found in Class 5 areas. Areas classified as Class 5 are located within 500 metres on adjacent class 1,2,3 or 4 land. Given that FLEP 2013 Part 6 Additional Local Provisions 6.1 Acid sulfate soils addresses regulation of Acid Sulfate Soils in accordance with the Acid Sulfate Soils Manual. The inconsistency is considered minor and can be adequately addressed at DA.

Direction 4.3: Flood Prone Land	Consistent	<p>Fairfield is a flood affected area, susceptible to overland and mainstream flooding. Council indicates that the proposal does not seek to permit development in floodway areas or on land below the flood planning level.</p> <p>It is conditioned that Council must consult with Environment, Energy and Science to identify any potential flood risks.</p> <p>Council seek to implement Resilience Planning standardised 6.3 and 6.4 Flooding Clauses (which are still at draft stage). This will bring FLEP in line with updated best practise. It is also conditioned that Council consult with the Department of Planning's Resilience Planning team to ensure alignment with the resilience planning reform.</p>
Direction 6.2: Reserving Land for Public Purposes	Consistent	<p>This proposal intends to increase the amount of public open space to address the open space needs within the key town centres. This is achieved through rezoning land to RE1 zone.</p> <p>As stated above, Council is to provide the proposed land reservation acquisition map. It is conditioned that Council is to confirm and identify if rezoning's will require reclassification from operational to community.</p>
Direction 6.3: Site Specific Provisions	Inconsistent	<p>The proposal seeks to implement changes to FLEP 2013 Part 7 Additional local clauses – Town Centres; including the introduction of Clause 7.12 Carramar Height of Buildings.</p> <p>The Department satisfies that this inconsistency is of minor significance and is capable to be justified by its supporting UDS.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs, further information is required for the following two SEPP's (in **Table 8**) to assess consistency.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP Coastal Management 2018	To promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016,	TBA	This is potentially a DA issue. As below in section 4.1, a further assessment into the impacts of the Carramar uplift on the Orphan School Creek is capable to be addressed at the DA phase.

4 Site-specific assessment

4.1 Environmental

None of the sites affected by the planning proposal have any critical habitat or environmental significance. No threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal.

Council is seeking to adopt the Department's proposed changes to Clause 6.4 Special Flood Considerations. This Clause seeks to ensure that land use is compatible with identified flood hazard which will permit Council to consider the potential for hazardous materials to pollute the environment during flood events.

The Department considers that the density increase in Carramar may need to be assessed for impacts on the Orphan School Creek Waterway and riparian zone which form an E2 corridor. Carrawood Park, which adjoins the Carramar site to the south and partially falls within the E2 corridor contains Cumberland Plain Woodland and River-Flat Eucalypt Forest, both of which are classified as critically endangered and endangered ecological communities under the Biodiversity Conservation Act 2016.

It is recommended that further consultation with required with Environment, Energy and Science having regard to the environmental impacts, in particularly the impacts on the Orphan School Creek Waterway.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>Fairfield LGA serves as the critical social function of providing a new community and housing for migrants and refugees each year. The increase in housing may be considered as serving as a good corporate citizen function.</p> <p>Improved design, access to public recreation and open space will improve social engagement and reduce antisocial behaviour.</p>
Economic	<p>This planning proposal seeks to have a positive economic effect. It will generate 1,074 jobs and improve proximity of housing to public transport. An economic study (Attachment F) has been submitted with the planning proposal to address the economic impacts.</p>

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal. It is noted that funding mechanisms for infrastructure have not been discussed in the planning proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Schools	<p>The planning proposal does not address whether schools have capacity to absorb the increased residential density. It is conditioned that Council consult with School Infrastructure NSW to ensure adequate education infrastructure or additional needs as a result of the proposal.</p>
Hospitals	<p>The planning proposal does not address whether local hospitals have capacity to absorb the increased residential density. It is conditioned that Council consult with Ministry of Health (South Western Sydney Local Health District).</p>
Electricity-energy supply	<p>The planning proposal does not address the increased demands which will be placed on infrastructure such as electricity, water, and sewerage.</p> <p>It is conditioned Council consult with Sydney Water and Endeavour Energy.</p>
Roads	<p>Council has provided a Fairfield City Traffic Study (Attachment G) which outlines the current conditions of the LGA. Council have also advised that GTA Consultants are finalising a draft Fairfield Traffic Study as well as a detailed mesoscopic traffic model for the town centres in the eastern areas.</p> <p>It is conditioned Council consult with TfNSW on the findings of the Traffic Study.</p>

Public Transport	The planning proposal has not addressed the potential increased demands on public transport as a result of the proposal. It is conditioned Council consult with TfNSW (Sydney Trains) to discuss increased demand on trains and other public transport modes.
Open Space	<p>The planning proposal refers to the open space needs for the future population and that needs are dictated by the draft Open Space Needs Study and Open Space Strategy. The Urban Design Studies will address the lack of open space in the town centres.</p> <p>It is noted that that the District Open Space program proposes to upgrade Carrawood Park, which adjoins Carramar Town Centre to the south. It is conditioned Council consult with the Department's Open Space team to ensure the proposal does not impact on Carrawood Park upgrade and other supporting open space requirements have been adequately considered .</p>

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate , and forms to the conditions of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted, stating that a consultation strategy will be provided in accordance with the requirements of the Gateway Determination.

It is recommended the following agencies be consulted on the planning proposal and given 21 days to comment:

- Department of Planning, Industry and Environment – Resilience Planning, Open Space and Local Strategies Teams;
- Environment, Energy and Science;
- Transport for NSW;
- School Infrastructure NSW;
- NSW Ministry of Health (South Western Sydney Local Health District);
- Sydney Water;
- Endeavour Energy;
- Heritage NSW;
- Infrastructure NSW;
- NSW State Emergency Service
- Land and Housing Corporation

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The Department recommends the plan making timeframe of 21 months to ensure it can be completed in line within a realistic timeframe with Council finalising the proposal within 18 months. A longer timeframe is also required to allow for consultation with extensive number of agencies and affected landowners.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

Given the impacts of the proposal and a large number of agencies to be consulted, the Department recommends that Council not be authorised as the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It delivers on the recommendation and outcomes of Councils LSPS, LHS and studies funded by the NSW Government Accelerated Review Program.

Based on the assessment outlined in this report, the proposal must be updated before consultation to:

- include the proposed changes to the zoning, floor space ratio, height of buildings, land reservation and acquisition maps;
- include the total approximate additional dwelling yield resulting from the proposal;
- identify if any land will require reclassification as a result of the proposed zoning changes;
- finalise a number of supporting studies for exhibition purpose, including:
 - Traffic study;
 - Urban Design study;
 - Economic demand and impact analysis;
 - Medium Density Housing Study;
 - Local infrastructure requirements and delivery mechanisms
- indicate that Part 2 to advise draft clauses are indicative only and final drafting will be subject to Parliamentary Counsel's Office.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistency with section 9.1 Directions 4.1 Acid Sulfate Soils and 6.3 Site Specific Provisions are minor or justified.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to:
 - a) include the proposed changes to the zoning, floor space ratio, height of buildings, land reservation and acquisition maps;
 - b) Include the total approximate additional dwelling yield resulting from the proposal;
 - c) Identify if any land will require reclassification as a result of the proposed zoning changes;
 - d) Finalise a number of supporting studies for exhibition purpose, including:
 - Traffic study;
 - Urban Design study;
 - Economic demand and impact analysis;
 - Medium Density Housing Study; and
 - Local infrastructure requirements and delivery mechanisms analysis
 - e) Indicate that Part 2 to advise draft clauses are indicative only and final drafting will be subject to Parliamentary Counsel's Office;
 - f) identify the open space needs and analysis in the Carramar Town Centre
2. During public exhibition, consultation is required with the following public authorities:
 - Department of Planning, Industry and Environment – Resilience Planning, Open Space and Local Strategies Teams;
 - Environment, Energy and Science;
 - Transport for NSW;
 - School Infrastructure NSW;
 - NSW Ministry of Health (South Western Sydney Local Health District);
 - Sydney Water;
 - Endeavour Energy;
 - Heritage NSW;
 - Infrastructure NSW;
 - NSW State Emergency Service
 - Land and Housing Corporation;

Each public authority / organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal. Council may elect to consult any of these agencies prior to community consultation.

3. The planning proposal should be made available for community consultation for a minimum of 28 days.
4. The planning proposal must be referred to the Department for finalisation by 25 November 2022.
5. The timeframe for completing the LEP is to be 21 months from the date of the Gateway determination.

6. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.



25/5/2021

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26 May 2021

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