

Planning Proposal (Resubmitted)

Proposed amendment to Fairfield Local Environmental Plan 2013

Amendment to maximum building heights, floor space ratios and town centre precinct provisions for land bounded by Fisher Street, Broomfield Street and Cabramatta Road East, Cabramatta adjacent to Cabramatta Railway Station.



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Section 1 - Introduction

1.1 General

This report has been prepared to support a proposed amendment to Fairfield Local Environmental Plan (LEP) 2013 which aims to facilitate the future re-development of a 1.285ha precinct of land located on the eastern side of the Cabramatta Railway Station. The resulting built form includes a mix of commercial and residential apartment development (up to 19 storeys) including basement car parking, overhead pedestrian bridge linking the site to Cabramatta station, activated street frontages and open air public market space to activate the commercial area east of the railway line.

This report comprises a planning proposal that has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act); and
- A Guide to Preparing Planning Proposals and A Guide to Preparing Local Environmental Plans (Department of Planning and Infrastructure, 2012).

It represents the first stage of the Gateway plan making process, which initially seeks Council's support to forward the proposed LEP amendment outlined in the planning proposal to the NSW Department of Planning, Industry and Environment (DPIE) for a review and gateway determination. The gateway determination will:

- identify if there is sufficient justification for the planning proposal to proceed;
- confirm the technical investigations and consultation required; and
- establish the process and timeframe for continuing the assessment of the proposal.

As outlined in *A Guide to Preparing Planning Proposals*, the planning proposal is the first step in preparing the LEP amendment. The planning proposal will evolve throughout the process as relevant sections will be updated and amended in response to the outcomes of any further technical investigations required by the gateway determination and during community and public authority consultation.

The Planning Proposal was previously considered by the NSW DPIE towards the end of 2017 and was subsequently referred to the NSW Independent Planning Commission for the purposes of a Gateway Determination Review by Council in August 2019. The Planning Proposal was ultimately refused DPIE on 20 March 2021 in response to a request from Council for a Gateway Extension. The proposal had not yet commenced a public exhibition or formal community consultation process

1.2 Purpose

The purpose of this report is to demonstrate that there is sufficient planning justification to amend Fairfield LEP 2013 as it relates to 1.285 hectares of land located on the eastern side of the Cabramatta Railway station bounded by Fisher

Street, Broomfield Street and Cabramatta Road East, Cabramatta. Specifically, this report:

- details the proposed provisions of the LEP amendment;
- describes the vision for the site that underpins the LEP amendment, including a concept plan demonstrating the desired ultimate development outcome for the site;
- provides evidence to support the proposed LEP amendment based on technical planning, urban design and traffic assessment;
- justifies the proposed LEP amendment against all relevant statutory and strategic planning documents; and
- addresses the requirements for the preparation and lodgement of a planning proposal in accordance with the EP&A Act and associated guides.

1.3 Structure

Section 3.33(2) of the EP&A Act and *A Guide to Preparing Planning Proposals* sets out the content and structure required for planning proposals. This report is structured in accordance with these provisions. However, it also includes introductory information about the site location and context. As such, this report is structured as follows:

- **Section 1 Introduction** - provides an introduction to the report and articulates its purpose.
- **Section 2 Site Location and Context** - describes the site's location and context including surrounding zoning, land uses and infrastructure.
- **Section 3 Planning Proposal** - in the format required by the EP&A Act and *A Guide to Preparing Planning Proposals*, comprising:
 - **Part 1** – Objectives and intended outcomes
 - **Part 2** – Explanation of provisions
 - **Part 3** – Justification
 - **Part 4** – Maps
 - **Part 5** – Community consultation
 - **Part 6** – Project timeline.

1.4 Supporting documentation

A Council report (**Appendix A.1**) was prepared detailing the review and analysis of the planning proposal and applicants supporting documentation. A range of supporting studies addressing relevant planning and technical issues have been prepared by the applicant to support this planning proposal including the following:

- Concept Design Package and Shadow Analysis by Plus Architecture (**Appendix B.1**)
- Traffic and Transport Study by Arc Traffic & Transport (**Appendix B.2**)
- Urban Design Review by TPG Planning* (**Appendix B.3**)

Council has also considered a draft Site Specific DCP amendment to the Cabramatta Town Centre DCP 5/2000 to introduce objectives and controls to support the future redevelopment of the site as proposed under the Planning Proposal. The draft Site Specific DCP and supporting studies will be exhibited concurrently with the Planning Proposal.

* The review undertaken by TPG Town Planning was based upon the original concept submitted by the applicant which did include the Council owned Fisher Street Car Park. Removal of the Fisher Street Car Park from the proposal is not considered to have impacted upon the relevance of information provided by TPG Town Planning.

Section 2 - Site Location and Context

2.1 Regional context

The site is located in Cabramatta, within the south eastern portion of the Fairfield Local Government Area (LGA). The site is strategically located between the Parramatta and Liverpool City Centres and approximately 28km south-west of the Sydney CBD. Fairfield City falls within the *Western Parkland City* under the *Greater Sydney Region Plan – A Metropolis of Three Cities*. The population of the Western Parkland City is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056.

The region will be guided by the Western City District Plan and includes the Local Government Areas (LGAs) of Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly. Fairfield is one of the largest and most populated LGAs within the district. Covering 102 square kilometres (km²), Fairfield LGAs estimated resident population in 2016 was 198,817 (as per the ABS Census). Fairfield is also one of the most ethnically diverse areas in Australia with a large number of recent migrants.



Figure 1 - Regional Context

Cabramatta is the second largest centre within the Fairfield LGA with a population of 21,783 in 2016 (as per the ABS Census). It has an established residential area, with a large commercial centre around the railway station and industrial land uses along the Hume Highway at its eastern periphery. Cabramatta is a unique multi-cultural town centre. From an urban design and planning perspective it is a fine-grained retail and commercial centre, often with a specialist flavour such as textile and authentic cuisine retailing.

The locality is well serviced by public transport and has good links to surrounding strategic centres including direct rail links to Parramatta and Liverpool City Centres. The subject site is located within the Cabramatta Town Centre, immediately adjacent to the Cabramatta Railway Station (see Figure 2).

Rail services provide easy access to the Sydney Metropolitan region via the following lines:

- T2 Inner West & South Line / Campbelltown to City via Granville
- T5 Cumberland Line / Schofields to Campbelltown service
- T3 Bankstown Line / Liverpool or Lidcombe to City via Bankstown service

2.2 The Site and Surrounds

The site consists of 22 privately owned lots and a section of public laneway owned by Fairfield City Council and has a total area of approximately 12,847 square metres (1.285ha). The site is zoned B4 Mixed Use and has access to 3 street frontages being Fisher Street, Broomfield Street and Cabramatta Road East. The site is bounded by:

- A rail line and Cabramatta Railway Station to the west;
- R4 High Density Residential zoned land (comprising some single residential dwellings and multiple 3 - 4 storey residential flat buildings) and the Fisher Street Car Park to the north;
- Existing commercial premises zoned B4 Mixed Use and the Fisher Street and Cumberland Street Car Parks to the East; and
- Multiple B4 Mixed Use commercial premises, R4 High Density Residential apartment buildings (3 – 4 storey walk-ups) and a vacant parcel of land to the south.

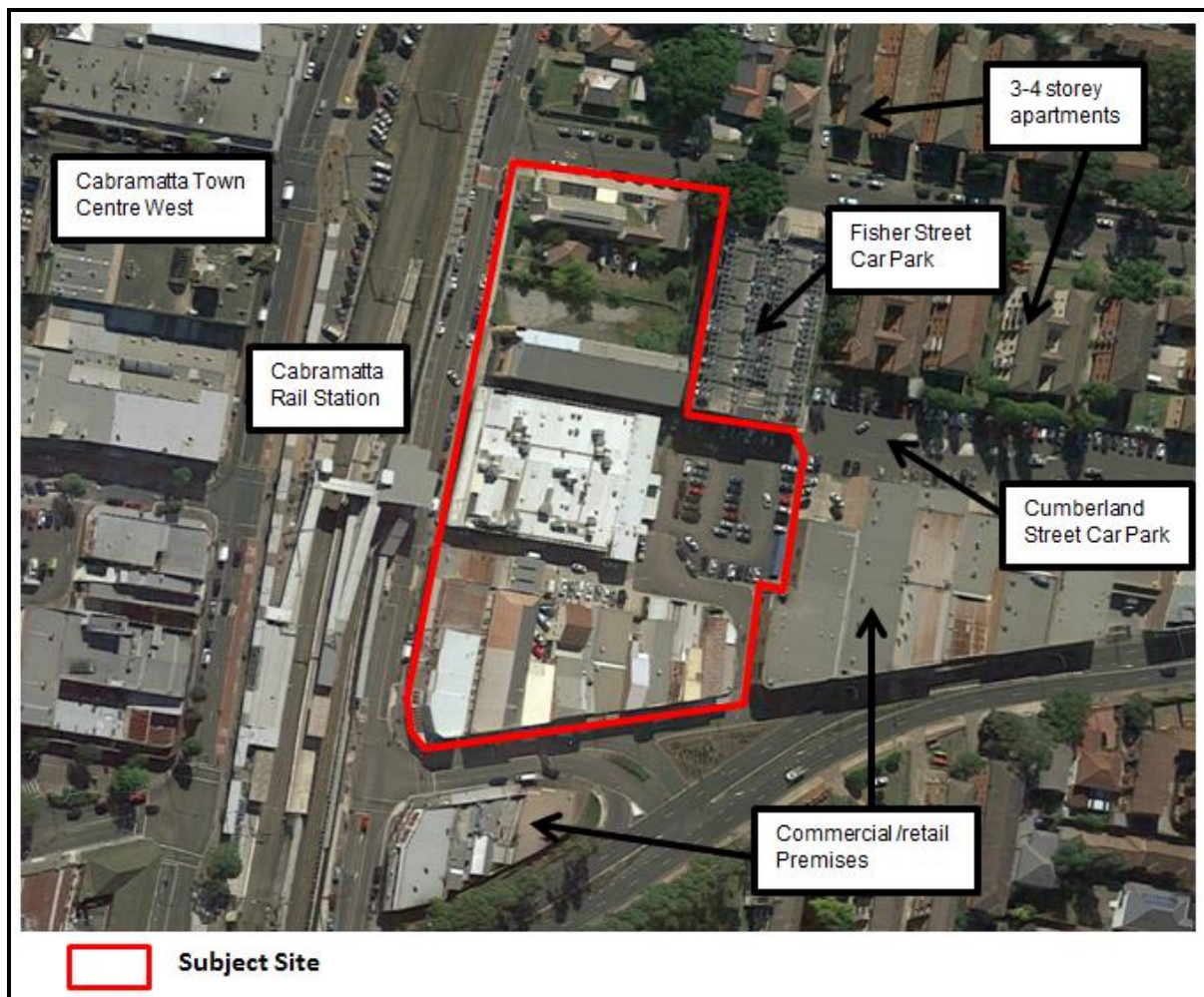


Figure 2 - Aerial Image – Subject Site and Surrounds

2.3 Fairfield LEP 2013 – Existing Controls

The subject site is currently zoned B4 Mixed Use under Fairfield LEP 2013 and consists of a number of smaller retail shops, commercial premises, medical suites, hotel, SBC Learning College, Church and dwelling house and a vacant parcel of land. There are approximately 70 private car parking spaces to the rear of the retail premises. At least half of the southern part of the site (with an area of 9,202m²) is under single ownership.

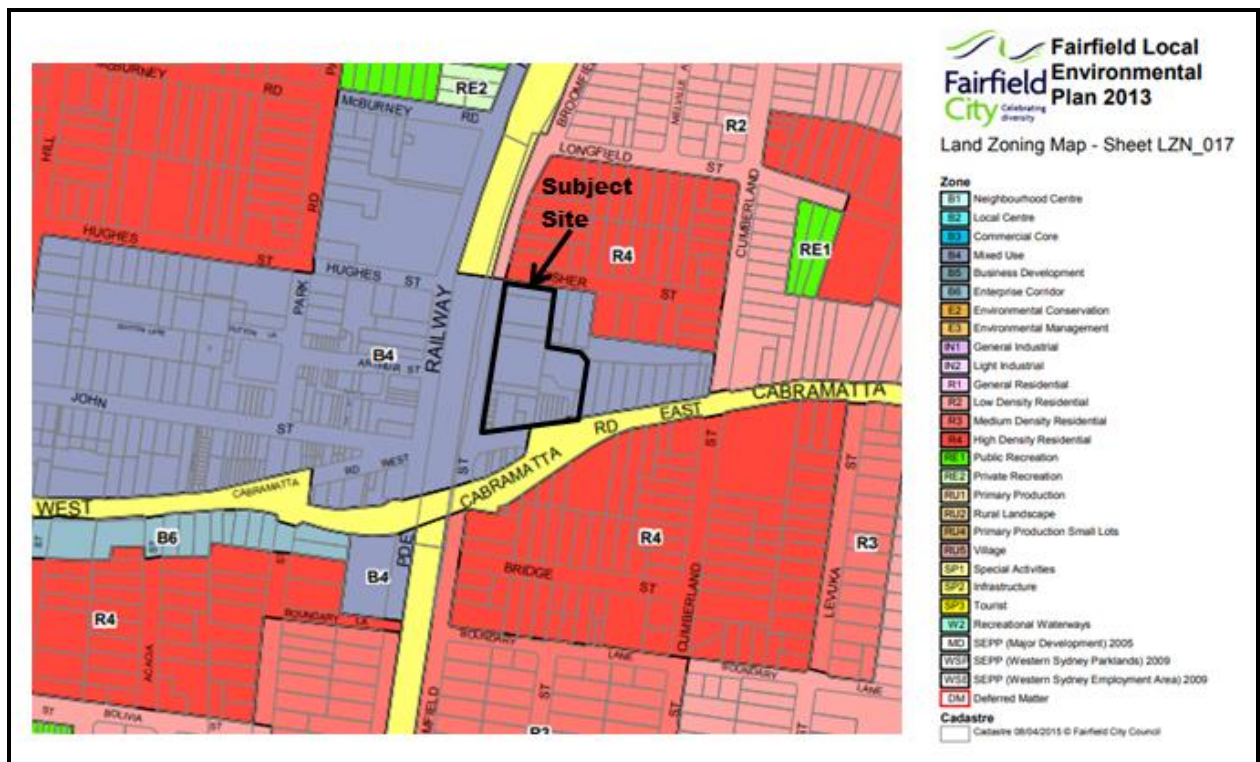


Figure 3 - Existing Zoning under Fairfield LEP 2013

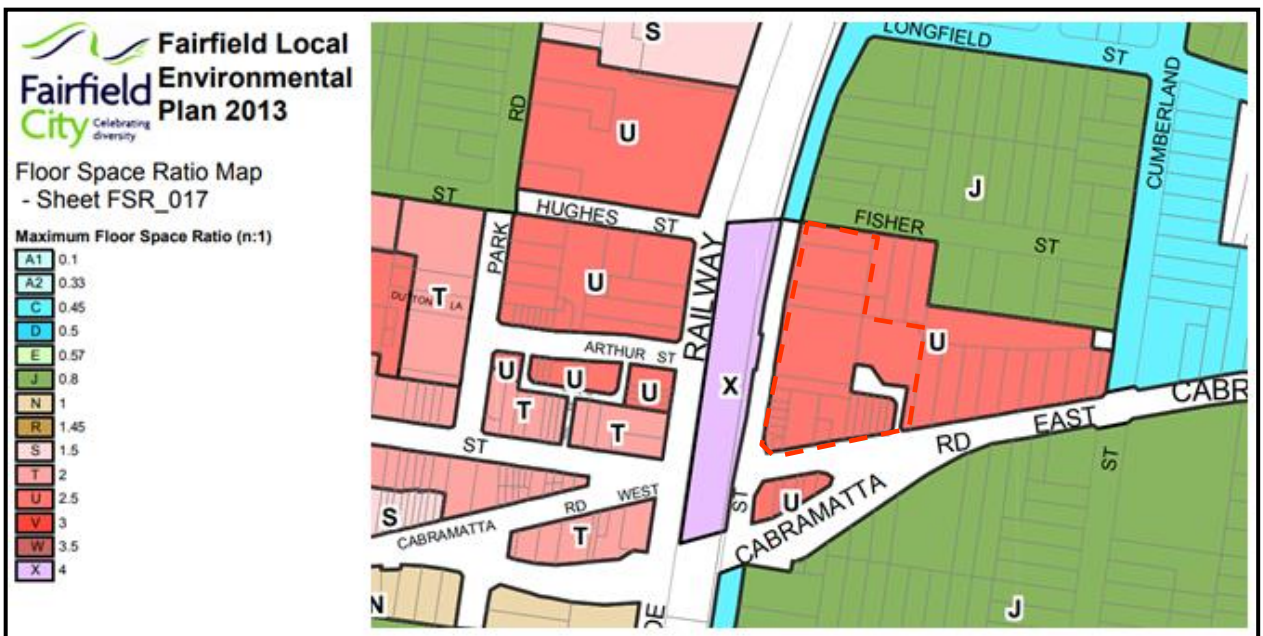
All privately owned land within the subject site area has a current maximum allowable building height of 14 metres. Achievement of this maximum allowable building height is dependent on achieving an acceptable ratio of residential to commercial floor space which is outlined in Clause 7.3 of Fairfield LEP 2013. The public roadway owned by Council which is proposed to be incorporated into the development site currently has no applicable maximum building height. See Figure 4 below.

All privately owned land within the subject site area has a current maximum allowable floor space ratio of 2.5:1. Achievement of this maximum allowable floor space ratio is dependent on achieving an acceptable ratio of residential to commercial floor space which is outlined in Clause 7.2 of Fairfield LEP 2013. The public roadway owned by Council which is proposed to be incorporated into the development site currently has no applicable floor space ratio. See Figure 5 below.

Figure 4 – Existing Height of Buildings under Fairfield LEP 2013



Figure 5 – Existing Floor Space Ratio under Fairfield LEP 2013



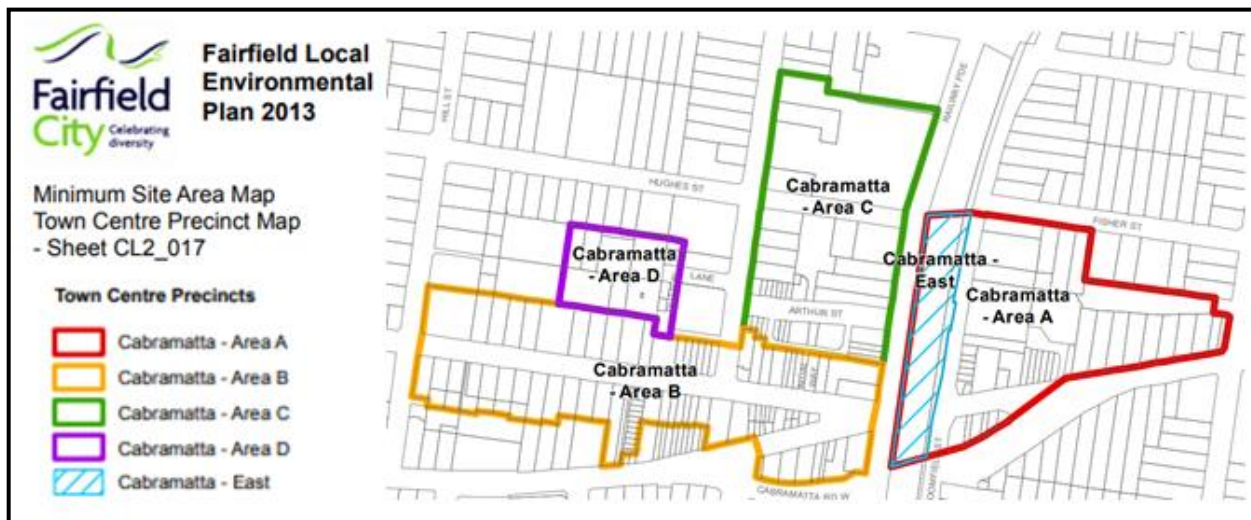


Figure 6 – Existing Town Centre Precinct Map under Fairfield LEP 2013

The subject site is currently identified as Cabramatta – Area A under the Fairfield LEP 2013 Town Centre Precinct map and has no applicable minimum site area.

Section 3 - Planning Proposal

Part 1 – Objectives and Intended Outcomes

1. Purpose of the Planning Proposal

This planning proposal has been prepared to amend Fairfield Local Environmental Plan 2013 to modify planning controls applying to certain land east of the Cabramatta Railway Station to guide the reinvigoration of this part of the Cabramatta Town Centre. The purpose of the planning proposal is to increase the maximum building heights and floor space ratios for the subject site to facilitate the future development of the precinct for a mix of commercial and residential apartment development (from 12 storeys up to 19 storeys) including basement car parking, overhead pedestrian bridge to Cabramatta station, activated street frontages and reinvigorated public spaces to activate the commercial area east of the rail line.

Cabramatta is a vibrant retail centre located at the junction of three rail lines providing highly accessible public transport access to the City, Parramatta and Liverpool. There is potential for Cabramatta to capitalise on good public transport, convenient services and community infrastructure by increasing residential densities near the railway station within the Town Centre. Previous strategies aimed at increasing residential and commercial opportunities across all of Cabramatta have not progressed primarily due to the significant costs required to fund the upgrading of road and parking infrastructure which would be required from increased densities. However, the east side of Cabramatta where the subject site is located has fewer traffic constraints or required upgrades.

The planning proposal is supported by concept design images, shadow analysis and an independent traffic assessment that evaluates the proposed redevelopment of the site as well as the potential up-zoning of the remainder of the commercial area and other residential lands identified in Council's previous strategies on the eastern side of the Railway station.

Urban design objectives for redevelopment of the site include:

- Place marking the site as a destination with improved connections across the rail line via a new overhead pedestrian bridge;
- Facilitate and incentivise redevelopment of multi storey apartment living close to public transport, retail and other amenities;
- Reinvigorating shops and public spaces to activate the commercial area;

2. Land to Which the Planning Proposal Applies

The Planning Proposal applies to a 1.285 hectare precinct of land bounded by Fisher Street, Broomfield Street and Cabramatta Road East immediately adjacent to Cabramatta Station (See image below).



 Land Affected by the Planning Proposal

Figure 7 – Land Affected by the planning Proposal

The total area of the precinct affected by the planning proposal is approximately 1.285ha and includes a total of 22 individual private parcels of land as identified in the following table:

Private Land

Lot	DP	Area (m ²)
7 Section E	4420	933
10 Section E	4420	814
100	1141040	1,710
1	205759	2,938
2	205759	557
1	25618	130
3	25618	88
4	25618	87
5	25618	88
6	25618	98
7	25618	70
8	25618	882
2	650696	85
10	255023	1,948
	SP10266	197
2	580587	536
3	580587	207
7	29243	159

Lot	DP	Area (m ²)
8	29243	188
1	212183	149
2	212183	144
3	212183	159
Total		12,167

In addition, the Planning Proposal also includes an area of public road reservation which accesses the site from Cabramatta Road East. It is estimated that the total area of this road reservation is approximately 680m². This land currently has no applicable building height and/or FSR under Fairfield LEP 2013. Therefore the total area of land affected by the planning proposal is 12,847 square metres or 1.285 hectares.

3. Proposed Development and Staging Plan

The amendments proposed to Fairfield LEP 2013 will facilitate the future development of the precinct for a mix of commercial and residential apartment development (ranging between 12 and 19 storeys) including basement car parking, overhead pedestrian bridge linking the site to Cabramatta station, activated street frontages and open air public market space to activate the commercial area east of the railway line.

The planning proposal does not seek to change the B4 Mixed Use zoning that currently applies to the subject land nor does it seek to increase the amount of commercial/retail floor space already permitted (but not yet developed) on the subject land under the existing controls that apply under Fairfield LEP 2013.

Specifically, the following is proposed:

Use/Development Standard	Existing	Proposed
Retail Floor Space	3,255m ²	5,738m ²
Commercial Floor Space	3,000m ²	7,012m ²
Hotel, Church and day care (new use)	2,900m ²	1,973m ²
Permissible Retail/commercial GFA	19,800m ² (based on FSR of 1.5:1)	12,750m ²
Number of Jobs <ul style="list-style-type: none"> Retail rate - 24.5m²/employee Commercial rate – 15m²/employee 	133 persons (retail) 200 persons (comm)	234 persons (retail) 468 persons (comm)
Residential Accommodation	N/A	44,221m ²
Number of Dwellings	N/A	582
Dwelling Mix (approximate)	N/A	1 bedroom = 36% 2 bedroom = 54% 3 bedroom = 10%

Use/Development Standard	Existing	Proposed
Total Average FSR	2.5:1	4.8:1
Total Maximum FSR -	2.5:1 across entire area (excluding public laneway)	By Staging Precinct: <ul style="list-style-type: none"> - Stage A = 3.85:1 - Stage B = 6.45:1 - Stage C = 6.1:1 - Stage D = 4:1
Total Maximum Building Height	14 metres across entire area (excluding public laneway)	By Staging Precinct: <ul style="list-style-type: none"> - Stage A = 59m - Stage B = 66m - Stage C = 57 - Stage D = 48m
Car Parking	Approx. 70 spaces	596 Residential 353 Retail/Commercial

Given the scale of development proposed and the complexity of land ownership of individual premises, the development is proposed to occur in four stages (see figure 8 below).

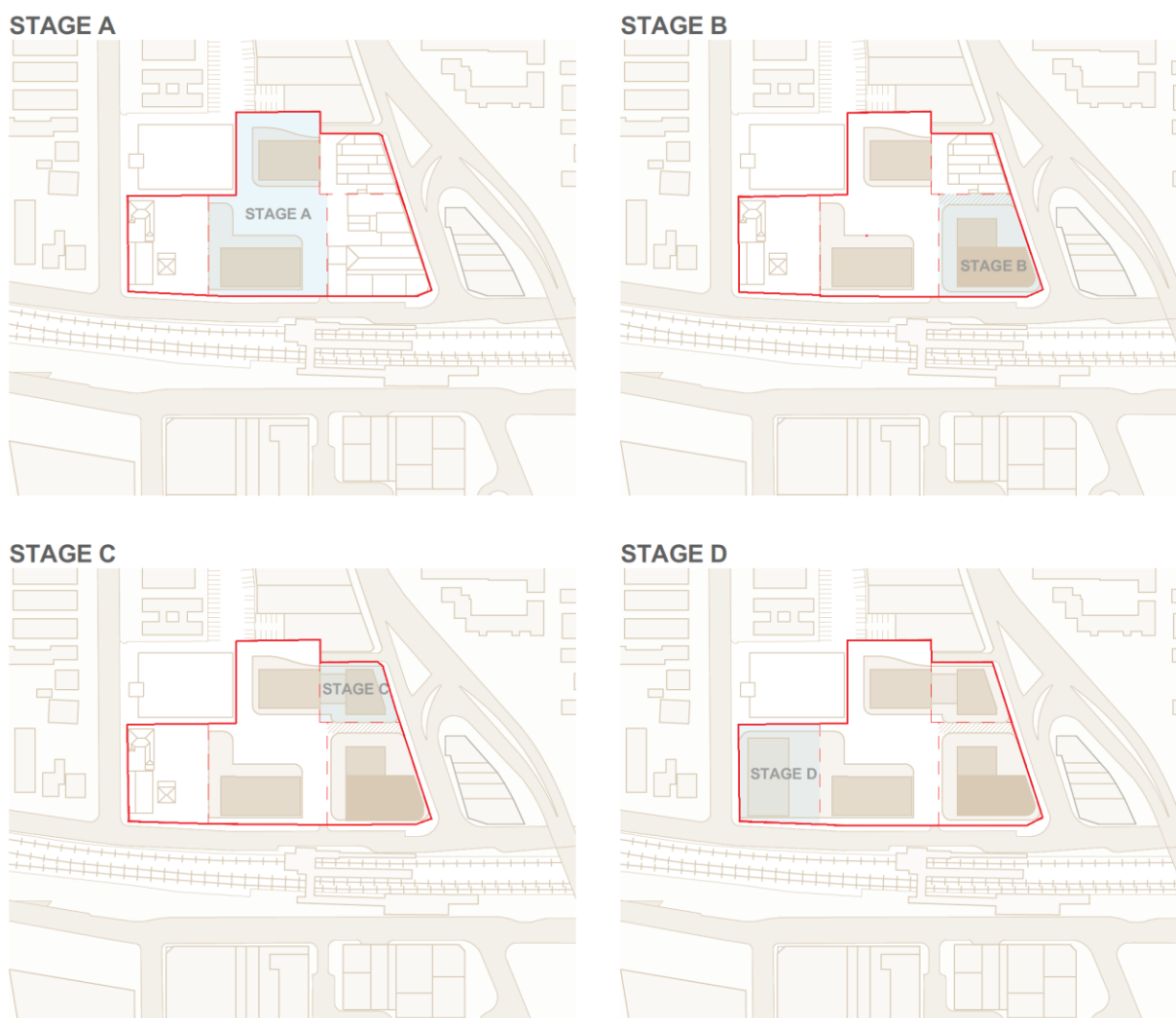


Figure 8 – Proposed Staging of Development

Part 2 – Explanation of provisions

To achieve the purpose and objectives as outlined above, the Planning Proposal will need to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

- Amend the Fairfield LEP 2013 Height of Buildings Map (Sheet 17) to provide for a maximum height of buildings as follows:
 - Stage A - from an existing maximum building height of 14m to permit a maximum building height of 59 metres;
 - Stage B - from an existing maximum building height of 14m to permit a maximum building height of 66 metres;
 - Stage C – from an existing maximum building height of 14m to permit a maximum building height of 57m; and
 - Stage D – from an existing maximum building height of 14m to permit a maximum building height of 48m.
- Amend the Fairfield LEP 2013 Floor Space Ratio Map (Sheet 17) to provide for a maximum floor space ratio as follows:
 - Stage A - from an existing maximum FSR of 2:1 to permit a maximum FSR of 3.85:1;
 - Stage B - from an existing maximum FSR of 2:1 to permit a maximum FSR of 6.45:1;
 - Stage C – from an existing maximum FSR of 2:1 to permit a maximum FSR of 6.1:1; and
 - Stage D – from an existing maximum FSR of 2:1 to permit a maximum FSR of 4:1.
- Amend the Fairfield LEP 2013 Minimum Site Area Town Centre Precinct Map (Sheet 17) to identify the site as “Cabramatta – Area E” and apply varying minimum site areas across the site as follows:
 - Stage A – Minimum site area of 2,700m² (eastern half) and 1,800m² (western half);
 - Stage B – Minimum site area of 2,700m²;
 - Stage C – Minimum site area of 1,300m²; and
 - Stage D – Minimum site area of 2,200m².
- Provide for a new local clause, which allows for additional floor space ratio and building height where certain development standards are met. The clause also prohibits residential development on the ground floor to ensure that there is activation at ground level thus promoting active street frontages and minimising security risks. The proposed local clause is as follows:

7.9 Cabramatta - Area E

- 1) This clause applies to land identified as “Cabramatta – Area E” on the Town Centre Precinct Minimum Site Area Map.
- 2) This clause has effect despite clause 4.3 Height of Buildings and clause 4.4 Floor Space Ratio.

- 3) The maximum floor space ratio of land identified as “Cabramatta – Area E” is:
 - i. If the building is not used for the purpose of residential accommodation – 1.5:1, or
 - ii. If less than 10% of the floor space is used for the purpose of residential accommodation – 2.0:1, or
 - iii. If 20% to 50% of the floor space is used for the purpose of residential accommodation – 2.2:1.
- 4) The height of a building on land identified as “Cabramatta – Area E” on the Town Centre Precinct Map must not exceed 14 metres unless the site area of the building is at least the minimum site area shown for the land on the Minimum Site Area Map.
- 5) The height of a building on land identified as “Cabramatta—Area E” on the Town Centre Precinct Map must not exceed 10 metres unless at least 50% of the building will be used for a residential purpose.
- 6) Despite any other provision of this Plan, development consent must not be granted to development for the purposes of residential accommodation located on the ground floor of a building (excluding residential lobbies and access areas).

The planning proposal is in accordance with Council’s decision at its meeting on 19 October 2021 and the Conditions of the Gateway Determination issued by the NSW Department of Planning on 21 November 2021 - see **Appendix A.1** for Council Report and **Appendix A.2** for Gateway Determination.

Additional information required under Condition 1(ii) of the Gateway Determination is included in the table below.

Additional Information Relating to Proposal Local Provision											
Description of the relevant land(s) that is the subject of the local provision	The local provision applies to all land included within the Planning Proposal precinct. The land is bounded by Fisher Street to the north, Broomfield Street to the west, Cabramatta Road East to the south and the Fisher Street and Cumberland Street Car Parks to the east. The local provision applies to approximately 1.285 hectares of land comprising of 22 private properties and a section of existing public laneway currently owned by Council. (See Section 3 of this document for a map identifying properties subject to the planning proposal).										
	<table><tr><th>Property address</th><th>Property description</th></tr><tr><td>125 Cabramatta Road East, CABRAMATTA 2166</td><td>Lot: 1 DP: 212183</td></tr><tr><td>127 Cabramatta Road East, CABRAMATTA 2166</td><td>Lot: 2 DP: 212183</td></tr><tr><td>129 Cabramatta Road East, CABRAMATTA 2166</td><td>Lot: 3 DP: 212183</td></tr><tr><td>131 Cabramatta Road East ,</td><td>Lot: 7 DP: 29243</td></tr></table>	Property address	Property description	125 Cabramatta Road East, CABRAMATTA 2166	Lot: 1 DP: 212183	127 Cabramatta Road East, CABRAMATTA 2166	Lot: 2 DP: 212183	129 Cabramatta Road East, CABRAMATTA 2166	Lot: 3 DP: 212183	131 Cabramatta Road East ,	Lot: 7 DP: 29243
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	127 Cabramatta Road East, CABRAMATTA 2166	Lot: 2 DP: 212183									
	129 Cabramatta Road East, CABRAMATTA 2166	Lot: 3 DP: 212183									
131 Cabramatta Road East ,	Lot: 7 DP: 29243										

Additional Information Relating to Proposal Local Provision

	CABRAMATTA 2166	
	133 Cabramatta Road East , CABRAMATTA 2166	Lot: 8 DP: 29243
	135 Cabramatta Road East , CABRAMATTA 2166	Lot: 3 DP: 580587
	139 Cabramatta Road East , CABRAMATTA 2166	Lot: 2 DP: 580587
	143-145 Cabramatta Road East , CABRAMATTA 2166	Lot: 0 SP: 10266
	147-149 Cabramatta Road East , CABRAMATTA 2166	Lot: 8 DP: 25618
	151 Cabramatta Road East , CABRAMATTA 2166	Lot: 5, 6 & 7 DP: 25618
	70 Broomfield Street , CABRAMATTA 2166	Lot: 10 Sec: E DP: 4420
	72-74 Broomfield Street , CABRAMATTA 2166	Lot: 100 DP: 1141040
	76 Broomfield Street , CABRAMATTA 2166	Lot: 7 Sec: E DP: 4420
	84 Broomfield Street , CABRAMATTA 2166	Lot: 1 & 10 DP: 205759
	86 Broomfield Street , CABRAMATTA 2166	Lot: 2 DP: 205759
	88 Broomfield Street , CABRAMATTA 2166	Lot: 1 & 2 DP: 25618
	88 Broomfield Street , CABRAMATTA 2166	Lot: 2 DP: 650696
	90 Broomfield Street , CABRAMATTA 2166	Lot: 3 DP: 25618
	92 Broomfield Street , CABRAMATTA 2166	Lot: 4 DP: 438982
	143-145 Cabramatta Road East , CABRAMATTA 2166	Lot: 1, 2 & 3 SP: 10266
Proposed Local Provision	<p>7.9 Cabramatta - Area E</p> <p>7) This clause applies to land identified as “Cabramatta – Area E” on the Town Centre Precinct Minimum Site Area Map.</p> <p>8) This clause has effect despite clause 4.3 Height of Buildings and clause 4.4 Floor Space Ratio.</p> <p>9) The maximum floor space ratio of land identified as “Cabramatta – Area E” is:</p> <ul style="list-style-type: none"> I. If the building is not used for the purpose of residential accommodation – 1.5:1, or II. If less than 10% of the floor space is used for the purpose of residential accommodation – 2.0:1, or III. If 20% to 50% of the floor space is used for the purpose of residential accommodation – 2.2:1. <p>10) The height of a building on land identified as “Cabramatta – Area E” on the Town Centre Precinct Map must not exceed 14 metres unless the site area of the building is at least the minimum site area shown for the land on the Minimum Site Area Map.</p>	

Additional Information Relating to Proposal Local Provision

	<p>11) The height of a building on land identified as “Cabramatta—Area E” on the Town Centre Precinct Map must not exceed 10 metres unless at least 50% of the building will be used for a residential purpose.</p> <p>12) Despite any other provision of this Plan, development consent must not be granted to development for the purposes of residential accommodation located on the ground floor of a building (excluding residential lobbies and access areas).</p>
Intent of Local Provision	The purpose of the local provision is to ensure that additional building height and floor space ratio provided under Fairfield LEP 2013 is utilised primarily for the purposes of residential accommodation. The clause also prohibits residential development on the ground floor to ensure that there is activation at ground level thus promoting active street frontages and minimising security risks.
Indicative Zoning of Subject Land Under Employment Zone Reforms	MU1 Mixed Use
Will the local provision still be required under the incoming employment zones.	Yes

The proposed Fairfield LEP 2013 maps are included within **Appendix A.3** of this document.

Other relevant matters

Voluntary Planning Agreement

The applicant has indicated a willingness to enter into a Voluntary Planning Agreement (VPA) with Council to address community infrastructure needs upon future redevelopment of the subject land. The purpose of the VPA will be to ensure that a satisfactory level of material public benefit is provided by the developer for the benefit of the local community. The draft VPA has also been reported to Council for consideration and will be publicly exhibited with the planning proposal to enable adequate community consultation.

Site Specific Development Control Plan

To support to intent and provisions of the Planning Proposal, the applicant has prepared a draft Site Specific DCP for the site.. The site specific DCP provisions will form an amendment to the Cabramatta Town Centre DCP No.5/2000 to include the proposed development controls for the site. The site specific DCP would include (but not be limited to) the following provisions:

- Building footprints, heights and FSRs reflective of those proposed under the planning proposal and potentially adopted under Fairfield LEP 2013;
- Specific design arrangements including through-site links and overhead links to the Cabramatta Railway Station, public open space elements, market square access and management, ground level activation, arrangement of podium height and upper level setbacks etc.;
- Indicative vehicular access and parking arrangements including loading facilities;
- Measures to minimise potential for crime particularly in the proposed market square and along key site linkages; and
- Requirements to minimise the potential impact of the development on adjoining land.

The draft SSDCP will be reported to Council for endorsement and to ensure formal public exhibition in conjunction with the planning proposal.

Part 3 – Justification

Section A – Need for a planning proposal

Is the planning proposal a result of any strategic study or report?

No, the planning proposal is an applicant/owner initiated proposal. The proposal has been prepared to amend Fairfield LEP 2013 to increase the building heights and floor space ratios to guide reinvigoration of this part of the commercial area in the eastern part of the Cabramatta Town Centre. The proposal is consistent with a number of Council's Strategic documents including:

- Cabramatta Town Centre DCP No.5/2000;
- Draft Fairfield Residential Development Strategy 2009; and
- Fairfield City Centres Study 2015.

The intent of each of the above documents is to increase residential densities in and around Town Centres where there is optimum access to public transport and local community infrastructure. Council's Strategic documents support the revitalisation of Cabramatta Town Centre and recognise the potential for the eastern part of the Town Centre to achieve this and contribute to Council's allocated dwelling and jobs target under the Western City District Plan.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the best way to achieve the intended outcomes for the precinct. Without amendments to the building height and floor space ratio controls within Fairfield LEP 2013, the proposed redevelopment of the precinct would not be able to be achieved.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including *The Greater Sydney Region Plan – A Metropolis of Three Cities* and the *Western City District Plan*)?

Greater Sydney Region Plan – A Metropolis of Three Cities

In March 2018, the State Government released *The Greater Sydney Region Plan, A Metropolis of Three Cities*. The Plan covers five broad areas being:

- Infrastructure and collaboration;
- Liveability;
- Productivity;
- Sustainability; and
- Implementation

The Plan includes a series of ten directions with numerous Objectives linked to each Direction. The planning proposal is consistent with a number of the Directions and Objectives contained within the *Greater Sydney Region Plan - A Metropolis of Three Cities* as discussed in detail below.

The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The plan divides the Greater Sydney Region into 3 Cities being:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City

Fairfield City is located within the Western Parkland City.

Direction – A City Supported by Infrastructure

Objective 2 – Infrastructure Aligns with Forecast Growth – the planning proposal takes into account the need to align growth with infrastructure and takes into account the capacity of existing infrastructure. The proposal is focussed in that part of the Cabramatta Town centre where existing road infrastructure can cope with the increase in population and existing public transport infrastructure can be utilised.

Objective 4 – Infrastructure Use is Optimised – The proposal will maximise the use of existing infrastructure in particular public transport and local community facilities and education services. An outcome of the proposal will be the construction of additional infrastructure by way of an overhead pedestrian bridge over the Cabramatta Railway Station to maximise connectivity between the eastern and western parts of the Town Centre.

Direction – A City for People

Objective 6 – Services and Infrastructure Meet Communities Changing Needs – The proposal aims to co-locate increased housing supply within close proximity to schools, health services, a library, community and cultural facilities, parks and recreation facilities. The addition of a public market square will aim to improve liveability and foster an urban form and land use mix which provides a greater diversity of uses and users.

Direction – Housing the City

Objective 10 – Greater Housing Supply – The Western City District Plan outlines the criteria for creating housing capacity in the right locations. The proposal meets a number of the stated criteria including an urban renewal opportunity which aligns with district and regional infrastructure with excellent accessibility to services, transport and jobs.

Direction – A City of Great Places

Objective 12 – Great Places that Bring People Together – The proposal aims to provide an impressive urban form with high amenity and a diverse land use mix within the Cabramatta Town Centre. It aims to integrate social infrastructure and support social connections and provide a community hub by way of a public market square to be used to recognise and celebrate the character of Cabramatta and its people. The proposal achieves a number of the Western City District Plans principles for place-based planning including:

- Increasing residential development within a town centre;
- Accommodate local festival, celebrations, temporary and interim uses within the public square;
- Support the night-time economy;
- Provide a public realm focus;
- Protect retail floor space; and
- Deliver transit-orientated development and co-locate facilities and social infrastructure.

Direction – A Well Connected City

Objective 14 – A Metropolis of three cities – integrated land use and transport creates walkable and 30 minute cities – The planning proposal seeks to increase housing supply within an existing centre to create walkable neighbourhoods. Beyond the immediate convenience of services and facilities within the Cabramatta Town Centre, the proposal will increase density in a location which can maximise the use of existing public transport infrastructure and offer residents 30 minute access to the surrounding regional centres of Parramatta and Liverpool.

Direction – Jobs and Skills for the City

Objective 22 – Investment and business activity in Centres – Redevelopment of the subject site will attract investment, business activity and jobs to the eastern side of

Cabramatta as this part of the Town Centre is revitalised and supported by considerable residential growth. This will encourage the co-location of a mix of land uses including retail, medical and community services. The proposed market square and pedestrian links through the site will promote high levels of amenity and walkability. Proposed residential/commercial floor space ratio provisions within Fairfield City LEP 2013 will ensure an appropriate land use mix and maintain the viability of commercial and retail floor premises on the western side the railway line.

Western City District Plan

The Western City District Plan (March 2018) is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of the Greater Sydney Region plan. The District Plan applies to eight (8) Western Sydney Local Government Areas including Fairfield City. It sets out planning priorities and actions for improving the quality of life for residents as the district grows and changes.

The following Planning Priorities are relevant to the planning proposal:

W1: Planning for a city supported by infrastructure

Aligning forecast growth with infrastructure. Land use and infrastructure planning will maximise the use of existing infrastructure.

Comment: The site is located within an existing strategic centre with direct access to public transport and other essential community service infrastructure. The planning proposal demonstrates that the site is well suited to deliver a mixed use outcome capable of being supported by existing infrastructure.

W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport

Fairfield City Council has been allocated a dwelling target of 3,050 additional dwellings by 2021. The planning proposal will provide for the provision of 582 dwellings.

Comment:

- The site is located within the Cabramatta Town Centre and has great access to other major centres in different parts of Sydney by direct rail links.
- The site is located opposite Cabramatta Railway Station and aligns with investment in rail infrastructure.
- The site is well located to existing public and high schools. The proposed development is planned to incorporate a medical centre. The nearest hospital is at Liverpool less than 4.5km from the site.
- The Planning Proposal will permit a mixed use development with the residential component comprising a mix of dwelling sizes consistent with market demand.

W6: Creating and renewing great places and local centres, and respecting the District's heritage

The Western City District Plan outlines a preference for place-based planning with high quality, community-specific and place-based outcomes.

Comment: The Planning Proposal will facilitate the renewal of the site and improve the amenity, connectivity and accessibility of the precinct for residents and the public. The site currently consists of numerous older small scale food and retail premises, a large hotel/pub complex, an at-grade car park, church, house and some vacant land. The proposal to increase building heights and floor space ratios for the site will assist in promoting redevelopment and revitalisation opportunities to deliver high quality, community specific and place-based outcomes for the eastern side of the Cabramatta Town Centre.

W11: Growing investment, business opportunities and jobs in strategic centres

Employment growth is the principal underlying economic goal for strategic centres. A balance must be struck in providing adequate mixed-use opportunities within centres to ensure residential developments can benefit from access to services and facilities.

Comment: The planning proposal is expected to generate approximately 369 additional jobs within the retail and commercial sectors over the subject site.

Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

Fairfield Local Strategic Planning Statement

In March 2018, the NSW State Government introduced a major amendment to the NSW Environmental Planning and Assessment (EP&A) Act 1979 requiring all councils in NSW to prepare a local strategic planning statement (LSPS). The LSPS will become the main overarching local planning document that will guide and inform decisions made by Council in relation to strategic land use planning directions for Fairfield City. At the time of writing this report, Council currently has the draft 2040 Fairfield LSPS on public exhibition and as a result requires consideration under this Planning Proposal.

The LSPS gives effect to the Western City District Plan 2018, implementing the Directions, Planning Priorities and Actions at a local level. It is also informed by other State-wide and regional policies including A Metropolis of Three Cities (Greater Sydney Region Plan), March 2018. The LSPS outlines how these plans will result in changes at the local level, principally through new infrastructure including new or improved transport corridors.

The LSPS works with the Fairfield City Plan 2016-2026, which has a focus beyond land use and transport, on how Council will work to meet the community's needs. The LSPS's planning priorities and actions provide the rationale for how land use decisions will be made to achieve the community's broader goals. The Planning

Proposal is consistent with the following themes and planning priorities contained within the LSPS:

A. Theme 1 Community Well-Being – Healthy and Liveable Places

- Planning Priority 1: Provides Housing that Accommodates the Needs of Existing and Future Residents and Planning Priority 2 – Delivers greater housing diversity and affordability to meet the changing needs of the community – within the City of Fairfield, much of the higher density housing stock is occupied by families, especially those on lower incomes. New housing stock proposed under the redevelopment of the site within the Cabramatta Town Centre will provide increased housing supply, choice and affordability within close proximity to services, facilities, public transport and open space.
- Planning Priority 4 – Provide attractive, healthy, accessible and safe places for the whole community – New civic plaza and overhead pedestrian bridge proposed under the future redevelopment of the subject site will contribute to a new attractive, healthy, accessible and safe environment for the community. These community benefits would not be possible without the increased development potential for the site proposed under the Planning Proposal.

B. Theme 2 Infrastructure & Places – Supporting Growth and Change

- Planning Priority 6: Ensure Infrastructure is aligned to accommodate planned growth and community needs – Redevelopment of the subject site under the proposed concept plans will generate housing choice and employment opportunities in close proximity to services and infrastructure already existing within the Cabramatta Town Centre. Additional infrastructure including new public open space and plaza will be provided to meet the needs of the growing community.

C. Theme 4 Strong & Resilient Economy

- Planning Priority 11: Promote a robust economy which generates diverse services and job opportunities – The proposed redevelopment of the subject site will stimulate economic activity and employment opportunities within the Cabramatta Town Centre particularly in the areas of retailing and restaurants.

2016 – 2026 Fairfield City Plan (City Plan)

The Planning Proposal is consistent with a number of themes and goals within City Plan. The table below illustrates how the planning proposal aims to achieve the outcome of its themes and goals.

Relevant FCCSP Outcome within the theme	Outcome	How the planning proposal achieves the outcome
Theme 2 Places and Infrastructure	High quality development that meets the community's needs.	The planning proposal seeks to improve the local character of the area, increase the supply and diversity of housing to meet the varied needs of

Relevant FCCSP Outcome within the theme	Outcome	How the planning proposal achieves the outcome
Goal A. An accessible and liveable City		the community and provide high quality apartment and unit development in a central location supported by infrastructure.
Theme 4 Local Economy and Employment Goal a: Range of resilient businesses Goal b: Attractive and lively City	Businesses are active, successful and involved in the community	Will encourage more variety of shops in the eastern side of the town centre, attract businesses to the area and provide support to smaller businesses in the surrounding centre, and lead the creation of a modern vision for the Cabramatta Town Centre mixed use precinct.
	A unique and energetic city as a destination for food and leisure activities	Will strengthen the unique identity of Cabramatta Town Centre through a contemporary retail offer with a possible lively night life in a safe and pleasant market area to meet friends and family at other times in the market square.
	A variety of job and training opportunities available in the city	Will generate short term employment through the construction of the project, and ongoing employment through retail, service and commercial activity. No net loss of employment is anticipated.

Draft Cabramatta Town Centre Urban Design Study

The Draft Cabramatta Town Urban Design Study was prepared in response to “an identified need by Council to facilitate revitalisation in the Cabramatta Town Centre to build upon market interest in redevelopment of the centre”. The Study forms part of Council’s LEP Stage 2 review and has been publicly exhibited however not yet formally adopted by Council.

The Cabramatta Town Centre Urban Design Study seeks to:

- reflect an analysis of current strengths, weaknesses, opportunities and threats determined through in-depth place knowledge built on site visits, literature review, and stakeholder consultation;
- outline a strategic approach to planning and development standards impacting upon built form;
- consider potential development outcomes based on appropriately managing amenity impacts (e.g. overshadowing levels of adjoining development);
- identify movement network and public domain improvements in the Cabramatta town centre and wider study area to overcome existing weaknesses and cater for demand generated from future development;
- recommend development standards within Fairfield Local Environmental Plan 2013 (FLEP 2013) and development controls within a new Cabramatta Town Centre Development Control Plan.

The study identified a range of urban design objectives and site specific design opportunities suitable for the site based on:

- Land Use Zoning
- Height of building

- FSR
- Amalgamation
- Benefits
- Through site links

The draft Study concluded that the subject site is viable for future redevelopment into a vibrant mixed-use precinct with a built form capable with that proposed under the Planning Proposal. Future redevelopment will provide appropriate amenity while supporting a range of retail, residential, commercial, community and recreational uses. In this regard, the Planning Proposal aligns with the objectives and principles of the draft Urban Design Study for the Cabramatta Town City Centre.

Fairfield City Centres Study and Fairfield City Centres Policy 2015

The Fairfield City Centres Study 2015 and Fairfield City Centres Policy 2015 were adopted by Council in February 2016. The Policy and Study provide a number of principles, objectives and assessment criteria for which applications are to be assessed.

Specifically, the Fairfield City Centres Study 2015 identifies that:

- Cabramatta Town Centre is a specialised retail centre which is physically constrained and fragmented, with opportunities for major new developments limited;
- The centre would benefit from the consolidation of retail space and increased residential densities;
- There is unlikely to be significant demand for additional commercial office space in Cabramatta; and
- No floor space cap should be applied to Cabramatta Town Centre and future development should occur within the existing centre boundaries.

The planning proposal for the Cabramatta Town Centre East Precinct is consistent with the above recommendations of the Fairfield City Centres Study 2015 and has the potential to revitalise land on the eastern side of the rail line. There will be a consolidation of retail floor space into a more pedestrian friendly configuration which aims to activate the streetscape, improve connections across the rail line via an overhead pedestrian bridge and reinvigorate shops and public spaces. The proposal does not seek to increase the amount of retail floor space already permissible on the subject land nor change the underlying B4 Mixed Use zoning and specialist retail function of Cabramatta Town Centre.

Fairfield Draft Residential Development Strategy 2009

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

which proposed residential density increases in and around the Cabramatta Town Centre.

The preparation of the Cabramatta Transport and Accessibility Management Plan (TMAP) identified significant issues associated with the proposed increased densities in and around Cabramatta, particularly within the western half of the City. The TMAP identified that significant intervention and investment would be required, should the proposed densities be introduced in the western part of the centre.

On 14 July 2015, Council resolved not to proceed with the proposed residential density for Cabramatta as identified by the Fairfield RDS and the draft Cabramatta Town Centre Development Control Plan. Council also resolved to undertake further investigations to identify the scope for future urban infill development in and around the town centre without compromising the capacity of the current road network and minimise the need for major infrastructure improvements.

The planning proposal provides an opportunity to implement urban renewal within the eastern part of the Town Centre and in close proximity to services and transport provided within Cabramatta but in an area not restricted by the current road network. The site has excellent access to public transport (including rail and bus services) as well as to a full range of education, retail, commercial and recreational services within the broader Cabramatta Town Centre. The proposal will generate approximately 582 new dwellings which will be a significant contributor towards Council meeting its allocated dwelling target of 3,050 dwellings by 2021 under the Western City District Plan.

Cabramatta Town Centre Development Control Plan 2008 No.5/2000

The planning proposal was considered against the objectives and desired character for the precinct as contained in the existing Cabramatta Town Centre DCP 2008 which applies to the whole of the Town Centre. The area on the eastern side of the Cabramatta Railway Station is identified as Precinct 4 under the DCP and is classified as a mixed use and residential precinct.

Specifically the planning proposal will achieve the following objectives and desired character of the precinct:

- Encourage the provision of mixed-use development with a significant residential component;
- Limit retail activity to a scale that does not adversely change the existing retail balance of the Town Centre;
- Ensure adequate safe, convenient and accessible car parking and provide adequate on-site loading and unloading facilities;
- Facilitate development of improved pedestrian connectivity to the west across the railway line; and
- Promote attractive, vibrant and safe pedestrian accessways.

Whilst the proposal is generally consistent with the desired future character of the precinct, the scale of development proposed is considerably greater than that

provided for under the controls of the existing DCP. For this reason a draft Site Specific DCP has been prepared for the site and will be publicly exhibited concurrently with the Planning Proposal.

Is the planning proposal consistent with the relevant state environmental planning policies?

The following table identifies the existing and deemed SEPP's which are specifically relevant to the planning proposal or development that may be permitted after the LEP amendment.

The relevant State Environmental Planning Policies are outlined in the table below:

SEPP Title	Applicable Yes/No	If Applicable - Consistency with Planning Proposal
SEPP 19 – Bushland in Urban Areas	No	-
SEPP 21 – Caravan Parks	No	-
SEPP 33 – Hazardous and Offensive Development	No	-
SEPP 36 – Manufactured Home Estates	No	-
SEPP 47 – Moore Park Show Ground	No	-
SEPP 50 – Canal Estate Development	No	-
SEPP 55 – Remediation of Land	Yes	To Council's knowledge there have been no contaminating land uses or activities on the subject site.
SEPP 64 – Advertising and Signage	Yes	Relevant at Development Application stage.
SEPP 65 – Design Quality of Residential Apartment Development	Yes	The applicant has provided a development concept design to demonstrate that building separation, solar access and other considerations are capable of complying with the SEPP and the accompanying Apartment Design Guide. Further assessment of these guidelines will occur during detailed design/future development application stages.
SEPP 70 – Affordable Housing (Revised Scheme)	Yes	May be relevant at Development Application Stage.

SEPP Title	Applicable Yes/No	If Applicable - Consistency with Planning Proposal
SEPP (Aboriginal Land) 2019	No	-
SEPP (Activation Precincts) 2020	No	-
SEPP (Affordable Rental Housing) 2009	No	May be relevant at Development Application stage
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The applicant has stated that the development will be designed to meet BASIX standards/requirements.
SEPP (Coastal Management) 2018	No	-
SEPP (Concurrence and Consents) 2018	No	-
SEPP (Educational Establishments and Child Care Facilities) 2017	No	-
SEPP (Exempt and Complying Development Codes) 2008	Yes	The SEPP will be relevant at development application stage
SEPP (Housing for Seniors or People with a Disability) 2004	No	-
SEPP (Infrastructure) 2007	No	-
SEPP (Koala Habitat Protection) 2020	No	-
SEPP (Koala Habitat Protection) 2021	No	-
SEPP (Major Infrastructure Corridors) 2020	No	-
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	-
SEPP (Primary Production and Rural Development) 2019	No	-
SEPP (State and Regional Development) 2011	No	-
SEPP (State Significant Precincts) 2005	No	-
SEPP (Sydney Drinking Water Catchment) 2011	No	-
SEPP (Sydney Region Growth Centres) 2006	No	-
SEPP (Urban Renewal) 2010	No	-
SEPP (Vegetation in Non-Rural Areas) 2017	No	-

SEPP Title	Applicable Yes/No	If Applicable - Consistency with Planning Proposal
SEPP (Western Sydney Aerotropolis) 2020	No	-
SEPP (Western Sydney Employment Area) 2009	No	-
SEPP (Western Sydney Parklands) 2009	No	-
SREP No. 9 (Extractive Industry) (No 2 – 1995)	No	-
SREP No. 20 (Hawkesbury-Nepean River) (No 2 – 1997)	No	-
GMREP No. 2 Georges River Catchment	Yes	Relevant at Development Application Stage

Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The relevant Section 9.1 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined in the table below:

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
1. Employment and Resources			
1.1 Business and Industrial Zones	<ul style="list-style-type: none"> Encourage employment growth in suitable locations Protect employment land in business and industrial zones Support the viability of identified strategic centres. 	<p>The Planning Proposal does not propose a change to the existing Business Zoning but it would enable viable redevelopment and an opportunity to reinvigorate the shopping area on the east side of Cabramatta as a destination.</p> <p>The applicant has identified the creation of an additional 369 retail/commercial jobs as a result of the proposed redevelopment of the precinct. There will also be numerous employment opportunities generated during the construction phase of the development.</p>	Yes
1.2 Rural Zones	<ul style="list-style-type: none"> Protect agricultural production value of rural 	Not Applicable	-

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
	land.		
1.3 Mining, Petroleum Production and Extractive Industries	<ul style="list-style-type: none"> Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. 	Not Applicable	-
1.5 Rural Lands	<ul style="list-style-type: none"> Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes. 	Not Applicable	-
2. Environment and Heritage			
2.1 Environment Protection Zones	<ul style="list-style-type: none"> Protect and conserve environmentally sensitive areas. 	Not Applicable	-
2.2 Coastal Protection	<ul style="list-style-type: none"> Implement the principles in the NSW Coastal Policy. 	Not Applicable	-
2.3 Heritage Conservation	<ul style="list-style-type: none"> Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. 	Not Applicable	-
2.4 Recreation Vehicle Areas	<ul style="list-style-type: none"> Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. 	Not Applicable	-
1. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<ul style="list-style-type: none"> Encourage a variety and choice of housing types to provide for existing and future housing needs Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services Minimise the impact of residential development on the environment and resource lands. 	<p>This Direction also applies to any other zone in which significant residential development is permitted or proposed to be permitted. Given the scale of residential density proposed, the Direction is relevant. In particular the proposal seeks to :</p> <ul style="list-style-type: none"> provide residential development to satisfy existing and future housing needs and broaden the choice of building types and locations available in the housing market; 	Yes

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
		<ul style="list-style-type: none"> • utilise the sites strategic location and make efficient use of existing and proposed infrastructure and services; and • contribute to meeting Council's allocated dwelling target and reduce the consumption of land for housing and associated urban development. 	
3.2 Caravan Parks and Manufactured Home Estates	<ul style="list-style-type: none"> ▪ Provide for a variety of housing types ▪ Provide opportunities for caravan parks and manufactured home estates. 	Not Applicable	-
3.3 Home Occupations	<ul style="list-style-type: none"> ▪ Encourage the carrying out of low-impact small businesses in dwelling houses. 	Not Applicable	-
3.4 Integrating Land Use and Transport	<ul style="list-style-type: none"> ▪ Improve access to housing, jobs and services by walking, cycling and public transport. ▪ Increase choice of available transport and reducing car dependency. ▪ Reduce travel demand and distance (especially by car) ▪ Support the efficient and viable operation of public transport services ▪ Provide for the efficient movement of freight 	<p>The Planning Proposal is consistent with the objectives of this Direction in particular:</p> <ul style="list-style-type: none"> • improving access to housing, jobs and services by walking, cycling and public transport, and • reducing travel demand including the number of trips generated by development and the distances travelled, especially by car. 	Yes
3.5 Development Near Regulated Airports and Defence Airfields	<ul style="list-style-type: none"> ▪ Ensure effective and safe operation of regulated airports and defence airfields ▪ Ensure airport operation is not compromised by development ▪ Ensure development if situated on noise sensitive land, incorporates noise mitigation measures. 	The applicant has consulted with Bankstown Airport who have indicated that	-
3.6 Shooting Ranges	<ul style="list-style-type: none"> ▪ Maintain appropriate levels of public safety and amenity 	Not Applicable	-

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
	<p>when rezoning land adjacent to an existing shooting range,</p> <ul style="list-style-type: none"> ▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land ▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 		
4. Hazard and Risk			
4.1 Acid Sulphate Soils	<ul style="list-style-type: none"> ▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. 	Not Applicable	-
4.2 Mine Subsidence and Unstable Land	<ul style="list-style-type: none"> ▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. 	Not Applicable	-
4.3 Flood Prone Land	<ul style="list-style-type: none"> ▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>. ▪ Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. 	<p>Preliminary flood information available to Council shows that the proposed precinct may be affected by Overland Flooding.</p> <p>Any future proposal must address flooding and stormwater constraints likely to occur as a result of the development at DA stage.</p>	Yes
4.4 Planning for Bushfire Protection	<ul style="list-style-type: none"> ▪ Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. ▪ Encourage sound management of bush fire prone areas. 	Not Applicable	-
5. Regional Planning			
5.1	<ul style="list-style-type: none"> ▪ To give legal effect to the 	Not Applicable	-

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
Implementation of Regional Strategies	vision, land use strategy, policies, outcomes and actions contained in regional strategies.		
5.8 Second Sydney Airport – Badgerys Creek	<ul style="list-style-type: none"> To avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek 	Not Applicable	-
6. Local Plan Making			
6.1 Approval and Referral Requirements	<ul style="list-style-type: none"> Ensure LEP provisions encourage the efficient and appropriate assessment of development 	Applicable	Yes
6.2 Reserving Land for Public Purposes	<ul style="list-style-type: none"> Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 	Not Applicable	-
6.3 Site Specific Provisions	<ul style="list-style-type: none"> Discourage unnecessarily restrictive site specific planning controls 	The Planning Proposal does not impose additional development standards than those already applying under the Fairfield LEP 2013.	Yes
7. Metropolitan Planning			
7.1 Implementation of a Plan for Growing Sydney	<ul style="list-style-type: none"> Planning proposal is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036. 	<p>A Plan for Growing Sydney has been superseded by the recently released Greater Sydney Region Plan – A Metropolis of Three Cities. The Planning Proposal is consistent with a number of the Objectives within the Greater Sydney Region Plan including:</p> <ul style="list-style-type: none"> Optimising efficient use of infrastructure; Utilising services and infrastructure to meet the communities changing needs; Promoting greater housing supply; Creating great 	Yes

Section 9.1 Direction No. & Title	Contents of Section 9.1 Direction	Planning Proposal	Comply
		places that bring people together; <ul style="list-style-type: none"> • Integrating land use and transport; and • Stronger economic development and activities in strategic centres. 	

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There are no critical habitats, or threatened species populations or ecological communities, or their habitats on the site of the planning proposal.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no other environmental effects applicable to the lands that have not already been canvassed in this planning proposal. In particular, the planning proposal has considered the following:

- Location of the site immediately opposite Cabramatta Station giving potential to pursue a transit oriented development and a new overhead pedestrian connection to the station.
- The potential to provide a destination on the east side of Cabramatta incorporating a market place with shops and restaurants. The new shopping area would not exceed the existing maximum retail already permissible on the site.
- The site is capable of incorporating mid-block connections giving greater permeability between the rear car park area and station and between Fisher Street and Cabramatta Road East.
- A built form consistent with the urban structure being delivered around other railway stations and light rails stops in various parts of Sydney. This built form maximises the density outcomes closest to the public transport and place marks the station with high tower elements transitioning downward in height as distance increases from the station thereby maximising solar access and views, and minimises shadow on residential developments.
- Capitalises on the high level of open space, social and community infrastructure provided close to the site.
- Considers the aircraft limitations associated with Bankstown Airport.

Environmental impacts will however become relevant at the time of future redevelopment of the site and will include (but are not limited to) construction noise, air and water quality impacts and associated traffic impact, flooding impacts, overshadowing impacts, stormwater and waste management. All these matters can be effectively managed under a detailed and diligent assessment and approval regime for future development.

How has the planning proposal adequately addressed any social and economic effects?

The economic effects of not progressing with the proposal will mean that this part of the Cabramatta Town Centre which is well serviced by transport and other infrastructure, continues to deteriorate and existing facilities and infrastructure become underutilised.

Redevelopment is proposed to reinvigorate the eastern part of Cabramatta Town Centre and enable people to reside, work and recreate in an area which benefits from good urban infrastructure and transport accessibility. The benefits of high density living close to public transport are well documented because it facilitates fewer cars on roads and a better sustainability footprint. The improved connectivity between both sides of the Town Centre over the railway station via the new pedestrian bridge will enable improved access to the services on the east side of Cabramatta and a more cohesive centre.

The planning proposal seeks to facilitate the staged future redevelopment of the property. This will significantly increase housing stock in the area and create a unique sense of place that aims to reflect shared community values and culture. New residential apartment development, retail shops and a public market place will aim to create a destination on the east side of Cabramatta that attracts residents, workers, visitors, enterprise and investment.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

There is the full range of urban services already available to the land including water, sewer, electricity, communications and gas.

The site is also located to maximise the benefits of transit oriented development from proximity to the station and includes a new pedestrian overhead bridge to link the site directly to the station concourse. There are 2 primary schools and high school in close proximity to the site.

The planning proposal has considered the impact of the redevelopment of the site and other sites in the area to ensure that the key intersections and road network has capacity to support that change. The Traffic and Transport Assessment identifies a package of relatively minor intersection works to accommodate not only the traffic generated from the planning proposal site but also from other up-zonings in the area.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Under Condition 3 of the Gateway Determination, consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Environment, Energy and Science (flooding);
- Transport for NSW;
- Sydney Water;
- Telstra;
- Jemena Gas; and
- Endeavour Energy.

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.

The applicant has also undertaken preliminary consultation with Bankstown Airport who subsequently recommended review of the proposal by Air Services Australia. Air Services Australia has advised via email that at a maximum height of 66m, the proposal will not affect sector or circling altitude, nor any instrument approach or departure procedure at Bankstown Airport nor the performance of any Airservices Precision/Non-Precision Nav Aids, Anemometers, HF/VHF/UHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.

Part 4 – Maps

This part of the planning proposal deals with the maps associated with the Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the planning proposal, Fairfield Local Environmental Plan 2013 will be amended as follows:

- Amend the Fairfield LEP 2013 Height of Buildings Map (Sheet 17) to provide for a maximum height of buildings as follows:
 - Stage A - from an existing maximum building height of 14m to permit a maximum building height of 59 metres;
 - Stage B - from an existing maximum building height of 14m to permit a maximum building height of 66 metres;
 - Stage C – from an existing maximum building height of 14m to permit a maximum building height of 57m; and
 - Stage D – from an existing maximum building height of 14m to permit a maximum building height of 48m.
- Amend the Fairfield LEP 2013 Floor Space Ratio Map (Sheet 17) to provide for a maximum floor space ratio as follows:
 - Stage A - from an existing maximum FSR of 2:1 to permit a maximum FSR of 3.85:1;
 - Stage B - from an existing maximum FSR of 2:1 to permit a maximum FSR of 6.45:1;
 - Stage C – from an existing maximum FSR of 2:1 to permit a maximum FSR of 6.1:1; and
 - Stage D – from an existing maximum FSR of 2:1 to permit a maximum FSR of 4:1.
- Amend the Fairfield LEP 2013 Minimum Site Area Town Centre Precinct Map (Sheet 17) to identify the site as “Cabramatta – Area E” and apply varying minimum site areas across the site as follows:
 - Stage A – Minimum site area of 2,700m² (eastern half) and 1,800m² (western half);
 - Stage B – Minimum site area of 2,700m²;
 - Stage C – Minimum site area of 1,300m²; and
 - Stage D – Minimum site area of 2,200m².

Appendix A.3 contains maps of existing and proposed development standards applying to this Planning Proposal.

- Current and proposed Floor Space Ratio Map Sheet 17
- Current and proposed Height of Buildings Map Sheet 17
- Current and proposed Town Centre Precinct – Minimum Site Area Map Sheet 17

Part 5 - Community Consultation

Community consultation is required under Sections 3.34 of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed under the Gateway Determination.

Under Condition No.2 of the Gateway Determination, public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:

- (i) the planning proposal must be made publicly available for a minimum of 28 days; and
- (ii) the planning proposal 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).

In accordance with Condition No. 4 of the Gateway Determination, a public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).

Part 6 – Project Timeline

The project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

No.	Step	Process content	Timeframe
1	s.56 – request for Gateway Determination	<ul style="list-style-type: none"> Prepare and submit Planning Proposal to DP&E 	November 2021
2	Gateway Determination	<ul style="list-style-type: none"> Assessment by DP&E (including Panel) Advice to Council 	November 2021
3	Completion of required technical information and report (if required) back to Council	<ul style="list-style-type: none"> Prepare draft controls for Planning Proposal Update report on Gateway requirements 	December 2021
4	Public consultation for Planning Proposal	<ul style="list-style-type: none"> In accordance with Council resolution and conditions of the Gateway Determination. 	January 2022
5	Government Agency consultation	<ul style="list-style-type: none"> Notification letters to Government Agencies as required by Gateway Determination 	January 2022
6	Public Hearing (if required) following public consultation for Planning Proposal	<ul style="list-style-type: none"> Under the Gateway Determination issued by DP&E public hearing is not required. 	Not required
7	Consideration of submission	<ul style="list-style-type: none"> Assessment and consideration of submissions 	1 month
8	Report to Council on submissions to public exhibition and public hearing	<ul style="list-style-type: none"> Includes assessment and preparation of report to Council 	1 month: March 2022
9	Possible re-exhibition	<ul style="list-style-type: none"> Covering possible changes to draft Planning Proposal in light of community consultation 	
10	Report back to Council	<ul style="list-style-type: none"> Includes assessment and preparation of report to Council 	1 month April 2022
11	Referral to PCO and notify DP&E	<ul style="list-style-type: none"> Draft Planning Proposal assessed by PCO, legal instrument finalised Copy of the draft Planning Proposal forwarded to 	1 month May 2022

		DP&E.	
12	Plan is made	<ul style="list-style-type: none"> Notified on Legislation web site 	June 2022
Estimated Time Frame			12 months