



# Planning Proposal to amend Fairfield Local Environmental Plan 2013

2 KAMIRA AVENUE, VILLAWOOD

23 APRIL 2021



## QUALITY ASSURANCE

<b>PROJECT:</b>	Planning Proposal: Additional Permitted Use
<b>ADDRESS:</b>	2 Kamira Avenue, Villawood
<b>LOT/DP:</b>	Lot 37 in DP 202006
<b>COUNCIL:</b>	Fairfield City Council
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## Document Management

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Laurance El-khoury	Draft Issue for internal review	19 March 2021
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## INTRODUCTION

The purpose of this Planning Proposal is to explain the intended effect and provide a justification for a proposed amendment to the Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013) as well as demonstrate the strategic merit of the amendment proceeding.

**This submission proposes to amend Schedule 1: Additional Permitted Uses for Lot 37 DP 202006 under Fairfield LEP 2013 to:**

**To permit 'retail premises' and 'business premises' with consent.**

The Planning Proposal relates to No. 2 Kamira Avenue, Villawood referred to within this document as the '*subject site*'. The subject site is currently vacant with no existing structures on site, and scattered vegetation.

Think Planners Pty Ltd has been engaged to prepare and submit a planning proposal to Fairfield City Council in support of an amendment to Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013).

The subject site is significant in area and a Masterplan for the site confirms that it will develop over many years, incorporating key functions that support the local community.

The intended outcome of the LEP amendment is consistent with key directions relating to accelerated urban renewal and support services contained within the Plan for Growing Sydney, A Metropolis of Three Cities – the Greater Sydney Region Plan, the Western City District Plan.

The proposed additional permitted use is driven by the desire to ultimately be able to deliver a supermarket and supporting retail activities on land zoned R4 High Density Residential.

The planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Infrastructure (Department of Planning and Environment) document 'A guide to preparing planning proposals' (August 2016).

The proposal is supported by Economic Analysis by Hill PDA and Urban Design Commentary by DKO. Importantly, Council has commissioned an independent analysis by City Plan that is also supportive of the proposal.

Support for the planning proposal is sought, and the subsequent referral to the Department of Planning, Industry and Environment for Gateway determination and public exhibition.

## **SITE AND LOCALITY**

### **LEGAL DESCRIPTION**

The subject site is legally described as Lot 37 DP 202006, though more commonly known as 2 Kamira Avenue, Villawood.

### **SUBJECT SITE**

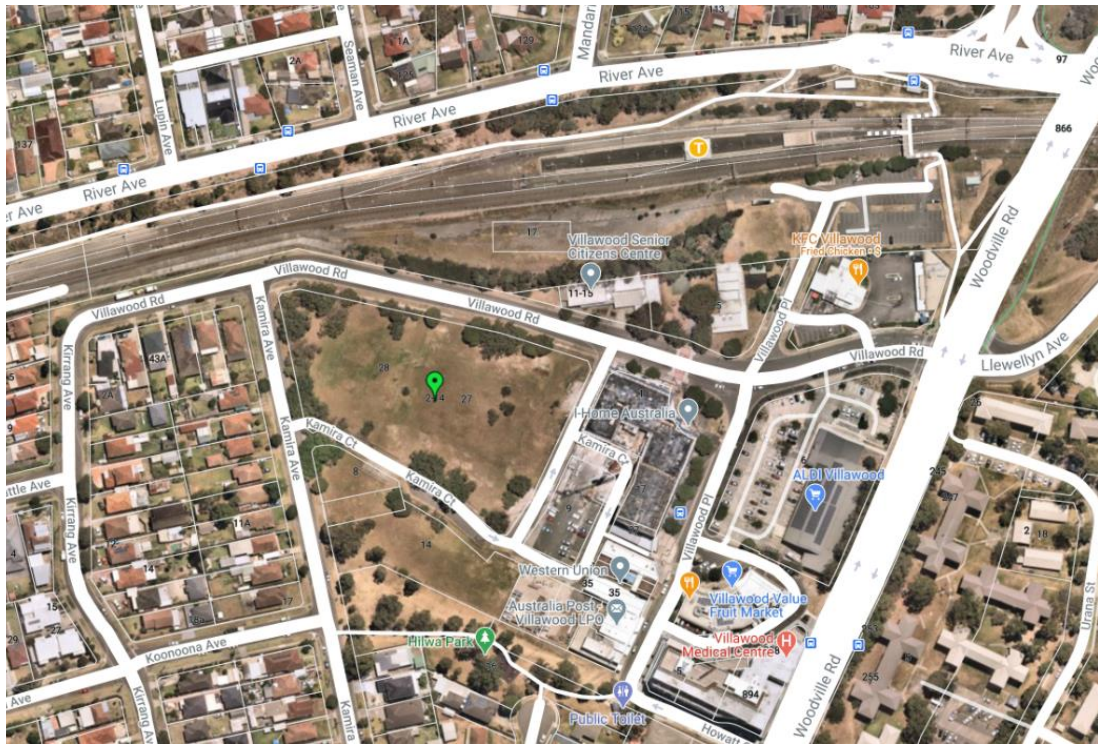
Located within Villawood Town Centre, the subject site can be best described as an irregular shape allotment which has a frontage to Kamira Ave, Kamira Court and Villawood Road which results in a total site area of approximately 1.1 hectare.

The subject site is well serviced by public transportation with the land parcel being within walking distance to Villawood Train Station as well as bus routes including Route 905 (Bankstown to Fairfield) and Route 907 (Bankstown to Parramatta). Moreover, the site is within proximity to educational establishments including Carramar Public School, Villawood North Public School and Sacred Heart Catholic Primary School, Fairfield High School, Canley Vale High School and Chester Hill High School.

The aerial map extract overleaf shows the land parcel and the immediate context.



Figure 1: Aerial photograph showing the site (source: Six Maps)



 Subject Site

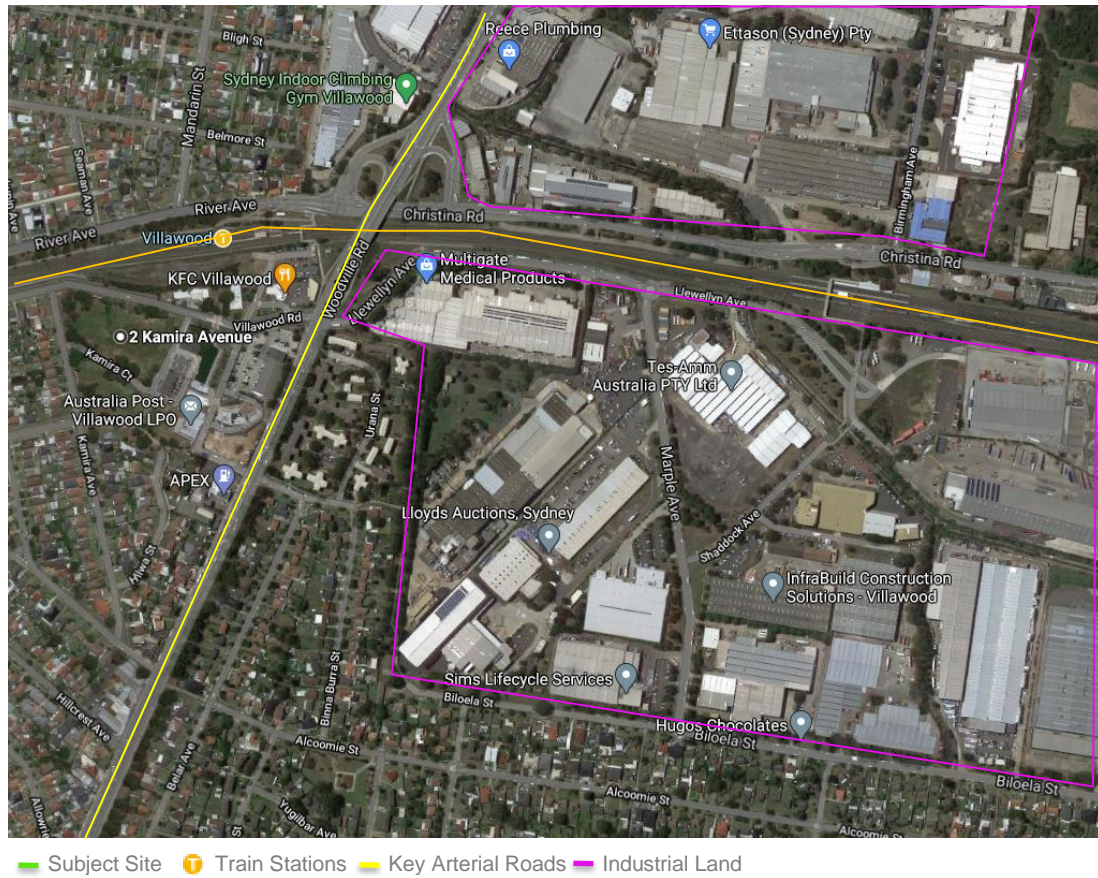
## LOCALITY

The Villawood Town Centre is located on the eastern edge of the Fairfield Local Government Area (LGA) adjoining the Canterbury-Bankstown LGA. The Villawood Town Centre is also within proximity to significant employment areas, Fairfield East Industrial Area and Villawood/Chester Hill Industrial Area.

The Villawood Town Centre is located immediately south of the railway line which runs in an east-west direction, providing direct connection between Villawood, Liverpool, Bankstown and Sydney CBD. It also provides connection to Parramatta CBD via Lidcombe. The train corridor includes the Southern Sydney Freight Line.

Villawood Town Centre is accessible to the broader road network via The Horsley Drive (A22) providing access to Fairfield City Centre and further afield via Smithfield Road (A28) to the M4 Motorway. An aerial photograph is provided overleaf that shows the site in its local context, highlighting the proximity to a large industrial precinct.

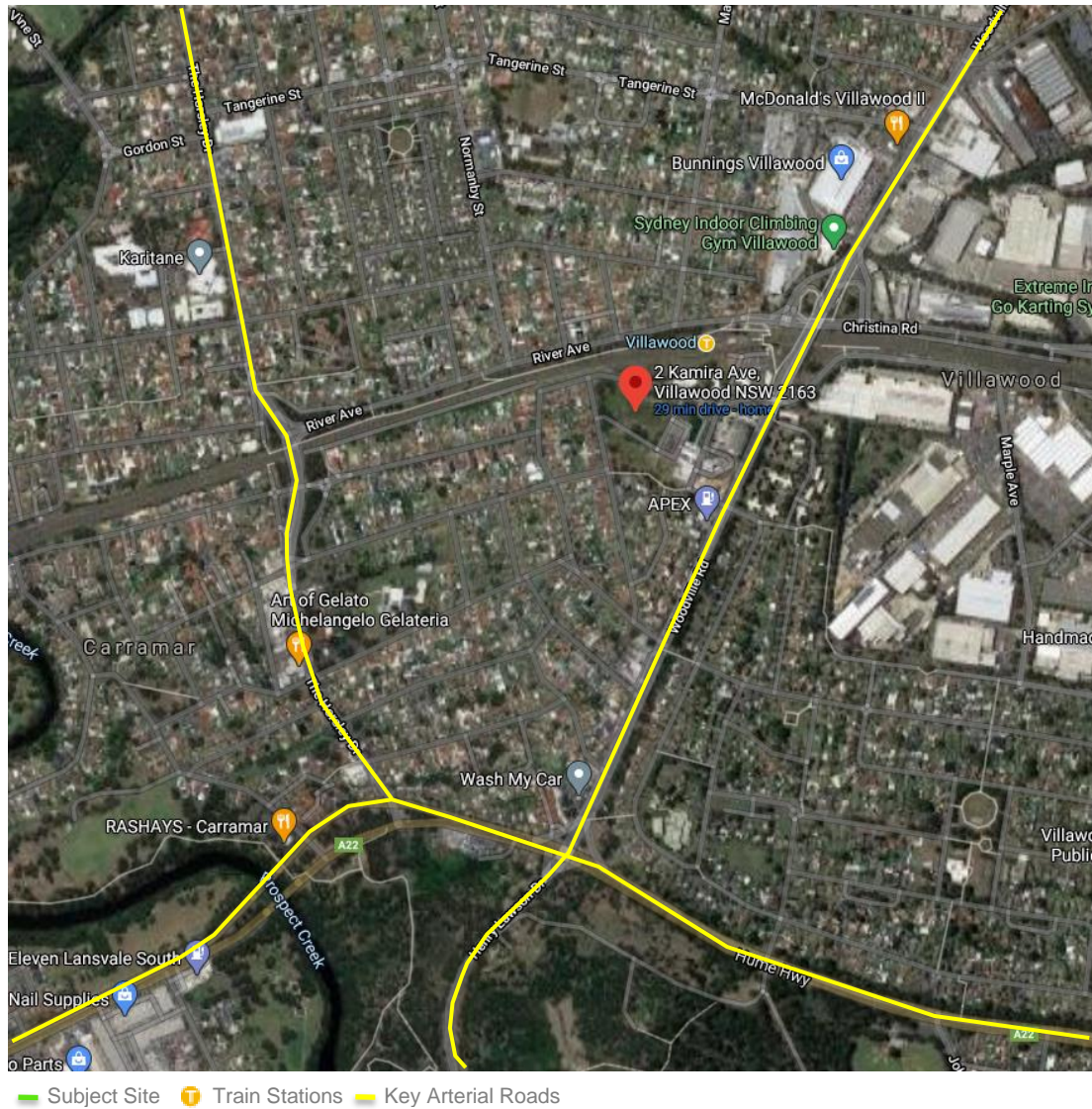
Figure 2: Subject Area Map (source: Google Maps)



An aerial extract is provided below, which demonstrates the wider locality surrounding the development, highlighting the proximity of the site to arterial roads such as the Horsley Drive and the Hume Highway.



Figure 3: Wider Locality Map (source: Google Maps)





Photographs overleaf are provided to illustrate the context of the locality.

**Photograph 1: Shows the site as viewed from Villawood Road.**



**Photograph 2: Shows the site as viewed from Kamira Court**



## LOCAL PLANNING FRAMEWORK

### ZONING

The site is currently zoned R4 High Density Residential. This proposed additional permitted use for a “*retail premises*” and “*business premises*” will enable the subject site zoned to propose a supermarket within the zone. The definition is provided below.

#### Pursuant to the Fairfield Local Environmental Plan 2013 a ‘*retail premises*’ is defined as:

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a) (Repealed)
  - (b) cellar door premises,
  - (c) food and drink premises,
  - (d) garden centres,
  - (e) hardware and building supplies,
  - (f) kiosks,
  - (g) landscaping material supplies,
  - (h) markets,
  - (i) plant nurseries,
  - (j) roadside stalls,
  - (k) rural supplies,
  - (l) shops,
  - (la) specialised retail premises,
  - (m) timber yards,
  - (n) vehicle sales or hire premises,
- but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

#### Pursuant to the Fairfield Local Environmental Plan 2013 a ‘*business premises*’ is defined as:

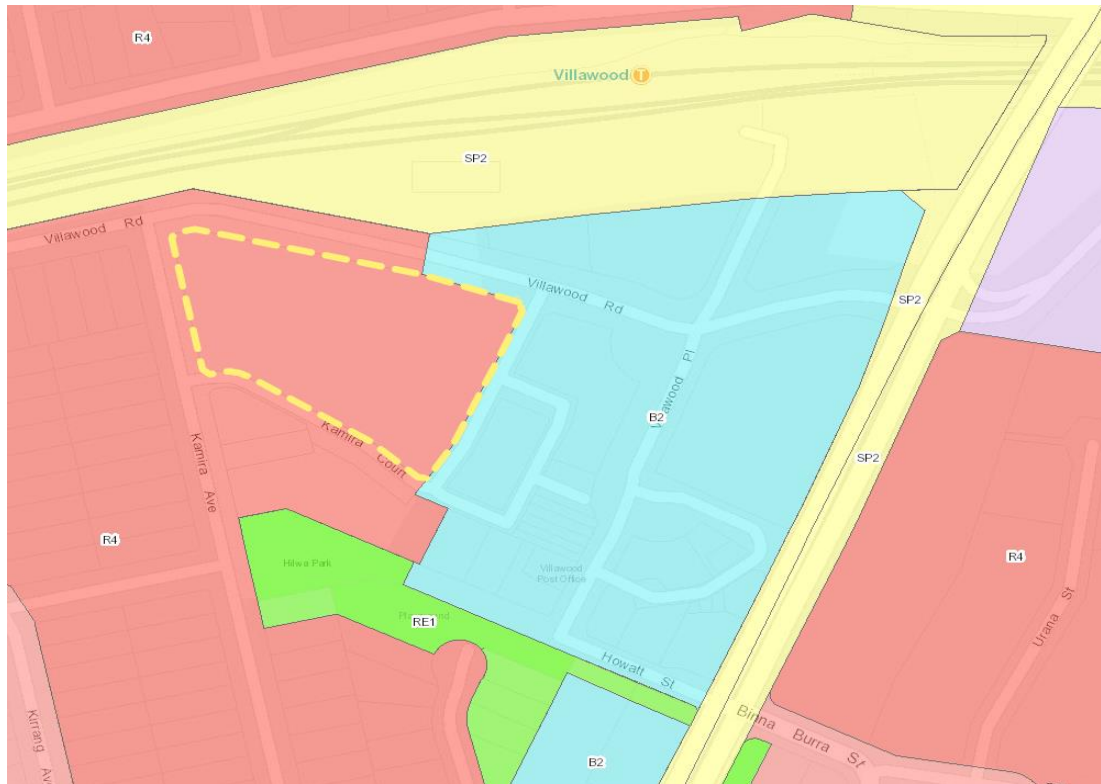
**business premises** means a building or place at or on which—

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
  - (b) a service is provided directly to members of the public on a regular basis,
- and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.



The current zoning map extract is provided below.

**Figure 3: Land Zoning Map Sheet (Source: Fairfield LEP 2013)**



 **Subject Site**

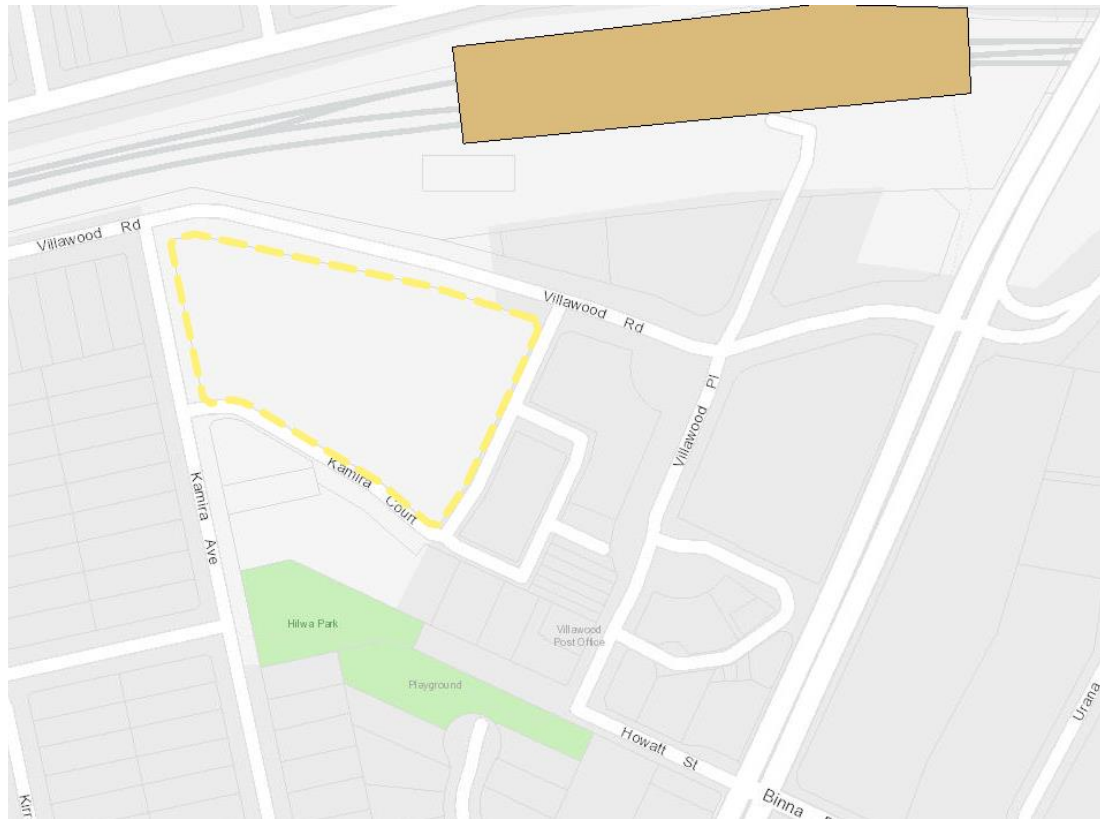




## HERITAGE

The subject block is not located within a heritage conservation area nor is it identified as a heritage item, as illustrated by the heritage map extract below.

**Figure 4: Heritage Map Extract (Source: Fairfield LEP 2013)**



 **Subject Site**

As such, the subject site will not have any associated heritage restrictions.

## CONCEPT AND INTENDED PLANNING OUTCOME

### BRIEF HISTORY

A planning proposal (PP-2020-3205) was approved by NSW Department of Planning on 02/06/2020 to amend the Fairfield Local Environmental Plan 2013 by changing the zoning and development standards for Villawood Town Centre to facilitate the urban renewal of the centre by providing opportunity for additional dwellings and economic revitalisation of the centre. The approved changes to Fairfield LEP 2013 are provided below.

- Amend the Height of Buildings map to a range between 20m to 39m for the sites within the B2 Local Centre zoned land at Villawood Town Centre.
- Amend the Height of Buildings map to a range between 27m to 39m for the R4 High Density Residential site (NSW Land and Housing Corporation site) adjoining the Villawood Town Centre.
- Amend the Floor Space Ratio map to change the floor space for the NSW Land and Housing Corporation site from 2:1 to 2.5:1.
- Amend the Minimum Site Area map by introducing minimum site areas for land within the B2 Local Centre zone within the Villawood Town Centre.
- Amend the zoning map to rezone 20 Kamira Avenue from R4 High Density Residential to RE1 Public recreation, as well as removing the relevant development standards maps for the site.
- Amend the zoning map to rezone part of 896 Woodville Road from B2 Local Centre to RE1 Public Recreation, as well as removing the relevant development standards maps for the site.

It is noted that the Villawood Town Centre Urban Design Study (UDS) which informed the abovementioned planning proposal did not take into account the possible need for expansion of the B2 Local Centre. An analysis has been conducted by City Plan which addresses this issue. City Plan notes:

*“In the preparation of the UDS, we note that no formal economic analysis was undertaken to consider the need to expand the B2 Local Centre zone or to support the introduction of a second supermarket. As a result of a visual and qualitative assessment which confirmed a lack of town centre activity and vitality, the UDS took the approach to focus on strengthening and revitalisation of existing and potential commercial floor space in the existing B2 zone, and limiting expansion of non-residential uses. This was the main premise for retaining the existing R4 High Density Residential zoning on the subject site.*

*While there was no known interest for a new supermarket in the centre at the time of preparing the UDS, it is accepted that there may now be, or already have been, unmet demand for an additional supermarket. It is also recognised that the LAHC site is one*

*of the few centrally located opportunities to establish a new supermarket on a site with a suitable size and configuration in the town centre. It is also considered that an additional supermarket may contribute to further activation of the centre.” (City Plan 2021, pg 6).*

This APU proposal is consistent with the observations made by City Plan and addresses the shortcoming in retail activity directly.

## THE VISION FOR THE SITE

This proposal seeks consent to permit additional permitted uses by making ‘*retail premises*’ and ‘*business premises*’ permissible with consent on this site only within the R4 High Density Residential zone.

The proposed additional permitted use is driven by the desire to ultimately be able to propose a supermarket and relevant complementary uses (e.g., bank or post office) on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent. As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone within Lot 37 DP 202006.



## ECONOMIC AND RETAIL DEMAND ANALYSIS

The merit for the introduction of the additional permitted use arises from an understanding of the location of the site proximate to the Villawood town centre and an understanding of the economic fundamentals of the town centre. A Retail Demand Analysis has been prepared by Hill PDA Consulting and accompanies this submission. Given the justification for the introduction of retail premises as a permitted use is founded on the retail demand analysis, this matter is discussed early in this report, and is informative when analysing subsequent strategic policies.

Key points of discussions and conclusions within the Retail Demand Assessment comprise:

Commercial and retail demand:

- The resident population within Villawood's main trade area currently has a resident population of 19,670 (as at 2020) which is predicted to expand by around 5,620 persons over the coming 16 years to reach about 25,290 residents.
- Villawood's town centre currently provides 4,800m<sup>2</sup> of net lettable area with a further 1,340m<sup>2</sup> under development.
- The demand for retail floorspace has been analysed by Hill PDA and it is estimated the Villawood town centre could potentially support up to 12,400m<sup>2</sup> of net lettable area in 2020 increasing to 15,500m<sup>2</sup> by 2030 and 17,350m<sup>2</sup> by 2036. This results in an undersupply of retail floor space for the Villawood town centre.
- The extent of undersupply of commercial and retail space within the Villawood town centre is estimated to be 7,600m<sup>2</sup>. The deficit is forecast to increase to 9,350m<sup>2</sup> by 2030 and to just under 11,200m<sup>2</sup> by 2036. This is even when taking into consideration the development of Maple Village (1 Villawood Place Villawood).
- An undersupply within the Villawood town centre will encourage residents to travel greater distances to access essential commercial and retail services. This will ultimately result in a loss to the viability and vibrancy of Villawood town centre that can result in negative social and environment impacts.
- The development of this land to include a supermarket and complementary retail/business related uses will ensure that Villawood town centre can meet some of the demand which helps retain expenditure within the main trade area, increase the centre's vibrancy while also providing the type and quantity of services required to service the local community.

- The proximity of the subject site which is along the same main road as Villawood town centre and in proximity to existing retailers means the site is ideal for an anchor tenant. The location is well suited for a main retail anchor as it provides a supportive retail hub and a vibrant eat street.
- It is considered that the subject site is the best location for a new supermarket. The existing B2 zoned town centre is comprised of a series of fragmented small lots, occupied by a variety of different land owners. The construction of a large supermarket in the existing town centre will require the acquisition of several existing shop owners. The benefit of the subject site in being under single ownership and immediately adjacent to the town centre confirms the suitability of the site.

Commercial and retail recommendation for the subject site:

- The Villawood centre currently provides approximately 2,250m<sup>2</sup> of food, liquor, and grocery space. The demand modelling work completed by Hill PDA suggests the centre could support 4,400m<sup>2</sup> of associated food, liquor, and grocery space. As a result, the current deficit is 2,190m<sup>2</sup> that will grow to 4,000m<sup>2</sup> by 2036.
- This implies the subject site could support a full-line supermarket which is 3,000-3,500m<sup>2</sup> in size.
- The supermarket can be supported by 1,000-1,500m<sup>2</sup> of non-food and personal services space and a further 1,000-1,200m<sup>2</sup> of non-retail uses.
- The reporting by Hill PDA confirms the addition of 6,000-7,000m<sup>2</sup> of space within the centre would still leave a residual shortfall of between 3,600-5,190m<sup>2</sup>.
- This highlights that if the proposed development were completed there would still be demand for additional space to be developed elsewhere within the centre. Hence the redevelopment of the subject site would not be creating an oversupply and therefore supporting this Planning Proposal would not adversely affect other uses or development within the centre.

The proposed additional permitted uses is driven by the desire to ultimately be able to propose a supermarket with complementary and ancillary uses on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent. As a result, the proposal seeks consent for the additional permitted uses on site within the R4 High Density Residential zone.

## PLANNING PROPOSAL

### PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of the planning proposal is to explain the intended effect and provide a justification for a proposed amendment to the Fairfield LEP 2013 as well as demonstrate the strategic merit of the amendment proceeding.

**This submission proposes to amend Schedule 1: Additional Permitted Uses for Lot 37 DP 202006 under Fairfield LEP 2013 to:**

**To permit ‘retail premises’ and ‘business premises’ with consent.**

### PART 2 – EXPLANATION OF PROVISIONS

The stated objective will be achieved by:

- To amend Schedule 1: Additional Permitted Uses under Fairfield LEP 2013 to allow an additional permitted use by making ‘*retail and business premises*’ permissible with consent on the subject land.

### PART 3 – JUSTIFICATION

#### Section A – Need for the planning proposal

*Q1. Is the planning proposal the result of any strategic study or report?*

The planning proposal has been initiated following the key directions and strategies described in the Plan for Growing Sydney and a Metropolis of Three Cities – Greater Sydney Region Plan and the Western City District Plan

The proposal is consistent with the key directions and strategies described in *A Plan for Growing Sydney*. Discussion on the consistency of the planning proposal with this strategy is contained in the response to *Question 3*.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The stated objective of the Planning Proposal closely aligns with several State Government strategies, specifically the Plan for Growing Sydney, A Metropolis of Three Cities - the Greater Sydney Region Plan, the Western City District Plan and the Villawood Town Centre Urban Design Study.



## **Section B – Relationship to strategic planning framework**

*Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The stated objective of the Planning Proposal closely aligns with several State Government strategies, specifically the Plan for Growing Sydney, A Metropolis of Three Cities - the Greater Sydney Region Plan and the Western City District Plan.

The proposed additional permitted use is driven by the desire to ultimately be able to propose a supermarket along with complementary uses on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent. As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone.

### **The Plan for Growing Sydney (Department of Planning and Environment, December 2014)**

The Plan for Growing Sydney outlines the State Government's plan to deliver jobs and infrastructure to support a growing population. Key directions described in the Plan relate to accelerating urban renewal across Sydney, with a focus on providing homes in areas well serviced by existing or planned infrastructure. The proposed additional permitted uses will ensure the local population are provided with the infrastructure they need to live within a 30 minute city.

The Plan states that the Government intends to focus on the urban renewal in existing centres, within which the subject site is situated. The planning proposal seeks to amend the zoning to allow retail and business premises within the R4 High Density zone. Villawood is serviced by public transport services that are frequent and is located close to the central core of the Villawood Town Centre. The planning proposal is consistent with the objectives and actions of The Plan for Growing Sydney.

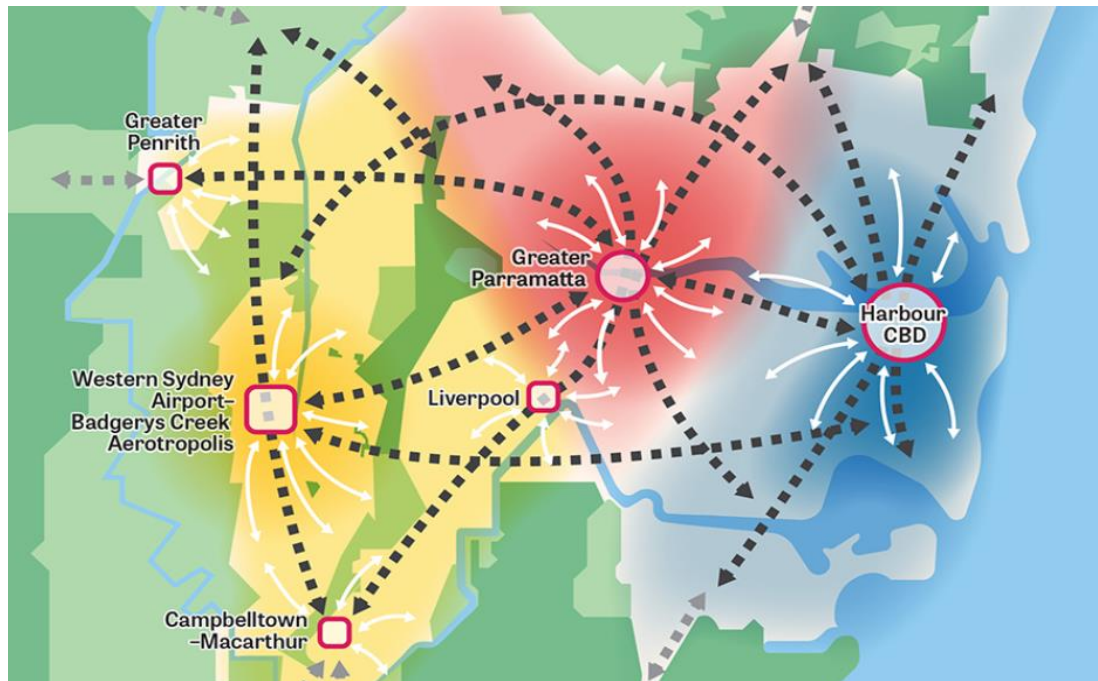
### **A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission March 2018)**

The Metropolis of Three Cities – Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney.

Key themes based on delivering a metropolis of three 30-minute cities which are a follow on from the ten directions envisioned by the Greater Sydney Commission. This vision is set out in the structure plan shown in Figure 5 overleaf.



Figure 5: Extract from A Metropolis of Three Cities - Greater Sydney Region Plan March 2018



Villawood Town Centre is currently a centre that lacks appeal and economic vitality. This planning proposal addresses those outcomes and objectives by providing opportunity for business investment in close proximity to other key centres such as Liverpool, Bankstown and Sydney's Central City, Parramatta.

The four key themes are demonstrated below:

1. Infrastructure and collaboration.
2. Liveability.
3. Productivity.
4. Sustainability.

The vision of A Metropolis of Three Cities will be achieved by collaborations between all tiers of government, and between governments and key stakeholders including the community, interest groups, businesses, industry groups and nongovernment organisations.

Villawood as a centre with limited economic activity. The additional density permitted on the southern side of the railway line coupled with the additional density permitted

on the northern side of the railway line will only increase the demand for local retail services. This proposal seeks to stimulate the economy by providing a much needed supermarket along with ancillary retail and business premises within the locality.

### **Western City District Plan (Greater Sydney Commission March 2018)**

The Western City District Plan sets out the priorities and actions for this District and these are structured around the same key themes as presented in the Greater Sydney Region Plan.

The Western Sydney City Deal, a partnership of the Australian Government, NSW Government and the local governments of the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly will be instrumental in delivering on the aspirations of the Western Parkland City.

The Planning Proposal seeks to deliver a much needed supermarket on site by amending Schedule 1: Additional Permitted uses under Fairfield LEP 2013 for retail and business premises within the R4 zone. It is noted, part of parent allotment will be developed in the near future for additional housing consistent with the planning controls and vision for the site. The objectives of the Planning Proposal are considered to align closely with the documented priorities for the Western City District.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

### ***Villawood Town Centre Urban Design Study***

The Villawood Town Centre Urban Design Study (adopted by Council on 27 March 2018) focuses on the public realm, local character and place making. It also identifies creation of town centre open space to enhance how the public interacts within the centre.

The Villawood Town Centre Urban Design Study (VUDS) seeks to promote the following urban design objectives and principles for the Villawood Town Centre:

- Accessibility/Connectivity
- Built form and land uses.
- Centre vitality and economy
- Civic and open spaces
- Housing

The VUDS identifies opportunities for redevelopment and increased height of buildings as well as minimum site areas to ensure redevelopment occurs in an orderly manner.

It is evident the proposed additional permitted use is consistent with the abovementioned points.

*Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal.

Table 2: Consideration of SEPPs		
Consideration of SEPPs	Relevance	Comment
<b>SEPP (Aboriginal Land) 2019</b>	-	This SEPP does not apply to this land.
<b>SEPP (Activation Precincts) 2020</b>	-	This SEPP does not apply to this land.
<b>SEPP (Affordable Rental Housing) 2009</b>	✓	The planning proposal is consistent with the aims or provisions of this SEPP.
<b>SEPP (Building Sustainability Index: BASIX) 2004</b>	✓	The planning proposal is consistent with the aims or provisions of this SEPP.
<b>SEPP (Coastal Management) 2018</b>	-	Not relevant to the proposal.
<b>SEPP (Concurrences and Consents) 2018</b>	-	Not relevant to the proposal.
<b>SEPP (Educational Establishments and Child Care Facilities) 2017</b>	✓	The planning proposal is consistent with the aims or provisions of this SEPP.
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	✓	The planning proposal is consistent with the aims or provisions of this SEPP.
<b>SEPP (Gosford City Centre) 2018</b>	-	This SEPP does not apply to this land.
<b>SEPP (Housing for Seniors or People with a Disability) 2004</b>	✓	The planning proposal is consistent with the aims or provisions of this SEPP.
<b>SEPP (Infrastructure) 2007</b>	-	Future development may constitute traffic generating development and trigger an assessment under this SEPP.
<b>SEPP (Koala Habitat Protection) 2020</b>	-	Not relevant to the proposal.
<b>SEPP (Koala Habitat Protection) 2021</b>	-	Not relevant to the proposal.



<b>SEPP (Kosciuszko National Park—Alpine Resorts) 2007</b>	-	This SEPP does not apply to this land.
<b>SEPP (Kurnell Peninsula) 1989</b>	-	This SEPP does not apply to this land.
<b>SEPP (Major Infrastructure Corridors) 2020</b>	-	Not relevant to the proposal.
<b>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</b>	-	Not relevant to the proposal.
<b>SEPP No 19—Bushland in Urban Areas</b>	-	The site does not contain any significant vegetation.
<b>SEPP No 21—Caravan Parks</b>	-	Not relevant to this planning proposal.
<b>SEPP No 33—Hazardous and Offensive Development</b>	-	Not relevant to this planning proposal.
<b>SEPP No 36—Manufactured Home Estates</b>	-	Not relevant to this planning proposal.
<b>SEPP No 47—Moore Park Showground</b>	-	This SEPP does not apply to this land.
<b>SEPP No 50—Canal Estate Development</b>	-	This SEPP does not apply to this land.
<b>SEPP No 55—Remediation of Land</b>	-	The planning proposal is consistent with the aims or provisions of this SEPP. Where future development incorporates remediation works, the provisions of this SEPP will need to be considered.
<b>SEPP No 64—Advertising and Signage</b>	-	The planning proposal is consistent with the aims or provisions of this SEPP. Where future development incorporates signage, the provisions of this SEPP will need to be considered.
<b>SEPP No 65—Design Quality of Residential Apartment Development</b>	-	The planning proposal is consistent with the aims or provisions of this SEPP. Future development may incorporate housing delivered under this SEPP and relevant provisions will be given detailed consideration during the assessment of a development application.
<b>SEPP No 70—Affordable Housing (Revised Schemes)</b>	-	Not relevant to this planning proposal.

<b>SEPP (Penrith Lakes Scheme) 1989</b>	-	Not relevant to this planning proposal.
<b>SEPP (Primary Production and Rural Development) 2019</b>	-	Not relevant to this planning proposal.
<b>SEPP (State and Regional Development) 2011</b>	✓	It is likely that future development of the site will constitute Regional Development and be determined by the Sydney West Planning Panel.
<b>SEPP (State Significant Precincts) 2005</b>	-	Not relevant to this planning proposal.
<b>SEPP (Sydney Drinking Water Catchment) 2011</b>	-	This SEPP does not apply to this land.
<b>SEPP (Sydney Region Growth Centres) 2006</b>	-	This SEPP does not apply to this land.
<b>SEPP (Three Ports) 2013</b>	-	This SEPP does not apply to this land.
<b>SEPP (Urban Renewal) 2010</b>	-	Not relevant to this planning proposal.
<b>SEPP (Vegetation in Non-Rural Areas) 2017</b>	-	The site does not contain any significant vegetation.
<b>SEPP (Western Sydney Aerotropolis) 2020</b>	-	This SEPP does not apply to this land.
<b>SEPP (Western Sydney Employment Area) 2009</b>	-	This SEPP does not apply to this land.
<b>SEPP (Western Sydney Parklands) 2009</b>	-	This SEPP does not apply to this land.

The following table provides a brief assessment of consistency against each Deemed SEPP relevant to the planning proposal.

<b>Table 3: Consideration of Deemed SEPPs</b>		
<b>Consideration of Deemed SEPPs</b>	<b>Relevance</b>	<b>Comment</b>
<b>GMREP No.2 – Georges River Catchment</b>	✓	The planning proposal is consistent with the aims of this SEPP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table provides a brief assessment of consistency against each s.117 direction relevant to the planning proposal.

Table 4: Consideration of Section 9.1 Directions		
Consideration of s. 9.1 Directions	Relevance	Comment
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones	-	<p>The proposed additional permitted use is driven by the desire to ultimately be able to propose a supermarket on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent.</p> <p>As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone.</p> <p>The proposal is consistent with this Direction.</p>
1.2 Rural Zones	-	The planning proposal does not relate to rural zoned land.
1.3 Mining, Petroleum Production and Extractive Industries	-	The planning proposal does not relate to land that is likely to be useful for extractive industries.
1.4 Oyster Aquaculture	-	The proposal will not impact on any priority oyster aquaculture areas.
1.5 Rural Lands	-	The planning proposal does not relate to rural land.
<b>2. Environment and Heritage</b>		
2.1 Environment Protection Zones	-	The site is not currently zoned for environmental protection purposes.
2.2 Coastal Protection	-	The land is not within a coastal zone.
2.3 Heritage Conservation	✓	The proposal does not seek any changes to the existing heritage conservation provisions of the LEP and DCP.
2.4 Recreation Vehicle Areas	-	The planning proposal does not relate to recreation vehicles or land with a high conservation value.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs This direction applies to the local government	-	This direction does not apply in the Fairfield Local Government Area.

areas of Ballina, Byron, Kyogle, Lismore and Tweed.

### 3. Housing, Infrastructure and Urban Development

3.1 Residential Zones	-	The proposal seeks consent to permit an additional permitted use by making retail and business premises permissible with consent within the R4 High Density Residential Zone.
3.2 Caravan Parks and Manufactured Home Estates	-	Not applicable.
3.3 Home Occupations	-	Not applicable.
3.4 Integrating Land Use and Transport	✓	<p>The planning proposal is consistent with the direction.</p> <p>The subject site is well serviced by public transportation with the land parcel being within walking distance to Villawood Train Station. The T2 Inner West and Leppington Line provides access to the Sydney CBD, Parramatta, Liverpool, and other key centres such as Bankstown, Strathfield, and the future Leppington town centre. The T3 Bankstown Line provides access to the Sydney CBD, Liverpool, and Bankstown along with key interchanges of Wolli Creek and Strathfield.</p> <p>The subject site is also well serviced by bus routes including Route 905 (Bankstown to Fairfield) and Route 907 (Bankstown to Parramatta). Moreover, the site is within proximity to educational establishments including Carramar Public School, Villawood North Public School and Sacred Heart Catholic Primary School, Fairfield High School, Canley Vale High School and Chester Hill High School.</p>
3.5 Development Near Licensed Aerodromes	-	The proposal is consistent with this direction.

### 4. Hazard and Risk

4.1 Acid Sulfate Soils	-	The site is not identified as containing Acid Sulfate Soils.
4.2 Mine Subsidence and Unstable Land	-	The site is not within a mine subsidence district.
4.3 Flood Prone Land	✓	Councils Old Guildford Overland Flood Study 2010 identifies parts of the Villawood Town Centre are affected by low to medium overland flood risk.



		<p>However more recent flood mapping confirms that the site is not affected by flooding. This has been taken into consideration in the recent rezoning of the land and is an accepted position.</p> <p>The proposal will be addressed in accordance with the Floodplain Development Manual 2005 at DA stage.</p> <p>It is therefore considered appropriate that development of the subject site be subject to Council's Flood Management Controls as outlined in the Fairfield City Wide DCP.</p>
4.4 Planning for Bushfire Protection	-	The site is not affected by bushfire planning provisions.
<b>5. Regional Planning</b>		
5.1 Implementation of Regional Strategies	-	The site is not located within an area affected by a regional strategy.
5.2 Sydney Drinking Water Catchments	-	This direction does not apply to land within Fairfield local government area.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	-	This direction does not apply to land within Fairfield local government area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	-	This direction does not apply to land within Fairfield local government area.
5.8 Second Sydney Airport: Badgerys Creek	-	The site is not near the Second Sydney Airport: Badgerys Creek.
5.9 North West Rail Link Corridor Strategy	-	This direction only applies to land within Hornsby, the Hills and Blacktown.
5.10 Implementation of Regional Plans This direction applies when a relevant planning authority prepares a planning proposal.	-	Not applicable to the current planning proposal.
<b>6. Local Plan Making</b>		
6.1 Approval and Referral Requirements	-	The planning proposal is considered to be consistent with the direction. The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.

6.2 Reserving Land for Public Purposes	-	The planning proposal (PP-2020-3205) is consistent with this direction as the parent allotment has reserved land for open space purposes.
6.3 Site Specific Provisions	✓	<p>The proposed additional permitted use is driven by the desire to ultimately be able to propose a supermarket on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent.</p> <p>As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone.</p>
<b>7. Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	-	<p>The planning proposal is consistent with this direction, in addition to the most recent regional (A Metropolis of Three Cities) and district plans (Western City District Plan)</p> <p>The Planning Proposal achieves the overall intent of the Plan and seeks to implement the achievement of its vision, land use strategy, policies, outcomes or actions.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	-	This direction does not apply to land within the Fairfield City Council.
7.3 Parramatta Road Corridor Urban Transformation Strategy	-	The site is not located on land subject to the Parramatta Road Corridor Urban Transformation Strategy.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	-	The site is not located within the North West Priority Growth Area.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure	-	The site is not located in the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan.
7.6 Implementation of Wilton Priority Growth	-	The site is not located in the Wilton Priority Growth Area.

Area Interim Land Use and Infrastructure Implementation Plan		
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	-	This direction does not apply to land within the Fairfield Local Government Area.
This direction applies to Campbelltown City Council.		

## Section C – Environmental, social and economic impact

Q7. 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?

The subject site does not contain habitat of any description. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal. No further assessment is considered necessary.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The proposed additional permitted use is driven by the desire to ultimately be able to propose a supermarket and ancillary retail/business premises on land zoned R4 High Density Residential. Considering the zone, the subject site is disadvantaged in terms of development potential as the site can only accommodate several forms of development with consent. As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects of the planning proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document the Plan for Growing Sydney. Among other things, the Plan explains that to meet the needs of a larger population and to maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres.

The planning proposal will permit redevelopment of the town centre. The planning proposal along with the Villawood Town Centre urban Design Study seeks to stimulate redevelopment and subsequently provide public benefits and an economic contribution to the town centre.

#### Section D – State and Commonwealth interests

##### Q10. Is there adequate public infrastructure for the planning proposal?

The subject site is well serviced by public transportation with the land parcel being within walking distance to Villawood Train Station. The T2 Inner West and Leppington Line provides access to the Sydney CBD, Parramatta, Liverpool, and other key centres such as Bankstown, Strathfield, and the future Leppington town centre. The T3 Bankstown Line provides access to the Sydney CBD, Liverpool, and Bankstown along with key interchanges of Wolli Creek and Strathfield.

The subject site is also well serviced by bus routes including Route 905 (Bankstown to Fairfield) and Route 907 (Bankstown to Parramatta). Moreover, the site is within proximity to educational establishments including Carramar Public School, Villawood North Public School and Sacred Heart Catholic Primary School, Fairfield High School, Canley Vale High School and Chester Hill High School.

The Villawood Town Centre is also within proximity to significant employment areas, Fairfield East Industrial Area and Villawood/Chester Hill Industrial Area.

##### Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The planning proposal has not yet received Gateway determination and consultation with the public authorities has not yet commenced.

#### Part 4 – Mapping

It is understood that mapping will be prepared by the Fairfield City Council to accord with the standard instrument mapping layouts prior to the planning proposal being reported to the Council for consideration. The planning proposal seeks amendments to Schedule 1 : Additional Permitted Use.

#### Part 5 – Community consultation

Community consultation will be undertaken in accordance with the requirements prescribed by the Gateway determination.



## Part 6 – Project timeline

A project timeline is yet to be determined however will be formulated following discussions with the Fairfield City Council and confirmation of any additional information required to allow consideration of the planning proposal.

An indicative timeline for the planning proposal includes:

Milestone	Timeframe
Council report to endorse the PP for Gateway Determination	May 2021
PP submitted to the Department of Planning and Environment seeking Gateway	June 2021
Gateway issued	July 2021
Public exhibition and agency consultation	August 2021
Consideration of submissions and report back to Council	September 2021
Submission back to Department of Planning and Environment to finalise LEP amendments	October 2021
Amendments to be published	November 2021

## CONCLUSION

This planning proposal explains the intended effect of and provides a justification for a proposed amendment to the *Fairfield Local Environmental Plan 2013* (Fairfield LEP 2013). The planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Industry and Environment document ‘*A guide to preparing planning proposals*’ (August 2016).

The planning proposal describes how the intended outcome of the proposed LEP amendments align closely with the strategic directions established in State Government documents *Plan for Growing Sydney*, *A Metropolis of Three Cities – Greater Sydney Region Plan* and the *Western City District Plan*.

It is considered that the LEP amendments sought by the planning proposal will allow for the delivery of a supermarket on the subject site zoned R4 High Density Residential in an area which is well serviced by public transport and infrastructure.

The planning proposal is considered to have strong merit based on a sound analysis of relevant planning considerations and is submitted to Fairfield City Council for consideration.