



Planning,
Industry &
Environment

IRF 21/3254

Gateway determination report – PP-2021-3450

Fairfield Planning Proposal – 2 Kamira Avenue, Villawood

October 21



Published by NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Gateway determination report – PP-2021-3450

Subtitle: Fairfield Planning Proposal – 2 Kamira Avenue, Villawood

© State of New South Wales through Department of Planning, Industry and Environment 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (July 21) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Contents

1	Planning proposal	2
1.1	Overview	2
1.2	Objectives of planning proposal	2
1.3	Explanation of provisions	2
1.4	Site description and surrounding area	5
1.5	Mapping	5
1.6	Background	7
2	Need for the planning proposal	7
2.1	Planning proposal	7
3	Strategic assessment	8
3.1	Western City District Plan	8
3.2	Local	9
3.3	Local planning panel (LPP) recommendation	9
3.4	Section 9.1 Ministerial Directions	10
3.5	State environmental planning policies (SEPPs)	12
4	Site-specific assessment	11
4.1	Environmental	12
4.2	Socio Economic Impact	Error! Bookmark not defined.
5	Consultation	13
5.1	Community	13
5.2	Agencies	13
6	Timeframe	13
7	Local plan-making authority	14
8	Assessment summary	14
9	Recommendation	14

Reports and plans supporting the proposal

Relevant reports and plans

Planning Proposal

Council report and resolution

Local Planning Panel Report and Minutes

1 Planning proposal

1.1 Overview

Table 1 Planning proposal details

LGA	Fairfield Local Government Area
PPA	Fairfield Council
NAME	Fairfield LEP 2013 Draft Amendment
NUMBER	PP-2021-3450
LEP TO BE AMENDED	Fairfield LEP 2013
ADDRESS	Part of land at 2 Kamira Avenue, Villawood (Lot 37 DP202006)
DESCRIPTION	To allow additional uses and to amend Key Sites Map
RECEIVED	19/10/2021
FILE NO.	EF21/15583
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) seeks to allow ‘retail premises’ and ‘business premises’ on part of the 1.48 ha site known as 2 Kamira Avenue, Villawood (approximately 0.5ha) for a supermarket and speciality shops within the Stage 2 proposed development by the Land and Housing Corporation (LAHC) renewal project for Villawood Town Centre. It is understood a Stage 1 (southern part of the subject site) of the DA has been submitted to Council as of 29 October 2021.

The planning proposal will amend Fairfield LEP 2013 to facilitate the redevelopment/revitalisation of Villawood Town Centre as part of Land and Housing Corporation renewal project for a combination of residential development together with active ground floor uses, identified in the Villawood Urban Design Study. The Villawood Town Centre Urban Design Study was adopted by Fairfield Council in 2018 (**Attachment E**).

The objectives of the planning proposal are clear and adequate.

1.3 Explanation of provisions

The objectives of the planning proposal are to:

- amend Schedule 1: Additional permitted uses of the Fairfield LEP 2013 to allow 4,600 m² of ‘retail premises’ and ‘business premises’ to be permissible with consent on part of the site at 2 Kamira Avenue, Villawood; and

- amend the Key Sites Map 020 to identify the part of the site on where the proposed uses can occur.

The proposal is consistent with the Villawood Town Centre Urban Design Study for a combination of residential development together with active ground floor uses in the Town Centre.

1.4 Site description and surrounding area

The Villawood Town Centre is located on the eastern edge of Fairfield LGA. The LAHC owned site (**Figure 1**) is vacant for the last 15 years and is bounded by Villawood Road, to the north, Woodville Road to the east, existing low-density residential development to the south along Hilwa Street and Kamira Avenue to the west.

The subject site (approximately 0.5ha) forms part of the Stage 2 LAHC housing redevelopment site. It is located at the north eastern portion of the LAHC land. To the east of the subject site is the existing Villawood town centre zoned B2 Local Centre and includes a mix of commercial shops, however, Council advises that business activity within the town centre is minimal with many vacant shops and sites at various stages of redevelopment.

The town centre is serviced by trains and buses providing direct access to Cabramatta and Liverpool. Several other key centres are also accessible by train via Cabramatta, to Fairfield, Parramatta CBD and the Sydney CBD. The Railway Station is within 100m and bus stops are concentrated on River Avenue to the north of the Railway, Woodville Road and Villawood Place.

Hilwa Park is to the south of the site providing a small children's play area. Council advises it was recently rezoned several adjoining privately owned sites to RE1 Public Recreation for future acquisition to expand Hilwa Park.



Figure 1 LAHC land, Villawood Town Centre

1.5 Existing planning controls

The Villawood Town Centre was rezoned in June 2020 based on the Villawood Town Centre Urban Design Study.

The subject site is zoned R4 High Density Residential under the Fairfield LEP 2013 (**Figure 3 below**). The LEP allows a maximum height of 27 metres to 39 metres and a Floor Space Ratio of 2.5:1 on the site.

Commercial premises (business premises, office premises and retail premises) are currently prohibited in the R4 zone.



Figure 2 Subject land zoning

1.6 Mapping

The planning proposal seeks to amend the Key Site Map 20 to identify the part of the LAHC site to allow 'retail premises' and 'business premises' on the land (**Figure 3**).

The proposed additional Permitted Uses of 'business premises' and 'retail premises' are proposed to be located within the northern building tower envelope, Building A in **Figure 4**, at the corner of Villawood Road and Kamira Court. The proposal is for a supermarket, speciality shops, loading bays and back of house facilities will be located with a total GFA of 4,600m² of retail/business premises.

The subject site in the Planning Proposal is not consistent with the proposed planning controls to the Key Site Map (20). It is recommended that Council to update the subject site map prior to public exhibition to clarify the extent of changes.



Figure 3 Proposed Key Site Map (20)



Figure 4 Proposed Masterplan

2 Need for the planning proposal

2.1 Planning Proposal

Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report.

The planning proposal is a result of a local strategic study (Villawood Urban Design Study) adopted by Council. The proposal is also consistent with key directions and strategies described in the Greater Sydney Regional Plan and the Western City District Plan (refer to section 3.1 Western City District Plan of this report).

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

The planning proposal to allow additional uses and amend the Key Sites Map is considered the best means of achieving the objectives and intended outcomes. There are no alternative processes to achieve the intent of this Planning Proposal under the LEP.

3 Strategic assessment

3.1 Western City District Plan

The Western City District Plan applies to the site. The District Plan contains planning priorities and actions to guide the growth of the district while improving its social, economic, and environmental assets.

The planning proposal will contribute to, and is consistent with the priorities for infrastructure and collaboration, and liveability in the plan as outlined in **Table 2**, below.

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

Table 2 Western City District Plan assessment

District Plan Priorities	Justification
INFRASTRUCTURE AND COLLABORATION	
Planning Priority W1: Planning for a city supported by infrastructure choice and Planning	<p>The proposal will ensure the infrastructure needs align with growing population within the town centre.</p> <p>The proposal will contribute and give effect to this planning priority.</p>
LIVEABILITY	
Planning Priority W3: Providing services and social infrastructure to meet people's changing needs	<p>The proposal will maintain and improve liveability by providing increase services and infrastructure needs to meet the needs of the growing population within the town centre.</p> <p>The proposal will contribute and give effect to this planning priority.</p>
Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport	<p>It is part of the revitalisation project to provide choice and type of housing up to 400 apartments, including social and affordable housing with access to jobs services and public transport.</p> <p>The proposal gives effect to the planning priority.</p>

Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage	<p>The proposal will contribute to the growth and renewal of the Villawood Town Centre, consistent with the adopted Villawood Urban Design Study.</p> <p>The proposal gives effect to the planning priority.</p>
Planning Proposal W11 – Growing investment, business opportunities and jobs in strategic centres	<p>The planning proposal gives effect to this priority as it will encourage commercial and mixed-use development and create job opportunities in the town centre.</p>

3.2 Fairfield Local Strategic Planning Statement (LSPS)

Council advises that the proposal is consistent with the Fairfield LSPS. The LSPS identifies Villawood as a town centre that has the potential to grow and increase its built form permissibility within the town centre. The LSPS refers to the Villawood Town Centre Urban Design Study (VUDS) and the resulting planning proposal to facilitate the renewal of the town centre.

This proposal is consistent with the following key objectives in the LSPS:

- Planning Priority 3 – Plan for and manage areas identified for future urban development.
- Planning Priority 6 – Ensure infrastructure is aligned to accommodate planned growth and community needs
- Planning Priority 11 – Promote a robust economy which generates diverse services and job opportunities.

3.3 Villawood Town Centre Urban Design Study

The Villawood Town Centre Urban Design Study (**Attachment E**) was adopted by Council in March 2018. The study guides urban design for the Villawood Town Centre with recommendations for built forms (height of buildings, floor space ratios) and potential community benefits such as open space, pedestrian link and commercial opportunities.

The UDS is based on the urban design principles:

- accessibility/connectivity;
- built form and land uses;
- centre vitality and economy;
- civic and open space; and,
- housing.

Council advises the Urban Design Study was prepared taking into consideration and align the outcomes and objectives of the study with LAHC's objectives where appropriate. The LAHC site is intended to be developed largely for residential purposes with some complementary non-residential uses including community facilities and identifies the opportunity for a component of affordable housing to be accommodated on the site, which is core to LAHC's objectives.

3.4 Economic Analysis

The demand modelling suggests that by 2036 Villawood Town Centre will have a commercial deficit of 4,000sqm. The proposed 4,600sqm supermarket and associated smaller speciality shops, which also allows for the back of house and circulation will provide a supportive commercial retail hub to cater the primary R4 High Density Residential use.

The Local Planning Panel report (**Attachment I**) advises that Council's Economic Development Manager had no objections to the proposal based on the basis that the proposal will:

- NSW Department of Planning, Industry and Environment | 8

3.5 Urban Design Analysis

The LAHC site is proposed to integrate high density residential, with some active street frontages primarily along Kamira Court and the proposed new pedestrian connection. The proposal seeks to activate the key street frontages by permitting business and retail premises on ground level, consistent with Villawood Urban Design Study.

An independent peer review analysis by City Plan (**Attachment D**) of the proposed design concept was done for Council to determine whether the variations made by the proponent to the built form are consistent with the adopted Villawood Urban Design Study.

The proposed design concept has a different configuration to the Villawood Urban Design concept framework, in terms of the neighbourhood park/linkages and the addition of commercial and retail components in the development.

The assessment found that the park's reconfiguration/linkages are not significant changes and will not have negative impact on its useability. The variations are consistent with the underlying principles of the Structure plan in the Urban Design Study. It will provide a more direct and logical connection between the surrounding open spaces.

The non-residential component is generally consistent with the Urban Design Study concepts, together with the intent of creating a retail plaza connecting the speciality retail shops, with eatery outlets and linking to the open space. CityPlan and Council Officers are in support of the proposed commercial proponent of the development. The proposal will establish new inclusive residential, employment and enjoyment opportunities.

The Local Planning Panel report (**Attachment I**) advises that the proposal was referred to Council's Place Manager who had no concerns regarding the current planning proposal.

3.6 Traffic Impact Assessment

The Traffic Impact Assessment (**Attachment J**) prepared by TrafficWise (September 2021) identifies that while the proposal will generate an increase the number of trips within a typical weekday the existing and proposed road network will be able to satisfactorily cope with the traffic level increase as a result of this development.

It notes that the key intersection of Woodville Road/Villawood Road/Llewellyn Avenue is expected to continue to operate in a satisfactory manner in the 2020 scenario, however the future scenarios to 2031 the level of operation will be unsatisfactory. The future impact of the development on this intersection, however, will be less than 3.84% of the overall traffic demand. Council advises it will continue to work with TfNSW and the implications of the background growth and through traffic on this intersection.

The Local Planning Panel report (**Attachment I**) advises that Council's Transport and Traffic Department raised several issues which were subsequently addressed satisfactorily.

It is recommended TfNSW is consulted on the planning proposal.

3.7 Local planning panel (LPP) recommendation

The planning proposal was considered by the Fairfield LPP on 29 September 2021 (**Attachment I**). The LPP considered the vision and overarching strategic land use for the Greater Sydney Metropolitan area, and formed the view that the planning proposal is consistent with the relevant objectives of the Metropolitan Strategy, including but not limited to, support for the renewal of Villawood Town Centre envisaged by the Villawood Urban Design Study, providing additional housing and open space within the town centre and stimulating economic development.

The Panel also agreed that the proposal is consistent with:

- the relevant strategic planning priorities in the Western City District Plan;
- key objectives of the Fairfield LSPS;
- key local planning considerations in 2016-2026 Fairfield City Plan (City Plan); and
- Fairfield LEP 2013 and the Villawood Town Centre Urban Design Study 2018.

The panel recommended that the planning proposal proceed to the Department for a Gateway determination. The Panel also recommended the Villawood Urban Design Study and DCP be amended to reflect the proposal as a separate matter.

3.8 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below in **Table 3**:

Table 3 Section 9.1 Ministerial Direction assessment

Directions	Consistent/Not Applicable	Reasons for Consistency or Inconsistency
<p>1.1 Business and Industrial Zones</p> <p>The objectives of this direction are to encourage employment growth in suitable locations and support the viability of identified centres.</p>	Consistent	The proposal seeks to allow additional retail and business premises on the site. Increased retail and supermarket at this location will establish a strong anchor and enhance the relationship between east and west across centre and will support revitalisation of the town centre.
<p>3.1 Residential Zones</p> <p>This Direction seeks to encourage a variety and choice of housing types to provide for existing and future housing needs. It also seeks to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure.</p>	Consistent	No changes are proposed to the existing R4 High Density Residential zoning. The proposal seeks to allow additional retail and business premises on the site.
<p>3.4 Integrating Land Use and transport</p> <p>This Direction seeks to include provisions that require planning proposals to reduce car-dependency.</p>	Consistent	The proposal will contribute to revitalise a site which is otherwise vacant with good access to public transport services. The establishment of retail and commercial premises onsite will reduce travel demand including the number of trips generated by development and the distance travelled, especially by car.
<p>6.3 Site Specific Provisions</p> <p>The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.</p>	Consistent	The proposal seeks to allow additional retail and business premises on the site. It will not restrict existing uses on the land.

3.9 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

It is not expected that the planning proposal will have impact on any critical habitat or threatened species, populations, or ecological communities, or their habitats.

4.2 Socio Economic Impact

As discussed in paragraph 3.4 Economic Analysis, the Retail Demand Analysis was prepared to support the proposal and was peer reviewed for Council by Norling Consultants in August 2021 (**Attachment H**). It was found the proposed development can be located on the subject site and that the overall impacts on other centres are not likely to be significant.

The planning proposal will provide significant social and economic benefits, with a range of retail and commercial services serving the needs of the people who live in the local area without a need to travel, and ultimately promote revitalisation of the town centre and create additional jobs near public transport. It is Stage 2 of the broader LAHC urban renewal project, which includes social and affordable housing with access to jobs services and public transport.

4.3 Infrastructure

The site is well serviced by public transport infrastructure and education facilities. Villawood Railway Station is within walking distance and provides access to Parramatta, Liverpool and the Sydney CBD as well as other key centres. It is well serviced by bus routes to Bankstown and Fairfield.

As discussed in paragraph 3.6 Traffic Impact Assessment the proposal while will generate an increase the number of trips within a typical weekday the existing and proposed road network will be able to satisfactorily cope with the traffic level increase as a result of this development. Council advises it will continue to work with TfNSW and the implications of the growth and surrounding road network including intersections.

5 Consultation

5.1 Community

Given the likely impacts on other retail premises within the Villawood Town Centre and nearby centres, the Department recommends a community consultation period of minimum 28 days and will form the conditions of the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 28 days to comment:

- TfNSW

6 Timeframe

Council proposes approximately 9 month time frame to complete the LEP, by August 2022.

The Department recommends a time frame of 9 months to ensure it is completed in line with its commitment to reduce processing times and the upcoming local elections in December 2021. It is recommended that if the gateway is supported it also includes conditions requiring council to exhibit and report on the proposal by specified milestone dates.

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

7 Local plan-making authority

Council's Outcomes Committee resolved on 12 October 2021 that Council would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is of a minor nature, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

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

- the proposal will facilitate, the overarching objectives of Villawood Urban Design Study to support amenity of residential uses;
- increased retail and supermarket at this location will establish a strong anchor and enhance the relationship between east and west across centre;
- will support activation and not detract from the revitalisation objectives of the Urban Design Study or result in oversupply of retail floor space; and
- the proposed amendment is consistent with the Western City District Plan and the Fairfield Local Strategic Planning Statement. It will ensure the infrastructure needs align with growing population within the town centre, revitalise the town centre and create local jobs with access to public transport.

9 Recommendation

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

1. Prior to community consultation, the subject site map should be updated to ensure consistency with the proposed Key Sites map amendments.
2. The planning proposal should be made available for community consultation for a minimum of 28 days in accordance with the guide to preparing local environmental plans.
3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



(Signature)

04/11/2021

Frankie Liang
Manager, Western District



4/11/2021

Adrian Hohenzollern
Director, Western Central River City and Western Parkland City

Assessment officer

Cho Cho Myint
Senior Planner, Western District
98601507

Attachments

Attachment	Title
Report	Gateway determination report
A	Planning proposal
B	Gateway determination
C	Letter to Council
D	Peer review of Urban Design Analyses
E	Villawood Town Centre Urban Design Study
F	Council Outcomes Committee minutes
G	Retail Demand Assessment
H	Peer review of Retail Demand Analyses
I	Local Planning Panel report and minutes
J	Traffic Impact Assessment