

**WARREN, PATRICK - SENIOR STRATEGIC LAND USE
PLANNER****FOR ACTION**

Subject: Keyhole Lands - Planning Proposal for Rezoning to IN1 General Industrial
File Reference A5239780
Meeting Date: 8/11/2022
Target Date: 29/11/2022
Notes:

119 SUBJECT: Keyhole Lands - Planning Proposal for Rezoning to IN1
:
Premises: Privately owned properties located between Chandos Road & Horsley Drive Horsley Park
Applicant: Frasers Property Group
Owner: Australand C&I Land Holdings Pty Ltd & other private landowners (details circulated separately)
Zoning: Part - RU2 – Rural Landscape
Part - SP2 – Infrastructure

File Number: 20/40354

A Memorandum was circulated by Strategic Land Use Planner (P Warren) to Councillors prior to the meeting providing further information on this matter.

MOTION: (Mijatovic/Karajcic)

That:

1. Council endorse preparation of a planning proposal to rezone the Keyhole Lands in Horsley Park from RU2 Rural Landscape to IN1 General Industrial in accordance with the Fairfield Urban Investigation Area (UIA) Draft Structure Plan.
2. Subject to the further traffic modelling updates (as detailed in the report) being provided to Council pursuant to Section 3.34 (1) of the NSW Environmental Planning and Assessment Act 1979, the planning proposal be referred to the Department of Planning and Environment (DPE) requesting a Gateway Determination.
3. Prior to public exhibition:
 - 3.1 The planning proposal be updated to address any requirements specified by DPE under the Gateway Determination and Part 3 of the NSW Environmental Planning and Assessment Act 1979.

- 3.2 Revised civil engineer & hydraulic reports be submitted to Council demonstrating that the proposal is sympathetic to its surroundings and to the existing waterways on the site. This includes enhancing the waterways on the site allowing room for natural flows and waterway processes.
4. Should DPE issue a Gateway Determination for the proposal, prior to public exhibition, Council receive further reports regarding a draft Site Specific Development Control Plan (SSDCP) and draft Voluntary Planning Agreement (VPA) for the planning proposal.

A division was taken with the following results:

Aye	Nay
Mayor Carbone	
Councillor Barkho	
Councillor Karajcic	
Councillor Le	
Councillor Ly	
Councillor Mijatovic	
Councillor Rohan	
Total=(7)	Total=(0)

CARRIED UNANIMOUSLY

ACTION TAKEN BY OFFICER

To update any action taken or to finalise this Item, go to InfoCouncil, click the Actions icon, then select Add or Edit and update accordingly.



Actions

OUTCOMES COMMITTEE

Meeting Date 8 November 2022

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REPORT BY: Patrick Warren, Senior Strategic Land Use Planner

RECOMMENDATION:

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Note: This report deals with a planning decision made in the exercise of a function of Council under the Environmental Planning & Assessment Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A	Fairfield UIA Draft Structure Plan	2 Pages
AT-B	Keyhole Lands - Planning Proposal	41 Pages

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

Council is in receipt of a planning proposal for rezoning of the Keyhole Lands, located in Horsley Park north of The Horsley Drive to Chandos Road, for employment land uses. The subject land is in private ownership and proposes access from Redmayne and Chandos Roads as well as The Horsley Drive.

The planning proposal seeks to rezone the area from RU2 Rural Landscape to IN1 General Industrial under Fairfield Local Environmental Plan (FLEP) 2013 and aligns with the Fairfield Urban Investigation Area (UIA) draft Structure Plan (Attachment A) that designates the Keyhole Lands (north of The Horsley Drive) as future employment lands.

The planning proposal (Attachment B) also proposes to amend the floor space, height of building and minimum lot size maps contained in FLEP 2013 to facilitate an industrial business park, comprising 313,000m² floor space of warehouses and logistic uses on the 60.2 hectare site. As discussed in this report, the proposal also includes a preliminary site master plan and staging plan.

A number of detailed technical reports have been submitted with the proposal addressing traffic management, biodiversity, site contamination, geotechnical, stormwater, and Aboriginal and European heritage issues.

In December 2021 the proposal was considered by the Fairfield Local Planning Panel (FLPP), which provided in principle support to the planning proposal subject to a number of traffic management and site development matters being addressed by the applicant.

As a result of the FLPP feedback, the proponent submitted revised reports and information to address Council/agency considerations, as well as the recommendations of the FLPP.

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At this stage, site access and traffic management arrangements have emerged as a key issue for the proposal that requires further advice and direction from Transport for NSW (TfNSW).

The applicant has also submitted a revised traffic model that, at the time of this report, is being updated as a result of recent feedback from Council's independent traffic advisor (Stantec).

The traffic modelling amendments are largely technical in nature and, as discussed further in this report, do not preclude Council referring the proposal to the DPE for a gateway determination.

The planning proposal is considered to be consistent with relevant local and State strategies and has sufficient strategic merit to be referred to DPE for a gateway determination in order that public exhibition and further consultation with State agencies can occur.

BACKGROUND

Following the designation of the Fairfield rural lands as an urban investigation area under the Greater Sydney Region Plan and Western City District Plan in 2018, in consultation with the Horsley Park and Cecil Park UIA steering committee (comprising representatives from the Greater Sydney Commission and State agencies), Council developed a number of options for future development of the UIA. After consideration of submissions from the community in April 2019, Council resolved to endorse the draft structure plan included in Attachment A.

Under the structure plan, the Keyhole Lands are identified as future employment lands. It is noted that the Western Sydney Parklands Trust (WSPT) supported the designation of the subject land for employment uses. In addition, under the WSPT Plan of Management, two industrial business parks have been established nearby on The Horsley Drive and Cowpasture Road.

In June 2021, Frasers Property Industrial lodged a planning proposal for an industrial land rezoning north of The Horsley Drive based on the identification of the precinct as future employment lands in the UIA Structure Plan.

Following preliminary investigation by Council Officers and State agencies, the proposal was referred to the FLPP in November 2021 who, as detailed in Part F of this report, provided in principle support to the proposal progressing subject to a number of matters being addressed regarding traffic management and site development outcomes.

THE SITE

The site (Figure 1) consists of 38 individual lots and has a total area of approximately 60.2 hectares. Under Fairfield LEP 2013, the site is zoned RU2 – Rural Landscape and has access to 3 street frontages including The Horsley Drive, Redmayne Road and Chandos Road.

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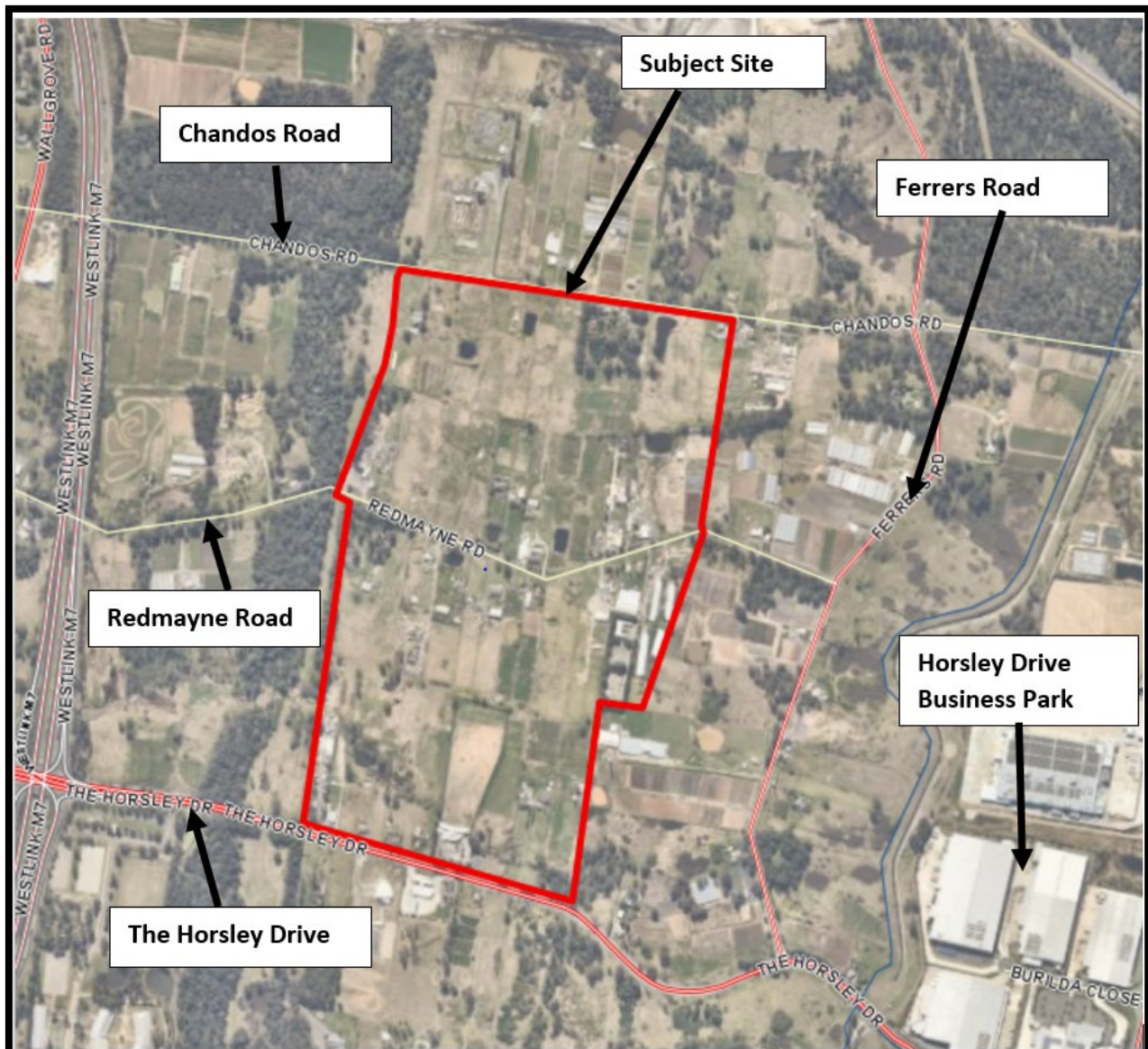


Figure 1 - Subject Site

The site is bounded by:

- The Western Sydney Parklands including Eastern Creek to the west;
- The Western Sydney Parklands including the Jemena Gas Metering Facility to the north;
- The Western Sydney Parklands including small market garden precincts, green houses and Wetherill Park Industrial Area to the east; and
- The Western Sydney Parklands to the south including The Horsley Drive.

The site includes the Sharks Golf Driving Range and a number of rural residential lots. The applicant, Frasers Property Industrial has acquired approximately half of the 38 lots subject of the planning proposal and it is understood to be in the process of negotiating acquisition of the remaining land holdings.

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The site is within close proximity to the Eastern Creek riparian corridor characterised by areas of dense vegetation and biodiversity significance. The site is approximately 1.5km west of the Wetherill Park industrial estate which serves as a major industrial hub for Western Sydney. Horsley Park and Cecil Park are approximately 3km to the west separated by the M7 motorway.

REPORT

A. STRATEGIES AND STUDIES

The following sections provide an overview of the consistency of the proposal with relevant State and local strategic planning strategies.

A Metropolis of Three Cities – Greater Sydney Region Plan

The Greater Sydney Region Plan aims to address how Sydney can meet infrastructure demands from a growing population, including residential, employment and transport demand. The Plan defines 3 cities being the:

- Central River City;
- Eastern Harbour City and;
- Western Parkland City

The development of the site for warehousing and industrial activity will locate industry within close proximity to existing established industrial and residential areas within the Western Parkland City. The development will assist with the goal of establishing a “30 minute city”, which enables residents to be within 30 minutes of employment, recreation and residential accommodation. Further to this, the Keyhole Lands strategic location will benefit the existing established urban areas of Fairfield City and meet the core objectives of the plan being:

- External Infrastructure and Collaboration;
- Liveability;
- Productivity and;
- Sustainability

Western City District Plan

Greater Sydney has 5 district plans that set a 20 year goal for the provision of infrastructure to meet the demand of a growing population and job needs. The District Plan informs Local Strategic Planning Statements, Local Environmental Plans and sets out a criteria that planning proposals must be assessed against. The 4 planning priorities set by the Greater Sydney Commission (now Greater Cities Commission) are reinforced in the District Plan.

The proposed rezoning of the site is considered to accord with the broad objectives of the Western City District Plan, as follows:

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- Access to the NSW regional road network is readily available;
- Rezoning of the site would act as complementary in servicing the Aerotropolis precinct;
- Provision of generous landscaping and setbacks, including landscape area targets that promote green grid connections;
- Promotes employment generating activities on the site that provides jobs and services to the local population; and
- The precinct is in close proximity to major transport infrastructure, existing industrial precincts and in close proximity to the Western Sydney Employment Area and Aerotropolis.

Fairfield Local Strategic Planning Statement (LSPS) 2040

The Fairfield LSPS anticipates that industry, aided by proximity to the Western Sydney Airport, will become more diversified and provide for a broader range of urban services particularly those focused on the new economy. The UIA is located in close proximity to the Western Sydney Airport (WSA) and Western Sydney Aerotropolis precinct that represents catalysts for significant transformation and provision of major infrastructure to service growth within the Western City.

To plan and manage these trends and developments, the Fairfield LSPS notes that Council will work with the State Government to monitor urban services land and amend planning controls to accommodate these where appropriate. In this regard, it is considered that rezoning of the Keyhole Lands for employment uses will promote the strategies of the Fairfield LSPS.

Fairfield City Plan 2016-2026

The planning proposal is consistent with the themes and goals set out within the Fairfield City Plan 2016 – 2036 (FCP) as follows:

- *Community Wellbeing*: The proposed rezoning will not impact on achieving the goals set out under this theme, such as ensuring a diverse, safe, inclusive, healthy and active community.
- *Places and Infrastructure*: The proposal is consistent with the goals of ensuring an accessible city, well managed community assets and well used open spaces.
- *Environmental Sustainability*: The proposal has regard to ensuring a sustainable natural environment and ensuring compliance with relevant standards.
- *Local Economy and Employment*: The proposal will assist in achieving the goals set out under this theme through fostering a range of employment and business opportunities.
- *Good Governance and Leadership*: Further consideration of the proposal will involve community consultation consistent with ensuring open decision making and an informed community.

Overall, it is considered that the planning proposal will be consistent and assist in meeting the goals set out within the FCP.

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B. THE PROPOSAL

Under the planning proposal, the amendments to Fairfield LEP 2013 will facilitate the future redevelopment (Figures 2 and 3 below) of the site for general industrial, warehouse and logistic uses, as well smaller scale ancillary service uses that are already permitted in the IN1 General Industrial Zone (ie. takeaway food and drink premises) to service workers on the site. Under the site master plan, access to the site will be obtained from a central estate road from The Horsley Drive south of the site and exit via Chandos Road to the north.

The proposal includes associated parking, landscaping, breakout areas for workers, a central hub including takeaway food and drink premises, and recreation areas adjoining the Eastern Creek interface of the site. Specific details for the proposal submitted by the applicant are shown in the table below:

Use/Development Standard	Existing	Proposed
Existing/proposed zoning	RU2 Rural landscape	IN1 General Industrial
General Industrial Floor Space	None	313,000m ²
Estimated jobs <ul style="list-style-type: none">Warehouse – 180 - 220 m²/ employeeAncillary Office Space – 20m²-25m²/ employee	Not provided	1700 persons directly (Warehouse) – per annum 1900 persons indirectly (warehouse) – per annum 535 employees (office) – per annum 234 employees (servicing direct & indirect) – per annum
• Number of Dwellings	25 rural dwellings	None
Industrial Gross Floor Area (warehouse + office space)	None	By Staging Project <ul style="list-style-type: none">Stage 1 = 166,260m²Stage 2 = 147,080m² Total = 313,340m ²
Total Maximum FSR	No FSR control	By Staging Precinct: <ul style="list-style-type: none">Stage 1 = 0.55:1Stage 2 = 0.55:1
Total Maximum Building Height	9 metres	25 metres
Subdivision Lot Size	10,000m ²	930m ²
Subdivision Lot Size for Dual Occupancy	10,000m ²	To be removed
Car Parking	Based on Council City Wide DCP for various classifications of permitted development	1193 parking spaces

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Figure 2 – Artists impression of the keyhole industrial estate as viewed from the west



Figure 3 – Artists impression of estate

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The proposal is to be staged (Figure 4) comprising Stage 1 north of Redmayne Road and south of Chandos Road and stage 2 south of Redmayne Road and north of the Horsley Drive. The potential 14 warehouse buildings will yield a maximum gross floor area (GFA) of approximately 313,000m².

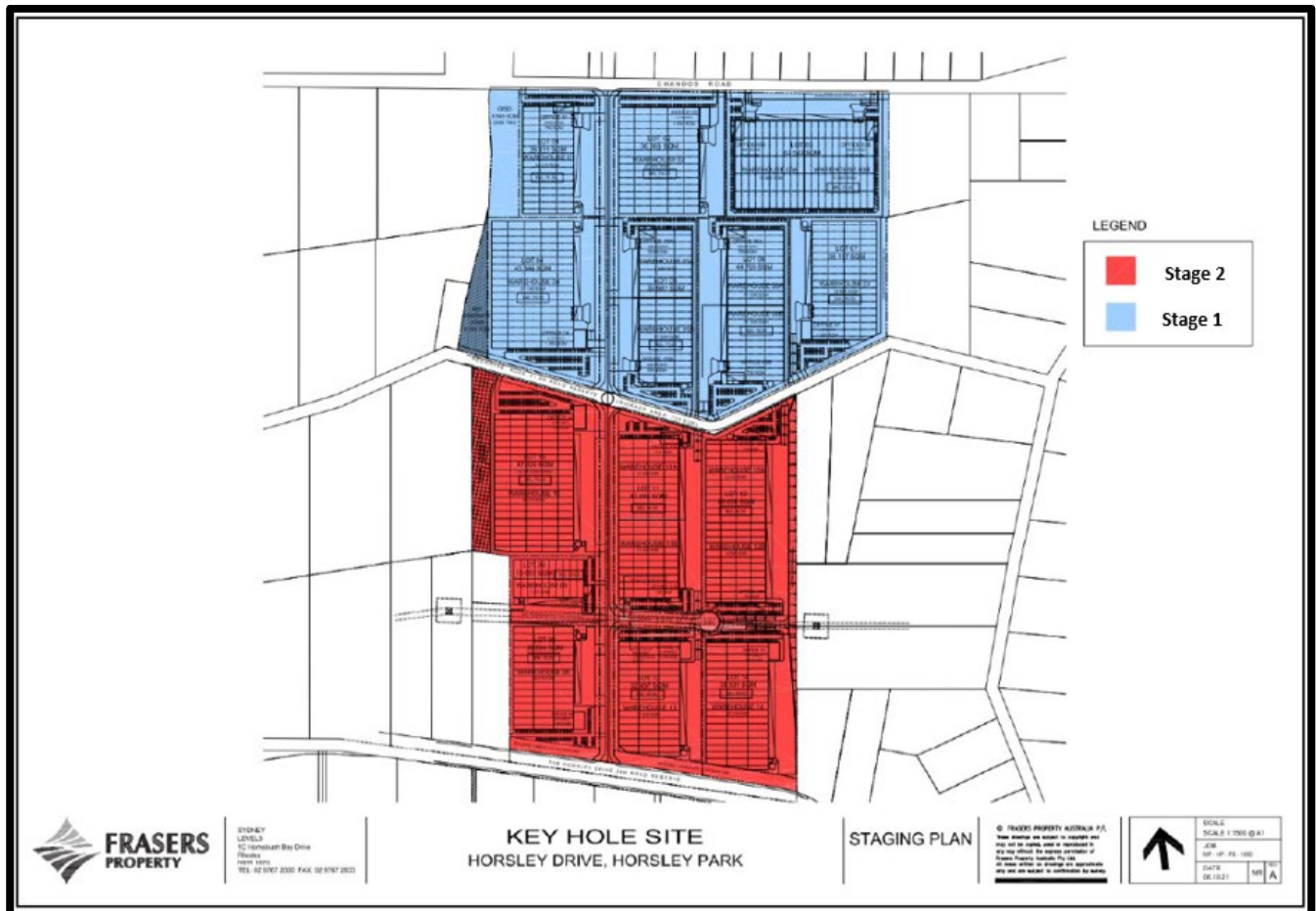


Figure 4 - Proposed Staging Plan

Additional concept plans and design illustrations are included within Attachment B of this report and are intended to give an appreciation of the proposed design and scale of future development under the provisions of the planning proposal.

C. PROPOSED AMENDMENTS TO FAIRFIELD LEP 2013

The proposed new zoning (Figure 5) and development controls applying to Keyhole Lands north of The Horsley Drive are as follows:

- Replace the existing height of building development standard of 9 metres from the site and apply a new height allowance of 25 metres.
- Apply a maximum floor space ratio (FSR) of 0.55:1 applying across the whole of the proposed IN1 land.
- Amend the minimum lot size map development standard from 10,000m² to 930m².

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- Remove the reference to the minimum lot size dual occupancy development standard applying to the site.



Figure 5 - Proposed rezoning

D. KEY ISSUES – PELIMINARY ADVICE FROM STATE AGENCIES AND COUNCIL DEPARTMENTS

Given the scale and extent of issues relevant to the site, it has been necessary to obtain preliminary advice on the proposal prior to formal exhibition from a number of State agencies and Council departments, as follows:

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Traffic and Transport

The applicant has provided a Traffic and Transport Impact Assessment (TIA) prepared by ASON Traffic and Transport consultants. The report concluded that the existing road network can accommodate the additional trip generation arising from the proposal and future broader precinct uplift subject to road upgrades and improvements.

As well as being referred to TfNSW, a comprehensive review of the TIA has been undertaken by Council's external independent traffic consultants, Stantec. The initial concept design provided to Council identified only one primary point of access to the entire site from The Horsley Drive. As a result of advice from TfNSW, the access approach was revised to include left in only for The Horsley Drive, with primary ingress/egress to the site to be provided on Chandos Road via a roundabout to be constructed (by the applicant) on Chandos Road.

The above revised access arrangements are yet to be formally commented on by TfNSW, but are considered critical having regard to the close proximity of the site to a number of major arterial and regional roads including The Horsley Drive, Wallgrove Road and Ferrers Road.

In addition, the proposed access onto Chandos Road aligns with Council's recent submission to TfNSW, as reported to the September 2022 Council Meeting, that the proposed new Southern Link (arterial) Road from Mamre Road through to the M7 at Horsley Park, be extended further east along Chandos Road towards Victoria Street in Wetherill Park (Figure 6), to enhance accessibility to the Smithfield/Wetherill Park Industrial Estate.

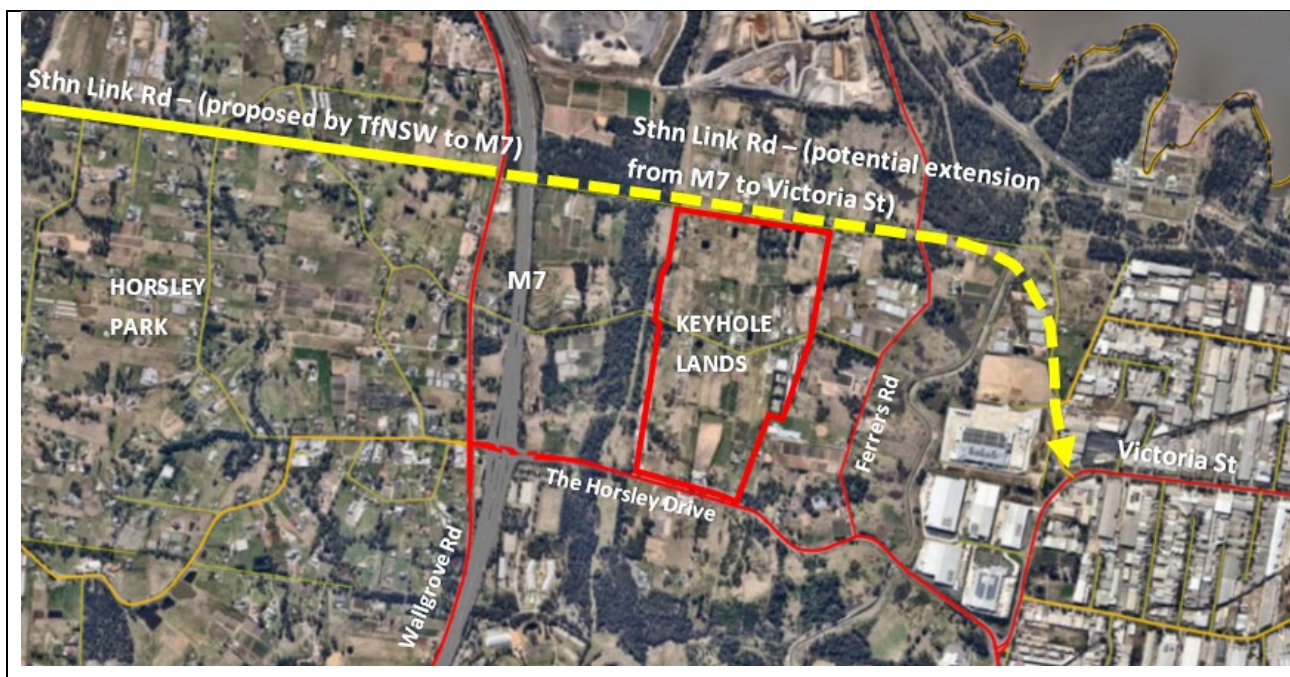


Figure 6 – Potential extension of Southern Link Road

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The planning proposal will produce approximately 800 vehicle trips an hour both ways in the AM and PM peak times. In order to accommodate vehicle generation produced by the proposal on Council's local road networks, Frasers proposes upgrades to Chandos Road and the intersection of Ferrers Road and Chandos Road.

Council Officers have requested further clarity on the timing and funding of these upgrades that would be subject to the preparation of a voluntary planning agreement between Council, Frasers Property and State Government. This matter can be addressed after the issuing of a gateway determination by DPE and subject to a further report to Council prior to public exhibition of the planning proposal.

Stantec has concluded that the revised traffic modelling provided by ASON is fit for purpose subject to agreed mitigation measures (upgrades to local road infrastructure), as well as updating the transport model to address previous advice from TfNSW regarding the extent of State arterial roads and intersections included in the traffic model.

Frasers has agreed to the above processes and, at the time this report was being prepared, their traffic consultant was undertaking the necessary work, to be forwarded to DPE for a gateway determination.

Natural Resources

Council's Natural Resource team has reviewed the proposal including a biodiversity assessment report authored by Ecologique. The proposal will necessitate clearing of the site which contains identified endangered ecological communities including fauna and flora. It should be noted however that, due to the precinct's past history as an agricultural/market garden, much of the site has been cleared of native vegetation and only remnant vegetation exists.

Despite this, the site is bordered by the Eastern Creek riparian corridor which contains extensive biodiversity values. Council Officers have conveyed to Frasers that as a condition of the proposal proceeding a Biodiversity Development Assessment Report must be provided by Frasers in line with the provision of the Biodiversity Conservation Act 2016. It is anticipated that future development would trigger the biodiversity offset scheme (BOS) and incur biodiversity credit obligations. In addition, an independent peer review was undertaken by Narla Environmental that identified further biodiversity issues.

Flooding

Council's Catchment Planning and Development Engineering teams have reviewed the civil engineering report prepared by Constin Roe submitted with the planning proposal. The site is subject to overland and mainstream flooding as a result of the site's sloping topography and proximity to Eastern Creek.

A number of watercourses currently exist on site and are proposed to be channelled or piped including redirection.

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Council Officers considered this unacceptable and not in line with the Western Parkland City vision. The site is located adjacent to the Western Sydney Parkland and is surrounded by rural land uses.

The proposal should therefore be more sympathetic to its surroundings and to the existing waterways on the site. The 3 main waterways on the site should be enhanced, allowing room for natural waterway processes. Council Officers have advised Frasers that prior to public exhibition that revised civil engineering and hydraulic reports need to be provided addressing these concerns.

Council Officers have also advised Frasers that further flood modelling will need to be undertaken at the detailed design phase to ensure there are no adverse flood impacts on properties adjoining the site.

Heritage

No European heritage exists on the subject land. The site is located within an Aboriginal Potential Investigation Area (PIA) as defined by Council's Aboriginal Heritage Study authored by Coast History and Heritage (2017). This means the site has potential to contain sites of Aboriginal archaeological significance. To address this Frasers commissioned an Aboriginal Archaeological Heritage Report and an Aboriginal due diligence assessment authored by Biosis.

Council Officers commissioned Coast History and Heritage to undertake a peer review of these reports. The peer review concluded that the report by Biosis was satisfactory subject to technical amendments and consultation with the Deerubbin Local Aboriginal Land Council. Further consultation and review of the above studies will be undertaken as part of the public consultation process and will include seeking further advice from the NSW Heritage Branch.

E. ASSESSMENT OF CONSISTENCY WITH MINISTERIAL DIRECTIONS

All planning proposals are required to demonstrate consistency with Section 9.1 Ministerial Directions under the NSW Environmental Planning and Assessment Act and satisfactorily justify any inconsistencies. The planning proposal document (Attachment B) contains a detailed review of the proposal against all the relevant Directions with a summary of the following key directions provided below:

Direction 1. Employment and Resources, 1.1 Business and Industrial Zones

The planning proposal is considered to be consistent with the above direction as it promotes additional employment opportunities for the City. The applicant has identified the creation of an additional 2,000 on site jobs and further 1,000 indirect (eg. direct service and delivery) jobs as a result of the proposed redevelopment of the precinct. There will also be numerous employment opportunities generated during the construction and operational phase of the development.

Direction 5.1. Transport and Infrastructure

The above direction requires Council to consider whether the proposal will provide for the “efficient movement of freight” and is linked to the capacity of the local and State road networks and any upgrades required to roads and intersection to maintain the efficiency of the road network.

As detailed in this report extensive investigations have already been undertaken by the proponent into these matters with revised traffic impact assessment (TIA) and traffic models recently prepared.

These are being further updated to address previous feedback provided by TfNSW and Council’s traffic advisor. At this stage, TfNSW has not provided formal feedback on the updated TIA and traffic model and, as per a recommendation included in this report, the proponent may be required to undertake further analysis and modelling of traffic issues and to update the planning proposal as a result of further feedback.

9.1 Rural Zones

This direction indicates that a planning proposal must not rezone land from a rural zone to an industrial zone unless it is justified by a strategy approved by the DPE or is of minor significance.

The planning proposal (Attachment B) addresses the above requirements as;

- Rezoning of the subject land for employment uses is flagged in the Fairfield LSPS 2040, having regard to its proximity to the Aerotropolis and Western Sydney Airport that represent a catalyst for significant change for the area.
- As part of Fairfield UIA draft Structure Plan, and following extensive community consultation, Council has endorsed rezoning of the Keyhole Lands (north of The Horsley Drive) as employment uses.
- Under the previous Fairfield LEP 1994, the Keyhole Lands were zoned for ‘Tourism’. In 2013, under transition to the current Fairfield LEP 2013, the subject land was zoned RU2 until such time that Council had undertaken strategic investigations that subsequently led to adoption of the Fairfield UIA draft Structure Plan.
- The Western Sydney Parklands Trust’s submission to public exhibition of the draft UIA Structure Plan indicated its support for rezoning of the Keyhole Lands as employment uses that would have “*direct access to the Western Sydney Parklands*” and “*complement the Horsley Park Urban Farming Precinct*” surrounding the subject site.

F. ADVICE FROM FAIRIFELD LOCAL PLANNING PANEL (FLPP)

In November 2021 the planning proposal was referred to the Fairfield Local Planning Panel for advice.

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The Panel concluded that the proposal has sufficient strategic merit and is consistent with critical State and Council strategic planning documents including the Greater Sydney Region Plan and Western City District Plan prepared by the Greater Sydney Commission (GSC), as well as the Fairfield City Council Local Strategic Planning Statement 2020.

The Panel provided in principal support to rezoning of the site subject to a number of recommendations being addressed as follows:

1. *“A staging plan for the proposal to Council to inform the provision of infrastructure and road improvements required to support redevelopment of the site”.*

Response – A staging plan has been provided specifying a 2 stage approach, stage 1 being north of Redmayne Road and stage 2 being south of Redmayne Road. Further information regarding timing and infrastructure upgrades required to facilitate the development will be addressed through a Voluntary Planning Agreement (VPA) post gateway determination.

2. *“The applicant to provide formal advice on an appropriate mechanism to pay for the upgrading of local infrastructure and roads required to service the proposal”.*

Response – The applicant has provided Council with an initial letter of offer indicating its willingness to enter into a VPA to upgrade roads and infrastructure necessary to service the proposal and are currently in the process of preparing more detailed information to be referred to Council for consideration prior to public exhibition of the planning proposal.

3. *“Amending the draft Concept Master Plan, Site Landscape Master Plan and Site Specific Development Control Plan (DCP) to be consistent with relevant benchmarks (including site pervious area, tree canopy cover, building setbacks, drainage measures and water sensitive urban design) recently issued by the NSW Department of Planning, Industry and Environment (DPIE) for future industrial development in the Western City.”*

Response – Frasers has amended the concept masterplan to include landscape setbacks and building line setbacks as recommended by the Panel. A minimum canopy coverage requirement and pervious (landscaped) area requirement has been included within the Landscape Masterplan exceeding 20% of the site. This is a benchmark which exceeds requirements previously sought by the Panel being 15%.

4. *“Confirm an appropriate floor space ratio (FSR) subject to compliance with DPIE benchmarks for the site following preparation of the amendments referred to above under point B.3 as detailed further in these minutes”.*

Response – Frasers proposes to amend the Fairfield LEP 2013 to an FSR of 0.55:1 on the site. This level of FSR aligns with the results of the updated traffic impact assessment (including traffic modelling) submitted to Council. Council's traffic consultant's (Stantec) advise that an FSR of 0.55:1 is consistent with the proposed traffic management measures included in the proposal that will mitigate impacts on the local and state road networks.

5. *“Investigate the need for any restrictions required for retail floor space development on the site, to address the findings of traffic modelling and any concerns identified by Transport for NSW (TfNSW) or Council in relation to traffic impacts on the surrounding road network”.*

Response – A revised planning proposal report was submitted limiting retail floor space to 500m² of GFA for the site that is primarily intended to provide areas for food and drink premises to service the needs of the future workforce.

G. SITE SPECIFIC DEVELOPMENT CONTROL PLAN

The applicant has provided concept plans for the proposal showing how it proposes to develop the site should the planning proposal be supported by Council and the DPE. Given the scale and nature of the proposal, Council’s current city-wide development control plan is not detailed enough to guide the future development of the site.

Accordingly, it is a requirement that the applicant prepare a draft SSDCP to ensure that future development occurs in an orderly and appropriate manner. 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;
- Sustainability initiatives and landscape and building line setbacks including canopy coverage and pervious area requirements;
- Specific design arrangements including through-site links and overhead links, public open space elements, market square access;
- vehicular access and parking arrangements including loading/servicing facilities;
- Measures to minimise potential for crime along key site linkages;
- Requirements to minimise the potential impact of the development on adjoining land; and
- Flooding, bushfire and other environmental constraints.

Should the planning proposal receive a favourable gateway determination, it is a recommendation of this report that the applicant prepare the draft SSDCP prior to the proposal proceeding to public exhibition. The draft SSDCP will be reported to Council once it has been prepared to ensure that public exhibition can occur concurrently with the planning proposal.

PUBLIC CONSULTATION STRATEGY

Public consultation for the planning proposal will be required for the minimum statutory period of 28 days and would involve:

- Notification to landowners both within and directly adjoining the land affected by the planning proposal;
- Notification to affected and adjoining business owners and any relevant business chambers and business associations;

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- Publication of all relevant information on Council's website; and
- If the timing coincides with the statutory public exhibition, information on the planning proposal will be included in a future edition of Council's newsletter CityLife.

The gateway determination will also require Council to undertake consultation with numerous State Government agencies and utility providers. Following public exhibition, a report will be referred back to Council for consideration of submissions received as a result of public exhibition and consultation with the State agencies and utility providers.

In addition to the above, delegated authority for Council to finalise the planning proposal will be requested given that Council does not own the land which forms part of the planning proposal.

NEXT STEPS

If the DPE is satisfied with the contents of the planning proposal, it is anticipated that Council would be issued with a gateway determination in approximately 2-3 months authorising public exhibition of the document.

As referred to above, there are a number of matters which need to be resolved should the DPE issue a gateway determination. It is recommended that these matters be reported back to Council prior to public exhibition. These include:

- *Site Specific Development Control Plan (SSDCP)* – Given the scale of the proposal, a draft SSDCP is required to be prepared prior to public exhibition. The preparation of the SSDCP will involve a report to Council to endorse the SSDCP prior to it being publicly exhibited concurrently with the planning proposal.
- *Draft Voluntary Planning Agreement (VPA)* – To include detail of relevant infrastructure upgrades and funding arrangements required to support the planning proposal.

CONCLUSION

The Fairfield Local Planning Panel has considered the proposal to rezone the Keyhole Lands for employment uses and, subject to the proponent addressing a number of issues, found that it has sufficient strategic merit to be submitted for gateway assessment.

As outlined in this report, the applicant has provided updated technical reports and information that address the recommendations of the Panel.

In this respect, subject to the traffic model for the project being updated and additional information concerning waterway management being lodged, it is recommended that Council endorse the planning proposal proceeding to gateway determination to enable community consultation.

Should the planning proposal receive a favourable gateway determination, prior to public exhibition, a further report will be submitted to Council that includes a draft Site Specific Development Control Plan and draft Voluntary Planning Agreement.

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Patrick Warren
Senior Strategic Land Use Planner

Authorisation:

Executive Strategic Planner
Manager Strategic Land Use Planning
Group Manager City Strategic Planning

Outcomes Committee - 8 November 2022

File Name: **OUT08112022_6.DOCX**

***** END OF ITEM 119 *****