

Pre Planning Proposal Advice

- This advice and comments of Council's Officers at the Pre Planning Proposal Lodgement Meeting are provided on a preliminary basis.
- Further investigation of the proposal and the site, as well as comments by other Statutory Authorities and local residents as part of the formal strategic assessment, **may** necessitate amendments to plans and documentation associated with the planning proposal.
- Council has the right to recommend a planning proposal not proceed pursuant to Clause 3.35 of the Environmental Planning and Assessment Act, 1979.

A. Meeting details

Meeting date	Subject lands	Suburb
16 December 2020	Key Hole Lands – Zone RU2	Horsley Park

Council officer name and position	email	Phone
Andrew Mooney – Acting Manager Strategic Land Use Planning	amooney@fairfieldcity.nsw.gov.au	9725 0214
Patrick Warren – Senior Strategic Land Use Planner	pwarren@fairfieldcity.nsw.gov.au	9725 0215
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Philip Saverimuttu – Manager Traffic and Transport	psaverimuttu@fairfieldcity.nsw.gov.au	9725 0261
Robert Stevenson – Natural Resources Team Leader	rstevenson@fairfieldcity.nsw.gov.au	9725 0308

Proponent name and interest/position	email	mobile
Mike Robinson – Frasers Property	Michael.robinson@frasersproperty.com.au	0429 261 578
Tim Lewis – Ason Group	Tim.lewis@asongroup.com.au	0412 299 692
Michaela Leerdam – Frasers Property Group	Michaela.leerdam@frasersproperty.com.au	0429 261 578
Mark Wilson – Costin Roe Consulting	Mark@Costinroe.com.au	0421847806
Andrew Johnson – Ason Group	AndrewJohnson@asongroup.com.au	0402228301

Planning Proposal Summary

Rezoning of multiple lots (approximately 60.2 ha) known as the Key Hole Lands from RU2 Rural Landscape to a yet to be specified business zone/industrial zone to facilitate an industrial estate comprising warehousing and logistics facilities. The submitted preliminary concept plan shows 19 warehouses with a total building area of 176,800m² on the northern portion of the site between Redmayne and Chandos Road and 149,980m² to the southern portion of the



site located between Redmayne Road and the Horsley Drive.

Access is proposed from the Horsley Drive for the southern portion of the site and northern portion of the site proposes access from Redmayne Road. An alternate concept plan also proposes access from Chandos Road.

The applicant also proposes to upgrade of Redmayne Road to a width of 21.5 metres. The proposal would also require considerable realignment and straightening of Chandos Road currently classified as a local road under the control and management of Fairfield City Council.

The proposal would also require the provision of a range of other utility and infrastructure measures including storm water, sewerage, electrical and water.

Pre Planning Proposal Lodgement Fee (Major/Minor)			
Paid - date		Receipt Number	



B. Issues to be addressed in Planning Proposal

Planning Proposal Detail

The objectives and intended outcomes of the proposed amendment to Fairfield LEP 2013

The objectives and intended outcomes of the planning proposal need to be clearly outlined including the purpose of the planning proposal including changes to the zoning map and any proposed development standard amendments. The proposed road upgrades should be identified within the zoning changes for Redmayne Rd to be included in the planning proposal. Property details of all the land subject to the amendments is to be provided.

Explanation of the provisions that are to be included in the proposed amendment

This section of the planning proposal should list all of the relevant sections of Council's LEP to be amended including reference to the relevant zoning maps, LEP Clauses and schedules to be amended or to become applicable to the development.

The justification of objectives, outcomes and the process for their implementation

The Planning Proposal must be prepared in accordance with the Department of Planning Industry and Environments "a guide to preparing planning proposals" responses to the relevant standard questions contained in that document are provided below in the following link.

https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf?la=en

The Planning Proposals relationship to the existing planning framework including exhibited draft plans or strategies must be provided. In this instance, the following strategies, plans, EPI's must be addressed.

- **Metropolis of Three Cities** A Vison to 2056 the plan is underpinned by 10 strategic directions, of which the relevant ones must be addressed;
- Western City District Plan Is the greater Sydney Commissions overarching vision for the Western City and its residents. The Western City District Plan sets out 20 Strategic Planning Priorities of which the relevant ones must be addressed. The site is also located in the designated Metropolitan Rural Area (MRA). Action 78 and 79 of the MRA relate to maintaining and enhancing the values of the MRA using placed based planning to deliver targeted environmental, social and economic outcomes.
- State Environmental Planning Policy Western Sydney (Aerotropolis) 2020 The North West corner of the site located under the 20-25 ANEC (Australian Noise Exposure Concept). The site also falls broadly within the 3-13 kilometer wildlife buffer area. The extent of relevance of the SEPP to the planning proposal needs to be outlined.
- Fairfield City 2040 Shaping a Diverse City Local Strategic Planning Statement The Fairfield Local Strategic Planning Statement, which sets a 20-year land use vision for Fairfield City came into force in March 2020. The Planning Proposal must consider its consistency with the relevant planning priorities and actions contained within the plan.
- Fairfield Urban Investigation Area (UIA) Draft Structure Plan endorsed by Council in April 2019 which identifies the subject land for employment purposes.
- Fairfield City Plan 2016-2026 The Planning Proposal must demonstrate the planning proposals consistency with the relevant themes and goals within the Fairfield City Plan.
- Environmental Planning and Assessment Act 1979 NSW The EP&A Act 1979 NSW and the EP&A Regulation 2000 set out:
 - Requirements for rezoning;
 - Requirements regarding the preparation of a local environmental study as part of the rezoning process;
 - o Matters for consideration when determining a development application; and



• Approval permits and/or licenses required from other authorities under other legislation.

The Planning Proposal must address the requirements set out in Section 3.33 of the EP&A Act to explain the intended outcomes of the proposed instrument. The planning proposal must also provide justification and an environmental analysis of the proposal.

- Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013) The Fairfield LEP is the key environmental planning instrument applying to the site. The proposal must demonstrate how the proposal satisfies the objectives of the proposed zoning and satisfies the relevant clauses.
- Fairfield City Wide Development Control Plan 2013 The proposal must be considered against the relevant DCP chapters including the industrial lands Chapter, traffic and parking and environmental constraints.

Details of any community consultation undertaken

Community consultation is required under Section 3.34 and Section 2.6 of the Environmental Planning and Assessment Act 1979. The Act sets out community consultation requirement for Planning Proposals and these are determined or confirmed at through the Gateway determination issued by the DPIE.

Should the applicant undertake preliminary consultation with affected land owners prior to lodgment of the planning proposal, the outcomes of this should be included in the planning proposal.

Relevant environmental considerations

Flooding – The southern portion of the subject land is affected by low, medium and high mainstream flooding. The flood affectation stems from the Eastern creek, which runs approximately 25 metres west of the site. The north west portion of the site is effected by low, medium and high risk mainstream flooding. The eastern portion of the subject area along the western boundary is also affected by the medium and low flood risk precincts.

In order to address flooding accurately Council's Catchment Branch requests that the proponent enter into a developers agreement to use Council's Tu-flow model, prior to preparation of a flood report. In addition the applicant should request a section 10.7 (2) and (5) Planning Certificate. This will confirm the extent of flood affectation and flood levels to Australian Height Datum (AHD). A flood report and a flood evacuation report will be required to be prepared as part of the planning proposal documentation.

Bushfire Prone Land – Eastern Creek located west of the subject site contains a riparian corridor that is categorized as Category 1 bushfire prone land vegetation. This requires a 30 metre bushfire buffer from the extent of vegetation to the nearest development. There are various categories of bushfire prone land across the site including category 3 vegetation requiring a 10-meter vegetation buffer. A bushfire prone land consultant should be engaged to prepare a bushfire report, to determine appropriate buffer zones to the sites western boundary. The Fire Protection Association Australia (see link below) can provide an accredited Bushfire Planning & Design (BPAD) Consultant.

http://www.fpaa.com.au/bpad.aspx

Ecologically Endangered Communities – The subject sites western boundary is located approximately 30 metres from Eastern Creek at its closest location. Eastern Creek contains ecologically endangered communities including alluvial woodland of a high and moderate Conservation significance. An ecological report including a test of significance must be undertaken by a suitably qualified ecologist to determine whether the provisions of the Biodiversity Conservation Act 2016 are triggered. If the provisions of the Act are triggered a Biodiversity development assessment report (BDAR) must be prepared by an accredited assessor accompanied by a credit report. This must be provided at planning proposal lodgment stage.

Western Gas Pipeline – The site is identified within the notification area of the western gas pipeline. The APGA Australian Pipeline database shows that the Central Trunk (Wilton to Horsley Park) is offset from the site by approximately 26 metres. It is a requirement of any future development application to consider Clause 66C of State Environmental Planning Policy Infrastructure 2007 (SEPP Infrastructure 2007). The relevant planning circular PS 18-010 - "Development adjacent to high pressure pipelines transporting dangerous goods", is linked below and provides further guidance. The asset contact is Ms Renee McCall of Jemena. She can be contacted on (07) 3498 7532 or on 0419719448. Alternatively she can be emailed at <u>Renee.McCall@jemena.com.au</u>. Jemena should be consulted at this stage to ensure any issues associated with construction within proximity to the pipeline are identified early in the planning process.



https://www.planning.nsw.gov.au/-/media/Files/DPE/Circulars/planning-circular-18-010-act-and-regulation-changes-2018-10-26.pdf?la=en

Blue and Green Grid – Section 5 Sustainability and Planning Priority W15 the Western City District Plan identifies green and blue grid priorities that interact with the sites northern and western boundary. The blue and green grid priorities identify the opportunities involved with the Prospect Creek and Reservoir Parklands whilst the ecological green grid identifies Western Sydney Parklands and Eastern Creek opportunities. The Planning Proposal must be assessed against the relevant blue and green grid priorities proximate to the proposal and demonstrate that the proposal supports these priorities.

The concept plan submitted by Frasier's Property dated 21.10.2020 shows minimal and inadequate landscaped areas with the exception of a biodiversity zone located on the sites western boundary. A greater amount of landscaped area should be provided (particularly within the sites front setbacks to Redmayne Road, Chandos Road and the Horsley Drive) to ensure the proposal is consistent with the objectives and priorities of the Blue and Green Grid contained in the Western City District Plan and Fairfield LSPS 2040.

The landscape treatment should promote a visual buffer along The Horsley Drive that represents a gateway/entry point into Wetherill Park as well as an important transition area to the adjoining Western Sydney Parklands. Vegetation including mature tree planting and deep soil zones should be provided along the sites eastern boundary to protect the adjoining residences from noise and provide greater visual amenity. A greater provision of landscaped area across the interior of the site should be provided to ensure urban heat island affect is minimized and urban green space cooling effect is maximized. Pervious surfaces should also be maximized and impervious surfaces minimized. Greater consideration also needs to be provided to preserving natural drainage lines through the site utilising the principles of Water Sensitive Urban Design (WSUD).

Fairfield City Council is a member of the Western Sydney Planning Partnership that has recently issued a Western Sydney Engineering Design Manual relevant to new residential/industrial estates in the Western City and supports implementation of the Western City District Plan Blue and Green Grid. A copy of the guidelines can be obtained via the link below. The planning proposal and concept plan for the site should detail how the proposed future development of the site will achieve consistency with the relevant guidelines contained in the Manual.

https://fairfieldcity-

my.sharepoint.com/:f:/g/personal/nruddell_fairfieldcity_nsw_gov_au/EoHnAhvW0glFiF88D9oth0sB3Cg_Cn5s7xJXu3JTWbE1v2g?e=5AcZMl

Horsley Park Urban Farming Master Plan 2019 – The subject site adjoins the Western Sydney parklands and falls within the centre of the Horsley Park urban farming precinct totaling 254 ha, of which 105ha are current farming lands and 24 ha are bushland corridor. Due to its context the development must consider its relationship with and potential impact on the adjacent farming precinct. Urban greenhouses are currently being established on the northern side of Chandos Road. The applicant should consult with the Western Sydney parklands Trust prior to lodgment of the planning proposal.

Aboriginal Heritage – Council's records indicate that the site falls within the Aboriginal Potential Investigation Area (PIA) layer and that an archeological relic is located at the south eastern corner of the southern precinct. Due to this an aboriginal archeological investigation is to be undertaken for the entire site by a heritage consultant with archeological qualifications. This must be submitted with the planning proposal. The relic onsite if existing must be identified and the appropriate aboriginal land council (Deerubin) consulted with. To ensure preservation of the relic at DA stage an aboriginal heritage permit would be required to be submitted and approved by the department of Environment, Energy and Science prior to works beginning onsite.

Relevant social considerations

The relevant social considerations should include how the planning proposal adequately addresses any social effects. Particularly for surrounding residents.

Relevant economic considerations

An economic report should be prepared that shows the economic uplift resulting from the proposal. This should include job creation and contribution to the local economy.

Relevant site specific considerations



A Site Specific Development Control Plan (SSDCP) is required to be prepared. This should be lodged with the planning proposal application. The SSDCP should include:

- Local Context
- Site and Built Form
- Car Parking, Access and Vehicle Management
- Advertising Signage
- Streetscape and amenity
- Storm water
- Development Guidelines for specific Activities and uses
- Site Servicing.

The addition of a Site Specific Development Control Plan (SSDCP) as an amendment to Council's city wide DCP will incur an additional cost of \$10,000 in addition to the Major Planning Proposal lodgment fee.

Impacts on local infrastructure, eg road, drainage, open space, community facilities

Traffic and Transport – Development at this location will have a substantial effect on the regional and local road network. Specifically on Redmayne Road, Chandos Road and the Horsley Drive. A traffic impact assessment must be submitted by the applicant including SIDRA modelling. The modelling must take into consideration trip generation at the AM and PM peak times including the developments impact on the Level of Service (LOS) of key intersections including but not limited to:

- Horsley Drive /M7;
- Horsley Drive/Walgrove Road;
- Chandos Road/Walgrove Road;
- Redmayne Road/ Walgrove Road, and;
- Horsley Drive/Cowpasture Road

Access off Chandos Road – Councils traffic engineers have stated that access of chandos road is not supported as the width is not suitable for heavy rigid vehicles being 1 lane in each direction and there is an existing 5 tonne road limit.

Redmayne Road – Redmayne roads alignment and configuration is not considered suitable as a heavy rigid vehicle route. In order to facilitate safe access to the site the applicant must consider substantial widening and realignment of the road including straitening.

M7 Underpass and Chandos Road Overpass – The M7 overpass over Redmayne Road is 3.1 meters high. Analysis must be undertaken to determine whether this is a suitable height for heavy rigid vehicles. The Chandos Road overpass is only 1 lane in each direction. Analysis must be undertaken to determine whether widening of the overpass in this location would be required to facilitate two way traffic flow factoring in heavy rigid vehicles.

Jemena Metering Facility – The Jemena metering facility is located at 204 to 214 Chandos Road. A state significant Infrastructure Project (SSI) 10313 for a power to gas facility and a hydrogen bus refueling facility has been approved on the site. This will involve approximately 13 bus movements per day from the access at 194 to 202 Chandos Road.

Although Council officers are not in support of access from Chandos Road at this stage, should the applicant pursue this option Jemena must be contacted to ensure any proposed access from Chandos Road does not disrupt operation of the hydrogen bus refueling facility.

Consultation With Road Authorities – Council's traffic engineers require the applicant consult with the relevant local road authorities including the operators of the M7 (Trans urban and Western Sydney Road Group) and Transport for NSW. Preliminary comments from these agencies must be included in the planning proposal document lodged to Council.

Other considerations

Voluntary Planning Agreement – The applicant should consider the need for entering into a formal Voluntary Planning Agreement (VPA) with Council to ensure provision/upgrades of essential infrastructure services (in particular roads) and public domain areas is captured. For reference a link to Council's voluntary planning agreement policy including relevant documents is provided below.



https://www.fairfieldcity.nsw.gov.au/Planning-and-Building/Planning-and-Policies/Planning-Agreements

S7.12 - **Indirect Development Contributions** – Any future development application resulting from the planning proposal would be required to pay a section 7.12 indirect development contributions. For costs of work over \$200,000 a levy of 1.0% of the total cost of the development is required to be payed to Council prior to a construction certificate being issued for the works.

Urban Design Study and Master Plan – An urban design study that informs on a master plan for the site must be submitted as part of the planning proposal. The following urban design considerations should be considered by these studies:

- Existing Site Plan (buildings, vegetation, roads)
- Building Mass/Block diagram study (FSR and Height of Buildings)
- Lighting impact including shadow diagrams
- Development yield analysis including potential yield of lots and employment generation



C. Supporting Information Required to be Submitted

Supporting information	Required (Y/N)
Concept Plans	Y
Master Plan	Y
Urban Design Study	Y
Environmental Study	Y
Social impact Study	Ν
Economic Impact Study	Y
Traffic Report	Y
Acoustic Report	Y
Flood Modelling Report	Y
Plan of Management	Ν
Aboriginal Archeological Investigation	Y
Bushfire report	Y
Flora and Fauna Report	Y



D. Strategic Planning and Local Environmental Plans

State Environmental Planning Policies
Consideration of relevance to planning proposal required
SEPP 19 – Bushland in Urban Areas
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)
SEPP 33 – Hazardous and Offensive Development
SEPP 55 – Remediation of Land
SEPP 64 – Advertising and Signage
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Infrastructure) 2007
SEPP (Major Development) 2005
SEPP (Miscellaneous Consent Provisions) 2007
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (State and Regional Development) 2011
SEPP (Sydney Region Growth Centres) 2006
SEPP (Western Sydney Employment Area) 2009
SEPP (Western Sydney Parklands) 2009
SEPP 21 – Caravan Parks
SEPP No.29 – Western Sydney recreation area
SEPP 30 – Intensive Agriculture
SEPP 50 – Canal Estate Development

Western City District Plan 2018

Key Planning Priorities

The relevant key planning priorities must be considered as part of the planning proposal:

Infrastructure and collaboration

• Planning Priority W1. - Planning for a City Supported by Infrastructure

Liveability

• Planning Priority W6. – Creating and Renewing Great Places and local centres and respecting a districts heritage

Productivity

- Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City.
- Planning Priority W8 Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis.
- Planning Priority W9 Growing and Strengthening the metropolitan cluster
- Planning Priority W10 Maximising freight and logistic opportunities and planning and managing industrial and urban services land.
- Planning Priority W11 Growing investment, business opportunities and jobs in strategic centres.

Sustainability



- Planning Priority W12 Protecting and improving the health and enjoyment of the districts waterways
- Planning Priority W14 Protecting and enhancing bushland and biodiversity.
- Planning Priority W15 Increasing urban tree canopy cover and delivering Green Grid connections.
- Planning Priority W17 Better managing rural areas
- Planning Priority W19 Reducing Carbon Emissions and managing energy, water and waste efficiently.
- Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change.

Comments: The following sustainability planning priorities in the Western City District Plan are considered critical in achieving a good planning outcome for the site, including greater landscaped area and canopy cover:

- Planning Priority W20 adapting the impacts of urban and natural hazards and climate change, and;
- Planning Priority W15 Increasing Urban Tree Canopy Cover and delivering green Grid connections

These Planning priorities respond to goals within the 2016 to 2026 Fairfield City Plan, particularly:

- Theme 3 Goal A A sustainable natural environment, and;
- Theme 3 Goal B Environmentally aware and active community

The above goals directly relate to Green Grid opportunities particularly increasing urban tree canopy cover and delivering green grid connections. The Planning Proposal must consider the relevant priorities of the Western City District Plan as they relate to the green grid priorities in particular "priority 21 – Western Sydney Parklands and Eastern Creek" which is identified as a Western City District Priority in the Green Grid Plan.

Eastern creek connects into Western Sydney Parklands, which is one of the most significant regional open space assets in western Sydney. Any proposal for the key hole lands must consider this regional context. The parklands precinct will balance recreation, biodiversity, infrastructure and business and will continue to develop and support future growth. The project must demonstrate how it is improving connectivity from adjacent green grid priorities at eastern creek and prospect reservoir reserve including the surrounding urban farming precinct within the parklands.

Fairfield City Local Strategic Planning Statement 2040

Planning Priorities

The Planning Priorities in the Local Strategic Planning Statement (LSPS) can be found at the link below.

https://www.fairfieldcity.nsw.gov.au/Planning-and-Building/Planning-and-Policies/Local-Strategic-Planning-Statement-LSPS

Fairfield Local Environmental Plan (LEP) 2013



(current provisions applicable to the land that require LEP map changes or require detailed consideration under the planning proposal)
Land Use Zoning
RU2 – Rural Landscape
Development Standards
 4.1 Minimum subdivision lot size 4.1A Minimum lot size for dual occupancy 4.3 Height of Buildings 4.4 Floor Space Ratio 4.5 Calculation of floor space area and site area
Miscellaneous Provisions
N/A
Additional Local Provisions Generally
 6.2 Earthworks 6.3 Flood planning 6.4 Floodplain risk management 6.5 Terrestrial Biodiversity 6.6 Riparian Land and Watercourses 6.9 Essential Services
Additional Local Clauses
N/A
Schedule 1 Additional Permitted Uses
N/A
Schedule 5 Environmental Heritage
N/A

Fairfield Development Control Plan 2013

Relevant development controls

Chapter 3 - Environmental Management and Constraints

Chapter 4A - Development in the Rural Zones

- Chapter 8 Commercial Development in Local Centres Business Use
- Chapter 9 Industrial Development

Chapter 11 - Flood Risk Management

Chapter 12 - Car Parking, Vehicle and Access Management

Chapter 14 - Subdivision

Appendix C - Advice for preparing advertising signage

Appendix D - Preservation of Trees and Vegetation

Appendix E - Waste Not Policy to manage demolition and construction waste

Appendix F - Landscape Planning

Appendix H - Aboriginal Heritage Management



E. Fees

Fee Type	Fee Amount
Major Local Environmental Plan	\$50,000
Amendment (LEP)	
Major Related Development Control Plan Amendment/creation of development control plan amendment to site specific Development Control Plan	\$10,000
Total	\$60,000.00

F. Relevant Internal Comments

Department	Attached
Catchment Planning	See Section B
Natural Resources	See Section B
Traffic Engineering	See Section B
Strategic Land Use	See Section B
Planning	
Assets	Preliminary Comments to be provided at PP stage
Development Planning	Preliminary Comments to be provided at PP stage

G. Conclusion

Matters for consideration

Overview of main matters relevant to Planning Proposal and preliminary draft site concept plan

The Planning Proposal must address the following matters prior to lodgement of the application to Council:

- Traffic and transport issues raised in section B
- Relevant planning and environmental legislation
- Consideration of identified environmental affectations identified in Section B
- Consideration of relevant strategic planning policies at a state and local level identified in Section B.
- Consideration of entry into a Voluntary Planning Agreement with Council regarding the proposed realignment and reconfiguration of roads.
- Lodgement of the relevant supporting documentation at planning proposal stage in line with Section C.
- A reduction in bulk and scale to reduce impervious surfaces and increase vegetation cover onsite. A reduction in bulk and scale onsite will also facilitate a better planning outcome regarding front setbacks at the road interface and side setbacks to eastern creek and adjoining rural properties on the eastern boundary.
- Measures that support the priorities and principles of the Western City District Plan Blue and Green Grid. This includes details of measures that achieve consistency with the Western Sydney Engineering Design Manual prepared by the Western Sydney Planning Partnership.
- In light of the above, the preliminary draft concept plan for the proposed will



need to amended and a further meeting be scheduled with Council officers to discuss the planning proposal further.

Note:

• The information submitted is conceptual in nature and therefore a detailed assessment of the proposal is not yet possible.