



IRF 23/2812

Gateway determination report – PP-2022-3923

Amendment to the Fairfield Local Environmental Plan 2013 to facilitate a mixed-use development comprising residential, retail and commercial, and public open space for 896- 898 Woodville Road and 15 Hilwa Street, Villawood

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

| Relevant reports and plans |
|---|
| Attachment A - Planning Proposal |
| Attachment B - Social and Economic Impact Assessment |
| Attachment C - Traffic Impact Assessment |
| Attachment D - Traffic Peer Review Advice |
| Attachment E - Urban Design Report |
| Attachment F - Urban Design Peer Review Advice |
| Attachment G - Proposed Maps |
| Attachment H - Contamination Assessment – Preliminary Site Investigation Report |
| Attachment I - Fairfield Local Planning Panel Report 3 August 2023 |
| Attachment J - Fairfield Local Planning Panel Minutes 3 August 2023 |
| Attachment K - Fairfield Council Reports 12 September 2023 |
| Attachment L - Fairfield Council Minutes 26 September 2023 |

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

| | |
|---------------------------------|---|
| LGA | Fairfield |
| PPA | Fairfield City Council |
| NAME | Amendment to the Fairfield Local Environmental Plan 2013 to facilitate a mixed-use development comprising residential, retail and commercial, and public open space for 896- 898 Woodville Road and 15 Hilwa Street, Villawood (122 homes, 0 jobs) |
| NUMBER | PP-2022-3923 |
| LEP TO BE AMENDED | Fairfield Local Environmental Plan 2013 |
| ADDRESS | 896-898 Woodville Road and 15 Hilwa Street, Villawood |
| DESCRIPTION | Lot 3 DP 208677, Lot 100 DP 107096, Lot 1 DP 217764 and Lot 13 DP 220348 |
| RECEIVED | 11/10/2023 |
| FILE NO. | IRF23/2812 |
| POLITICAL DONATIONS | There are no donations or gifts to disclose and a political donation 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**) contains objectives and intended outcomes that adequately explain the intent of the proposal. The objectives of the planning proposal are to:

- amend Fairfield Local Environmental Plan (LEP) 2013 to address a proposed alternative land amalgamation pattern and facilitate the development of the site as part of the on-going renewal of the Villawood Town Centre.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal contains an explanation of provisions that adequately explain how the objectives of the proposal will be achieved.

The planning proposal seeks to amend the Fairfield LEP 2013 per the changes set out in **Table 3** overleaf.

Table 3 Current and proposed controls

| Control | Current | Proposed |
|----------------------------------|--|--|
| Zone | <ul style="list-style-type: none"> Part E1 Local Centre (formerly B2) Part RE1 Public Recreation Part R4 High Density | <ul style="list-style-type: none"> Part E1 Local Centre (formerly B2) Part RE1 Public Recreation |
| Maximum height of the building | <ul style="list-style-type: none"> 27m - E1 Local Centre zone 20m - R4 High Density Residential zone No height controls - RE1 Public Recreation zone | <ul style="list-style-type: none"> 27m proposed to extend across the subject site (excepting part 896 Woodville Road (Lot 100 DP1070965) that is to remain zoned RE1 Public Recreation) |
| Floor space ratio (FSR) | <ul style="list-style-type: none"> 2:1 - That part of the site currently zoned R4 High Density Residential (15 Hilwa Street and 898 Woodville Road, Villawood) no FSR controls - Other parts of the site (896 Woodville Road, Villawood) | <ul style="list-style-type: none"> No FSR controls to apply to subject site. |
| Minimum site area | <ul style="list-style-type: none"> 4000sqm - That part of the site currently zoned E1 Local Centre (part 896 Woodville Road, Villawood) No minimum site area control - Other parts of the site (15 Hilwa Street and 898 Woodville Road, Villawood; part 896 Woodville Road, Villawood that is zoned RE1) | <ul style="list-style-type: none"> 4000sqm – 15 Hilwa Street, 896 and 898 Woodville Road, Villawood combined 1300sqm – 896A Woodville Road, Villawood |
| Land reservation acquisition map | <ul style="list-style-type: none"> RE1 Public Recreation – part 896 Woodville Road (Lot 100 DP1070965 and part Lot 3 DP208677) | Remove the land reservation acquisition provision applying to part of 896 Woodville Road (part Lot 3 DP208677) |
| Number of dwellings | 0 | 121 |
| Number of jobs | N/A | 0 |

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The subject site is identified as Nos. 896, 896A and 898 Woodville Road and No. 15 Hilwa Street, Villawood, and is located within the Fairfield Local Government Area (LGA). It comprises a large generally rectangular shape with main frontages to Woodville Road and Howatt Street and a secondary frontage to Hilwa Street.

The site has an area of approximately 5,803.7m², and currently contains a single storey commercial building over part of the site, with the majority being open stand parking, a single storey petrol station and 2 x single storey dwellings. The area is generally characterised by low to mid rise development of a mix of residential and commercial.

The site is located in western Sydney, approximately 21.5 kilometres west of the Sydney CBD, 8 kilometres south of the Parramatta CBD, 30 kilometres east of Penrith, and 6.5 kilometres north of Liverpool.

More immediately the site is located approximately 300 metres walking distance of the Villawood Railway Station and adjoins Villawood Town Centre which is located directly to the north (**Figure 1**). The Town Centre is characterised by a range of mixed-use developments including 6-12 storey mixed-use apartment buildings with ground floor retail and commercial spaces, areas of parking and retail and commercial.

It is bound to the north by Hilwa Park, a narrow area for public recreation. Council has also recently rezoned 20 Kamira Avenue, Villawood to RE1 Public Recreation for future acquisition to expand Hilwa Park on the western boundary of the site.



Figure 1 Site context (source: planning proposal)



Figure 2 Subject site identifying overall subject site separated into proposed development site and lot to be excised (source: Nearmap)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Fairfield LEP 2013 maps, which are suitable for community consultation.

The planning proposal will amend the following maps (in respect to the site as identified outlined in red):

- Land Zoning Map;
- Minimum Site Area Map and Town Centre Precinct Map
- Height of Buildings Map;
- Floor Space Ratio Map; and,
- Land Reservation Acquisition map.

Department comment

A Gateway condition is to be included to require the planning proposal and attachments to be updated to address the apparent errors in the proposed Minimum Site Area, Town Centre Precinct Map, and proposed Land Reservation Acquisition Map.

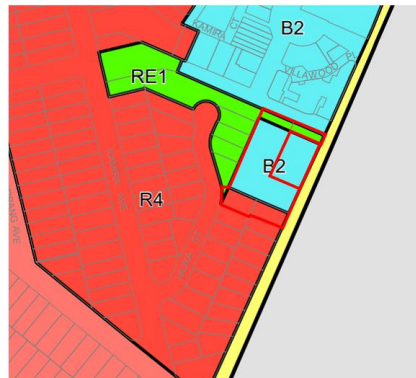
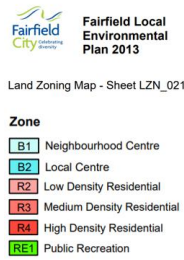


Figure 3 Current Zoning Map (source: planning.portal.nsw.gou.au)

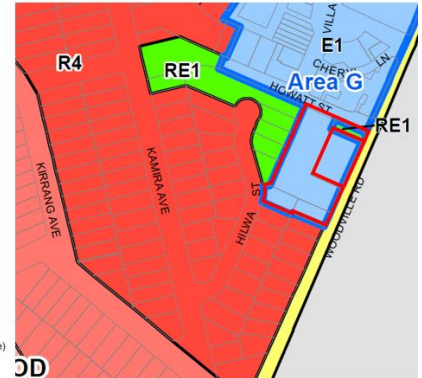


Figure 4 Proposed Land Zoning Map (source: Fairfield City Council, October 2023)

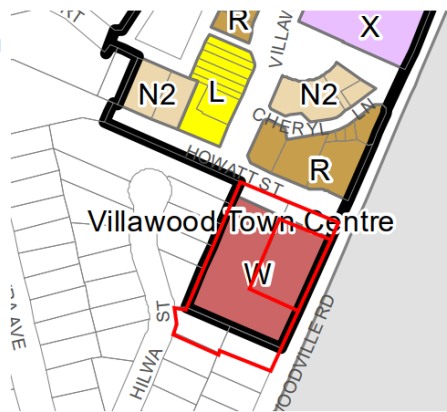
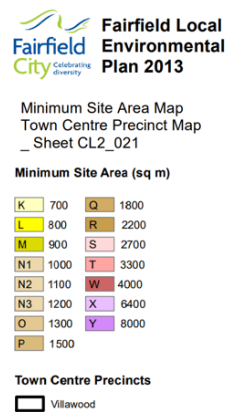


Figure 5 Current Minimum Site Area Map Town Centre Precinct Map (source: planning.portal.nsw.gou.au)

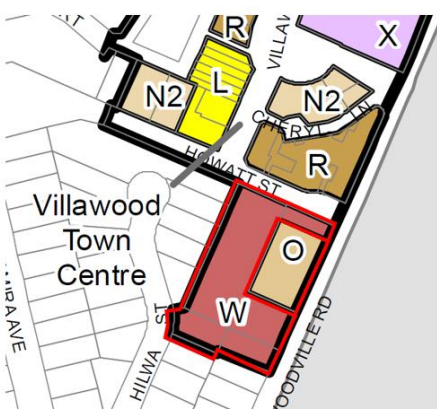


Figure 6 Proposed Minimum Site Area Map Town Centre Precinct Map (source: Fairfield City Council, November 2023)

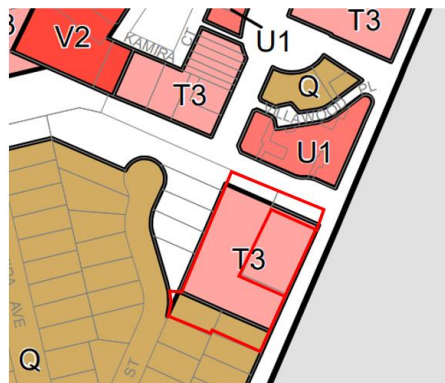
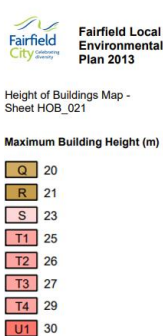


Figure 7 Current Height of Buildings Map (source: planning.portal.nsw.gou.au)

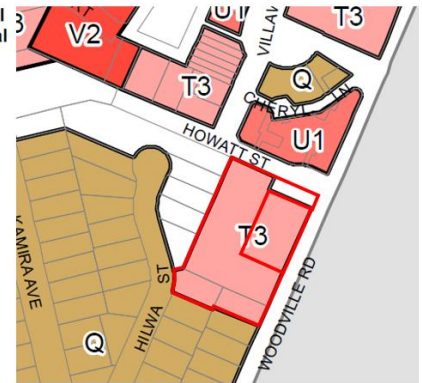
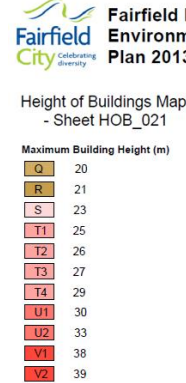


Figure 8 Proposed Height of Buildings Map (source: Fairfield City Council, October 2023)

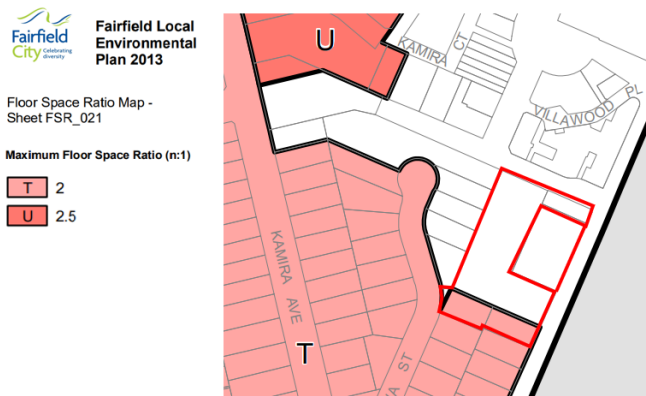


Figure 9 Current Floor Space Ratio Map (source: planning.portal.nsw.gov.au)

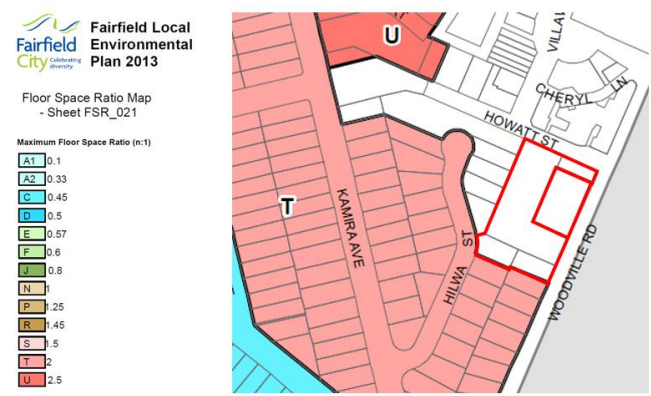


Figure 10 Proposed Floor Space Ratio Map (source: Fairfield City Council, October 2023)

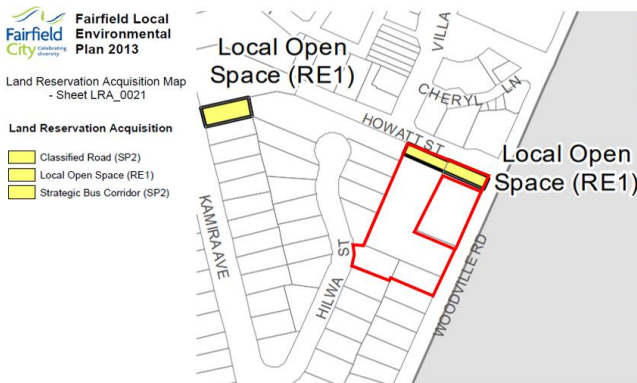


Figure 11 Current Land Reservation Acquisition Map (source: planning.portal.nsw.gov.au)

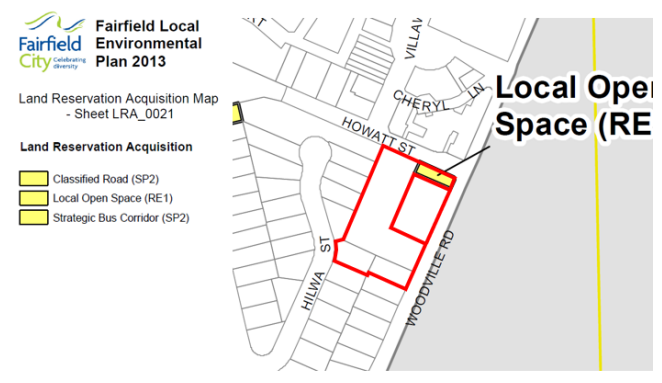


Figure 12 Proposed Land Reservation Acquisition Map (source: Fairfield City Council, October 2023)

1.6 Background

- Fairfield Council adopted the Villawood Town Centre Urban Design Study (VUDS) in March 2018. The study guides urban design planning for the Villawood Town Centre, setting out recommended height of buildings, floor space ratios and guidelines around potential community benefits such as open space, pedestrian link and commercial opportunities.
- Following the adoption of the VUDS in 2018, a planning proposal was prepared to amend the Fairfield LEP 2013 to implement the VUDS. This was gazetted in June 2020.
- Subsequently, two significant mixed-use developments have come forward in the town centre that align with the vision set out in the VUDS, a 6-storey mixed-use development at 882 Woodville Road, and a 9-12 storey mixed-use development at 1 Villawood Place. Further approvals have also been provided to sites at 47-53 Pedestrian Mall and 2 Kamira Avenue.
- The proponents (site owners) have a history of development within the Villawood Town Centre having already developed 1 Villawood Place and 882 Woodville Road and received a construction certificate to begin construction on another site at 47-53 Pedestrian Mall, Villawood.

- The proposal seeks to develop the site in excess of 9m which requires minimum lot size requirement of 4000sqm. This outcome is consistent with the vision for the site as set out in the VUDS and Fairfield LEP 2013. However, this outcome is not achievable under the current lot pattern and land ownership. It is understood that the proponent has attempted to purchase 896A Woodville Road, Villawood (Lot A DP 418889) however this negotiation has been unsuccessful.
- As a result, an alternative land amalgamation pattern is required which excises 896A Woodville Road, Villawood (Lot A DP 418889) from the proposed development site as identified in the VUDS and Fairfield LEP 2013 Minimum Site Area Map and instead consolidates 896 Woodville Road together with 898 Woodville Road and 15 Hilwa Street to achieve a combined site area for development of over 4000sqm (**Figure 2**). It is proposed to reflect this change in an amendment to the Fairfield LEP 2013 Minimum Site Area Map.
- The site that is proposed to be excised (896A Woodville Road) has an area of 1,391sqm. In order to ensure that the future independent development potential of this property is not constrained the proposal includes the application of a minimum site area of 1300sqm to that particular Lot.

2 Need for the planning proposal

The planning proposal is proponent led. It is the result of the VUDS, in which 896 and 896A Woodville, Road, Villawood are proposed to integrate high density residential, with some activate street frontages primarily along Howatt Street. The VUDS is discussed further in this report under the Strategic Assessment section.

In order to achieve the vision for the area as set out in the VUDS the proposed development requires the Fairfield LEP 2013 maps to be amended in respect to the controls that apply to the subject site. Specifically in relation to zoning, height of buildings, FSR, land reservation acquisition and Town Centre precinct, and the minimum site area.

Department comment

It is noted that the planning proposal is the best and most appropriate means of achieving the Council's intended outcome.

3 Strategic assessment

3.1 Regional Plan

The Fairfield LGA is subject to the Greater Sydney Region Plan: A Metropolis of Three Cities (March 2018). The planning proposal is consistent with the relevant objectives of the Region Plan, as outlined in **Table 4** below.

Table 4 Region Plan assessment

| Region Plan Objectives | Justification |
|---|--|
| Objective 6: Services and infrastructure meet communities' changing needs | Consistent: The proposal will provide additional housing in an area already serviced by existing infrastructure and services and in proximity to schools, health services, a library, community and cultural facilities, parks and recreation facilities. It will also provide a range of convenience retail and commercial services which will serve the needs of the community as the area undergoes a period of renewal and growth. |

| | |
|--|---|
| Objective 10: Greater housing supply | Consistent: The proposal will supply a range of housing types in the right location to support Sydney's growing population. |
| Objective 11: Housing is more diverse and affordable | Consistent: The proposal will facilitate more diverse housing choice for the area. |
| Objective 12: Great places that bring people together | Consistent: The proposal aims to provide well design urban form with high amenity and a diverse land use mix within the Villawood Town Centre. It aims to integrate social infrastructure and support social connections and provide a community hub by way of a public green open spaces to be used to recognise and celebrate the character of the opportunities for recreation within Villawood. |
| Objective 14: A Metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities | Consistent: The proposal will provide an opportunity for business investment in new mixed-use buildings in relatively close proximity to key centres such as Liverpool, Bankstown and Sydney Central City and Parramatta. |
| Objective 22: Investment and business activity in centres | Consistent: The proposal will provide new commercial space to promote economic growth and revitalisation of Villawood Town Centre and will also provide new local employment opportunities. |

3.2 Western City District Plan

The site is within the Western City District and the Greater Cities Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic, and environmental assets.

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 planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined overleaf.

Table 5 District Plan assessment

| District Plan Priorities | Justification |
|--|---|
| Planning Priority W1: Planning for a city supported by infrastructure | Consistent: The relative location of the subject site within close proximity to already established public transport and other essential community service infrastructure (e.g. train station 300 metres distance from the site) is consistent with the planning priority as the site is well suited to deliver an outcome capable of being supported by existing infrastructure. |
| Planning Priority W3: Providing services and social infrastructure to meet peoples changing needs | Consistent: The proposal promotes commercial space to support and meet the different stages of life which is consistent with this planning priority that identifies that as population growth increases as does the demand on services and infrastructure. |
| Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport | Consistent: The proposal will provide new housing supply (and a range of housing types to support Sydney's growing population) that co-ordinates with local infrastructure to provide access to shops, services and public transport. |
| Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres | <p>Consistent: The proposal recognises the need to for additional commercial uses in the area and ensures that new mixed-use development can benefit from the access and services in the town centre.</p> <p>Note: Although Villawood Town Centre is not identified as a Strategic Centre in the District Plan, the Fairfield Local Strategic Planning Statement (LSPS) identifies Villawood as a town centre that has the potential to grow and therefore it is considered appropriate to address this priority.</p> |
| Planning Priority W18: Delivering high quality open space | <p>Consistent: Additional infrastructure including new public open spaces will be provided as part of the proposal.</p> <p>The proposal aligns with Council's Open Space Strategy and Villawood Urban Design Study by providing new public open spaces (continuing the existing lineal Hilwa Park east to Woodville Road) to meet the needs of the growing community.</p> |

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies, as outlined in **Table 6** below:

Table 6 Local strategic planning assessment

| Local Strategies | Justification |
|--|---|
| Fairfield City 2040 Shaping A Diverse City – Local Strategic Planning Statement (LSPS) | The planning proposal is consistent with the Fairfield City 2040 Shaping A Diverse City – Local Strategic Planning Statement (LSPS) and key local planning priorities 1, 2, 4, 6 and 11. These priorities speak the aim of meeting the changing needs of the community through the delivery of greater housing diversity and affordability, ensuring infrastructure supports growth and change, and the generation of diverse local services and job opportunities. |
| Fairfield Local Housing Strategy 2022 (LHS) | <p>The Fairfield Local Housing Strategy 2022 (LHS) guides future planning decisions that promote well-designed, accessible, and safe places for the community, including active transport, and encourage walking and cycling within town centres.</p> <p>The planning proposal is not inconsistent with the LHS as it will increase housing diversity and affordability in one of the key areas located within the eastern half of Fairfield City specifically identified in the LHS as suitable for future development to meet the changing needs of the community.</p> |
| Open Space and Recreation Strategy 2020-2041 | <p>The proposal aligns with Council's Open Space and Recreation Strategy 2020-2041 (and the VUDS) as it will provide new public open spaces to meet the needs of the growing community by continuing the existing lineal Hilwa Park east to Woodville Road.</p> <p>It is proposed to rezone part of 896 Woodville Road (Lot 3 DP208677) from RE1 Public Recreation zone to E1 Local Centre zone. This is intended to facilitate the development and remove barriers relating to vehicular access. However, the intended use of this area is for it to remain as open space (pedestrian plaza extension) and it is understood that this will be addressed in further detail in the forthcoming Villawood Town Centre Development Control Plan Amendment (discussed further below).</p> |
| Future Transport Strategy 2056 | <p>Future Transport Strategy 2056 sets the 40-year vision, directions, and principles for customer mobility in NSW, guiding transport investment over the longer term. It presents a glimpse of the large economic and societal shifts we will see in the future and places the customer at the centre of everything we do, to ensure we harness rapid advances in technology and innovation to create and maintain a world-class, safe, efficient, and reliable transport system.</p> <p>The planning proposal is consistent with the Future Transport Strategy 2056, as addressed by the Transport Impact Assessment prepared by Genesis Traffic (submitted with the proposal) that identifies the site with excellent and immediate access to public transport.</p> |

Villawood Town Centre Urban Design Study 2018

The planning proposal is a result of an urban design study, specifically the Council commissioned VUDS, which led to the development of the Villawood Town Centre Development Control Plan (DCP). It is noted that the proposal also includes the development of a Site Specific DCP to be included as an addendum to current DCP and exhibited at the same time as this proposal.

In the VUDS, the vision for 896 and 896A Woodville, Road, Villawood is for the site to integrate high density residential and commercial/retail, with some activate street frontages primarily along Howatt Street. The proposed mixed-use development is consistent with this (**Figure 13**).

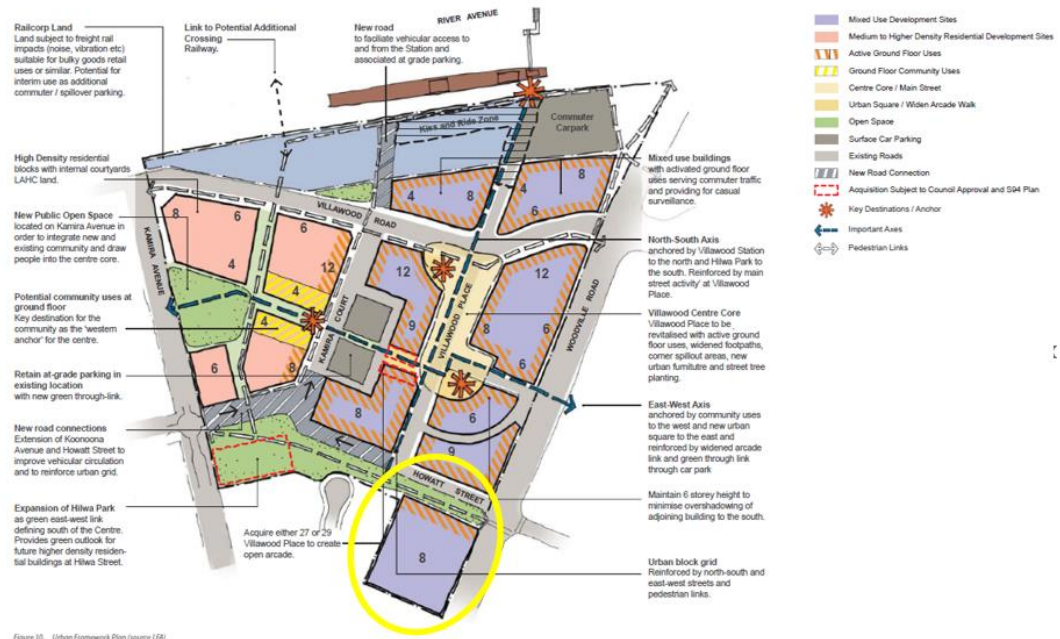


Figure 10. Urban Framework Plan (source: LSC)

Villawood Town Centre Urban Design Study - Adopted 27 March 2018

Figure 13: Vision for the area and individual sites identified under the Villawood Town Centre Urban Design Study 2018, subject site circled in yellow (source: Fairfield City Council, October 2023)

The proposal seeks to develop the site in excess of 9m which requires minimum lot size requirement of 4000m². This outcome is consistent with the vision for the site as set out in the VUDS and Fairfield LEP 2013. However, this outcome is not achievable under the current lot pattern and land ownership. It is understood that the proponent has attempted to purchase 896A Woodville Road, Villawood (Lot A DP 418889) however this negotiation has been unsuccessful.

Therefore, an alternative land amalgamation pattern is required which excises 896A Woodville Road, Villawood (Lot A DP 418889) from the proposed development site and instead consolidates 896 Woodville Road together with 898 Woodville Road and 15 Hilwa Street. This will achieve a combined site area for development of 4,412.7sqm (**Figure 2**). The excised site (896A Woodville Road) will have an area of 1,391sqm. The planning proposal will include an amendment to the Fairfield LEP 2013 Minimum Site Area map to reflect this change and ensure that it's future potential for independent development is not constrained.

| Local Strategies | Justification |
|------------------|---|
| | Accordingly, the planning proposal seeks to amend the Fairfield LEP 2013 to address the alternative land amalgamation pattern and facilitate the on-going renewal of the Villawood Town Centre in accordance with the VUDS. |

3.4 Local planning panel (LPP) recommendation

The Fairfield Local Planning Panel (LPP) considered the planning proposal on 3 August 2023. The LPP advised Council that it considered that the planning proposal had sufficient strategic merit and community benefit to proceed to Gateway.

The LPP's advice is set out in the Fairfield Local Planning Panel Minutes dated 3 August 2023 (**Attachment J**). This included 5 specific recommendations which are summarised below:

Table 7 Fairfield Local Planning Panel Advice

| LPP recommendation | DPE comment |
|--|---|
| 1. Concept design prepared for the APEX site | Actioned. Details included in the Urban Design Report (Attachment E) and planning proposal report (Attachment A). |
| 2. Details of negotiations to acquire APEX site to be submitted to Council | Actioned. Detail included in planning proposal (Attachment A). |
| 3. Amendments to the Villawood Town Centre DCP | Matter for Council to address |
| 4. Further consultation with Transport for NSW (TfNSW) at the agency consultation stage, noting critical issue to be considered regarding Woodville Road | Gateway condition to be included to this effect |
| 5. Stage 2 Detailed Site Investigation (DSI) to be undertaken as part of development application process | Matter for the Development Application (DA) stage |

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 8 9.1 Ministerial Direction assessment

| Directions | Consistent | Reasons for Consistency or Inconsistency |
|--|------------|--|
| Direction 1.1 Implementation of Regional Plans | Consistent | The proposal has adequately addressed the Regional Plan, released by the Minister for Planning and published in March 2018 |

| | | |
|--|------------|--|
| Direction 4.4 Remediation of Contaminated Land | Consistent | <p>The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities. It requires planning proposal authorities to consider the plan for land contamination risk.</p> <p>The contamination report prepared by eiaustralia (Attachment H) submitted as part of this planning proposal states that the potential for contamination to exist on the site was considered to be low and the site is deemed suitable for the proposed mixed- used development. The report made recommendations including: a Stage 2 detailed site investigation should be undertaken, a hazardous materials survey should be completed prior to demolition and then following demolition an inspection of the exposed surface should be undertaken by a qualified environmental consultant. This process is recommended to be managed through the DA process.</p> <p>The proposal is deemed to be in accordance with the SEPP (Resilience and Hazard) 2021. As set out in the Council report (Attachment K) Council is satisfied that remediation (following the report recommendations above) can be managed as part of the DA process.</p> |
| Direction 5.1 Integrating Land Use and Transport | Consistent | <p>The objective this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve certain planning objectives.</p> <p>In accordance with this Direction a planning proposal must be consistent with the aims, objectives, and principles of “Improving Transport Choice” and “The Right Place for Business and Services” prepared by Department of Urban Affairs and Planning.</p> <p>The planning proposal is consistent with the objectives and principles in “Improving Transport Choice” and “The Right Place for Business and Services” prepared by the Department of Planning in providing increased opportunity for development of additional dwellings on a site within comfortable walking distance (300 metres) to bus, train, and future metro services. By increasing the number of residents in walking distance to these services, the proposal will maximise the patronage of public transport and assist in reducing commuting times.</p> <p>As the subject site is located within an established suburb, the proposal makes efficient use of existing infrastructure and services and reduces the consumption of land for housing and associated urban development on the urban fringe.</p> |

| | | |
|--|------------|--|
| Direction 5.2 Reserving Land for Public Purposes | Consistent | <p>The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. L</p> <p>The planning proposal seeks to rezone the rezone part of 896 Woodville Road (Lot 3 DP208677) from RE1 Public Recreation zone to E1 Local Centre zone and remove it from the Land Reservation Acquisition Map. This change is required in order to remove barriers relating to vehicular access across this part of the site in order to facilitate the intended development as set out in the Traffic Impact Assessment prepared by Genesis Traffic (Attachment C). The intended use of this area as open space (pedestrian plaza extension) will remain. Council is satisfied that this part of 896 Woodville Road (Lot 3 DP208677) is no longer required for acquisition.</p> <p><u>Department comment:</u></p> <p>The Council planning proposal Table 5 – Section 9.1 Directions (Attachment A) states that ‘the planning proposal does not seek any changes to land zoned for a public purpose’.</p> <p>A Gateway condition is to be included to require the planning proposal report to be updated to address this error.</p> |
| Direction 6.1 Residential Zones | Consistent | <p>The objective of this Direction is to encourage a variety of housing types, make efficient use of existing infrastructure and minimise the impact of residential development on environment and resource lands.</p> <p>The planning proposal will be generally consistent with the requirements of the direction. It will facilitate future housing needs – through increased diversity and density, broaden the choice of building types and locations available in the housing market – by increasing the supply of dwellings which do not suit all family or key workers lifestyle choice. The proposal will also make efficient use of existing infrastructure and services – as it is located in an area already serviced for urban development and in close proximity of Villawood Town Centre and reduce the consumption of land for urban development on the urban fringe – by increased housing choices within the existing urban footprint.</p> <p>Any DA lodged following this planning proposal will be subject to the design requirements of the local planning controls in order to ensure that any development coming forward will be of good design. These requirements will include site specific allowances for this site to be exhibited concurrently with this proposed.</p> |

| | | |
|---|------------|---|
| Direction 7.1 Employment Zones | Consistent | <p>The objectives of this Direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres.</p> <p>A Social and Economic Impact Assessment prepared by Hill PDA Consulting submitted with the planning proposal (Attachment B) identifies an undersupply of commercial and retail space within Villawood Town Centre which may encourage residents to travel greater distances to access essential commercial and retail services. This decreases the viability and vibrancy of Villawood Town Centre while also having negative impacts on social cohesion and the environment.</p> <p>The planning proposal will be generally consistent with the requirements of the direction. It seeks to rezone the entire site to E1 Local Centre, except part of 896 Woodville Road, Lot 100 DP 1070965, which will remain RE1 Public Recreation.</p> <p>The proposed development will increase commercial and retail space into Villawood Town Centre. It will support the viability of the centre by increasing the opportunity for diversification of good and services in the area and increasing local employment opportunities.</p> |
|---|------------|---|

3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 9 Assessment of planning proposal against relevant SEPPs

| SEPPs | Requirement | Consistent | Reasons for Consistency or Inconsistency |
|--|--|------------|--|
| SEPP (Building Sustainability Index: BASIX) 2004 | The aim of SEPP BASIX is to encourage sustainable residential development. | Yes | The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with BASIX. Detailed compliance with BASIX will be demonstrated at the time of making an application for development of the site. |

| | | | |
|---|--|-----|---|
| SEPP (Housing) 2021 | The Housing SEPP aims to deliver more affordable and diverse forms of housing. | Yes | The planning proposal is consistent with the SEPP. Future developments would need to comply with the provisions of the SEPP. |
| SEPP No. 65 – Design Quality of Residential Apartment Development | The aim of SEPP No.65 is to improve the design quality of residential apartment development in New South Wales. | Yes | The SEPP would be relevant to specific development that would become permitted with consent under the planning proposal. Future developments would need to comply with the provisions of the SEPP. |
| SEPP (Resilience and Hazards) 2021 | Chapter 4 aims to provide for a Statewide planning approach to the remediation of contaminated land. The SEPP requires that a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination. | Yes | <p>This site is located adjacent to an existing service station and as such contamination reports will be required to address an associated contamination issues at the DA Stage.</p> <p>The planning proposal does not interfere with the operation of the chapter. Future development on the site will need to address the requirements of the chapter.</p> <p>The planning proposal is not inconsistent with the relevant chapters of the SEPP</p> |

| | | | |
|--|--|-----|--|
| SEPP (Transport and infrastructure) 2021 | The aim of SEPP Transport and Infrastructure is to facilitate the effective delivery of infrastructure across the State. | Yes | <p>The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with the relevant sections of SEPP Transport and Infrastructure.</p> <p>Detailed compliance with SEPP Transport and Infrastructure will be demonstrated at the time of making an application for development. The planning proposal is able to facilitate effective delivery of infrastructure in Villawood. The planning proposal will complete and comply with all the relevant sections of the SEPP when compiling a DA to Council.</p> |
|--|--|-----|--|

4 Site-specific assessment

4.1 Environmental

Flooding

- Council have advised that the subject site is not affected by any flooding impacts.

Contaminated Land

- The contamination report prepared by eiaustralia (**Attachment H**) submitted as part of this planning proposal states that the potential for contamination to exist on the site was considered to be low and the site is deemed suitable for the proposed mixed- used development.
- Report includes recommendations and Council is satisfied that remediation (following the eiaustralia report recommendations) can be managed as part of the DA process.

4.2 Social and economic

Social Effects

- A Social and Economic Impact Assessment prepared by Hill PDA Consulting submitted with the planning proposal (**Attachment B**) identifies that Villawood's residential population is predicted to increase 103% by 2041. Considering the significant uplift in future population density the proposal is directly responds to the anticipated population growth expected within the Fairfield LGA by providing additional housing supply and increase the diversity of housing choice.
- The proposal aims to co-locate increased housing supply within proximity to schools, health services, a library, community and cultural facilities, parks and recreation facilities. The addition of a public communal open green spaces will have a positive social impact by improving liveability for the local community and fostering an urban form and land use mix which provides a greater diversity of uses and users.

Economic Effects

- The planning proposal will have positive social and economic impacts as it proposes to revitalise the centre through redevelopment and subsequently economic viability of the retail and commercial component of the town centre. The supporting Social and Economic Impact Assessment (**Attachment B**) identifies that an uplift in commercial net lettable area in Villawood will be required in order to service the changing needs of the community. The proposal will not only increase the opportunity for diversification of good and services in the area but increase of local employment opportunities through the provision of new commercial and retail space.

Open Space

- It is proposed to rezone part of 896 Woodville Road (Lot 3 DP208677) from RE1 Public Recreation zone to E1 Local Centre zone and remove it from the Land reservation Acquisition Map. This is intended to facilitate the development and remove barriers relating to vehicular access across this part of the site. These changes are required in response to the TfNSW design principle that prohibits site access to State/owned or managed road frontage for sites with a lower-order alternative road frontage (addressed in more detail under Section 4.3 Infrastructure).
- It is intended that this area will continue to be used as open space (pedestrian plaza extension). This will be addressed in further detail in the forthcoming DCP amendment.
- The proposal aligns with Council's Open Space Strategy and VUDS as it will provide new public open spaces to meet the needs of the growing community by continuing the existing lineal Hilwa Park east to Woodville Road and allow for a main pedestrian movement corridor along the southern side of Howatt Street.

4.3 Infrastructure

- The planning proposal considers the need to align growth with infrastructure and consider the capacity of existing infrastructure. The subject site is located in a part of the Villawood Town Centre where existing road infrastructure can cope with the increase in population and existing public transport infrastructure can be utilised.
- The proposal will maximise the use of existing infrastructure, in particular public transport and local community facilities and education services. The planning proposal will have a positive impact as it will facilitate increased use of public transport given the very close proximity of the train station to the site (300 metres).

Traffic

- A Traffic Impact Assessment prepared by Genesis Traffic (**Attachment C**) has been submitted together with the planning proposal. This includes an assessment using a SIDRA model to quantify the development's impact on the existing road network. Subsequently,

Council engaged a consultant (Stantec) to undertake an independent peer review traffic assessment (**Attachment D**) to review the proposed traffic concept and impacts on the on the site and the surrounding precinct and ensure consistency with the principal objectives of the Villawood DCP.

- Council are satisfied that all technical comments have generally been addressed by the Traffic Impact Assessment prepared by Genesis Traffic. Based on this, the SIDRA model is accepted as a tool to understand the traffic impact of the development to the road network. There are no hazards that impact the site or environmental effects resulting from the future redevelopment of the site that would preclude consideration of the planning proposal.
- Council's independent peer review and internal traffic experts concluded that the information provided by the applicant to date is acceptable for the proposal to proceed to the next phase subject to further consultation with TfNSW at the agency consultation stage with regards to the right turn lane option on Woodville Road.
- A Gateway condition has been included to this effect.

Access

- The site is fronted by Woodville Road (State Road), Howatt Street (Town Centre Local Road) and Hilwa Street (residential dead-end Local Road).
- In order to provide vehicular access to the site from Howatt Street it is proposed to rezone part of 896 Woodville Road (Lot 3 DP208677) from RE1 Public Recreation zone to E1 Local Centre zone and remove it from the Land reservation Acquisition Map.
- The Traffic Impact Assessment prepared by Genesis Traffic and submitted together with the planning proposal (**Attachment C**) concludes that the proposed vehicular access arrangements align with a TfNSW design principle that prohibits site access to State/owned or managed road frontage for sites with a lower-order alternative road frontage. As a consequence, the proposed development seeks to remove access to the site from Woodville Road which is the highest order road frontage, and instead provide residential access via Hilwa Street, and retail/commercial and loading access via Howatt Street (as Hilwa Street, being a residential dead-end local road, is unsuitable for retail traffic).

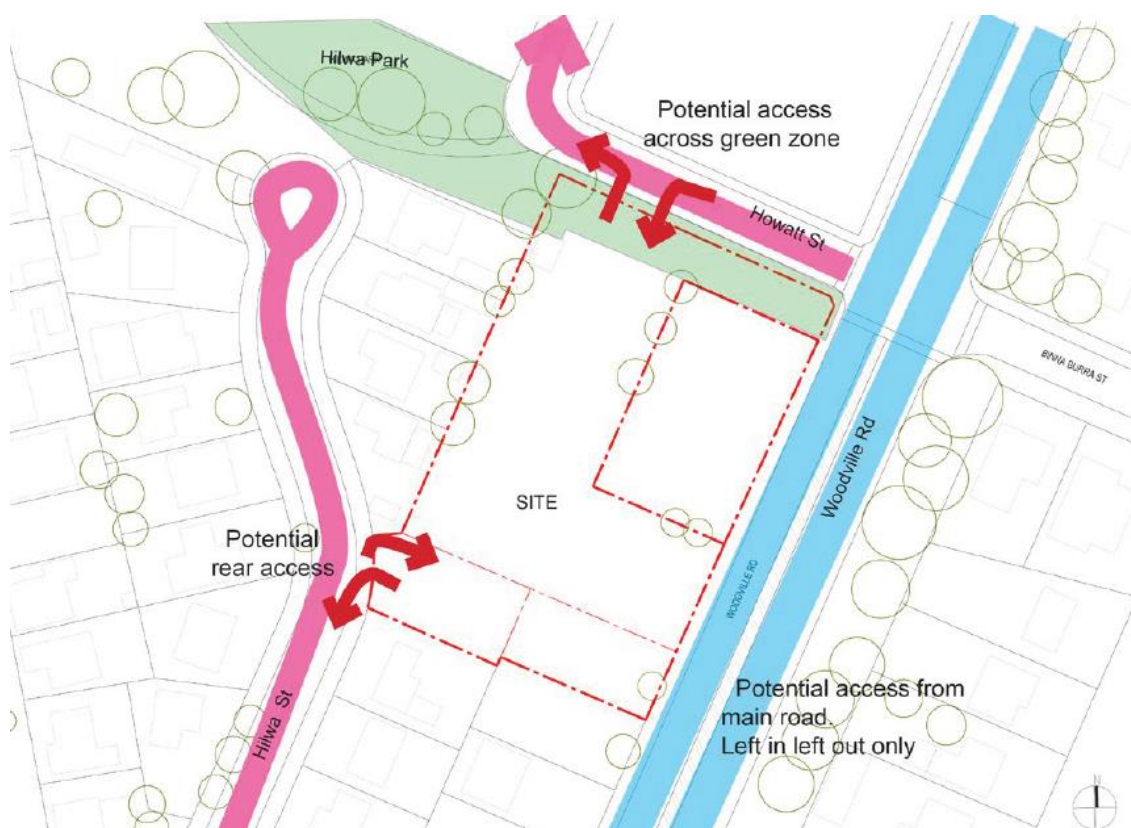


Figure 14: Vehicle Access (source: Tony Owen Partners, October 2022)

- Council's independent peer review prepared by Stantec (**Attachment D**) further noted that the vehicular access along Howatt Street complies with permissible vehicle access locations, as detailed in Figure 6 of the Villawood Town Centre Development Control Plan (DCP) 2020, and that residential vehicular access via Hilwa Street appears logical.

4.4 Urban Design

- The proposed mixed-use development on the site is set out in the Revised Urban Design Report prepared by Tony Owen Partners and submitted together with the planning proposal (**Attachment E**). This is consistent with the VUDS which identifies a combination of residential development together with active ground floor uses to be incorporated as part of this redevelopment project for Villawood Town Centre.
- An independent peer review analysis was completed by GYDE Consulting (GYDE) to review the proposed design concept on this redevelopment and determine whether the changes to the built form were equal to or better than those adopted in the Villawood Urban Design Study. The GYDE review concluded that the proposal is capable of supporting rational development that meets the core requirements of the Apartment Design Guide and supports the proposed DCP amendment in order to ensure that appropriate place making and landscaping measures are put in place within Hilwa Park. It is noted that these should facilitate high quality public domain that supports direct line pedestrian access between Hilwa Street along the western frontage of this site to Villawood Place.

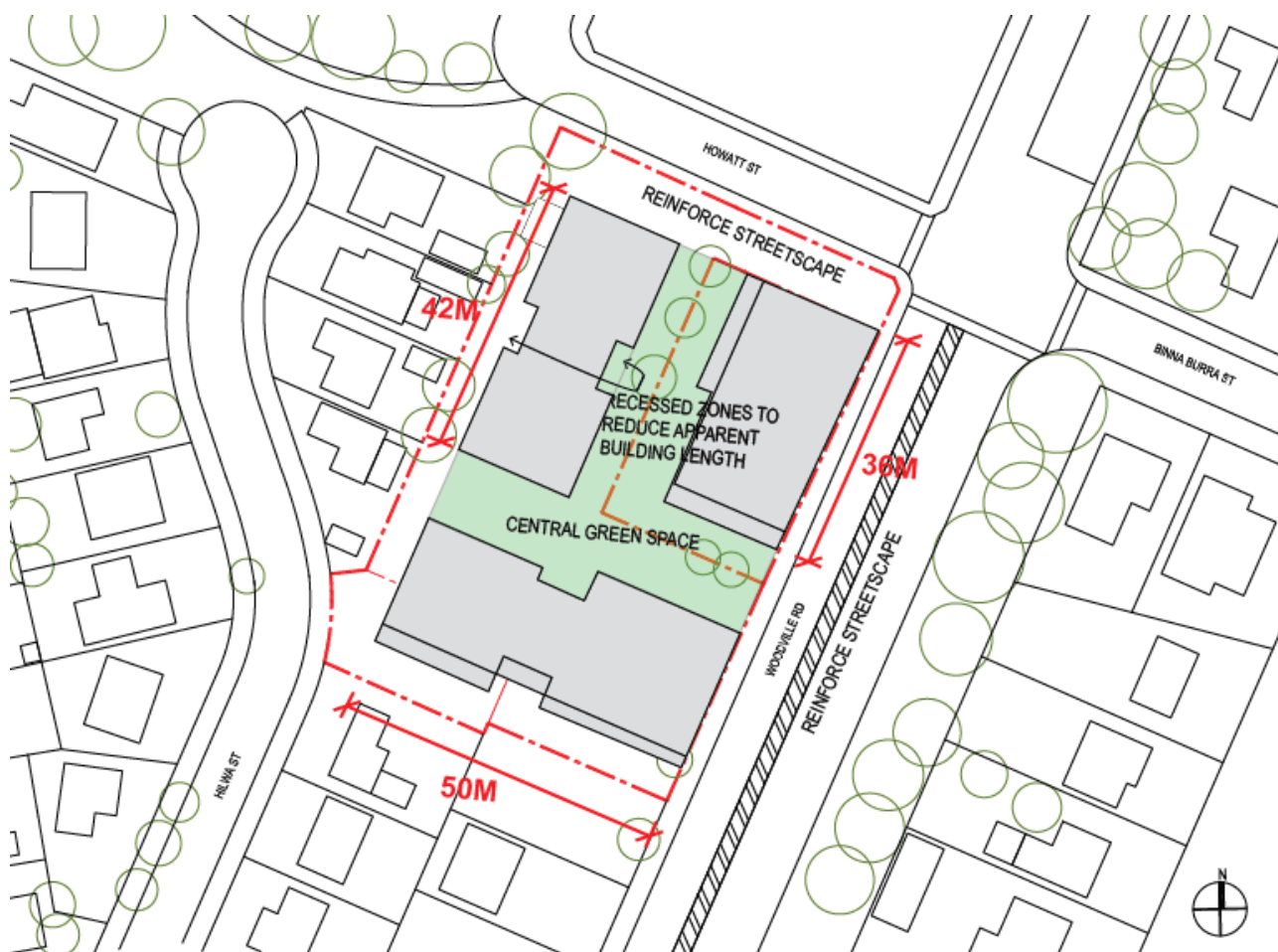


Figure 14: Proposed Building Massing (source: Tony Owen Partners, October 2022)

4.5 Development Control Plan amendment

- As a part of the planning proposal, an amendment to the Villawood Town Centre DCP will be prepared by the applicants and submitted to Council for final review and endorsement. This is required to ensure that the DCP reflects the amendments made to the Fairfield LEP 2013 as part of the planning proposal.
- This addendum will include build form, place making and landscaping controls to ensure the development works cohesively with the surrounds and the town centre.
- The proposed DCP amendment will be subject to a separate Council report. Subject to Council supporting the planning proposal the addendum to the DCP will be prepared placed on public exhibition alongside the planning proposal.

5 Consultation

5.1 Community

The planning proposal is classified as 'standard' in the Local Environmental Plan Making Guideline (August 2023). The benchmark community consultation (public exhibition) timeframe in the Guideline for standard planning proposals is 20 working days.

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW
- Sydney Water Corporation
- Canterbury Bankstown Council
- Endeavor Energy

The Gateway determination includes a condition to this effect.

6 Timeframe

Council proposes a nine month time frame to complete the LEP.

The planning proposal is classified as 'standard' in the Local Environmental Plan Making Guideline (August 2023). The benchmark timeframe in the Guideline for standard planning proposals is 320 days.

The Department recommends a time frame of nine months to ensure it is completed in line with its commitment to reduce processing times. 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 has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is a simple amendment to the LEP, 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 planning proposal is the most appropriate way to achieve the objectives and intended outcomes;
- it is not inconsistent with regional, district and local plans and their relevant objectives;
- there are no adverse social, economic or environmental impacts as a result of the proposed amendments; and
- The planning proposal has demonstrated potential strategic and site-specific merit, subject to the recommended conditions and agency consultation.

Based on the assessment outlined in this report, the proposal proceeds with conditions.

9 Recommendation

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

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated to:
 - Amend the proposed Minimum Site Area, Town Centre Precinct Map and proposed Land Reservation Acquisition Map to correctly reflect the proposed mapping changes; and
 - Update the planning proposal Table 5 – Section 9.1 Directions 5.2 Reserving Land for Public Purposes to include Council's intent to rezone part of the current RE1 Public Recreation zone to another zone.
2. Consultation is required with the following public authorities:
 - Transport for NSW
 - Sydney Water Corporation
 - Canterbury Bankstown Council
 - Endeavor Energy
3. The planning proposal should be made available for community consultation for a minimum of 28 working days.
4. Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of nine months from the date of the Gateway determination.



8/11/2023

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