



# Planning Proposal

Proposed amendment to Fairfield Local Environmental  
Plan 2013

2 Kamira Avenue, Villawood

This Planning Proposal aims to amend Schedule 1: Additional Permitted Uses of the Fairfield Local Environmental Plan 2013 to permit 'retail premises' and 'business premises' within part of 2 Kamira Avenue, Villawood.

# Table of Contents

## Section 1

1.1 – Introduction

## Section 2

2.1 – Site Location and Context

2.2 – Existing Planning Controls

2.3 – Proposed Planning Controls

2.4 – Villawood Urban Design Study

2.5 – Economic Analysis

2.6 – Urban Design Peer Review

2.7 – Traffic Impact Assessment

## Section 3 – Planning Proposal

3.1 – Objectives or Intended Outcomes

3.2 – Explanation of Provisions

3.3 – Justification

Section A – Need for a Planning Proposal

Section B – Relationship to strategic planning framework

Section C – Environmental, social and economic impact

Section D – State and Commonwealth interests

3.4 – Maps

3.5 – Community Consultation

3.6 – Project Timeline

## Attachments

Attachment A – Retail Demand Analysis

Attachment B – Independent Urban Design Analysis

Attachment C – Traffic Impact Assessment

# SECTION 1

## 1.1 Introduction

This Planning Proposal has been prepared by Fairfield City Council (following submission of an applicant initiated planning proposal), to support a proposed amendment to Fairfield Local Environmental Plan (LEP) 2013. This planning proposal aims to facilitate the redevelopment of Villawood Town Centre as identified in the Villawood Urban Design Study 2018 and the Villawood Town Centre Development Control Plan.

This planning proposal specifically applies to part of 2 Kamira Avenue Villawood (Lot 37 DP 202006). This planning proposal seeks to include provisions for two additional permitted uses of 'retail premises' and a 'business premises' on part of the site to allow for a supermarket and speciality shops within the proposed development.

In summary, the objective of the Planning Proposal is to amend Schedule 1: Additional permitted uses of the Fairfield Local Environmental Plan 2013 to include the two new land uses.

These changes will facilitate the site being consistent with the Villawood Town Centre Urban Design Study, which identifies a combination of residential development together with active ground floor uses to be incorporated as part of Land and Housing Corporation renewal project for Villawood Town Centre.

This report comprises a planning proposal that has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and 'A Guide to Preparing Planning Proposals' by the Department of Planning and Infrastructure dated August 2016.

The Planning Proposal has been drafted in accordance with the Guideline, detailing:

- Objectives and intended outcomes
- Explanation of Provisions
- Justification
- Mapping
- Community consultation
- Project timeline
- Summary and Recommendations.

## Section 2

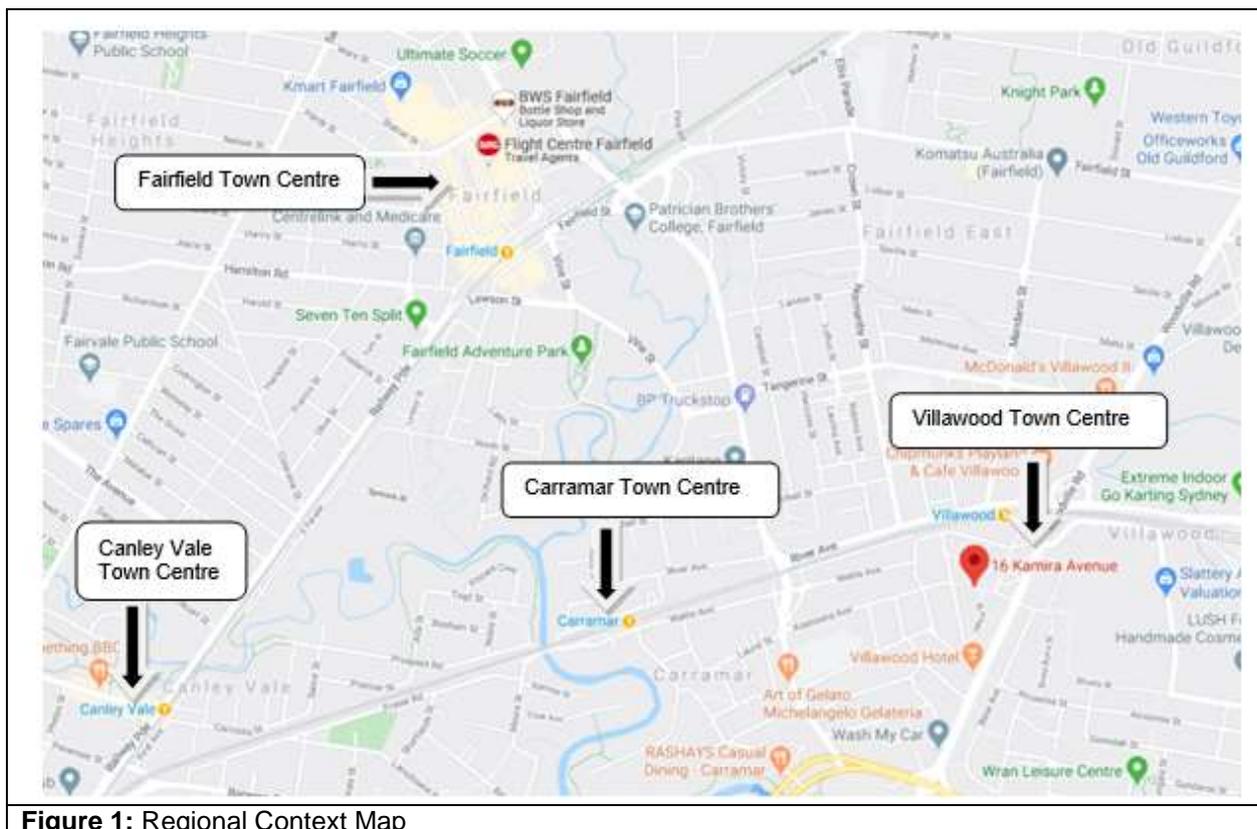
### 2.1 – Site Location and Context

The Villawood Town Centre is located on the eastern edge of the Fairfield Local Government Area (LGA) adjoining the Canterbury-Bankstown LGA. The Villawood Town Centre is located approximately 2km east of Fairfield and 10km from both Parramatta (to the north) and Bankstown (to the east). Liverpool is located approximately 6.5km (to the south-west) and is the nearest emerging regional centre.

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

Villawood Town Centre is accessible to the broader road network via The Horsley Drive (A22) providing access to Fairfield City Centre and further afield via Smithfield Road (A28) to the M4 Motorway. Henry Lawson Drive provides a direct connection to the M5 Motorway via regional open space, while the Hume Highway connects Villawood with the Sydney CBD and Liverpool.

The figure below identifies the regional context of Villawood and surrounding town centres.



**Figure 1:** Regional Context Map

An aerial view of the subject site and surroundings is shown in figure 2.

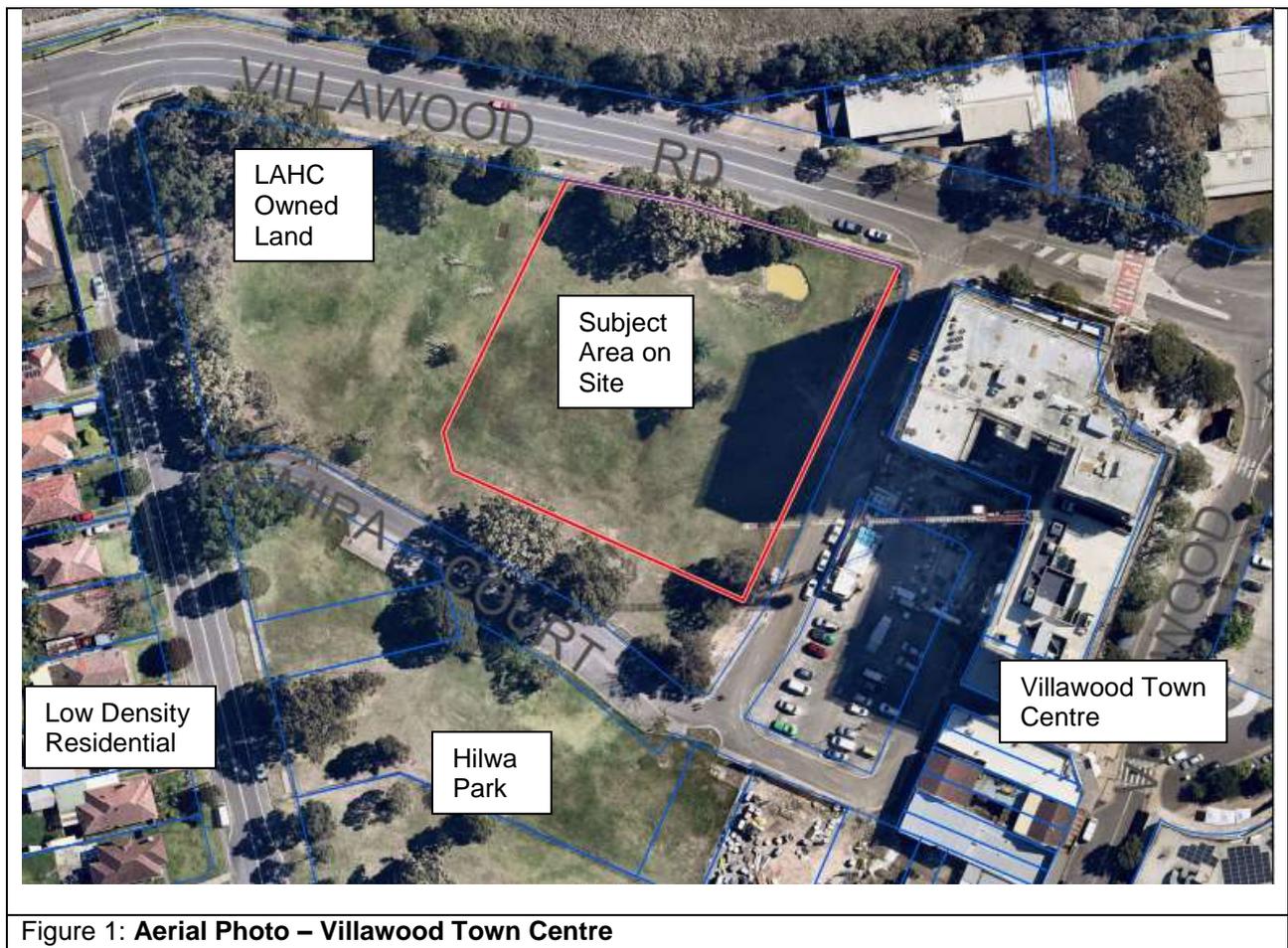


Figure 1: Aerial Photo – Villawood Town Centre

The local characteristics of the centre are as follows:

- The study area is bounded by Villawood railway station to the north, Woodville Road to the east, existing low density residential development to the south along Hilwa Street and Kamira Avenue to the west.
- The Villawood Town Centre consists of the business heart at the eastern side of the subject site. B2 Local Centre zoned land immediately adjoining Hilwa Park. This includes a mix of commercial shops. However, business activity within the town centre is minimal with many vacant shops and sites at various stages of redevelopment.
- The Town Centre is serviced by trains and buses providing direct access to Cabramatta Town Centre and Liverpool City Centre. A number of other key centres are also accessible by train requiring a train change at Cabramatta, such as Fairfield City Centre and other larger service and employment centres such as Parramatta CBD and the Sydney CBD. Bus stops are concentrated on River Avenue to the north of the Railway, Woodville Road and Villawood Place.

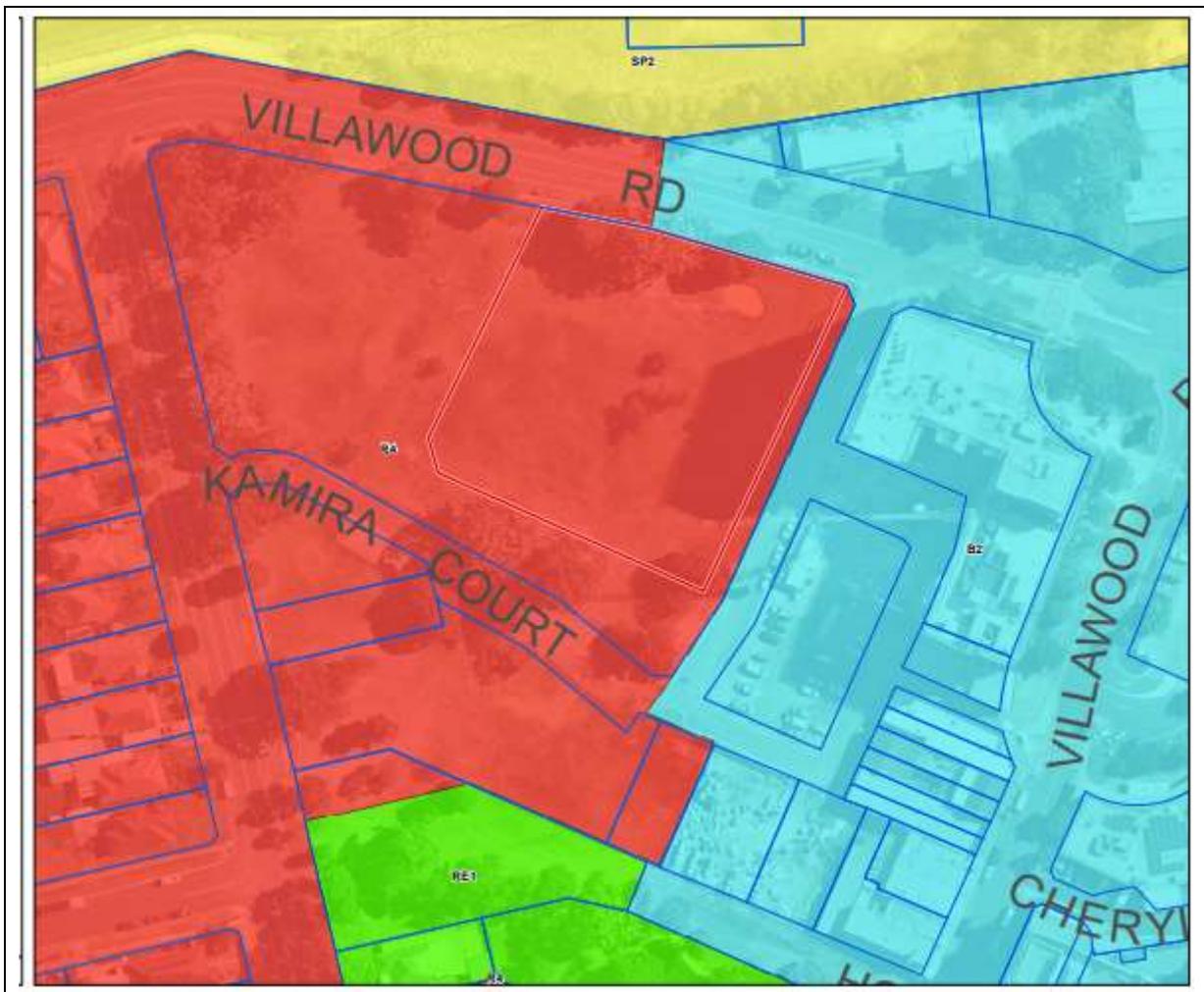
- Hilwa Park is to the south of the site, it is a narrow linear park, providing a small children’s play area. Council has recently rezoned a number of privately owned sites to RE1 Public Recreation for future acquisition to expand Hilwa Park.

## 2.2 – Existing Planning Controls

### Fairfield LEP 2013

The Villawood Town Centre Urban Design Study was implemented through the rezoning process, when on 5 June 2020 the Villawood Town Centre LEP Amendment No. 31 was gazetted.

As a result, the subject site is zoned R4 High Density Residential under the Fairfield LEP 2013 (see figure 3) which forms part of the vacant Land and Housing redevelopment site. The subject site has a maximum height of 27 metres to 39 metres and a Floor Space Ratio of 2.5:1.



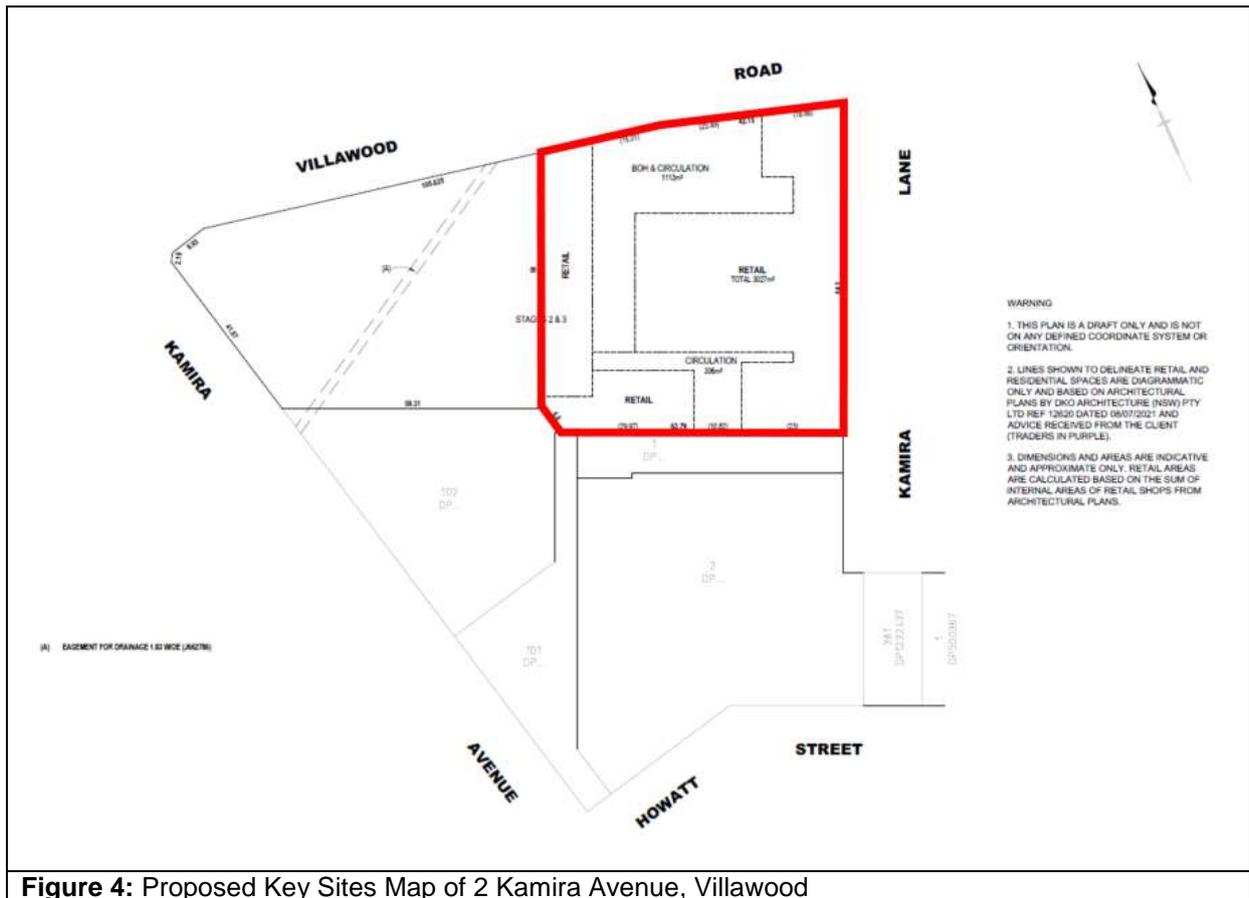
**Figure 3:** R4 High Density Residential Zoning under the Fairfield Local Environmental Plan 2013

Table 1 below identifies the existing land use zone table for the site, the Objectives and the permitted and prohibited land uses.

<b>Table 1 – Fairfield Local Environmental Plan Land Use Table</b>	
<b>Zone R4 High Density Residential</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• <i>To provide for the housing needs of the community within a high density residential environment.</i></li> <li>• <i>To provide a variety of housing types within a high density residential environment.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> <li>• <i>To maximise opportunities for increased development on all land by encouraging site amalgamations.</i></li> </ul>
<b>Permitted without consent</b>	<i>Environmental protection works; Home-based child care; Home occupations</i>
<b>Permitted with consent</b>	<i>Boarding houses; Centre-based child care facilities; Community facilities; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4</i>
<b>Prohibited</b>	<i>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Bed and breakfast accommodation; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home industries; Home occupations (sex services); Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tank-based aquaculture; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies</i>

## 2.3 – Proposed Planning Controls

The proposed Additional Permitted Uses of 'business premises' and 'retail premises' are proposed to be located within the northern building tower, on the corner of Villawood Road and Kamira Court. It will be within this building envelope where the proponent proposes a supermarket, speciality shops, loading bays and back of house facilities will be located. Both front of house and back of house commercial space will accumulate to 4,600sqm of proposed commercial space (see figure 4).



**Figure 4:** Proposed Key Sites Map of 2 Kamira Avenue, Villawood

The proposed new land uses to be made permissible on the site and their relevant definitions are listed below:

### Definitions in Fairfield LEP 2013

**Business Premises:** means a building or place at or on which—

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

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

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,

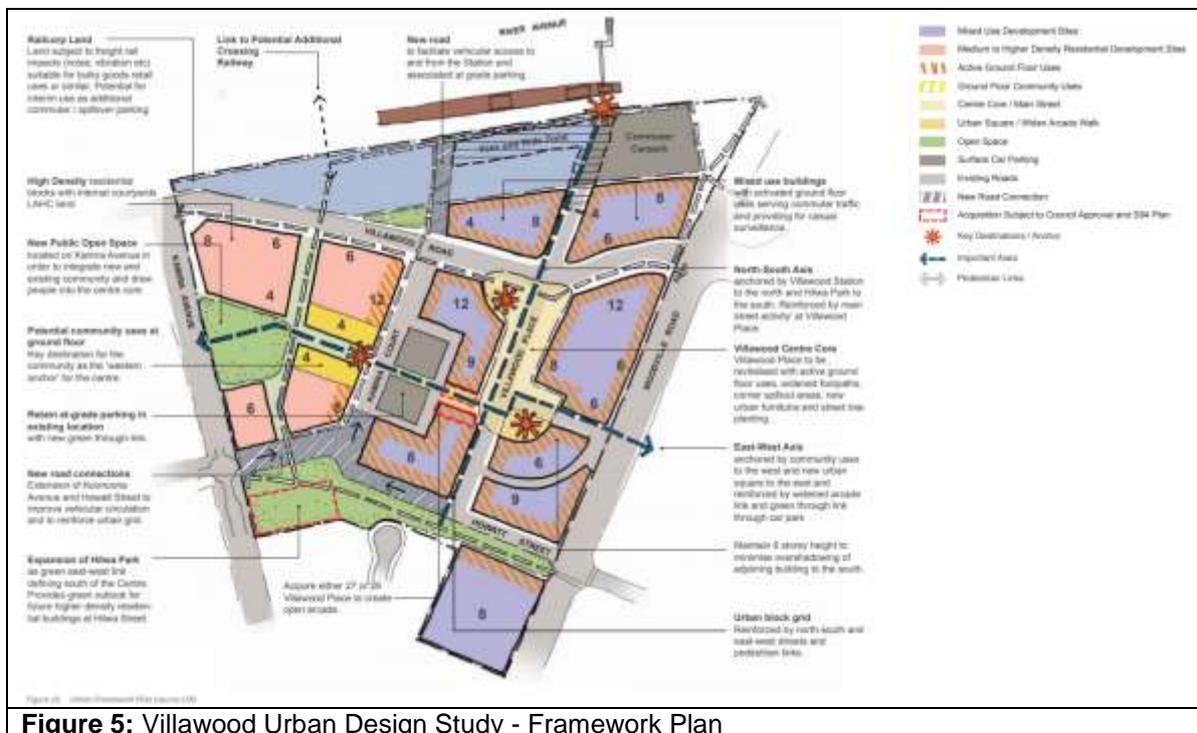
- (h) markets,
  - (i) plant nurseries,
  - (j) roadside stalls,
  - (k) rural supplies,
  - (l) shops,
  - (m) specialised retail premises,
  - (n) timber yards,
  - (o) vehicle sales or hire premises,
- but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

## 2.4 – Villawood Town Centre Urban Design Study

The Villawood Town Centre Urban Design Study (VUDS) was adopted by Fairfield City Council on 27 March 2018. The study guides urban design for the Villawood Town Centre. The study guides development proposals with recommended height of buildings, floor space ratios and potential community benefits such as open space, pedestrian link and commercial opportunities.

In the study, 2 Kamira Avenue, Villawood is proposed to integrate high density residential, with some activate street frontages primarily along Kamira Court and the proposed new pedestrian connection. This proposal seeks to activate the key street frontages by permitting business and retail premises.

The development proposed aligns with the vision to connect the commercial space with pedestrian links and active street frontages on the ground level, as per the VUDS (see Figure 5 below).



**Figure 5: Villawood Urban Design Study - Framework Plan**

## 2.5 – Economic analysis

A Retail Demand Analysis prepared by Hill PDA Consulting accompanied the submitted Planning Proposal (**Attachment A**). The analysis identifies the under supply of commercial and retail space within the town centre. Villawood residential population is predicted to reach 25,290 by 2036, considering the significant uplift in future population density the commercial net lettable area in Villawood will be required to keep up with demand. The analysis identifies that commercial/ retail space in Villawood will need to grow to 11,200sqm by 2036 to ensure local residents do not have to travel further to access essential needs and services.

The demand modelling suggests that by 2036 Villawood Town Centre will have a commercial deficit of 4,000sqm. This is a loss of potential associated food, liquor, and grocery space. This implies the subject sites has the capacity to support a full-line supermarket, which is 3,000-3,500sqm in size.

This proposed 4,600sqm supermarket and associated smaller speciality shops, which also allows for the back of house and circulation will provide a supportive commercial retail hub to compliment the primary R4 High Density Residential use.

## 2.6 – Urban Design Analysis

Council Officers requested a peer review analysis (**Attachment B**) of the design to determine whether the changes to the built form were equal to or better than those adopted in the Villawood Urban Design Study. An independent peer review analysis was completed by CityPlan to review the proposed design concept on the Villawood Town Centre precinct. The proponent has changed the framework of the open space reconfiguration of the neighbourhood park and the introduction of commercial and retail space into the development. The commercial element is generally consistent with the UDS concepts, together with the intent of creating a retail plaza connecting the speciality retail shops, with eatery outlets and linking to the open space.

CityPlan together with Council Officers are in support of the proposed commercial proponent of the development. The proposal will establish new inclusive residential, employment and enjoyment opportunities.

## 2.7 – Traffic Impact Assessment

The traffic impact assessment identifies that while the proposal will generate an increase the number of trips within a typical weekday the existing and proposed road network will be able to satisfactorily cope with the traffic level increase as a result of this development.

It is noted that the key intersection of Woodville Road/Villawood Road/Llewellyn Avenue is expected to continue to operate in a satisfactory manner in the 2020 scenario, however the future scenarios to 2031 the level of operation will be unsatisfactory. It should also be noted that this intersection will operate at an unsatisfactory manner without this development, with the future impact of the development on this intersection being less than 3.84% of the overall traffic demand. Council will continue to work with TfNSW and the implications of the background growth and through traffic on this intersection.

## **Section 3 – Planning Proposal**

### **3.1 – Objectives and Intended Outcomes**

The planning proposal applies to the following land:

- Part 2 Kamira Avenue, Villawood (Lot 37 DP 202006).

The objectives of this planning proposal are to amend Fairfield Local Environmental Plan 2013 to:

- Amend Schedule 1: Additional Permitted Uses of the Fairfield Local Environmental Plan 2013 (FLEP) to permit 'retail premises' and 'business premises' on part of site.

This proposal aims to deliver a supermarket and smaller speciality retail shops within the redevelopment on R4 High Density Residential Land.

This Planning Proposal together with the Villawood Town Centre Planning Proposal will encourage the redevelopment the town centre and revitalise the town centre into a modern and vibrant centre, supporting a range of residential, commercial uses, retails and community uses.

### **3.2 – Explanation of provisions**

To achieve the objectives mentioned above, the Planning Proposal will need to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

1. Include a Clause in Schedule 1: Additional Permitted Uses to allow for 4,600sqm of 'retail premises' and 'business premises' on part of 2 Kamira Avenue, Villawood, which accounts for both the front and back of house, as well as circulation areas on the site
2. Add to the Key Sites Map list, identifying the part of the site that the additional permitted use applies.

### **3.3 – Justification**

#### **Section A – Need for a planning proposal**

##### **Is the planning proposal a result of any strategic study or report?**

The planning proposal has been initiated following Fairfield Council's Villawood Urban Design Study, as well as the, key directions and strategies described in the Plan for Growing Sydney and a Metropolis of Three Cities – Greater Sydney Region Plan and the Western City District Plan. This planning proposal is consistent with all the abovementioed strategic strategies and plans.

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

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

The planning proposal is the best means of permitting the additional uses of business and commercial premises.

## Section B – Relationship to strategic planning framework

**Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including *A Plan for Growing Sydney*, *draft Greater Sydney Region Plan* and the *draft Western City District Plan*)?**

### Metropolis of Three Cities – A vision to 2056 (Metro Strategy)

The ‘Metro Strategy’ is the overarching strategic land use plan for the Greater Sydney Metropolitan area, outlining the strategic vision for managing growth to 2056. The vision seeks to transform Greater Sydney into a metropolis of 3 cities, with the site being located within the Western Parklands City.

The strategy for Greater Sydney is underpinned by 10 strategic directions each with specific objectives designed to deliver the plan. This planning proposal will support the renewal of Villawood Town Centre as envisaged by the VUDS, providing additional housing and open space within the Town Centre and stimulating economic development.

The renewal of Villawood aligns with the following key objectives of the Greater Sydney Region Plan:

- Objective 6 – Services and Infrastructure meet communities’ changing need
- Objective 12 – Great places that bring people together
- Objective 22 – Investment and business activity in centres.

### Western City District Plan

The Western City District Plan sets out 20 strategic planning priorities to achieve the Plan’s vision. Table 2 below sets out the key planning priorities applicable to this proposal and justification of consistency.

<b>Planning Priority</b>	<b>Consistency of Planning Proposal</b>
Planning Priority W1 – “Planning for a city supported by infrastructure”	The proposals intent on expanding the commercial premises within the town centre, will increase the economic vitality of Villawood. Encourage local residents to spend money within Villawood Station and offer the community essential services.
Planning Proposal W3 – “Providing services and social infrastructure to meet people’s changing needs”	This planning priority identifies that as population growth increases as does the demand on services and infrastructure. This planning proposal is consistent with this plan as it promotes commercial space to support and meet the different stages of life.
Planning Proposal W6 – “Creating and renewing great places and local centres, and respecting the District’s heritage”	This planning priority identifies the need to integrate residential, commercial streetscapes, focus towards a people-friendly environment. This planning proposal is bringing essential commercial space into residential zoned area. The entire LAHC site is a pedestrian and people friendly zone.

Planning Proposal W9 – “Growing and strengthening the metropolitan cluster”	The planning priority identifies the importance of providing goods and services to the growing population that will result in strengthening the economy and town centre competitiveness.
Planning Proposal W11 – “Growing investment, business opportunities and jobs in strategic centres”	This planning proposal is align with this planning priority as it recognises the need to for commercial use and ensure mixed-use development can benefit from the access and services in the town centre.

### Fairfield Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) has recently been finalised, it identifies Villawood as a town centre that has the potential to grow and increase its built form permissibility within the town centre. The LSPS refers to the Villawood Town Centre Urban Design Study (VUDS) and the resulting planning proposal to facilitate the renewal of the town centre.

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

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

### 2016 – 2026 Fairfield City Plan (City Plan)

The Planning Proposal is consistent with all relevant themes and goals within the City Plan. The table below illustrates how the planning proposal aims to achieve the outcome of its themes and goals.

<b>Relevant FCCSP Outcome within the theme</b>	<b>Outcome</b>	<b>How the planning proposal achieves the outcome</b>
<b>Theme 4 – Local Economy and Employment</b>	Businesses are active, successful and involved in the community	Encourage more variety of local shops in Villawood Town Centre. This will limit the need for local residents to travel further to access essential services.
	A variety of job and training opportunities available in the City	With a proposed supermarket and several speciality shops, it will provide local residents employment opportunities

### Fairfield Local Environmental Plan 2013 (Fairfield LEP 2013)

The Fairfield LEP is the key environmental planning instrument that applies to the site.

In summary, incorporating ‘retail premises’ and ‘business premises’ into the FLEP Schedule 1: Additional Permitted Uses, the proposal aims to provide a range of convenience retail and commercial services which will serve the needs of the people who live in the local area, and ultimately promote revitalised, attractive and create a sustainable town centre.

## Is the planning proposal consistent with the relevant state environmental policies?

The relevant State Environmental Planning Policies are outlined in the table below:

<b>Table 4 – Assessment against relevant SEPPs</b>		
<b>SEPP Title</b>	<b>Applicable Yes/No</b>	<b>If Applicable - Consistency with Planning Proposal</b>
SEPP 1 – Development Standards	No	
SEPP 19 – Bushland in Urban Areas	No	
SEPP 21 – Caravan Parks	No	
SEPP 33 – Hazardous and Offensive Development	No	
SEPP 36 – Manufactured Home Estates	No	
SEPP 44 – Koala Habitat Protection	No	
SEPP 50 – Canal Estate Development	No	
SEPP 55 – Remediation of Land	Yes	The planning proposal is consistent with the aims or provisions of this SEPP. Where future development incorporates remediation works, the provisions of this SEPP will need to be considered.
SEPP 64 – Advertising and Signage	Yes	The planning proposal is consistent with the aims or provisions of this SEPP. Where future development and signage is required for the proposed retail component, the provisions of this SEPP will need to be considered.
SEPP 65 – Design Quality of Residential Apartment Development	Yes	The planning proposal is consistent with the aims or provisions of this SEPP. Future development may incorporate housing delivered under this SEPP and relevant provisions will be given detailed consideration during the assessment of a development application.
SEPP 70 – Affordable Housing (Revised Schemes)	No	
SEPP (Affordable Rental Housing) 2009	Yes	The planning proposal (PP-2020-3205) is associated to the entire parent allotment. The entire lot is owned by LAHC. Part of the residential redevelopment will be specific to Affordable housing.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	BASIX applies to the site. The requirements with this under BASIX are not required to be addressed at the concept level stage. These requirements will be assessed as part of any future development application lodged in relation to this proposal.
SEPP (Coastal Management) 2018	No	
SEPP (Concurrences) 2018	No	
SEPP (Educational Establishments and Child Care Facilities) 2017	No	
SEPP (Exempt and Complying Development Codes) 2008	No	Exempt and complying development codes apply to residential zoned land in

<b>Table 4 – Assessment against relevant SEPPs</b>		
<b>SEPP Title</b>	<b>Applicable Yes/No</b>	<b>If Applicable - Consistency with Planning Proposal</b>
		NSW.
SEPP (Housing for Seniors or People with a Disability) 2004	No	This SEPP applies to all land zoned residential in NSW. Proposal is not for senior's development.
SEPP (Infrastructure) 2007	No	This Planning Proposal will contribute to an increase in traffic generation, with the retail shops and supermarket open to all members of the general public, traffic generation in and out of the suburb will increase. Traffic Consultants will need to assess the future impact on existing intersections and roads.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	
SEPP (Miscellaneous Consent Provisions) 2007	No	
SEPP (State and Regional Development) 2011	No	
SEPP (State Significant Precincts) 2005	No	
SEPP (Sydney Drinking Water Catchment) 2011	No	-
SEPP (Sydney Region Growth Centres) 2006	No	-
SEPP (Urban Renewal) 2010	No	-
SEPP (Vegetation in Non-Rural Areas) 2017	No	
SEPP (Western Sydney Employment Area) 2009	No	
SEPP (Western Sydney Aerotropolis) 2020	No	
SEPP (Western Sydney Parklands) 2009	No	
SREP No. 9 (Extractive Industry) (No 2 – 1995)	No	
SREP No. 20 (Hawkesbury-Nepean River) (No 2 – 1997)	No	
GMREP No. 2 Georges River Catchment	Yes	Fairfield falls within the Georges River Catchment.

**Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

The relevant Section 9.1 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined in table 5 below:

<b>Table 5 – Assessment against Section 9.1 Ministerial Directions</b>			
	<b>Contents of Section 9.1 Direction</b>	<b>Planning Proposal</b>	<b>Comply</b>
<b>1. Employment and Resources</b>			
<b>1.1 Business and Industrial Zones</b>	<ul style="list-style-type: none"> <li>▪ Encourage employment growth in suitable locations</li> <li>▪ Protect employment land in business and industrial zones</li> <li>▪ Support the viability of identified strategic centres.</li> </ul>	The proposal seeks to permit additional uses of 'retail premises' and 'business premises'. To allow a supermarket and local shops it will encourage and support the growth of a more economic and viable town centre. The additional permitted uses encourage residents of Villawood to shop and spend money within their town centre. The supermarket and local shops will provide the need for employment opportunities.	Yes
<b>1.2 Rural Zones</b>	<ul style="list-style-type: none"> <li>▪ Protect agricultural production value of rural land.</li> </ul>	The proposal is not within a rural zone and does not impact on the intent of this direction.	N/A
<b>1.3 Mining, Petroleum Production and Extractive Industries</b>	<ul style="list-style-type: none"> <li>▪ Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>1.5 Rural Lands</b>	<ul style="list-style-type: none"> <li>▪ Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>2. Environment and Heritage</b>			
<b>2.1 Environment Protection Zones</b>	<ul style="list-style-type: none"> <li>▪ Protect and conserve environmentally sensitive areas.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>2.2 Coastal Protection</b>	<ul style="list-style-type: none"> <li>▪ Implement the principles in the NSW Coastal Policy.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>2.3 Heritage Conservation</b>	<ul style="list-style-type: none"> <li>▪ Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>2.4 Recreation Vehicle Areas</b>	<ul style="list-style-type: none"> <li>▪ Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A

**Table 5 – Assessment against Section 9.1 Ministerial Directions**

<b>Contents of Section 9.1 Direction</b>		<b>Planning Proposal</b>	<b>Comply</b>
<b>3. Housing, Infrastructure and Urban Development</b>			
<b>3.1 Residential Zones</b>	<ul style="list-style-type: none"> <li>▪ Encourage a variety and choice of housing types to provide for existing and future housing needs</li> <li>▪ Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</li> <li>▪ Minimise the impact of residential development on the environment and resource lands.</li> </ul>	The proposal seeks to permit additional uses of a 'retail premises' and 'business premises' in the R4 zone of the Land and Housing Corporation redevelopment site at Villawood which aims to support the future residents living in and around the site.	Yes
<b>3.2 Caravan Parks and Manufactured Home Estates</b>	<ul style="list-style-type: none"> <li>▪ Provide for a variety of housing types</li> <li>▪ Provide opportunities for caravan parks and manufactured home estates.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>3.3 Home Occupations</b>	<ul style="list-style-type: none"> <li>▪ Encourage the carrying out of low-impact small businesses in dwelling houses.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>3.4 Integrating Land Use and Transport</b>	<ul style="list-style-type: none"> <li>▪ Improve access to housing, jobs and services by walking, cycling and public transport.</li> <li>▪ Increase choice of available transport and reducing car dependency.</li> <li>▪ Reduce travel demand and distance (especially by car)</li> <li>▪ Support the efficient and viable operation of public transport services</li> <li>▪ Provide for the efficient movement of freight</li> </ul>	<p>This proposal is consistent with this direction. The subject site is well serviced with transport facilities. The subject site is approx. 140 metres in walking distance to Villawood Train Station. This rail line T2 and T3 services Villawood station.</p> <p>Buses also service the area, bus routes 905 and 907.</p> <p>Education facilities in the local area include: Carramar Public School, Villawood North Public School, Fairfield High School, Sacred Heart Catholic Primary School, Canley Vale High School and Chester Hill High School.</p>	Yes
<b>3.5 Development Near Licensed Aerodromes</b>	<ul style="list-style-type: none"> <li>▪ Ensure effective and safe operation of aerodromes</li> <li>▪ Ensure aerodrome operation is not compromised by development</li> <li>▪ Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A

**Table 5 – Assessment against Section 9.1 Ministerial Directions**

	<b>Contents of Section 9.1 Direction</b>	<b>Planning Proposal</b>	<b>Comply</b>
	<ul style="list-style-type: none"> <li>▪ A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 ANEC/ANEF contour for Western Sydney Airport.</li> </ul>		
<b>3.6 Shooting Ranges</b>	<ul style="list-style-type: none"> <li>▪ Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</li> <li>▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land</li> <li>▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>4. Hazard and Risk</b>			
<b>4.1 Acid Sulphate Soils</b>	<ul style="list-style-type: none"> <li>▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>4.2 Mine Subsidence and Unstable Land</b>	<ul style="list-style-type: none"> <li>▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>4.3 Flood Prone Land</b>	<ul style="list-style-type: none"> <li>▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>.</li> <li>▪ Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</li> </ul>	The proposal site is not impacted by flooding in Council's updated maps. The proposal will be addressed in accordance with the Floodplain Development Manual 2005 at the DA stage. The development will be required to comply with Council's Flood Management Controls as outlined in the Fairfield City Wide DCP.	N/A
<b>4.4 Planning for Bushfire Protection</b>	<ul style="list-style-type: none"> <li>▪ Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas.</li> <li>▪ Encourage sound management of bush fire prone areas.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>5. Regional Planning</b>			

**Table 5 – Assessment against Section 9.1 Ministerial Directions**

<b>Contents of Section 9.1 Direction</b>		<b>Planning Proposal</b>	<b>Comply</b>
<b>5.1 Implementation of Regional Strategies</b>	<ul style="list-style-type: none"> <li>To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</li> </ul>	The proposal does not impact on the intent of this direction.	N/A
<b>6. Local Plan Making</b>			
<b>6.1 Approval and Referral Requirements</b>	<ul style="list-style-type: none"> <li>Ensure LEP provisions encourage the efficient and appropriate assessment of development</li> </ul>	The Planning Proposal has been referred to all relevant internal departments. The application has not yet been to gateway.	Yes
<b>6.2 Reserving Land for Public Purposes</b>	<ul style="list-style-type: none"> <li>Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes</li> <li>Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</li> </ul>	<p>The additional permitted used proposed for the site, will provide shops, such as a supermarket that will encourage the general public of Villawood to use.</p> <p>The planning proposal (PP-2020-3205) is consistent with this direction as the parent allotment has reserved land for open space purposes.</p>	Yes
<b>6.3 Site Specific Provisions</b>	<ul style="list-style-type: none"> <li>Discourage unnecessarily restrictive site specific planning controls</li> </ul>	This planning proposal will allow specific additional uses of a 'retail premises' and 'business premises' to be carried out on a specific part of the development within the existing R4 Zone. The Key Sites Map and Clause in Schedule 1 Addition permitted uses within the Fairfield Local Environmental Plan 2013, will identify the specific building the additional uses apply to. The Clause will specify the sqm number of permitted retail and business premises that will be allowed on site.	Yes
<b>7. Metropolitan Planning</b>			
<b>7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan</b>	<ul style="list-style-type: none"> <li>Applies to a Planning Proposal for any land affected by the obstacle limitation surface and ANEF contours for Western Sydney Airport.</li> <li>A planning proposal is to be consistent with the Stage 1 Land Use and Infrastructure Implementation Plan approved by the Minister for Planning.</li> </ul>	The proposal is within the Fairfield City Council LGA, however, this development does not impact on the intent of this direction.	N/A

## **Section C – Environmental, social and economic impact**

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The subject site is vacant and there is no critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal.

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

The proposed additional permitted use is driven by the desire to permit a business and retail aspect into the Land and Housing Corporation site, an ancillary use to the R4 High Density Residential. The current zone restricts development potential as it can only accommodate several forms of development with consent. As a result, the proposal seeks consent for the additional permitted use on site within the R4 High Density Residential zone.

**How has the planning proposal adequately addressed any social and economic effects?**

As part of the planning proposal, the applicant submitted a retail demand assessment analysis, that specifies Villawood Town Centres capacity for another supermarket and other speciality retail shops. The social and economic effects of the planning proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document the Plan for Growing Sydney.

Among other things, the Plan explains that to meet the needs of a larger population and to maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres.

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

## **Section D – State and Commonwealth interests**

**Is there adequate public infrastructure for the planning proposal?**

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

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

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

### **What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The views of relevant public authorities under section 57 of the EP&A Act will be sought during the exhibition of the planning proposal.

Confirmation of the above list will be confirmed by the Gateway Determination. Preliminary consultation has been undertaken by the applicant with the Roads and Maritime Services. This will continue as part of the Gateway Requirements.

### **3.4 – Maps**

This part of the Planning Proposal deals with the maps associated with Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the Planning Proposal, a new Key Sites Map will be included in the Fairfield Local Environmental Plan 2013 relating to part of 2 Kamira Avenue, Villawood (Lot 37 DP 202006).

### **3.5 – Community Consultation**

Community consultation is required under Section 3.34(2)(c) of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at the Gateway process.

It is proposed that at minimum this involves the notification of the public exhibition of the planning proposal:

- Council's website
- NSW Planning Portal
- Fairfield City Corporate news section of the local newspaper that circulates widely in the local government area;
- Letters to the owners of the affected properties, the directly adjoining the subject site.

### **3.6 – Project Timeline**

The project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

<b>Table 6 – Project Timeline</b>			
<b>No.</b>	<b>Step</b>	<b>Process content</b>	<b>Timeframe</b>
1	Section 3.34 – request for Gateway Determination	<ul style="list-style-type: none"> <li>• Prepare and submit Planning Proposal to DP&amp;I</li> </ul>	October 2021
2	Gateway Determination	<ul style="list-style-type: none"> <li>• Assessment by DP&amp;I (including LEP Panel)</li> <li>• Advice to Council</li> </ul>	December 2021
3	Completion of required technical information and report (if required) back to Council	<ul style="list-style-type: none"> <li>• Prepare draft controls for Planning Proposal</li> <li>• Update report on Gateway requirements</li> </ul>	December 2021
4	Public consultation for Planning Proposal	<ul style="list-style-type: none"> <li>• In accordance with Council resolution and conditions of the Gateway Determination.</li> </ul>	January 2022
5	Government Agency consultation	<ul style="list-style-type: none"> <li>• Notification letters to Government Agencies as required by Gateway Determination</li> </ul>	January 2022
6	Public Hearing (if required) following public consultation for Planning Proposal	<ul style="list-style-type: none"> <li>• TBC</li> </ul>	TBC
7	Consideration of submission	<ul style="list-style-type: none"> <li>• Assessment and consideration of submissions</li> </ul>	April 2022
8	Report to Council on submissions to public exhibition and public hearing	<ul style="list-style-type: none"> <li>• Includes assessment and preparation of report to Council</li> </ul>	April 2022
9	Possible re-exhibition	<ul style="list-style-type: none"> <li>• Covering possible changes to draft Planning Proposal in light of community consultation</li> </ul>	1 month
10	Report back to Council	<ul style="list-style-type: none"> <li>• Includes assessment and preparation of report to Council</li> </ul>	1 month
11	Referral to PCO and notify DP&I	<ul style="list-style-type: none"> <li>• Draft Planning Proposal assessed by PCO, legal instrument finalised</li> <li>• Copy of the draft Planning Proposal forwarded to DP&amp;I.</li> </ul>	June 2022
12	Plan is made	<ul style="list-style-type: none"> <li>• Notified on Legislation web site</li> </ul>	July 2022
<b>Estimated Time Frame</b>			<b>9 months</b>