Outcomes Committee

AGENDA

DATE OF MEETING: 10 February 2026
LOCATION: Staff Lunch Room
TIME: 6.30pm

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Fairfield City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

AGENDA
Outcomes Committee
Meeting Date: 10 February 2026

ITEM **SUBJECT** **PAGE**

- **APOLOGIES AND REASONS ACCEPTED**

- **CONFIRMATION OF MINUTES**

SECTION A

'Matters referred to Council for its decision'

There are no reports submitted for this section.

SECTION B

'Matters submitted to the Committee for decision subject to the right of referral'

1: **SUBJECT:** Planning Proposal - 55 Cabramatta Road East Cabramatta
Premises: 55 Cabramatta Road East Cabramatta
Applicant: Michael Ryan Planning
Owner: Cabramatta Bowling & Recreation Club Ltd
Zoning: RE2 – Private Recreation
File Number: 25/30006 5

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

2: Post Exhibition - Fairfield City Wide Development Control Plan 2024 - Amendment No. 2
File Number: 25/13177 52
Note: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

3: Submission to the Sydney Plan 2026
File Number: 25/38123 728

4: Fairfield Showground Local Approvals Policy
File Number: 19/15813 831

5: Compliance and Enforcement Policy - Building Control and Land Use
File Number: 15/07779 857

6: Major Projects Update - January 2026
File Number: 23/34318, 23/13402 943

7: Monthly Investment Reports - December 2025 and January 2026
File Number: 25/23527 958

8: Youth Advisory Committee - December 2025
File Number: 25/19063 995

9: Divisional Update Report - Quarter 2 - Economic Development
File Number: 14/09936 999

10: Divisional Update Report - Quarter 2 - Place Management and Major Events
File Number: 14/09936 1018

11: Information Report - 2025-2026 Operational Plan - Quarterly Report (October to December 2025)
File Number: 25/15309 1030

Outcomes Committee



SECTION B

'Matters submitted to the Committee for decision subject to the right of referral'

SUBJECT: Planning Proposal - 55 Cabramatta Road East Cabramatta
Premises: 55 Cabramatta Road East Cabramatta
Applicant: Michael Ryan Planning
Owner: Cabramatta Bowling & Recreation Club Ltd
Zoning: RE2 – Private Recreation

FILE NUMBER: 25/30006

REPORT BY: Kerren Ven, Senior Strategic Land Use Planner

RECOMMENDATION:

That:

1. Council endorse the Planning Proposal (Attachment A of the report) to amend the Fairfield Local Environmental Plan (FLEP) 2013 in relation to the site at 55 Cabramatta Road East Cabramatta (Lot 2 DP 8012), as follows:

    1.1. Amend the Land Zoning Map (LZN_021) to rezone 55 Cabramatta Road East, Cabramatta from R2 Low Density Residential to RE2 Private Recreation.
    1.2. Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size.
    1.3. Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments.
    1.4. Amend the Fairfield LEP 2013 Height of Building Map (HOB_021) to prescribe no height of building control.
    1.5. Amend the Fairfield LEP 2013 Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control.

2. Pursuant to Section 3.31(3)(a) of the Environmental Planning and Assessment Act 1979, Council forward its recommendation to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway Determination for the Planning Proposal.

3. In requesting the Gateway Determination, advise NSW DPHI that Council seeks delegation as the Planning Proposal Local Plan Making Authority (as delegated by the Minister under Section 2.4 of the Environmental Planning and Assessment Act 1979).

4. The Planning Proposal be publicly exhibited in accordance with 3.34(2) of the Gateway Determination issued by the DPHI.

5. The outcome of the exhibition of the Planning Proposal and its supporting information be reported back to Council following completion of the public exhibition period.

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

SUPPORTING DOCUMENTS:

AT-A ⇩	Planning Proposal	29 Pages
AT-B ⇩	Current and Proposed Map Amendments	3 Pages
AT-C ⇩	Fairfield Local Planning Panel Minutes	4 Pages

CITY PLAN

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

SUMMARY

Council is in receipt of a planning proposal (Attachment A) for 55 Cabramatta Road East, Cabramatta (Lot 2 DP 8012) seeking to rezone the land from R2 Low Density Residential to RE2 Private Recreation under the Fairfield Local Environmental Plan (FLEP) 2013.

The rezoning seeks to amend the following maps under Fairfield Local Environmental Plan (FLEP) 2013:

- Land Use Zoning
- Lot Size Map
- Lot Size for Dual Occupancy
- Height of Building
- Floor Space Ratio
- Key Sites

The intention of the proposal is to provide an additional carpark to support the existing operation of the adjoining Cabra Bowls Club (the Club) located at 82 Longfield Street Cabramatta.

In December 2025 the proposal was considered by the Fairfield Local Planning Panel (FLPP), which provided in-principal support of the Planning Proposal (PP).

The planning proposal is considered to have sufficient strategic merit including minimal environmental impacts, benefits for on-site and off-street carparking in the locality, for Council to support further progression of the proposal.

Accordingly, it is recommended that the planning proposal be referred to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a gateway determination to allow public exhibition of the proposal to occur.

Purpose

Scope of Planning Proposal

As shown in Figure 1, the applicant is seeking rezoning of 55 Cabramatta Road East Cabramatta from R2 Low Density Residential to RE 2 Private Recreation.

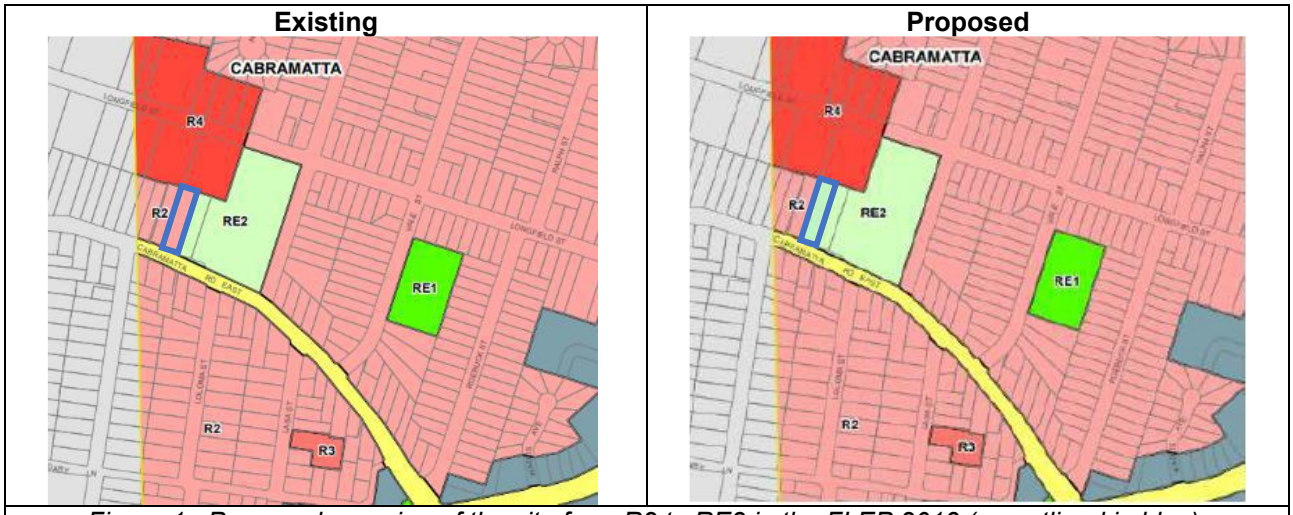


Figure 1: Proposed rezoning of the site from R2 to RE2 in the FLEP 2013 (as outlined in blue).

The full extent of the proposed amendment to FLEP 2013 are listed in the following table with the associated map changes contained in Attachment B of the report.

Map Control	Current	Proposed
Land Zoning Map (LZN_021)	R2 Low Density Residential	RE2 Private Recreation
Lot Size Map (LSZ_021)	450sqm	Reference removed for site
Lot Size for Dual Occupancy Map (LSD_021)	900sqm	Reference removed for site
Height of Building Map (HOB_021)	9m	Reference removed for site
Floor Space Ratio Map (FSR_021)	0.45:1	Reference removed for site

As shown in Figure 2 the intention of the planning proposal and above Local Environmental Plan (LEP) amendments are to facilitate additional carparking (approximately 45-50 spaces) on the subject land to service the existing Cabra Bowls Club to avoid the overflow of the demand for carparking at the Club (particular during major bowls events) onto surrounding streets.

The proposal does not require any site-specific development controls to facilitate the future car park. The car park will need to be the subject of a future development application (DA) which would be assessed under existing provisions of the Fairfield City Wide Development

Control Plan (DCP) 2024. As part of this assessment, the proposal will need to ensure that it does not impact on the amenity of the surrounding locality including adjoining/nearby residential land uses.

Existing site	Concept design for carpark (red outline)
	

Figure 2: Subject Site & Proposed Carpark (red outline).

Subject site and surrounding area

The subject site at 55 Cabramatta Road East Cabramatta is currently zoned R2 and contains a single storey fibro cladded dwelling with 2 outbuildings. It adjoins the Cabra Bowls Club to the east, which is zoned RE2.

The site has a 20m frontage accessed from Cabramatta Road East, a Transport for NSW (state arterial) road zoned SP2, representing the primary road connection for the site to Cabramatta Town Centre, Hume Highway, Cumberland Highway and areas beyond.

The rectangular allotment gradually slopes approximately 2.5m towards the north and has a total site area of 1,708m^2. The land is not affected by any critical constraints including flooding, biodiversity or proximity to environmentally sensitive land. Figure 3 below illustrates the sites context to the surrounding locality.

To the north are 2-storey townhouse developments zoned R4 High Density Residential with the allowable LEP maximum height of 16 metres and low-density residential type dwellings to the west and south of the site.

A site plan showing the properties owned by the Club and a zoning map of land affected by the planning proposal are provided below.





Site context of land affected by planning proposal.

History of Cabra Bowls Club operation and zoning

Prior to 2013, the existing main club buildings at 82 Longfield Street was zoned 6(b) Private Recreation. The existing club carpark at 53 Cabramatta Road was zoned for low density residential purposes.

The Club has purchased 55 Cabramatta Road with the intention of extending its existing car park to this site. However, this is not currently possible because the land is zoned R2 Low Density Residential, which does not allow car parking for club use.

In the past, the Club would not have needed to rezone the land, as the former planning controls allowed certain club-related uses, such as car parking, to extend up to 20 metres into a residential zone. That provision no longer exists under the current Fairfield LEP 2013.

As a result, the Club is now required to apply to rezone the subject property to RE2 Private Recreation in order to lawfully use it for car parking in connection with the existing club. This approach is consistent with directions from the DPHI, which requires club land and approved club facilities to be zoned RE2.

Importantly, this rezoning only relates to car parking and club use. If the Club ever seeks to use other nearby land for additional development in the future, it will still need to go through a separate rezoning and/or development approval process. These requirements act as safeguards to ensure any future development is properly assessed by Council.

A review of past applications for alterations and additions to the Club facilities has been undertaken. This has found that the current operations of the Club and associated carparking facilities comply with previous development approvals issued by Council.

At the meeting with the Fairfield Local Planning Panel, the applicant also indicated that on occasion, bowls events held at the site attract competitors and visitors from across the region and the additional carparking area will reduce the demand for on-street carparking in the neighbourhood during these periods.

Fairfield Local Planning Panel advice

The PP was referred to the 11 December 2025 Fairfield Local Planning Panel (FLPP) meeting for advice as set out by the Local Planning Panels Direction – Planning Proposals of section 9.1 of the Environmental Planning and Assessment (EP&A) Act 1979, with minutes of the meeting included in Attachment C.

At the meeting, there was discussion of the applicant's explanation of the appropriateness for a rezoning with the primary intention to provide carparking to the Club site given that there is sufficient parking for the Club's current operations. The Club informed the panel members that the land was purchased with the intention of providing additional car spaces to support the club site during bowling club events/ tournaments and that there is currently no long-term plan for the club to expand its footprint.

The Club acknowledged that despite there being no long-term plan identified for other nearby land in the club's ownership zoned R2 Low Density Residential (as shown in Figure 3), any future expansion of the Club's operations to adjoining land would be supported by the preparation of a site masterplan and a further rezoning application.

The panel was supportive of the proposed rezoning and noted that there are a wide range of possible land uses that may be appropriate as part of any future expansion to adjacent residential properties.

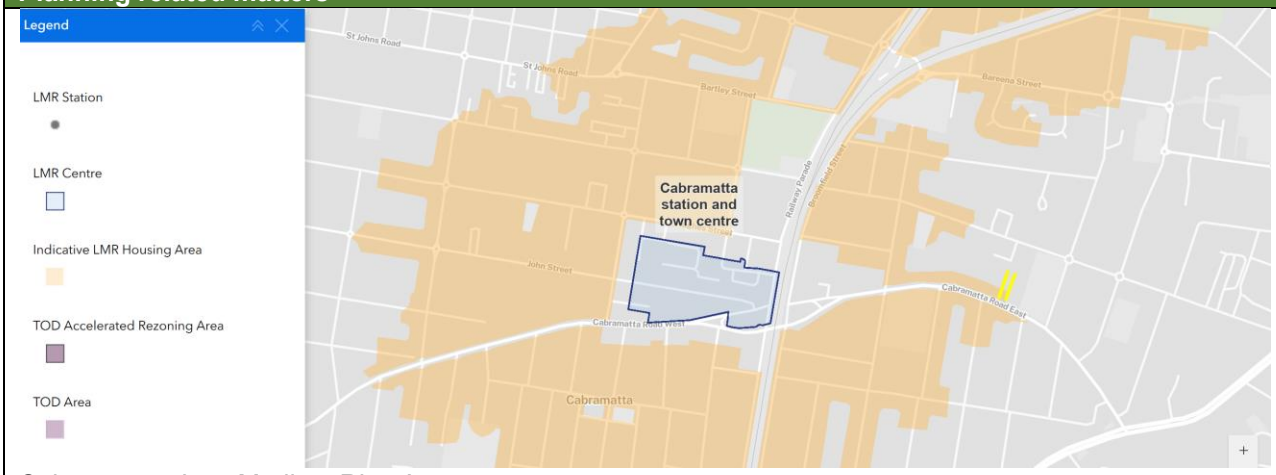
Site specific environmental considerations

As detailed in the following table, the potential environmental impacts associated with the PP have been assessed to determine the extent of any impacts on the locality and the merits of the proposal in accordance with the NSW Local Plan Making Guidelines 2023.

Planning related matters	
1. Justification for the need of additional carparking for the Cabra Bowls Club.	**Issue**
	The intended outcome of the proposal to provide approximately 45-50 carparking spaces to support the existing operations of the Club is supported by a Traffic Report prepared by Positive Traffic, Ref. PT17052 dated 5 September 2025. The report indicates that the PP will not result in additional traffic generation on the surrounding road network and additional carparking is not required to accommodate any increase of the use of the Club but rather complement the existing parking provisions. The Club currently has sufficient on-site parking to accommodate the peak operational demands as surveyed in previous approvals that apply to the Club site.
	Council officer comment
	The approved operations and existing carparking arrangement for the Club have been subject to previous development approvals. Rather than provide a comprehensive traffic assessment the traffic report submitted with the PP comprises a review of a previous parking demand/capacity survey provided as part of a previous Development Application to Council in 2022. Council officers accept the proposal only relates to provision of supplemental parking and is not to facilitate an increase in floor space for the Club.
2. Future masterplan for land in ownership of the Cabra Bowls Club	**Issue**
	The Club owns 2 residential properties to the west of the subject site at No. 59 and 61 Cabramatta Road East (illustrated in Figure 3). This suggests a future intention to expand the Club's operations. The properties are separated by an individual private property not owned by the Club at No. 57 Cabramatta Road East potentially resulting in its future isolation.
	Council officer comment
	No details of a concept masterplan have been submitted as part of the PP for the residential land owned by the Club.

Planning related matters	
	The applicant's PP report notes that should the subject sites be redeveloped for Club-related purposes in the future, it would require the preparation of a masterplan detailing how the sites would be integrated with the Club including how any isolated non-Club owned properties would be managed.
3. Acoustic amenity impacts adjoining the residential interface	**Issue**
	An acoustic assessment prepared by Acoustic Logic, Ref. 20250783.1/0808A/R0/HD dated 8 August 2025 (see accompanying reports submitted with the planning proposal) has been prepared to consider the potential impacts associated with the site being developed as an at-grade carpark. The assessment methodology used in the above report relies on the noise assessment criteria/parameters associated with a previous Noise Impact Assessment prepared for the existing carpark recently approved by Council (DA246/2023). The planning proposal acoustic assessment concludes that the subject site is suitable to be rezoned for the purpose of accommodating an on-grade carpark based on the noise criteria and DA requirements applied to the existing carpark adjoining the subject site.
	Council officer comment
	It is noted that under DA246/2023 parking is prohibited after certain hours (9.30pm weekdays) along the perimeters of the existing carpark that have direct interface to adjoining residential properties to minimise the potential for noise disturbance to adjoining properties. Council's Public Health and Environment Division have reviewed the acoustic report submitted with the planning proposal and raise no objections. The potential for acoustic impacts and any measures required to mitigate these will be considered further by Council departments under a future DA that will require submission of more detailed plans relating to the layout and design of a carpark on the subject site.
4. Loss of 'Low and Mid-Rise Housing area' in Fairfield Local Government Area (LGA) (see figure below)	**Issue**
	The Low and Mid-Rise Housing (LMR) Policy applies to the land under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). Noting that the other 2 properties at No. 59 and 61 owned by the Club are also in the LMR area, potentially resulting in a loss of approximately loss 4,409m^2 residential land area in the Fairfield LGA if the Club future masterplan were to occur.
	Council officer comment
	The LMR provisions that currently apply to the land permit dual occupancy development within the R2 zone with non-discretionary standards within the LMR Housing SEPP for land up to 450m^2 with 12m frontage. Based on the lot width of 55 Cabramatta Road East being 20m, the land will be able to only achieve a maximum of 2 dwellings on the land. While the proposal has no meaningful impact in loss of residential land intended for the housing supply, the change is acknowledged and justified as part of the strategic planning framework meeting the objectives to provide diverse infrastructure and services to meet the changing needs of the community.

Planning related matters



Cabramatta - Low Medium Rise Areas

Environmental and planning considerations

The proposal was referred to Council's internal Development Planning, Traffic and Transport, Place Management, Public Health and Environment and Social Planning and Community Development branches. No concerns were raised regarding the PP. Any future development as a result of the PP will be the subject of DA. Surrounding landowners will also be given an opportunity to comment on the proposal during the public exhibition stage of the proposal.

Consideration of the Strategic Planning Framework

The state and local strategic planning framework vision aims to improve the lifestyle and environmental assets intended for the future of Fairfield City, focusing on local and state level actions to provide housing supply, employment opportunities and activation in well located strategic areas.

State level strategic framework – A Metropolis of 3 Cities - Greater Sydney Region Plan and the draft Sydney Plan are the current State's region plans that aim to anticipate the housing and employment needs of the changing growing population in the long-term 2056.

Regional level strategic framework – The Western City District Plan, (to be repealed upon the adoption of the draft Sydney Plan) applies to the Fairfield LGA. It is the 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year Sydney Region vision for Greater Sydney for Western Sydney. The District Plan informs Council's local strategic planning statement, local environmental plan, the community strategic plans and policies and the assessment of planning proposals to align with the plans.

Local level strategic framework – The Fairfield Local Strategic Planning Statement (LSPS) 2040 provides the overarching land use strategy for the Fairfield community's economic, social and environmental land use needs until 2040. It implements and provides a line-of-sight to the priorities and actions of the Western City District Plan and the goals and outcomes of the Fairfield City Plan (Community Strategic Plan). The Fairfield LSPS 2040 includes a number of initiatives aimed at creating opportunities to generate diverse housing, employment opportunities and local infrastructure across the City.

The proposal is consistent with the actions and priorities of the state, regional and local strategic planning framework by supporting the delivery of recreational and social infrastructure in the RE2 zone contributing to the growing economy of Fairfield City.

Consultation Strategy

Upon receiving a gateway determination from NSW DPHI, public exhibition of the proposal will be required for a statutory period of 28 days, or as conditioned within the Gateway Determination. Community consultation will involve notification to landowners both within and directly adjoining the land affected by the PP. Publication of all relevant information will be undertaken on Council's website and the NSW Planning Portal.

The Gateway Determination will also require Council to undertake consultation with nominated State government agencies and utility providers. Council will consult with the relevant stakeholders as per the conditions of the Gateway Determination.

Following public exhibition, a report will be presented to Council to consider the outcomes of the public exhibition, including submissions received and consultation with the State agencies and utility providers.

Project Timeline

The proposal is likely to be categorised as a standard PP in accordance with the NSW Local Environment Plan (LEP) Making Guidelines. The project timeline below is intended to be used as a guide and may be subject to change if any issues arise during the public exhibition stage.

No.	Step	Process content	Timeline
1.	Consideration based on the Council resolution.	Council officers' assessment endorsed by Council.	February 2026
2.	Gateway determination.	Issued Gateway received from DPHI.	March 2026
3.	Pre-exhibition.	Update PP in accordance with the conditions of the Gateway Determination.	April 2026
4.	Commencement and completion of public exhibition period.	Notification sent to relevant agencies and the community.	April 2026
5.	Consideration of proposal based on submissions received.	Update planning proposal, if necessary, as result of exhibition process.	May 2026
6.	Review of additional technical review if needed and Post-exhibition to Council to endorse finalisation.	Obtain endorsement by Council to proceed to finalisation.	July 2026

No.	Step	Process content	Timeline
7.	Submission to the Department for finalisation (where applicable).	Preparation of finalised package to DPHI.	August 2026
8.	Gazettal of LEP amendment.	Finalisation and adoption of PP in FLEP 2013.	September 2026

CONCLUSION

The PP seeks to amend the FLEP 2013 to rezone 55 Cabramatta Road East Cabramatta from R2 Low Density Residential to RE2 Private Recreation and aims to provide carparking spaces to support existing activities at the Cabra Bowls Club.

The proposal is consistent with the relevant state, local plans and policies. The proposal is considered to have minimal potential for adverse impacts on the environment and adjoining land and will support private recreational uses for the area and future changing needs of the community.

It is recommended that the proposal be submitted for a Gateway Determination request with the NSW DPHI. A further report will be prepared to Council at the conclusion of the public consultation period to satisfy the conditions of the Gateway Determination.

Kerren Ven
Senior Strategic Land Use Planner

Authorisation:
Executive Strategic Planner
Manager Strategic Land Use Planning
Director City Strategy

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_7.DOCX**

***** END OF ITEM 1 *****

FairfieldCity
Celebrating diversity

Planning Proposal

Proposed Amendment to Fairfield Local Environmental Plan 2013

Rezoning of 55 Cabramatta Road East, Cabramatta from R2 Low Density Residential to RE2 Private Recreation in association with the Cabra Bowls Club

February 2026

Document Register

Proponent versions:

Version	Date	Detail	Council reference
01	30.09/2025	Initial planning proposal submitted by proponent	A675117

Council versions:

Version	Date	Detail	Council reference
01	29.01.2026	Initial planning proposal submitted by proponent in Council template for report to Council for Gateway request (Outcomes Committee 10 February 2026)	A6909731

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Executive Summary

A planning proposal application has been submitted to Fairfield City Council for rezoning of 55 Cabramatta Road East, Cabramatta (Lot 2 DP 8012) for the purposes of a future privately owned carpark, to be operate in conjunction with the adjoining Cabramatta Bowling Club at 82 Longfield Street, Cabramatta directly to the west of the subject site.

The planning proposal is a map-only amendment seeking to amend the Fairfield Local Environmental Plan (FLEP) 2013 to rezone the land from R2 Low Density Residential to RE2 Private Recreation. No site-specific development controls are proposed as part of the planning proposal.

The adjoining bowling club site is already zoned RE2 Private Recreation and includes a number of facilities and operations that offer a cross section of active and passive recreational services/pursuits for the community. In this regard, rezoning of the subject site from R2 to RE2 will incorporate the land into the operations of the bowling and enhance the capacity for on-site carparking to support the operations of the club.

The proposal was referred to the December 2025 Fairfield Local Planning Panel for advice as required under the s9.1 Ministerial Directions of the Environmental Planning and Assessment Act 1979.

The Panel's provided support for the proposal that is aimed providing 'ample on site parking for club patrons' but were also mindful that any expansion of the Club in future should be supported by a master planning framework. This includes any future expansion of the residential allotments currently in the clubs ownership that are zoned R2 Low Density Residential.

The proposal is consistent with the relevant state and local strategic directions; strategies and plans that apply to the Fairfield LGA and is considered to have strategic merit in providing social recreational infrastructure and services compatible.

Provision of the future carpark would be subject to consideration of a future development application by Council and would need to include measures to minimise impacts on surrounding residential properties and adjoining road network. To this end, the applicant has submit preliminary traffic management and acoustic reports, that generally demonstrate the proposed rezoning of the site is appropriate and will have minimal environmental and traffic impacts on the locality.

Introduction

Background

The planning proposal seeks to amend the Fairfield Local Environmental Plan (FLEP) 2013 to rezone the site at 55 Cabramatta Road East, Cabramatta (Lot 2 DP 8012) from R2 Low Density Residential to RE2 Private Recreation.

The intention of the planning proposal is to provide ample parking to support the adjoining registered club operation of the Cabra Bowls Club that are under the same ownership of the land.

Land Affected

The planning proposal applied to 55 Cabramatta Road East, Cabramatta, formally known as (Lot 2 DP 8012). The site is currently zoned R2 and supports a single storey fibro cladded dwelling with two (2) outbuildings and adjoins the Cabra Bowls Club, to the east zoned RE2 that is under the same ownership.

To the north are 2-storey yellow brick townhouse developments zoned R4 High Density Residential with the allowable LEP maximum height of 16 metres and R2 low density residential type dwellings to the west and south of the site.

The site has a 20m frontage accessed from Cabramatta Road East, a Transport for NSW (state arterial road) zoned SP2, representing the primary road connection for the site to Cabramatta Town Centre, Hume Highway, Cumberland Highway and areas beyond.

The rectangular allotment gradually slopes approximately 2.5m towards the north and has a total site area of 1708m2. The land is not affected by any critical constraints including flooding, biodiversity or proximity to environmentally sensitive land. Figure 1 illustrates the sites context to the surrounding locality.



Figure 1. Site context of land affected by planning proposal

Part 1 – Objectives

Objective

To amend the Fairfield Local Environmental Plan (FLEP) 2013 to rezone 55 Cabramatta Road East, Cabramatta (Lot 2 DP 8012) to provide ample carparking for the adjoining Cabra Bowls Club site at 82 Longfield Street, Cabramatta.

Intended outcomes

- To amend the applicable development standards within the Fairfield Local Environmental Plan 2013 relating to the maximum height of building, floor space ratio and minimum lot size that are consistent with the RE2 Private Recreation zone and the adjoining land east of the subject site.
- The purpose of the rezoning is to permit the use of the land in the form of carparking in association with the adjoining land owned by the Cabra Bowls Club at 82 Longfield Street, Cabramatta.
- To incorporate land into the operations of the adjoining club site already zoned RE2 Private Recreation zone that will sustain employment opportunities, social and recreational services that promote activity and vibrancy in the area.
- To enable future development applications over the land to be considered on their planning merits.

Proposed Amendments to the Fairfield LEP 2013

The table below describes the proposed map-only amendments to the land affected under the Fairfield Local Environmental Plan 2013 (FLEP 2013).

Exiting planning controls	Proposed planning controls
R2 Low Residential Density Zone	RE2 Private Recreation
Maximum Floor Space Ratio (FSR) of 0.45:1	Removal of FSR control consistent with the RE2 zone
Maximum Height of Building (HOB) of 9 metres	Removal of HOB control consistent with the RE2 zone
Minimum Lot Size (MLS) of 450sqm	Removal of MLS control consistent with the RE2 zone
Minimum Lot Size for Dual Occupancy (LSD) development of 900swm	Removal of LSD control consistent with the RE2 zone

Part 2 – Explanation of provisions

Intended provisions

To achieve the objectives mentioned in Part 1, the Planning Proposal is seeking a map-only amendment to the Fairfield Local Environmental Plan (FLEP) 2013 as follows:

1. Amend the Land Zoning Map (LZN_021) to rezone 55 Cabramatta Road East from R2 Low Density Residential to RE2 Private Recreation.
2. Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size.
3. Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments.
4. Amend the Fairfield LEP 2013 Height of Building Map (HOB_021) to prescribe no height of building control.
5. Amend the Fairfield LEP 2013 Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control.

The intent of the proposal is to amend the applicable planning controls to be consistent with the provisions set within the RE2 Private Recreation zone adjoining the site at 82 Longfield Street, Cabramatta.

All other planning controls applying to the site will remain unchanged. Appendix A of the report includes the related map amendments.

Part 3 – Justification of strategic and site-specific merit

Section A – Need for a planning proposal

Is the planning proposal a result of an endorsed Local Strategic Planning Statement (LSPS), strategic study or report?

The Planning Proposal is not the result of any strategy or study but rather the outcome of a change in the intended use of the site having recently been purchased by the Cabra Bowls Club to expand their carpark to the site. The site is under the same ownership as the adjoining Cabra Bowls Club and will support the operation of the existing club.

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

The proposal is considered to have an appropriate means in achieving the objectives and intended outcomes for the site. The rezoning will provide greater certainty in the long-term for the site.

Under preparation of the Fairfield LEP 2013 that transitioned the zoning of all land in the City to the NSW Standard Instrument LEP Order 2006, Council was directed by the former NSW Dept. of Planning to rezone club facilities previously zoned for private recreation purposes to RE2 Private Recreation.

The proposal is supported by the Fairfield Local Planning Panel advice noting that future expansion of the surrounding properties owned by the Cabra Bowls Club will be subject to future planning proposals supported and would need to include consideration of a masterplan for land in the Club's ownership to deliver suitable development/renewal of he precinct that minimises impacts on the surrounding residential neighbourhood, local and state road network.

Section B – Relationship to strategic planning framework

Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan 'A Metropolis of Three Cities'

The Greater Sydney Region Plan released in March 2018 establishes a comprehensive vision, goals, strategies and actions for developing Greater Sydney by 2056.

The plan identifies 10 key directions within a framework based on the core themes of liveability, productivity and sustainability supported by objectives and indicators to implement the Plan. The proposal is aligned specifically with objectives 6 and 7 of the Plan to rebalance the changes in growth, ensuring the benefits are shared equally where residents are within each of jobs, services and public spaces.

With changing demographics, the distribution of services and infrastructure required in neighbourhoods including social and recreational facilities will be supported by the rezoning of the land for private recreation purposes, including connecting people in this setting.

The draft Sydney Plan

The draft Sydney Plan is currently on exhibition until 27 February 2026 and is the State's next 20-year strategic land use plan to direct future growth of the Sydney region, focusing on 12 key actional responses focusing on better Aboriginal community outcomes, housing choices, well located placed aligned with growing populations, infrastructure and employment opportunity whilst protecting the natural environment. While the proposal is not a result of a direct response to the draft Sydney Plan, it supports the City by providing social spaces and recreational services enhancing the quality of life in a more liveable vibrant City.

Western City District Plan

The State's Regional Plan and District Plans are intended to be repealed once the Sydney Plan has been finalised as result of a suite of planning reforms.

Currently, the Western City District Plan applies to Fairfield City it and is the 20-year plan to manage the growth of the district in the context of economic, social and environmental matters to achieve the vision of Greater Sydney. The following table includes an assessment of the planning proposal against the relevant directions and actions outlined in the WCDP:

Planning Priorities	Comments
A City Supported by Infrastructure	
W1: Planning for a city supported by infrastructure	Cabramatta is a well-established suburb with existing infrastructure, utilities and services in the region.
A Collaborative City	
W2: Working through collaboration	The planning proposal provides for a collaborative process with Council, agencies, stakeholders and general the community.
A City for People	
W3: Providing services and social infrastructure to meet people's changing needs W4: Fostering healthy, creative, culturally rich and socially connected communities	The Cabra Bowls Club currently provides services and social infrastructure to meet the needs in changing growing populations.
Housing the City – Giving People Housing Choices	
W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport	Not applicable.
A City of Great Places – Design Places for People	
W6: Creating and renewing great places and local centres, and respecting the District's heritage	Not applicable.
A Well-Connected City – Developing a more Accessible and Walkable City	
W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The land is in close proximity to the Cabramatta Town Centre and Hume Highway connecting to diverse transport options to other regions of Sydney reinforcing the 30-minute city.

Jobs and Skills for the City – Creating the conditions for a Stronger Economy	
W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis W9: Growing and strengthening the metropolitan cluster W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land W11: Growing investment, business opportunities and jobs in strategic centres	The amendment will contribute to maximising opportunities for the growing economy of Fairfield City.
A City in its Landscape – Valuing Green Spaces and Landscape	
W12: Protecting and improving the health and enjoyment of the District's waterways W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element W14: Protecting and enhancing bushland and biodiversity W15: Increasing urban tree canopy cover and delivering Green Grid connections W16: Protecting and enhancing scenic and cultural landscapes W17: Better managing rural areas W18: Delivering high quality open space	Future development will incorporate well design landscaping to deliver additional tree cover canopy and soft planting on the land.
An Efficient City – Using Resources Wisely	
W19: Reducing carbon emissions and managing energy, water and waste efficiently	Any future development of the site for carparking purpose will need to be accompanied by stormwater and waste management plans.
A Resilient City – Adapting to a Changing World	
W20: Adapting to the impacts of urban and natural hazards and climate change	The land is not affected by any natural hazards.

Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Fairfield City Plan Community Strategic Plan 2025-2035

The Fairfield City Plan 2025-2035 is the community's strategic plan that sets out their vision, priorities and goals for the next 10 years. As shown below, the planning proposal is consistent with the themes and goals set within the Plan.

Goal	Consistency
Theme 1: Community wellbeing	
1. A safe city that feels more secure 2. A healthy and active community through reliable services and opportunities 3. A proud diverse community that is celebrated 4. An inclusive city with access to opportunities and facilities	The existing registered Club in association with the land provides access to services and infrastructure to support healthy and active community through recreation.

Theme 2: Places and infrastructure	
1. An accessible city with connected and reliable transport 2. A sustainable and liveable city through affordable housing, vibrant urban spaces and amenities 3. Community assets and infrastructure are well managed into the future 4. Inviting and well used open space	The provision of additional Club related carparking will improve local traffic controls in the immediate area by reducing on-street parking as well as improving traffic flow on Cabramatta Road East.
Theme 3: Environmental sustainability	
1. A sustainable natural environment 2. An environmentally aware and active community 3. Environmental compliance standards are met	Future development on the land will need to be designed in a manner to ensure compliance to the relevant standards applicable to the nature of development permitted on the site.
Theme 4: Strong and resilient economy	
1. A resilient economy supported by diverse businesses and employment opportunities 2. Thriving entertainment precincts with a vibrant and inclusive night-time economy **3.** Vibrant, welcoming and attractive town centres that support community life and commerce	The Planning Proposal will facilitate the consolidation of a relatively small and underutilised site with a well-established community facility being the CBC, which subsequently will increase diversity in employment and job opportunities aligned with the Club.
Theme 5: Good governance and leadership	
1. Decision making processes are open and transparent 2. Fairfield City is financially sustainable and responsible 3. Accountability	Not applicable.

Fairfield Local Strategic Planning Statement 2040

The table below outlines the five themes along with responses to the planning priorities relevant to the proposed planning proposal.

Planning priority	Consideration
Theme 1: Community well-being – Healthy & Liveable places	
1. Provide housing that accommodates the needs of existing and future residents 2. Deliver greater housing diversity and affordability to meet the changing needs of the community 3. Plan for and manage areas identified for future urban development 4. Provide attractive, healthy and safe places for the whole community 5. Protect the city's heritage	Whilst the Planning Proposal results in the loss of one residential allotment, this does not represent a significant reduction for potential future housing stock.
Theme 2: Infrastructure & places – Supporting growth & change	
6. Ensure infrastructure is aligned to accommodate planned growth and community needs 7. Leverage opportunities from major new district Infrastructure and services and	The proposal is a logical and convenient extension of an existing employment generating land use being the Club with all necessary infrastructure being available. The site is constraint free and does not propose

technological developments	additional burdens on existing and planned growth within the area.
Theme 3: Environmental sustainability	
8. Protect areas of high natural value and environmental significance and improve the health of catchments & waterways 9. Realise the Parkland City Vision 10. Adapt to natural hazards and environmental impacts	The subject site is largely constraint free and does not propose additional development environmentally hazard areas. There are opportunities to enhance tree planting to help mitigate exposure to heat.
Theme 4: Strong & resilient economy	
11. Promote a robust economy which generates diverse services and job opportunities 12. Plan for and manage urban Services land	The proposed uses of the land will enable future DAs associated with the Club to meet the growing demands for club related facilities within the wider community.
Theme 5: Good governance – Advocacy & consultation	
13. Ensure a well-engaged and informed community 14. Monitor and report on the delivery of the LSPS actions 15. Review the LSPS to changes and priority and circumstances 16. Advocate for and represent the Fairfield City community	The planning proposal aligns with the broader planning frameworks and reflects the views of the Fairfield City community, demonstrating responsible and accountable decision making.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Not applicable. All references made in this report demonstrate consistency will all relevant applicable State, regional and local strategies and plans, both draft and adopted.

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

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

SEPP Title	Consistency	Planning Proposal
SEPP (Biodiversity and Conservation) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP 21 (Exempt and Complying Development Codes) 2008	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Housing) 2021	Not applicable.	The proposed zonings are not concern with residential type developments.
SEPP (Industry and Employment) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would

SEPP Title	Consistency	Planning Proposal
		be assessed on a site-by-site basis at the Development Application stage.
SEPP (Planning Systems) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Precincts – Central River City) 2021	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Regional)	Not applicable.	The site is not located within the specified Precincts.
SEPP (Precincts – Western Parkland City) 2021	Consistent.	The site is not located within the specified Precincts.
SEPP (Primary Production) 2021	Not applicable.	The existing and proposed zonings are not applicable for Primary Production.
SEPP (Resilience and hazards) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Resources and Energy) 2021	Not applicable.	The existing and proposed zonings are not concerned with Extractive Industries and Mining Petroleum Production.
SEPP (Sustainable Buildings) 2022	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.
SEPP (Transport and infrastructure) 2021	Consistent.	The proposal does not contain provisions that contradict or hinder the application of the SEPP. Compliance with the provisions would be assessed on a site-by-site basis at the Development Application stage.

Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions) or key government priority?

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

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
Focus area 1: Planning Systems			
1.1 implementation of Regional Plans	▪ To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans	Consistent	The proposal is consistent with the Regional Plans as addressed in Part 3 of the document.
1.2 Development of Aboriginal Land Council land	▪ To provide for the consideration of development delivery plans prepared under chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority	Not applicable.	The site is not owned or subject to a claim by an Aboriginal Land Council.
1.3 Approval and Referral Requirements	▪ To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent.	The planning proposal does not include any provisions requiring concurrence, consultation or referral by a Minister or public authority.
1.4 Site Specific Provisions	▪ To discourage unnecessarily restrictive site-specific planning controls.	Consistent.	The proposal is a map only amendment to planning controls within the FLEP 2013 for the intended use of the site and does not propose any site-specific provisions.
1.4A Exclusion of Development standards from Variation	▪ To maintain flexibility in the application of development standards by ensuring that exclusions from the application of clause 4.6 of a Standard Instrument Local Environmental Plan	Consistent.	The proposal does not seek to alter clause 4.6 of the FLEP 2013 or any equivalent provision to any other planning instrument.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	(Standard Instrument LEP) or an equivalent provision of any other environmental planning instrument, are only applied in limited circumstances.		
Focus area 1: Planning Systems – Place-based			
1.10 Implementation of the Western Sydney Aerotropolis Plan	▪ To ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan dated September 2020.	Consistent.	The site is not within the Western Sydney Aerotropolis Plan however directions within the WCDP support growth in areas of Western Sydney as a result of the Aerotropolis.
Focus area 2: Design and Place (This focus area was blank when the directions were made)			
Focus area 3: Biodiversity and Conservation			
3.1 Conservation Zones	▪ To protect and conserve environmentally sensitive areas.	Consistent.	The proposal and future development will ensure to protect and conserve environmentally sensitive areas.
3.2 Heritage Conservation	▪ To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent.	The subject site is not heritage listed nor within a heritage conservation area. The proposal considers the environmental and built heritage significance of the wider area of Fairfield City.
3.5 Recreation Vehicle Areas	▪ To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable.	The site is privately owned and does not offer public access or temporary stays for recreation vehicles.
3.6 Strategic Conservation Planning	▪ To protect, conserve or enhance areas with high biodiversity value.	Consistent.	The proposal will ensure the development will protect, conserve and enhance the area of biodiversity value in nearby areas.
3.7 Public Bushland	▪ to protect bushland in urban areas,	Consistent.	The site is currently devoid of urban bushland,

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	including rehabilitated areas, and ensure the ecological viability of the bushland, by: (a) preserving: i. biodiversity and habitat corridors, ii. links between public bushland and other nearby bushland, iii. bushland as a natural stabiliser of the soil surface, iv. existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, v. the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of the land, and (b) mitigating disturbance caused by development, (c) giving priority to retaining public bushland.		Landscaping measures will be required with future development for carparking purposes.
3.10 Water Catchment Protection	▪ To maintain and improve the water quality (including ground water) and flows of natural waterbodies and reduce urban run-off and stormwater pollution. ▪ To protect and improve the hydrological, ecological and geomorphological	Consistent.	The site is not within a Drinking Water Catchment.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	processes of natural waterbodies and their connectivity. ▪ Protect and enhance the environmental quality of water catchments by managing them in an ecologically sustainable manner, for the benefits of all users. ▪ Protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity.		
Focus area 4: Resilience and Hazards			
4.1 Flooding	▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Flood Risk Management Manual 2023, and ▪ Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land	Consistent.	The subject site not within the flood planning area.
4.2 Coastal Management	▪ To protect and manage coastal areas of NSW.	Consistent.	The site is not within a coastal wetland, littoral rainforest, coastal vulnerability area, coastal environment area or coastal use area.
4.3 Planning for Bushfire Protection	▪ to protect life, property and the	Consistent.	The site is not mapped as bush fire prone land.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and ▪ To encourage sound management of bush fire prone areas.		
4.4 Remediation of Contaminated Land	▪ 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.	Consistent.	Any proposal for demolition and earthworks to the site will require detailed site investigations and remediation at the development application stage.
4.5 Acid Sulfate Soils	▪ To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Consistent.	The land is not affected by any policy that restricts development on the land because of the likelihood of acid sulfate soils.
4.6 Mine Subsidence and Unstable Land	▪ To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Consistent.	The site is not located in a mine subsidence area.
Focus area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public	Consistent.	The land has access to existing services and jobs in proximity to public and private transport connecting Hume Highway. The State classified road provides greater access and suitable location to surrounding regional areas of Sydney.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
	transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight		
5.2 Reserving Land for Public Purposes	(a) To facilitate the provision of public services and facilities by reserving land for public purposes, and (b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Not applicable.	The proposal does not seek to remove or reserve land for public purposes.
5.3 Development Near Regulated Airports and defence Airfields	(a) ensure the effective and safe operation of regulated airports and defence airfields; (b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and (c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	Consistent.	The site is not located in proximity to a regulated airport or defence field.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
5.4 Shooting Ranges	To: • Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range • Reduce land use conflict arising between existing shooting ranged and rezoning of adjacent land • Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	Consistent.	The site is not located adjacent or in proximity to an existing shooting range.
5.5 High pressure dangerous goods pipelines	to reduce the risk of harm to human health and the environment by ensuring high pressure dangerous goods pipelines (relevant pipelines) are considered by planning proposal authorities	Consistent.	The site is not located adjacent or in proximity to high pressure dangerous goods pipeline.
Focus area 6: Housing			
6.1 Residential Zones	(a) encourage a variety and choice of housing types to provide for existing and future housing needs (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on the environment and resource lands.	Justified.	The proposal will result in the subsequent loss of a residential land being rezoned to RE2 Private Recreation. The reduction of R2 land covering 1,708m^2 is considered to be of minor significance and not result in significant impact on the future housing stock of the LGA. The amendment will result in an supporting use for the adjoining Cabra Bowls Club.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
6.2 Caravan Parks and Manufactured Home Estates	(a) provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.	Not applicable.	The proposal does not seek an amendment to accommodate a caravan park or manufactured home estate.
Focus area 7: Industry and Employment			
7.1 Employment Zones	a) encourage employment growth in suitable locations, (b) protect employment land in employment zones, and (c) support the viability of identified centres	Not applicable.	The existing Cabra Bowls Club is located in a suitable location of Cabramatta that provides employment opportunity in Fairfield.
7.2 Reduction in non-hosted short-term rental accommodation period	(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and (b) ensure the impacts of short-term rental accommodation and views of the community are considered.	Not applicable.	The direction does not apply for Fairfield local government area.
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Consistent.	The proposal is not within a target area of interest for mining, petroleum production and extractive industries.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
Focus area 9: Primary Production			
9.1 Rural Zones	To protect the agricultural production value of rural land.	Consistent.	The site is located within an established urban area and will not alter the production value of rural lands in the region.
9.2 Rural Lands	To: • Protect the agricultural production value of rural land • Facilitate the orderly and economic use and development of rural lands for rural and related purposes • Assist in the proper management, development and protection of rural lands to promote social, economic and environmental welfare of the State • Minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses • Encouraging sustainable land use practices and ensure the ongoing viability of agriculture on rural land • Support the delivery of the actions outlined in the NSW Right to Farm Policy.	Consistent.	The site is not rural land and the existing and proposed zoning would not result in land use conflicts for rural areas.

Section 9.1 Direction No. &Title	Contents of Section 9.1 Direction	Comply	Planning Proposal
9.3 Oyster Aquaculture	(a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and (b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.	Consistent.	The land is not within or near a Priority Oyster Aquaculture Area.

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 because of the proposal?

No. The subject site does not contain, nor is not within proximity to any critical habitat or threatened species, populations or ecological communities, and their habitats that will be affected as result of the planning proposal.

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

The following items relating to parking, noise and housing opportunity are addressed further below focusing on the impacts of the proposal to facilitate ample parking to the adjoining registered club site.

Traffic and Parking – The intended outcome of the proposal to provide approximately 45-50 carparking spaces to support the existing operations of the Club is supported by a Traffic Report in Appendix B of the report.

The traffic report indicates that the PP will not result in additional traffic generation on the surrounding road network and additional carparking is not required to accommodate the any increase of the use of the Club but rather complement the existing parking provision. Given that the proposal only relates to provision of more parking and would not facilitate any more floor space in the club this is considered acceptable and will subject to a detailed assessment at development application stage.

Noise impacts on sensitive receivers – The applicant has prepared an acoustic assessment to consider the potential impacts associated with the site being developed as an at-grade carpark. The report concludes that the land is suitable to be rezoned for the purpose of accommodating an at-grade carpark based on the applicable project noise criteria established for the Club. Future development as result of the PP to provide at-grade carparking along the residential interface will be required to minimise the potential for impacts on nearby residential development and will be considered as part of a future DA.

Loss in Low-Mid Rise Housing area – The Low and Mid-Rise Housing (LMR) Policy applies to part of the land under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

The LMR provisions that currently apply to the land permit dual occupancy development within the R2 zone with non-discretionary standards within the LMR Housing SEPP for land up to 450m^2 with 12m frontage. Based on the lot width of 55 Cabramatta Road East being 20m, the land will be able to only achieve a maximum of two (2) dwellings on the land.

While the proposal has no significant impact in the reduction of residential land, the change is acknowledged and justified as part of the strategic planning framework meeting the objectives to provide diverse infrastructure and services to meet the changing needs of the community.

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

The proposal in its current form contributes to an improved level of recreational and social benefits to the wider community.

There is a separation (carparking and bowling greens from the gaming) in the current layout of the Club site. The application is not accompanied by any proposal to increase the operations of the existing Club. In the event that the site was linked to expansion of the club, it will require a detailed assessment and masterplan to address potential impacts of development on the surrounding area, this would include an assessment of social impacts.

The rezoning of the site will strengthen the Club's ability to support a range of the social, cultural and sporting activities for the surrounding area.

Section D – Infrastructure: Local, State and Commonwealth

Is there adequate public infrastructure for the planning proposal?

Utilities and Services

The subject site is in an area which is well serviced by existing infrastructure in the established developed area of Cabramatta. The locality is provided with all necessary utilities and public infrastructure including water, energy, telecommunications and transport services. It is expected that liaison with utility providers will occur subsequent to Gateway Determination and future development application to assess the need of any additional services on the land.

Public transport

The site is located nearby the route of the S1 Cabramatta to Lansvale bus loop (operating Mon-Fri between 7am-4pm) that connects to Cabramatta train station. This service mean that the site has good access to public transport and broader public transport network including passenger train stations located at other regions of Sydney including Liverpool, Fairfield and Cabramatta Town Centre in the immediate vicinity.

Section E – State and Commonwealth Interests

What are the views of State and Commonwealth public authorities and government agencies consulted in order to inform the gateway determination?

Consultation with other public authorities is yet to occur and will be determined at Gateway stage to establish which authorities are to be consulted with. As a minimum, Transport for NSW will be consulted during public exhibition stage and additional stakeholders will be subject to consultation as conditioned in the Gateway Determination.

Part 4 – Maps

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

To achieve the objectives of the Planning Proposal, FLEP 2013 will be amended as follows:

1. Amend the Land Zoning Map (LZN_021) to rezone 55 Cabramatta Road East, Cabramatta from R2 Low Density Residential to RE2 Private Recreation.
2. Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size to the subject land.
3. Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments applicable to the subject land.
4. Amend the Height of Building Map (HOB_021) to prescribe no height of building control to the subject land.
5. Amend the Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control to the subject land.

The intention of the map-only amendment is to ensure the site is consistent with the adjoining RE2 zone for amalgamations to facilitate the future development for the purpose of carparking to support the Cabra Bowls Club operations.

Appendix A.1 contains maps of existing and proposed zones and development standards applying to this Planning Proposal.

Part 5 – Community Consultation

The Environmental Planning and Assessment (EP&A) Act 1979 sets out the consultation requirements for planning proposals and are determined at the Gateway stage.

In accordance with Sections 3.34 and Schedule 1, clause 4 of the EP&A Act 1979, the planning proposal will be made publicly available for exhibition of a specified period as per the gateway determination. If no period is specified in the gateway determination, exhibition will be subject to a minimum of 28 days.

Community consultation will be undertaken in accordance with Council's Community Engagement Strategy. This is generally notified in a number of different methods, including but not limited to:

- Public notice on Council's website
- Available at Council's Administrative Centre and libraries
- Notification letter to landowners directly affected by the proposal
- Notification letter to neighbours and adjoining properties
- Where appropriate, social media, interactive web mapping, information stalls and drop-in sessions

As a minimum, the following stakeholders will be consulted during public exhibition stage and may be subject to additional stakeholders as determined in the gateway conditions.

- Adjoining and nearby landowners
- Transport for NSW

Part 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.

No.	Step	Process content	Timeframe
1	Consideration by Council	• Prepare and report Planning Proposal to Council	February 2026
2	Council decision	• Assessment by Council. (including LEP Panel) • Advice to Council	March 2026
3	Gateway determination	• Prepare draft controls for Planning Proposal • Update report on Gateway requirements	March 2026
4	Pre-exhibition	• In accordance with Council resolution and conditions of the Gateway Determination.	April 2026
5	Commencement and completion of public exhibition period	• Notification letters to Government Agencies as required by Gateway Determination	May 2026
6	Consideration of submissions	• Under the Gateway Determination issued by DPI&E public hearing is not required.	June 2026
7	Post-exhibition review and additional studies	• Assessment and consideration of submissions	July 2026
8	Submission to the Department for finalisation (where applicable)	• Includes assessment and preparation of report to Council	August 2026
9	Gazettal of LEP amendment	• Covering possible changes to draft Planning Proposal considering community consultation	September 2026
Estimated Time Frame			**28 weeks (estimated 140 days)**

Conclusion

The planning proposal seeks to amend the Fairfield Local Environmental Plan (FLEP) 2013 to rezone 55 Cabramatta Road, Cabramatta (Lot 2 DP 8012) from R2 Low Density Residential RE2 Private Recreation.

Rezoning of the site aims to provide ample carparking to support the adjoining Cabra Bowls Club under the same ownership of the land at 82 Longfield Street, Cabramatta.

The rezoning will support on-going operations of the Cabra Bowling Clug, including employment opportunities and a range of social and recreational activities for the local community.

Appendices

Appendix A – Council documents

A.1 Fairfield Local Planning Panel Signed Minutes
A.2 Report to Council #####
A.3 Minutes of Council meeting of #####

Appendix B - Maps

B.1 Current and proposed maps

Application supporting documents (available separately)

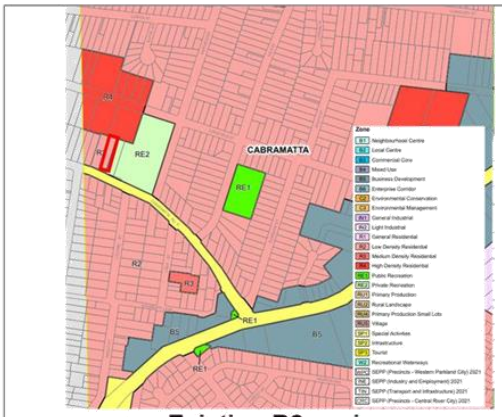
Planning Proposal Report – Michael Ryan
Traffic Report – Positive Traffic
Acoustic Report – Acoustic Logic

Proposed Map Amendments

55 Cabramatta Road East, Cabramatta

1. Land Zoning

Amend the Land Zoning Map (LZN_021) to rezone 55 Cabramatta Road East, Cabramatta from R2 Low Density Residential to RE2 Private Recreation.



Existing R2 zoning



Proposed RE2 zoning

2. Minimum Lot Size

Amend the Lot Size Map (LSZ_021) to prescribe no minimum lot size.



Existing Minimum Lot Size



Proposed Minimum Lot Size

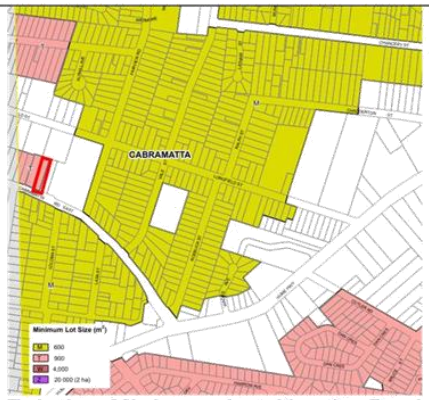
1

Proposed Map Amendments

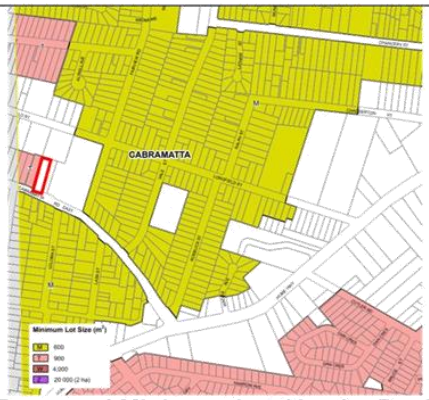
55 Cabramatta Road East, Cabramatta

3. Minimum Lot Size for Dual Occupancy development

Amend the Lot Size for Dual Occupancy Map (LSD_021) to prescribe no minimum lot size for dual occupancy developments.



Existing Minimum Lot Size for Dual Occupancy



Proposed Minimum Lot Size for Dual Occupancy

4. Maximum Height of Building

Amend the Height of Building Map (HOB_021) to prescribe no height of building control.



Existing Height of Building



Proposed Height of Building

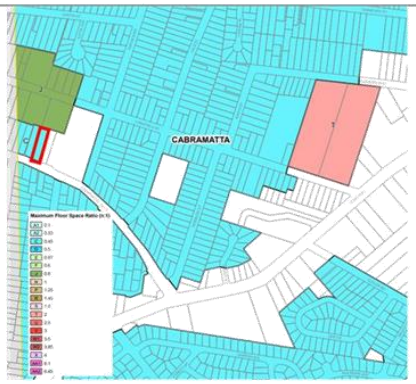
2

Proposed Map Amendments

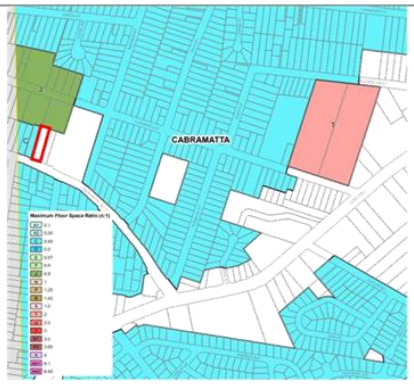
55 Cabramatta Road East, Cabramatta

5. Maximum Floor Space Ratio

Amend the Floor Space Ratio Map (FSR_021) to prescribe no floor space ratio control.



Existing Floor Space Ratio



Proposed Floor Space Ratio

3

Fairfield Local Planning Panel

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MINUTES
Closed Briefing Session

DATE OF MEETING: 11 December 2025
LOCATION: Committee Room 1
TIME: 1.00pm

Fairfield Local Planning Panel
Minutes
Meeting Date: 11 December 2025 Page 1

ITEM 2: 55 Cabramatta Road East, Cabramatta (Lot 2 DP 8012)
Applicant: Michael Ryan Planning
Owner: Cabramatta Bowling & Recreation Club Ltd
Current Zoning: R2 Low Density Residential
Proposed Zoning: RE2 Private Recreation
File Number: 25/30006

FAIRFIELD LOCAL PLANNING PANEL ADVICE:

Council is in receipt of a planning proposal to rezone 55 Cabramatta Rd East, Cabramatta from R2 Low Density Residential to RE2 Private Recreation under the Fairfield Local Environmental Plan (LEP) 2013.

The planning proposal is required to be referred to the Fairfield Local Planning Panel (the Panel) for advice as set out by the Local Planning Panels Direction – Planning Proposals under section 9.1 of the EP&A Act 1979.

1. BACKGROUND

The applicant has indicated that the primary intention for rezoning the land RE2 is to provide ample car parking (approximately 45-50 spaces) in association with the adjoining land to the east, owned and operated as the 'Cabra Bowls Club'.

The applicant has not indicated if the Club intends to expand its operations of as a result of the current rezoning application or potential future rezoning applications for 2 other sites in the Clubs ownership west of the subject site on land currently zoned R2 Low Density.

The planning proposal seeks to amend the following maps and schedules of the Fairfield Local Environmental Plan (FLEP) 2013:
Land Use Zoning Map;
Height of Buildings Map;
Floor Space Ratio Map;
Minimum Lot Size Map;

The Panel also notes that the planning proposal has been prepared in accordance with the requirements set out in section 3.33 of the NSW EP&A Act in that it explains the intended outcomes of the proposed instrument.

2. OVERVIEW OF KEY ISSUES

A review of the Planning Proposal and supporting information highlighted the following key issues considered by the Panel:

2.1 Previous Development Applications

Since 1991, the Club has obtained approval from Council for a number of development applications for expansion of its existing facilities/operations located at 82 Fairview Rd (Club building) and 53 Cabramatta Rd East (car park).

Each of these applications was accompanied by a car parking studies to justify the proposed level of car parking required to service the increase if floor area associated with the operations of the Club that offers recreational (bowling), gaming, private functions, food and drink opportunities for the surrounding community.

In brief, the applicant advised the Panel that the fundamental reason for the rezoning application is to ensure ample on site carparking for Club patrons. At this stage, the Club has no masterplan or intent to expand the operations of the Club as described above.

3. PANELS CONCLUSIONS & RECOMMENDATIONS:

In considering the Planning Proposal the Panel is supportive of the proposed change in zoning. The extension of car parking across this site was explored with the management of the Club and they spoke of surge parking associated with major events in the order of 6 to 10 times per annum as the key justification.

The Panel felt that this rezoning is able to be supported but was conscious of the likely future uses by the Club and acquisition of neighbouring properties and felt that Council would benefit from the applicant undertaking master planning work for future stages.

The Panel felt that there was a wide range of possible uses from club expansion to residential uses on neighbouring properties but it was uncertain at this time.

MATERIAL CONSIDERED BY THE PANEL:

Council officers Report

Submitted by Applicant:
Planning Proposal Report
Traffic Report
Acoustic Report

Council Officers Report

MEETINGS AND SITE INSPECTIONS BY THE PANEL:

Site visit took place at 12:00pm, Thursday 11th December 2025.

The applicants planning consultant addressed the Panel at 3:00pm, Thursday 11th December 2025

PANEL MEMBER SIGNATURES	
ITEM NUMBER 8	
[redacted] Peter Wells (Chair)	[redacted] Schandel Fortu (Expert)
[redacted] Michael Evesson (Expert)	[redacted] Michael Christ (Community Representative)

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 2**

SUBJECT: Post Exhibition - Fairfield City Wide Development Control Plan 2024 - Amendment No. 2

FILE NUMBER: 25/13177

PREVIOUS ITEMS: 95 - Public Exhibition - Fairfield City Wide Development Control Plan - Amendment No. 2 - Outcomes Committee - 14 Oct 2025

REPORT BY: Mosheur Rahman, Planner - GIS and Mapping

RECOMMENDATION:

That:

1. The Fairfield City Wide Development Control Plan 2024 (Amendment No. 2) (Attachment A of the report), be adopted.

2. The Fairfield City Wide Development Control Plan 2024 Amendment No. 2 come into effect on the date it is published on Council's website in accordance with Division 2 Clause 20(2) of the Environmental Planning and Assessment Regulation 2021.

3. A copy of the Fairfield City Wide Development Control Plan 2024 (Amendment No. 2) be forwarded to the NSW Planning Secretary in accordance with Division 2 Clause 20(1) of the Environmental Planning and Assessment Regulation 2021.

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

SUPPORTING DOCUMENTS:

AT-A ⇩	Fairfield City Wide DCP Amendment No. 2 - Post Exhibition	636 Pages
AT-B ⇩	Proposed Amendments Register	37 Pages

CITY PLAN

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

SUMMARY

The report seeks Council's endorsement of the Fairfield City Wide Development Control Plan 2024 Amendment No. 2 (FCW DCP 2024 Amendment No. 2) (Attachment A) following public exhibition.

The FCW DCP 2024 is subject to continual review to ensure that controls remain relevant and respond to emerging issues and/or changes to legislation. The amendments proposed under this review (Attachment A) primarily relate to waste and recycling services. The proposed amendments ensure that the development controls provide clear direction to all stakeholders in relation to waste and recycling servicing across all development typologies including the provision of waste storage area and access for servicing. This is particularly important given the new requirement to have Food Organics and Garden Organics (FOGO) bins for all residential developments.

The review also proposes several minor housekeeping amendments that seek to capture omissions where development has evolved over time and to resolve minor inconsistencies in the DCP that has arisen due to changes in State legislative.

It is recommended that the FCW DCP 2024 Amendment No. 2 stipulated in this report be adopted following public exhibition where no submissions were received.

Purpose

The DCP Proposed Amendments Register shown in Attachment B of this report provides a detailed overview of each amendment to the Fairfield City Wide DCP. The amendments proposed under this review include comprehensive changes on waste and recycling service controls for all development typologies as follows:

- Ensure waste and recycling services are provided to all residential dwellings in accordance with section 496 of the Local Government Act 1993 (FOGO).
- Inclusion and update of Waste and Recycling Service controls to ensure a safe and efficient waste collection service to all part of the LGA.
- Introduces detailed guidance and standard dimensions for waste and recycling infrastructure through a new appendix.
- Changes include updates to most DCP chapters along with a dedicated appendix for waste infrastructure and template diagrams for bin and waste areas and enclosures as outlined in the 14 October 2025 Outcomes Committee Report (Item 95).

Other general amendments throughout the DCP include minor development control changes and housekeeping as follows:

- Rectification of formatting and grammatical errors throughout the entire DCP to ensure the document is clear, consistent and concise.
- Legislation references, terminology and clauses updated to reflect current legislation.
- Clarifications and updates across the DCP to improve consistency and interpretation of controls.
- Adds controls for swimming pools in applicable residential and rural development types.

- Minor updates to built form and design controls including setbacks, floor space ratio, parking, solar access and privacy to ensure consistency across relevant DCP chapters.
- Removes duplicated or unclear controls.

A copy of the FCW DCP 2024 Amendment No. 2 will be forwarded to the NSW Planning Secretary in accordance with Division 2 Clause 20(1) of the Environmental Planning and Assessment Regulation 2021.

It is recommended that the FCW DCP 2024 Amendment No. 2 be adopted and effective on the date that it is published on Council's website in accordance with Division 2 Clause 20(2) of the Environmental Planning and Assessment Regulation 2021.

PUBLIC EXHIBITION

The draft FCW DCP 2024 Amendment No. 2 was placed on public exhibition for a period of 28 days from 10 November to 8 December 2025. The exhibition documents were made available for viewing at Council's Administration Centre and on Council's website under 'Have Your Say'.

SUBMISSION

No submissions were received during the exhibition period.

CONCLUSION

The proposed amendments to the FCW DCP 2024 seek to improve the operation and clarity of the document for applicants and assessing officers. The changes will ensure that the planning instrument remains relevant and continues to facilitate orderly development within Fairfield City.

Mosheur Rahman
Strategic Planner - Geographic

Authorisation:
Co-ordinator Land Use Planning
Manager Strategic Land Use Planning
Director City Strategy

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_4.DOCX**

***** END OF ITEM 2 *****

FairfieldCity
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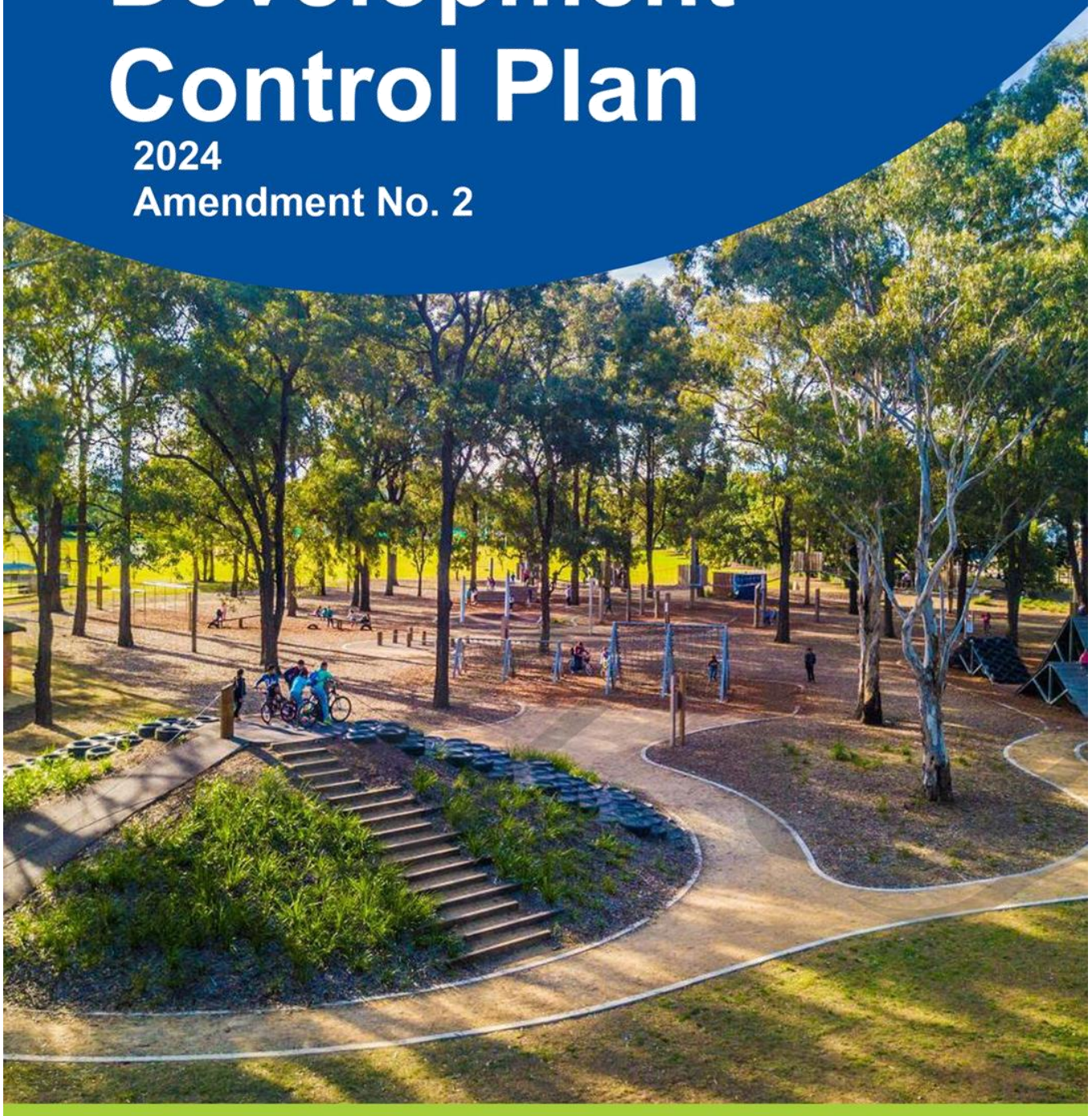
Fairfield CityWide

Development Control Plan

2024
Amendment No. 2



Acknowledgements

We would like to Acknowledge the Cabrogal of the Darug Nation who are the Traditional Custodians of this Land. We also pay our respect to the Elders both past and present and future of the Darug Nation.

We acknowledge your rich culture and your unique role here in the Fairfield region. Your heritage and traditions are important to us all, and part and parcel of the great history of Australia.

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86 Avoca Road, Wakeley 2176
Monday-Friday 8.30am-4.30pm
9725 0222

www.fairfieldcity.nsw.gov.au
mail@fairfieldcity.nsw.gov.au

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FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

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1.1 Fairfield City Planning Framework

The Fairfield City Planning Framework is made up of:

a) **Fairfield Local Environmental Plan (LEP) 2013** – The statutory planning instrument which controls land use and key environmental issues.

b) **Fairfield City Wide Development Control Plan 2024** – Applies to all land in Fairfield City with the exception of certain town centres. Contains more detailed development provisions than those found in the LEP and are considered by Councils when making decisions about individual development proposals.

c) **Fairfield City Site Specific Development Control Plans** – A number of site specific development control plans which set out all the planning controls relevant to that locality.

d) **Fairfield City Local Infrastructure Contributions Plan** – Impose s.7.11 (Direct) contributions or s.7.12 (Indirect) levies on developments which generate the need for additional local infrastructure (including community facilities, recreation facilities, open space, public domain improvements and parking).

1.2 Purpose of this Development Control Plan

The purpose of the Fairfield City Wide Development Control Plan 2024 (the City Wide DCP) is to illustrate the controls that apply to particular types of development. This City Wide DCP supplements Fairfield Local Environmental Plan 2013 and is made according to the Environmental Planning and Assessment Act 1979.

1.3 To What Land Does This Development Control Plan Apply To?

This Development Control Plan applies to all land within Fairfield City, excluding land within the Western Sydney Employment Area subject to State Environmental Planning Policy (Industry and Employment) 2021, as shown in the attached plans which can be found after clause "1.9 Variations to this DCP".

Please note that there are a number of site specific areas that are covered by other Development Control Plans. These areas are also shown on the map and referred to as insets.

1.3.1 Western Sydney Parklands

Pursuant to Clause 7.6 of the State Environmental Planning Policy (SEPP) (Precincts – Western Parkland City) 2021, a Development Control Plan does not apply to land to which Chapter 7 of the SEPP applies, unless it is made by the Director-General. Accordingly, as the Fairfield Citywide Development Control Plan 2024 was not made by the Director-General, it is does not apply to land to which Chapter 7 of the SEPP (Precincts - Western Parkland City) 2021 applies.

1.4 Relationship to other Environmental Planning Instruments

a) The Fairfield City Wide Development Control Plan supplements the statutory provisions contained in Fairfield Local Environmental Plan 2013

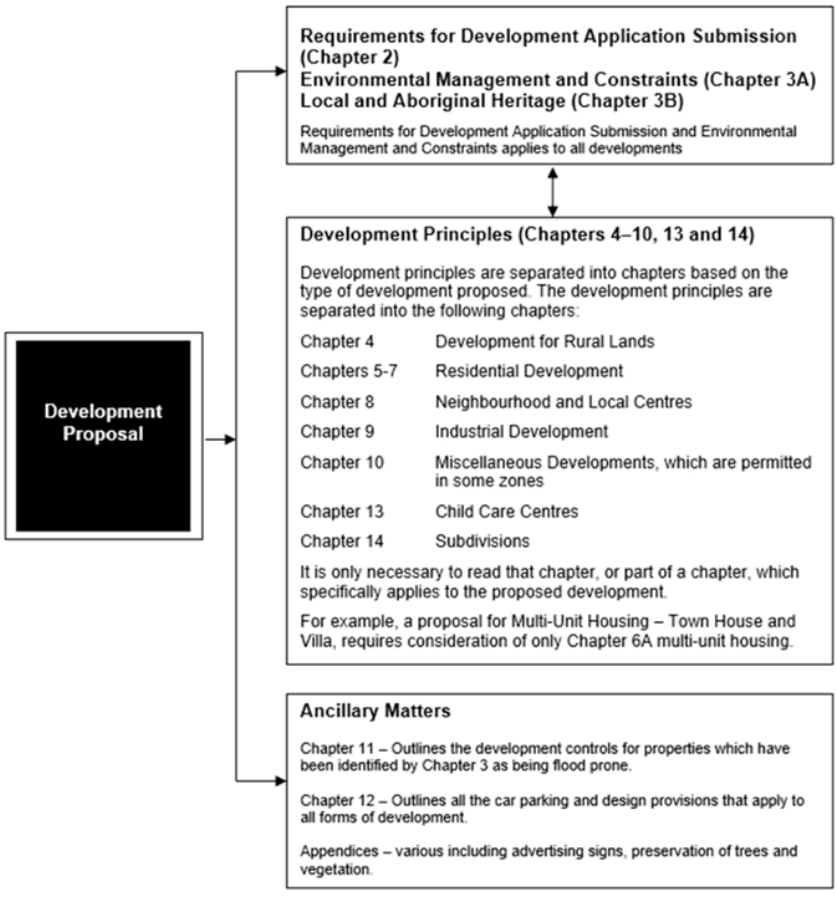
b) Pursuant to Clause 4.15 of the Environmental Planning and Assessment Act 1979, the Fairfield City Wide Development Control Plan 2024 revokes all development control plans which covered land for which this development control plan now applies.

1.5 What Terms in this Development Control Plan mean?

Certain terms identified in this development control plan have been defined. These definitions can be found in Appendix A of this development control plan.

1.6 How does this Development Control Plan Work?

The Fairfield City Wide Development Control Plan fundamentally assists in the preparation of development applications. The DCP contains detailed development controls which will be used by Council as benchmarks of what is acceptable development taking into consideration an environmental site analysis.



1.7 Date of Adoption and Amendment History

This Development Control Plan came into effect on 22 August 2024. From time to time, the Development Control Plan will be amended. The following table outlines the amendments that have taken place and their status at the time of printing.

It is the responsibility of those submitting development applications to ensure that their proposal is in accordance with the most recent version of the development control plan.

Amend-ment No.	File Ref.	Purpose	Public exhibition	Effective Date
1	21/14634	Amendments throughout the DCP include formatting and grammatical updates, as well as several minor development control changes within the following chapters: 4A, 4B, 5A, 5B, 5C and 6B. All the chapters listed above include the following amendments: • Inclusion and update of BASIX requirements, • Privacy controls have been amended, and • Cut and fill controls have been amended to incorporate any soil movement or retaining walls which are associated as part of a development application to Council must be included in the description in the development application, which allows Council Officers to complete a full and accurate assessment. Chapter 4A include: • A reference to Council Vehicular Crossing Policy Chapter 4B include: • Changes to the internal design controls and combine the minimum square metre of the living, dining and kitchen area. Chapter 5A include: • Calculations of GFA to include basement, stairs, lift shafts • The minimum size of bedrooms amended to 9sqm • A reference to Council Vehicular Crossing Policy Chapter 5B include: • The internal design of living, dining and kitchen areas has increased, and removing a control for a minimum floor area of 11sqm for additional rooms, • Removing the detached outbuilding • Private open space controls have been amended to create consistency Chapter 5C include: • Removing a number of sections which had been previously deleted in the recent major review of the DCP, • A restriction on unusable void space, • Fencing control has been updated to reflect the SEPP (Exempt and Completing Development Codes) 2008, • Size of rooms have been updated Chapter 6B include: • Remove side setbacks controls • Additional control for corner lots • Size of rooms have been updated • Fencing control has been updated to reflect SEPP (Exempt and Completing Development Codes) 2008, and • Swimming pool controls	28 Jan 2025	26 May 2025

1.8 Local Infrastructure Contributions Plan (s.7.11 & s.712)

The Environmental Planning and Assessment Act, 1979 allows local government to levy contributions towards the capital cost of providing or improving public amenities and public services to meet increased demand created by additional development within their areas.

This City Wide Development Control Plan must be read in conjunction with the Fairfield City Local Infrastructure Contributions Plan 2023 (s.7.11 & s.7.12) (*once in force*).The Local Infrastructure Contributions Plan 2023 will replace the.

a) Direct (Section 7.11) Development Contribution Plan 2011
b) Indirect (Section 7.12) Development Contribution Plan 2011

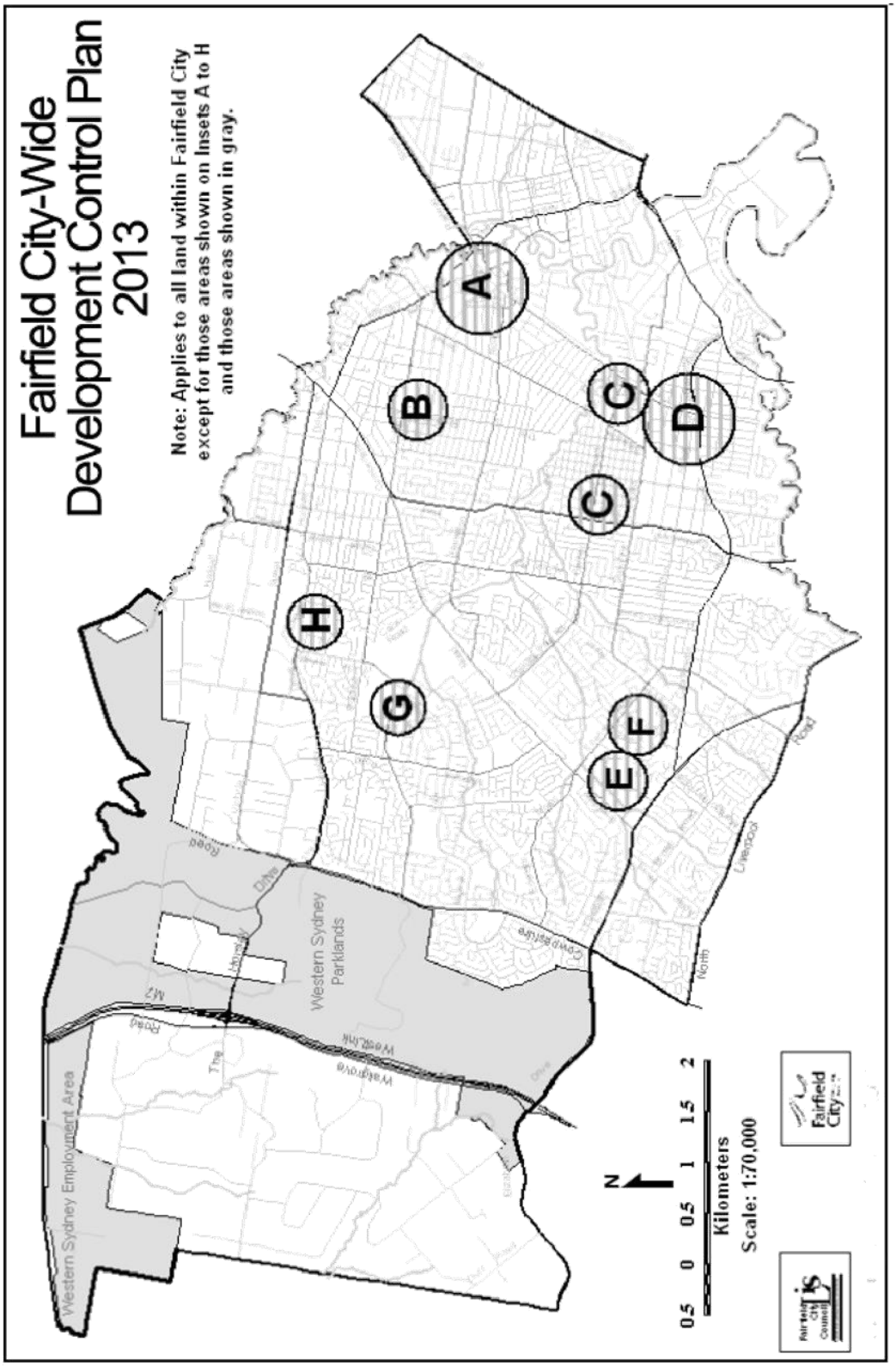
Note: For further information on what local infrastructure contribution plan applies please speak with Council's Customer Service staff.

1.9 Variations to this DCP

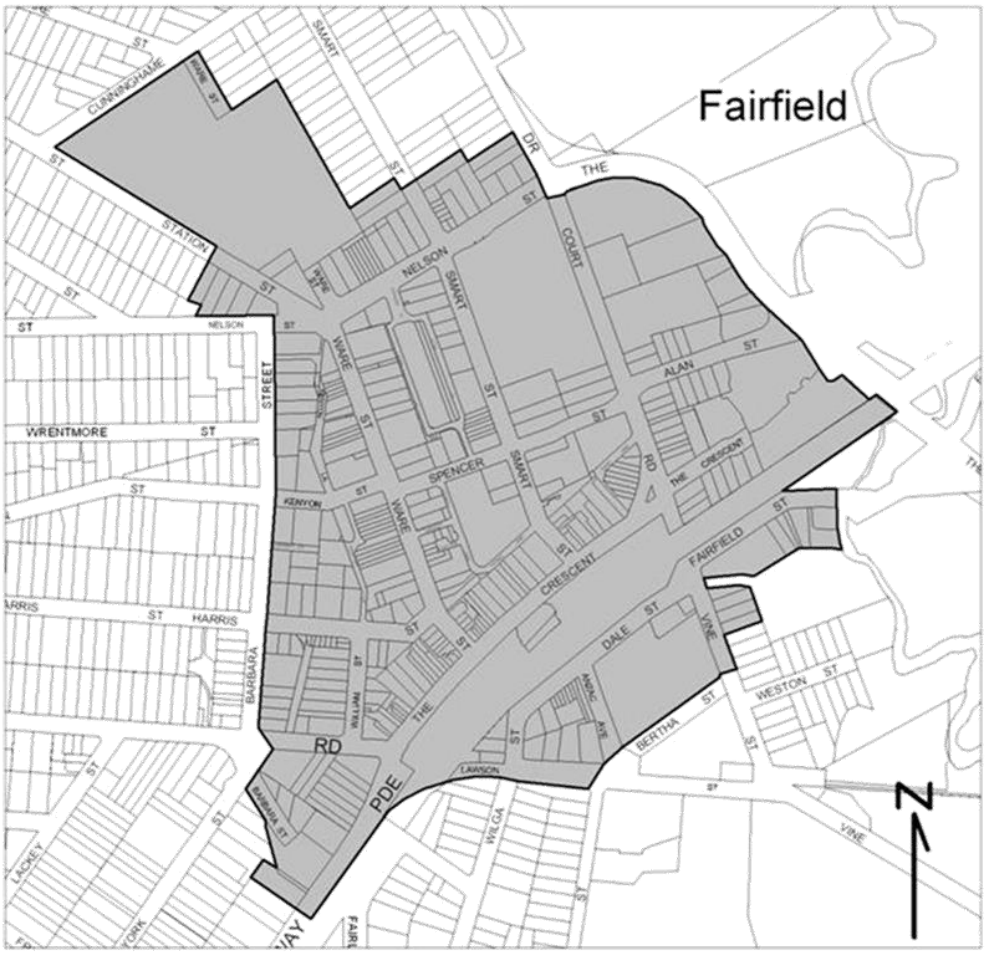
The provisions within this DCP represent Council policy and community expectations. As such, it is expected that development proposals comply with the provisions of this DCP as a minimum.

However, there may be circumstances where a variation to a provision within the DCP is warranted. In this circumstance a written statement must be included in the Statement of Environmental Effects. The written statement should detail the provision for which a variation is requested and an explanation as to why Council should depart from its minimum requirements.

Council will consider the merit of each variation on a case by case basis but variation will not be permitted unless Council is satisfied that the relevant objectives relating to the standard are achieved despite the variation.


Fairfield City-Wide
Development Control Plan
2013
Note: Applies to all land within Fairfield City except for those areas shown on Insets A to H and those areas shown in gray.
A
B
C
C
D
E
F
G
H
Western Sydney Parklands
Western Sydney Employment Area
Kilometers
Scale: 1:70,000

INSET A - Fairfield Town Centre (Indicative)



Refer to:

Fairfield City Centre DCP 2013 and in accordance with clause 3.43(3) of the Environmental Planning and Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 3B, Chapter 10, Chapter 11, Chapter 12, Chapter 13, Chapter 14 and Appendices A, B, C, D, E, G

INSET B - Fairfield Heights Town Centre (Indicative)

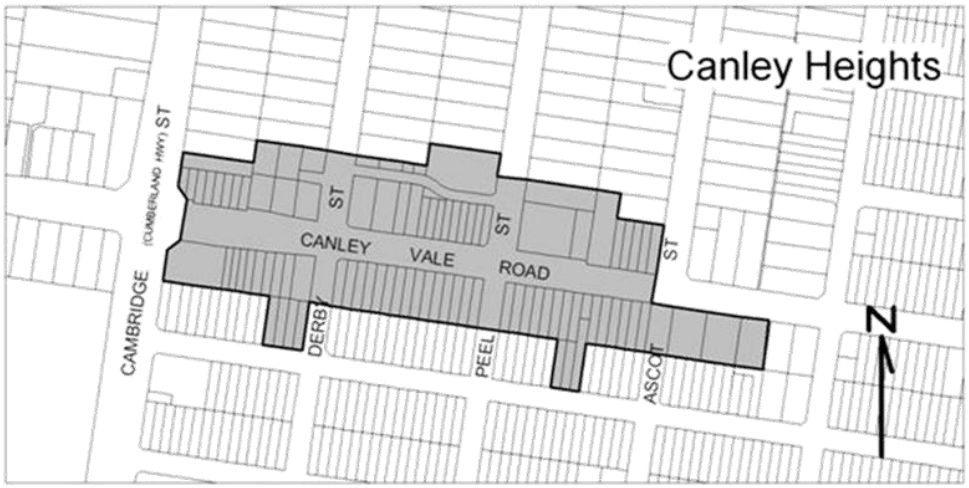


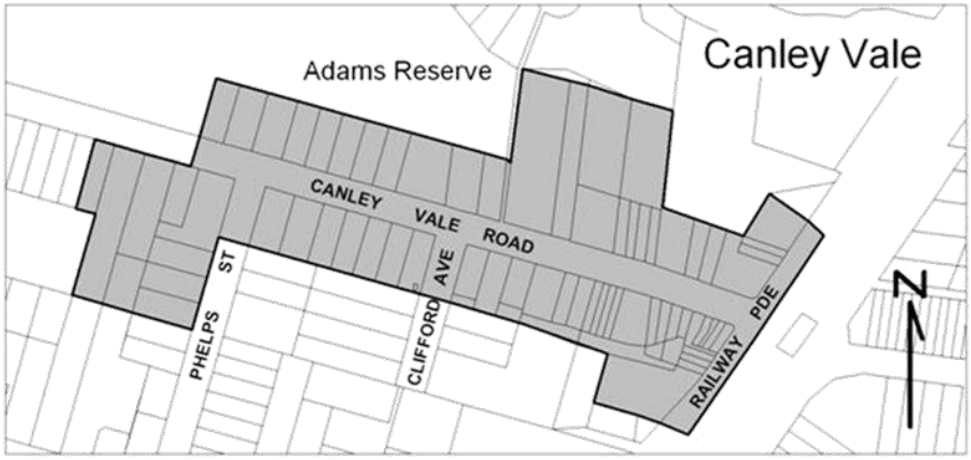
Refer to:

Fairfield Heights Local Business Centre DCP 2013 and in accordance with clause 3.43(3) of the Environmental Planning and Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 10, Chapter 11, Chapter 12, Chapter 13, Chapter 14 and Appendices A, B, C, D, E, G

INSET C - Canley Corridor Town Centres (Indicative)



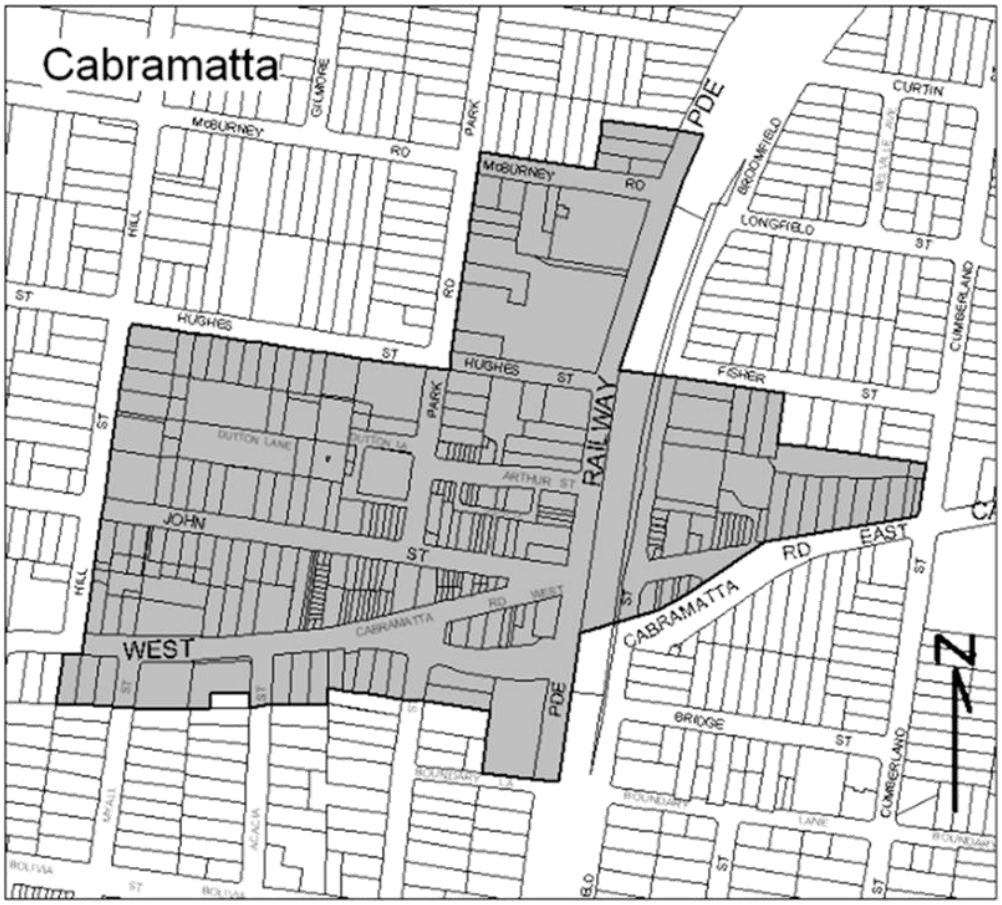


Refer to:

Canley Corridor DCP and in accordance with clause 3.43(3) of the Environmental Planning & Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 10, Chapter 11, Chapter 12, Chapter 13 and Chapter 14

INSET D - Cabramatta Town Centre (Indicative)



Refer to:

Cabramatta Town Centre DCP and in accordance with clause 3.43(3) of the Environmental Planning & Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 7, Chapter 8A and Chapter 8B, Chapter 10, Chapter 11, Chapter 12, Chapter 13, Chapter 14 and, Appendices A, B, C, D, E, G

INSET E - Bonnyrigg Town Centre (Indicative)

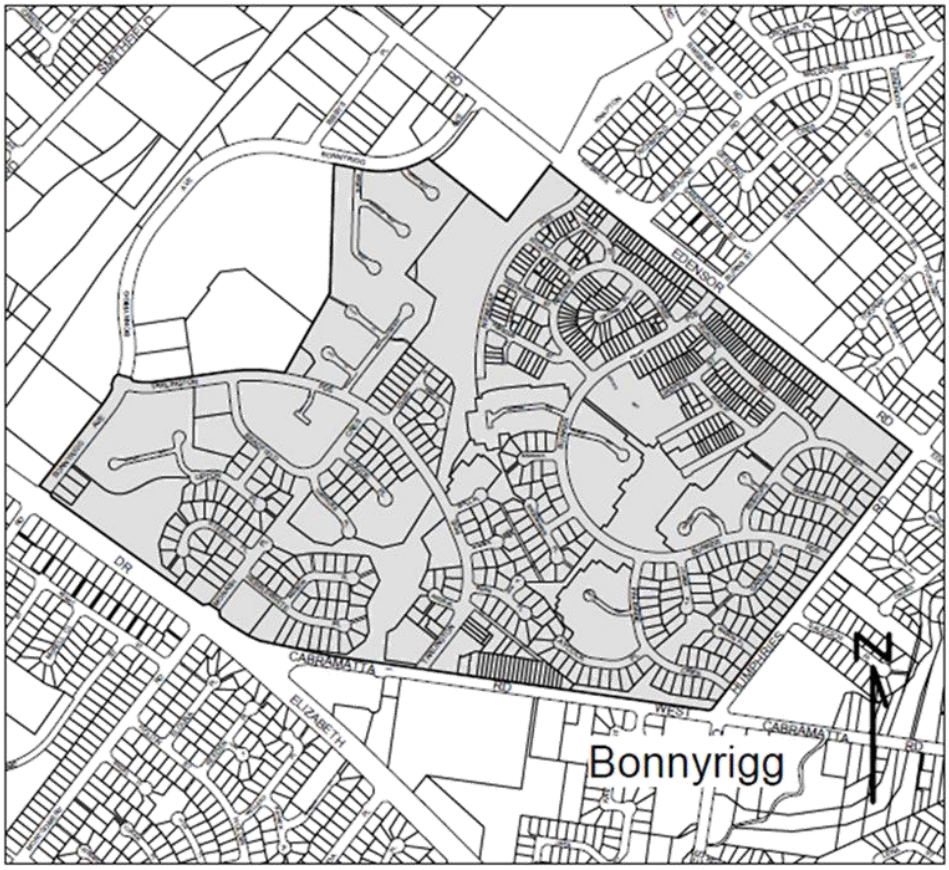


Refer to:

Bonnyrigg Town Centre DCP and in accordance with clause 3.43(3) of the Environmental Planning & Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 10, Chapter 11, Chapter 12, Chapter 13, Chapter 14 and Appendices A, B, C, D, E, G

INSET F - Bonnyrigg Master Plan Living Communities Bonnyrigg



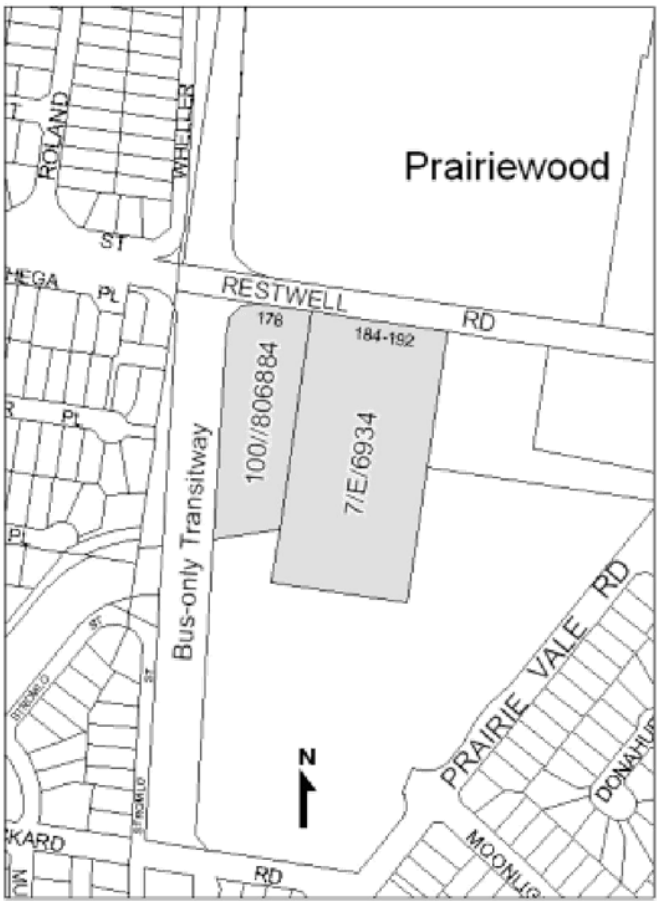
Refer to:

Bonnyrigg Living Communities Master Plan September 2008 and Fairfield Local Environmental Plan 2013

(Environmental Planning and Assessment Act 1979- Section 75R(3A) Order 2010) and in accordance with clause 3.43(3) of the Environmental Planning & Assessment Act 1979

Fairfield City Wide DCP 2024 - Chapter 2, Chapter 3A, Chapter 10, Chapter 11, Chapter 13 and, Appendices A, B, C, D, E, G

INSET G - Prairiewood Town Centre - Southern Precinct (Indicative)



Refer to Prairiewood Town Centre
Southern Precinct DCP,
and in accordance with clause74 C (3) of the
Environmental Plan & Assessment Act 1979
Chapter 2 of the City Wide DCP
Chapter 3 of the City Wide DCP
Chapter 11 of the City Wide DCP
Chapter 12 of the City Wide DCP
Chapter 13 of the City Wide DCP
Appendix A, B, C, D & E.

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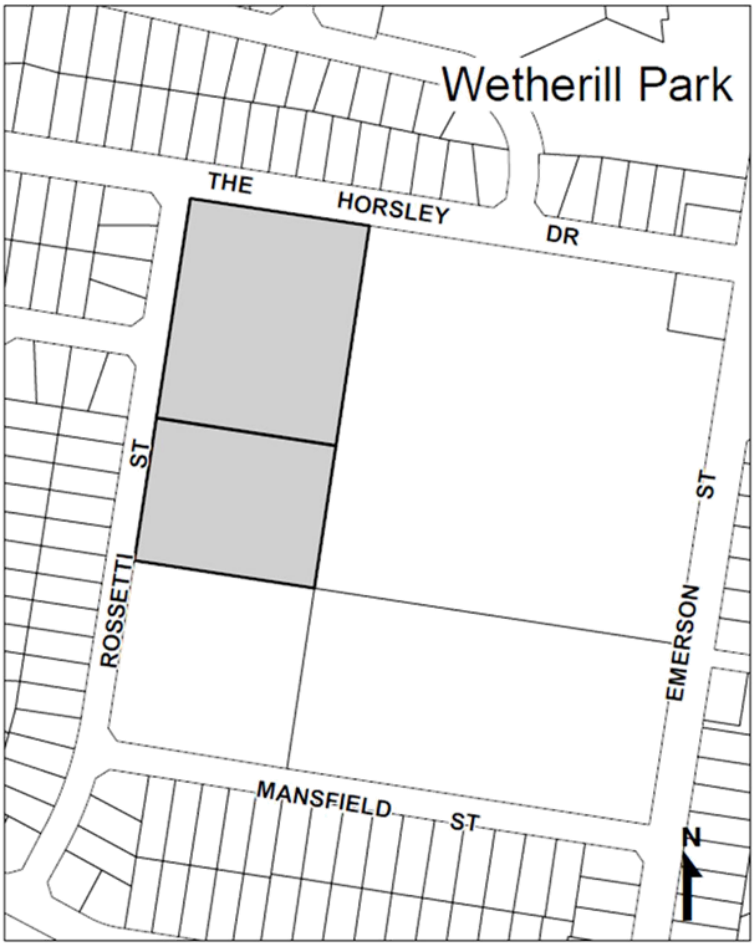
INSET H - Wetherill Park Market Town (Indicative)



Refer to:

Site Specific Development Control Plan

Wetherill Park Market Town, and in accordance with clause 3.43(3) of the Environmental Planning & Assessment Act 1979

Fairfield City Wide DCP 2024-Chapter 2, Chapter 3A, Chapter 7, Chapter 8, Chapter 11, Chapter 12, Chapter 13, Chapter 14 and, Appendices A, B, C, D, E, F,G

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Fairfield CityWide DCP

Chapter 2

Development Application Process

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2.0 Local Context

This Chapter describes Council's requirements for the submission of development applications and is relevant to anyone interested in building or developing land, subdividing land and/or carrying out a use on land. It provides a simple, step-by-step guide to all the things you need to do before submitting an application.

2.0.1 Development to which this Chapter applies

The content of this chapter is general in nature and should not be interpreted as representing the complete list of all requirements for the submission of development applications. Individual development proposals may require the submission of additional information or may trigger requirements not documented in this chapter.

Specific development proposals should be discussed with Council staff who will provide detailed and specific advice on submission requirements.

2.0.2 Purpose of this Chapter

The purpose of this Chapter is to:

- Provide general advice on the development application process and documentation required to accompany development applications
- Provide advice on exempt and complying development, being development that does not require the submission of a development application, and
- Outline the steps involved in lodging a development application.

2.1 Development Applications

2.1.1 What is a Development Application?

A Development Application (or DA) is a formal request for permission to use premises for a particular purpose, to develop land, subdivide land and/or carry out building works. A DA consists of:

- Plans and drawings of the proposed development; and
- Documentation such as technical reports, structural details, BASIX Certificate (where applicable) and Statement of Environmental Effects.

Please refer to Council's relevant checklist, copy enclosed as part of this guide for a detailed listing of documentation to be submitted with your Development Application.

2.1.2 What developments do not need a Development Application?

On 1 July 1998, two new categories of development were introduced into the Environmental Planning and Assessment Act, (the Act). These are known as "exempt" and "complying" developments.

2.1.2.1 Exempt Development

Exempt development is minor development which does not need any approval from Council. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) details the type of development that is exempt development and outlines the general standards and specific requirements that must be met.

Even though no approval is required from Council, there may be other legislative or approval requirements such as licenses and/or permits. Please check the most current version of the Codes SEPP contained on the NSW Government Legislation website for more details:

http://www.legislation.nsw.gov.au/maintop/search/inforce.

Seek advice from Council staff as to whether nominated exempt development types are applicable to your site and circumstances.

In addition to the exempt development contained within the Codes SEPP, Fairfield LEP 2013 nominates the following additional development types as exempt development if certain requirements are met:

- Commercial advertising by or on behalf of Council
- Display of goods on footpath (associated with retail premises) in certain Town Centres
- Emergency works
- Outdoor dining (associated with food and drink premises) in certain Town Centres
- Public artwork, sculptures, plaques, memorials, statues and monuments
- Temporary use of land.

Clause 3.1, Clause 3.3 and Schedule 2 of Fairfield LEP 2013 should be consulted in respect to exempt development categories contained within Fairfield LEP 2013.

If what you are proposing does not meet all of the exempt development standards, then a Development Application may be required to be lodged and assessed by Council.

For more information on the Codes SEPP, visit the NSW Department of Planning, Housing and Infrastructure website www.planning.nsw.gov.au/housingcode.

2.1.2.2 Complying Development

Complying development is a category of development where, if the development meets predetermined criteria a Complying Development Certificate (CDC) may be issued by Council or an accredited private certifier for that development. This type of development does not require a Development Application and would only require a CDC.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) details the type of development that is complying development, and the standards that must be met.

The Codes SEPP contains the following development codes, which specify applicable development controls:

- Housing Code
- Rural Housing Code
- Low Rise Housing Diversity Code
- Housing Alterations Code
- Industrial and Business Alterations Code
- Industrial and Business Alterations Code (New Buildings and Additions)
- Container Recycling Facilities Code
- Subdivisions Code
- Demolition Code
- Fire Safety Code
- Agritourism and Farm Stay Accommodation Code

To determine whether these codes apply to your property you should check your Planning Certificate (Section 10.7), make enquiries at Council's Customer Service Centre or call Fairfield City Council on 9725 0222.

To obtain approval for a complying development, you are required to submit an application for a Complying Development Certificate (CDC). A CDC may be obtained from Council or a Private Certifier. When making your application for a CDC you must refer to the standards specified within the Codes SEPP.

If your proposal does not meet all of the complying development requirements applicable to your development, then a Development Application will need to be lodged and approved by Council before you can build.

Proposals that are not exempt or complying development are required to go through the Development Application approval process.

For more information, contact Fairfield City Council's Customer Service Centre on 9725 0222 or www.planning.nsw.gov.au/housingcode.

2.1.3 Development Pathways

There are different planning approval pathways in NSW. The size and scale of a development will determine which of the assessment pathways applies.

Many types of minor home renovations and small building projects that do not need a planning or building approval. These types of projects are called exempt development. If a building project meets specific development standards and land requirements, no planning or building approval is needed.

Other straightforward, low impact residential, commercial and industrial developments that do require planning approval may qualify for a fast track approval process known as complying development. If an application meets specific standards and land requirements a complying development certificate (CDC) can be obtained through your local Council or an accredited certifier without the need for a full development application (DA).

Planning Approval Pathways

- Exempt Development
- Complying development
- Local Development
- Regionally Significant Development
- State Significant Development
- State Significant Infrastructure
- Part 3A Development
- Development without consent
- Designated fishing activities

Please contact Fairfield City Council's Customer Service Centre on 9725 0222 and ask to speak with the Duty Planner if in doubt as to whether your proposal requires Council approval.

2.1.4 Consult with a Designer

You are encouraged to use a qualified and experienced designer to prepare your plans when lodging an application to Council. Poor quality plans and/or accompanying documentation will likely result in delays in the assessment of your application.

The plans must contain all relevant information, so as to reasonably assist Council's assessment of your proposal. Utilising the services of an architect or architectural draftsman will often produce a better design. In NSW, a list of professional designers can be obtained through Archicentre – The Home Advisory Division of the Royal Australian Institute of Architects, and the Building Designers Association of NSW..

For larger or more complex proposals, it may be necessary to engage the services of a consultant planner or other professional to prepare documentation in support of your application. Whoever you choose, ask them to show you examples of their finished work before you employ them.

2.1.5 Site Servicing Consultation

Pre- DA consultation is vital to understand agency constraints that may affect your land. Pre DA consultation with the following corporations is helpful in identifying any existing assets impacted by the proposed development.

This could include, but not limited to:

- Gas Corporations (Macarthur Gas, Jemena Gas), Telecommunication Corporations (Telstra/Optus/NBN), Endeavour Energy, and Sydney Water.

Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase. Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation. Any space required to be allocated for any proposed indoor and pad mounted substations will need to be identified in the architectural plans submitted to Council as part of the DA approvals process.

Pre DA consultation should also be undertaken with Sydney Water in relation to sewer services and/or connections and where there are trunk lines or other Sydney Water infrastructure that may affect the proposed development.

2.2 Development Application Process Steps

2.2.1 Overview of steps involved in lodging a Development Application

To lodge a Development Application with Fairfield City Council, you will need to follow the steps.

Step 1 **Understand Council's land use and development controls and relevant planning policies**

Step 2 **Prepare plans and drawings**

Step 3 **Prepare a Statement of Environmental Effects (SEE) and other required plans and reports**

Step 4 **Lodgment of Application on NSW Planning Portal Website**

2.3 Step 1 - Understand Council's land use and development controls and relevant planning policies

2.3.1 Describe the development proposed and understand land use zone and development controls that apply

The first step in preparing a Development Application is to understand your land and any associated constraints on or around your land. This can be completed through obtaining a Planning Certificate from Council, which lists all the planning instruments that apply to your land.

Under the Fairfield Local Environmental Plan 2013, you are able to find out about your sites:

- zoning which specifies what development is permissible with or without consent, as well as, what is prohibited in the zone,
- identifies whether your site or area around your site is situated within a heritage significant area.
- Identifies special matters for consideration eg. Flooding, bushfire, acid sulfate soils and environmental sensitive land.
- Identifies the principal development standards eg. Maximum height of building, floor space ratio.

Before you can start designing your proposal, please refer to Council's Fairfield City Wide Development Control Plan 2024, or if you are located within a town centre, the relevant town centre Development Control Plan. Development Control Plans provide a more detailed design and planning requirements in simple language and diagrams on issues including but not limited to: access to sunlight, view sharing, landscaping, car parking, fences and waste management.

2.3.2 Simple Development Proposals

For information about Council's land use and development controls and relevant planning policies and how they impact your development proposal, contact Fairfield City Council's Customer Service Centre on 9725 0222 or access Council's website at https://www.fairfieldcity.nsw.gov.au/Home.

If you require further assistance and/or wish to discuss your proposal in more detail, you are advised to speak with Council's Duty Planner or Duty Building Surveyor who are available at Council's Administration Centre, 86 Avoca Road, Wakeley, between the hours of 8.30am and 4.30pm.

2.3.3 Complex Development Proposals

A Development Advisory Meeting allows the discussion of more complex proposals, where discussion of the proposal is undertaken with Council's relevant technical officers and with advice provided in relation to the proposal. Meetings are held once a week, so it is essential to make an appointment by phone on 9725 0222. It will be necessary for you to provide Council with concept plans and any other details or documents that may benefit Council's Engineer, Development Planner, Building Surveyor and Environmental Health Officer in understanding your proposal and providing you with sufficient information and feedback regarding the proposal.

2.3.4 Heritage Item Proposals

If your proposal relates to a site that is heritage listed under Fairfield Local Environmental Plan 2013, or adjoins a heritage item, or is within the visual catchment of a heritage item, you can contact Council's Heritage Advisor to obtain information about the extent of assessment required. A heritage impact assessment is not required for development applications for change of use or occupations. Refer to Chapter 3B Local and Aboriginal Heritage for more detailed information.

2.4 Step 2 - Prepare Plans and Drawings

The plans and drawings required for your proposal will depend on the type of development proposed

The following is a **general** guide as to which plans you will need to prepare. For detailed and specific requirements relating to your application, contact Council's Customer Service Team on 9725 0222.

a) Dimensioned Architectural Plans including Site Plans, Floor Layout Plans, Elevation Plans, Section Plans, Coloured Schedule of Finishes and Materials (required for all applications)
b) Notification Plan (necessary for all applications requiring notification)
c) Survey Plan
d) Landscape Plan
e) Erosion and Sediment Control Plan
f) Stormwater Drainage Plan
g) Shadow Diagrams (required for all new buildings or additions where lot size, orientation, slope of site or adjoining buildings create the potential for overshadowing)
h) Subdivision Plan (required for subdivisions and boundary adjustments).

2.5 Step 3 - Prepare Statement of Environmental Effects (SEE) and other required plans or reports

The following Information that is required to be submitted with your application where relevant includes:

- Written land owner's consent providing consent for lodging the application
- Statement of Environmental Effects (SEE)
- Traffic and Parking Report, where necessary
- Structural details, external finishes and materials and building specifications,
- Residential Flat Building developments require an Urban Design Report,
- Flood Risk Management Report for all proposed developments on flood prone land,
- Drainage Concept Plan,
- On-Site Detention (OSD),
- BASIX Certificate,
- Acoustic Reports,
- Waste Management Plan,
- Landscape Plan,
- Heritage Assessment.

2.5.1 Statement of Environmental Effects (SEE)

A Statement of Environmental Effects (SEE) Report must address:

- the environmental impacts of the development,
- how the environmental impacts of the development have been identified,
- the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- any matters required to be indicated by any guidelines issued by the Director-General of the Department Planning, Housing and Infrastructure.

When preparing your Statement, refer to Council's Local Environmental Plan and any relevant Development Control Plan. Council staff may refer you to other information.

When preparing a Statement for Council's consideration, use the headings below as a guide to make sure you cover all important planning and environmental issues.

Information as it applies to the subject site

- Address, property description(s),
- Site area, dimensions, and shape,
- The zoning of the site and the surrounding zoning, noting whether the site is or near a heritage item,
- Describe the development proposed, including whether subdivision, demolition, cut and fill, removal of any trees or vegetation is proposed,
- Development standards: height, floor space ratio, minimum area for subdivision etc,
- Development controls under the DCP with a summary of the controls that apply,
- If the site is identified as bushfire prone, or contaminated land, or is land subject to subsidence, slip, erosion, or a concentrated overland stormwater flood path or within an acid sulphate soil risk area,

- If the site is land with a surface level below a 1% Annual Exceedance Probability (AEP - 1 in 100yr) flood level,
- If the site is within a riparian corridor, being 40 metres from the top of a creek or stream bank,
- If the site contains a heritage item or an Aboriginal place under the National Parks and Wildlife Act 1974,
- If the site is reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna or geological formations or for other environmental protection purposes,
- If the site is located on steep lands which is land with a slope greater than 18° (1 metre in 3.5 metres),
- Present and previous uses - If the site has previously been used as a service station, for mining or extractive industry, waste storage or waste treatment, or for the manufacture of asbestos or asbestos products, this must be noted,
- A description of what improvements are on site and on adjoining properties,
- Site Suitability - Required for all applications except minor additions or alterations,
- Location of nearest local shopping centres, public transport and its frequency of service, and schools – required for all multi-unit housing applications,

A detailed description of the development's impact including:

- Impact on (or availability of) existing utility services – water, sewerage, power, stormwater drainage, telecommunications,
- Impact on landscaping, streetscape or scenic quality of the area,
- Vehicle access, movements and parking on site - Required for all residential, hotel, clubs, entertainment, commercial and industrial proposals, except minor additions or alterations. Include traffic likely to be generated and the impact on the existing road system and present volumes of traffic carried,
- Impact on the natural environment including flora and fauna, soil and water - required for all new buildings and other proposals involving significant earthworks,
- Impact on neighbouring properties including impact of window placement and balconies on privacy, noise generation, overshadowing by buildings on adjoining buildings or open spaces, and any other social impacts - Required for all residential, hotel, clubs, entertainment, commercial and industrial proposals, except internal alterations,
- Operation and management: Required for all hotel, clubs, entertainment, commercial and industrial proposals,
- Impact on any heritage item (built or natural),

A detailed description of the justification for variations and measures being taken including:

- Written justification for any variation/departure from Fairfield City Council's Development Control Plan requirements,
- Measures to address any adverse environmental, social or economic impacts.

2.5.2 Structural details, external finishes and materials and building specifications

Details of the development including:

- Structural details,
- External finishes and materials,
- Building specifications.

2.5.3 BASIX Certificates

BASIX (the Building Sustainability Index), is a web-based planning tool that measures the potential performance of new residential dwellings against a range of sustainability indices: Energy, Water, Thermal Comfort, Stormwater, and Landscape. By reducing the environmental impact of these features, new homes are more comfortable and cheaper to run than most existing homes.

BASIX Certificates are currently required for all new residential dwellings, residential flat buildings, townhouse developments, dwelling additions over $50,000.00 and swimming pools which exceed 40,000 litres.

Compliance with these targets is demonstrated through the completion of a BASIX assessment and the issuing of a BASIX Certificate.

The BASIX online assessment requires information about the proposed development, such as site location, dwelling size, floor area, landscaped area and services. BASIX compares the proposal to average existing homes. The proposal is scored according to its potential to consume less mains supply water and energy than an average existing home.

The web-based BASIX tool provides a comprehensive assessment of how a proposed development will perform against clearly defined sustainability indicators, minimising the need for the labour intensive assessment of individual proposals.

Applicants can generate the BASIX Certificate only on the NSW Governments Department of Planning, Housing and Infrastructure website.

Any amendments to the design of the proposed development may necessitate changes to the BASIX certificate. As such, you will need to ensure that all factors have been taken into consideration at the design stage of your proposal.

For more information, phone the BASIX Help Line on 1300 650 908.

2.5.4 Stormwater Drainage Concept Plan

Stormwater Drainage Concept Plans are required for all proposed developments (except for change of use or occupation). In assessing a Development Application, Council needs to be aware of the impact the development will have on adjoining properties.

In terms of stormwater, the following issues will be considered:

- Changes in site levels shall not cause ponding/backwater effects on upstream properties,
- Diversion of flows from one drainage catchment to another will not be permitted in most circumstances,
- Any development shall not concentrate the overland flow of stormwater onto an adjoining property,
- A person has a common law obligation not to carry out any work on their property that will adversely affect adjoining properties.

As such, a development application needs to include a Stormwater Drainage Concept Plan (except for developments that are change of use or occupations) to demonstrate that runoff from the site is not increased for all storm events up to a 100 year flood event.

Note: As a general rule, where a development site does not fall/slope towards the street or there is no drainage outlet for the property, the drainage concept plan will need to demonstrate how stormwater will be disposed from the site. If drainage involves the installation of a pipeline across adjoining or nearby properties an "Easement to Drain Water" will be required to be submitted to Council prior to the release of the construction certificate.

Refer to Council's Stormwater Management Policy – September 2017 for full details of Council's requirements.

2.5.5 On-Site Detention (OSD)

On Site Detention (OSD) involves the detention of stormwater to reduce the impact of increased runoff on flooding. It is required for the following developments:

Urban Stormwater Management Zone

- Single dwellings and dual occupancies where the final site impervious area is greater than 70%,
- All multi dwelling housing and residential flat buildings ,
- All commercial and industrial development,
- Buildings, car parks and other sealed areas (including artificial lawn) of sporting and recreational facilities

Rural Stormwater management Zone

- All development greater than 30sqm except:
  - For properties less than or equal to 1ha – OSD is not required for up to 100sqm of non-habitable building/impervious area;
  - For properties greater than 1ha – OSD is not required for up to 1% of the site for a non-habitable building/impervious area (i.e. 150sqm building for a 1.5ha site).

Wetherill park Industrial Area Stormwater Management Zone - On Site Detention does not apply to this area

A map of the Stormwater Management Zones can be found in figure 1.

2.5.6 Water Conservation

Potable mains water conservation is already implemented through the BASIX scheme for residential development.

All industrial and commercial development are required to meet the water conservation targets in Chapter 5 of the Stormwater Management Policy – September 2017.

2.5.7 Water Quality Improvement

Water quality improvement is only required within the Wetherill Park Industrial Area Stormwater Management Zone.

Chapter 6 of the Stormwater Management Policy – September 2017 provides a deemed to comply solution to meet our requirements as well as performance criteria for developers wishing to design their own solution.

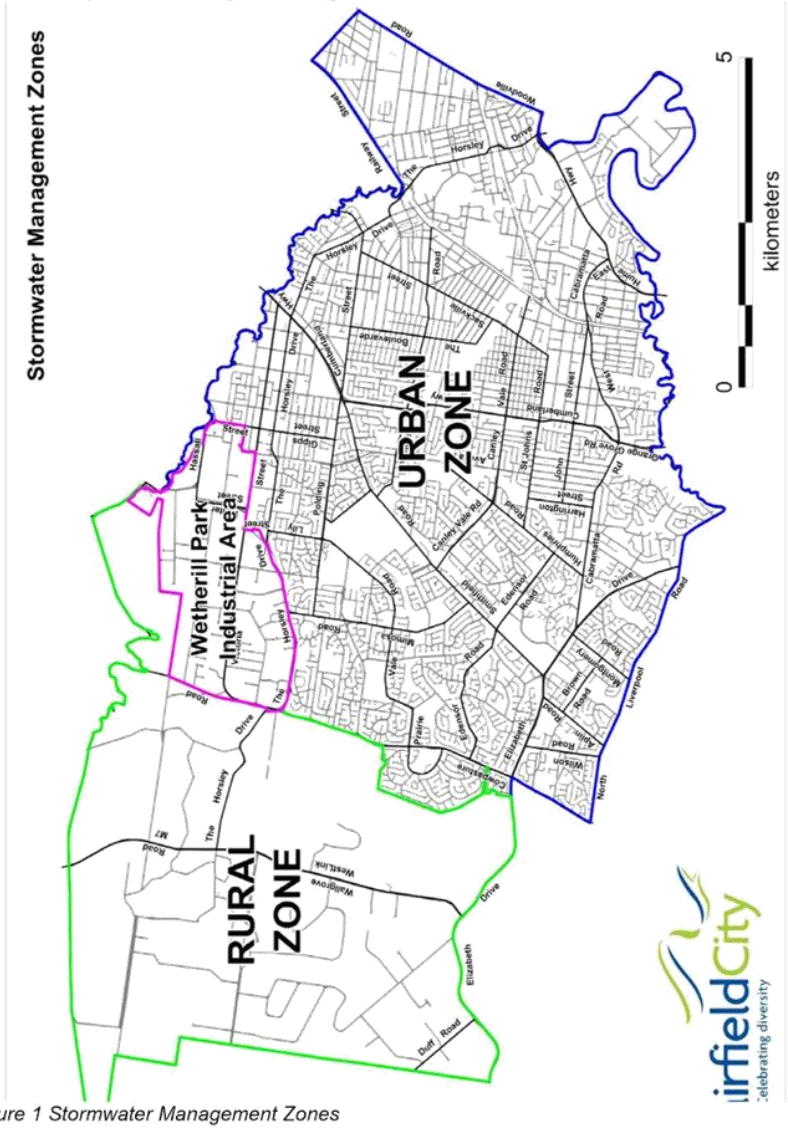

Figure 1 Stormwater Management Zones

2.5.8 Residential Apartment Development

If the development application relates to residential apartment development to which Chapter 4 Design of Residential Apartment Development, of State Environmental Planning Policy (Housing) 2021 applies, a statement is required.

A Statement of Environmental Effects for Residential Apartment Building and Mixed-Use Development must include the following:

- An explanation of the design in terms of the design principles set out in Schedule 9 of State Environmental Planning Policy (Housing) 2021,
- Must address the Apartment Design Guide,
- Drawings of the proposed development in the context of surrounding development, including the streetscape,
- Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations,
- Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context,
- If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts,
- A sample board of the proposed materials and colours of the façade,
- Detailed sections of proposed facades,
- If appropriate, a model that includes the context,

Urban Design Report shall be submitted outlining the following:

- Examples of benchmark urban design outcomes which are guiding the form, material and detail of the proposed design.
- Illustrations of how the design has explored alternative models of development that fit the setback requirements for the site and how the current proposal achieves the objectives of the ADG, in particular in terms of quality design outcomes for setback, form, materials, communal open space and streetscape,
- Impacts of future proofing solar and privacy aspect of both the proposed development and future adjoining developments,
- Character assessment of the area which illustrates desirable pattern and detail of development which is reflected within massing, legibility of form, materials and colours,
- Photomontages and street elevations shall be prepared to indicate relationship of the future context and how the proposal creates an appropriate response,
- Addressing of the importance of landscape, existing and future, environmental comfort and performance,
- Impact of the proposal on the solar performance of adjoining property, privacy and redevelopment potential.

2.5.9 Flood Risk Management Report

A Flood Risk Management Report is required for all proposed developments located within Flood Prone Land.

The State Government's and Fairfield City Council's objective with regard to flood prone land is to "*reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilizing ecologically positive methods wherever possible.*"

In response to this objective, Fairfield City Council has undertaken flood risk studies in some areas and developed plans to address flooding risks, providing prescriptive controls, performance criteria and policy for the use and development of flood prone land. Information is available in Fairfield City Council's Citywide Development Control Plan 2024.

A Flood Risk Management report addressing these controls is required for all proposed development on flood prone land.

The procedure to determine what controls apply and to complete the report for the proposed development involves:

- Identifying the land use category of the development from Schedule 2 at the end of Chapter 11 of Council's DCP,
- Determining which floodplain and which part of that floodplain the land is located within, this information must be extracted from a relevant Section 10.7(2) & (5) Certificate,
- Determining the appropriate planning matrix (end of Chapter 11 of the DCP) for the relevant Floodplain,
- Applying the controls of the land use category for the relevant flood risk precinct, this may be undertaken as a Compliance Table.

2.5.10 Acoustic Reports – Rail, Road and Aircraft

Development near a rail corridor or major road - Major roads and rail operations generate noise and vibration, and people living and working near major transport corridors can be adversely affected. In addition, major roads can impact on air quality due to the volume of traffic they carry.

If the development is within or near a rail corridor or in the proximity of a major road, details shall be submitted to address the noise, vibration and air quality impacts of the railway or major road on the development. (Refer to State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Department of Planning, Housing and Infrastructure 'Development near Rail Corridors and Busy Roads - Interim Guidelines').

As a guide, if your development is located on any of the following roads within Fairfield City, the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 may apply. Appendix G of this DCP identifies Classified State and Regional Roads and Unclassified Regional Roads.

Aircraft Noise in Horsley and Cecil Park For noise sensitive development on land that is in an ANEF or ANEC contour of 20 or greater within Horsley Park and Cecil Park additional development controls apply under Part 4.3 Development controls—Airport safeguards of SEPP (Precincts – Western Parkland City) 2021. For more information please refer to the SEPP. To determine if land is affected by these controls refer to a current section 10.7(2) & (5) Planning Certificate which can be obtained from Council. For more information see Chapter 4A.

2.5.11 Landscape Plan

A Landscape Plan is to be included for all development (except for development application for change of use or occupations) which provides information detailing trees to be removed, existing and proposed planting (for proposed planting documentation on the type of species and their growth at full maturity is needed), retaining walls, garbage enclosures, detention basins, fences and paving. (See Appendix F of Fairfield City Wide DCP 2024).

2.5.12 Heritage Assessment

The provisions of State Environmental Planning Policy SEPP (Exempt and Complying Development Codes) 2008, known as the "the Codes SEPP", regarding exempt and complying development do not apply to heritage items, with minor exceptions.

In considering the proposal for any work on a heritage item or its site, Council is required to assess its likely impact on the significance of the item. If the work is minor, approval may be obtained through an exchange of letters between the applicant and Council, for which no fee is payable. Interior work to houses such as kitchen and bathroom renovations can be carried out without notifying Council.

Otherwise, a development application will be needed so an assessment can be made about whether the proposal is appropriate.

If the work is on a site near the heritage item (the visual catchment), Council is required to consider its likely impact on the heritage significance of the item. This requirement does not apply to exempt or complying development in the vicinity of an item.

When considering heritage impacts, Council may require the applicant to submit a Statement of Heritage Impact or a Conservation Management Plan. Chapter 3B Local and Aboriginal Heritage provides a flow chart illustrating the process. Applicants are encouraged to consult with the Heritage Advisor before submitting applications for work on or near heritage items. Advice on design, and on the preparation of a Statement of Heritage Impact, is available at no cost.

2.5.13 Social Impact Statement

A Social Impact Assessment (SIA) refers to the assessment of the likely social consequences of a proposed development on affected groups of people and on their way of life, life chances, health, culture and capacity to sustain these. Fairfield City exhibits significant cultural diversity with more than 50% of residents born overseas and the unemployment rate consistently higher than for Sydney and NSW.

Any development that is likely to trigger any social issues requires a SIA, that includes:

- Increases in land use intensity or hours of operation (for example, gaming or liquor outlets)
- Larger developments, including: major retail, sports or social infrastructure proposals
- A significant change of land use including new highways or loss of agricultural land
- Land uses or developments likely to be controversial or divisive.

A Social Impact Assessment should include:

- A full description of the scope of proposed changes,
- Examples of similar changes identified including the impacts to minority groups, different ages, income and cultural groups and future generations,
- Impacts that are direct and indirect, long and short term, positive and negative, passing and accumulating,
- The relative equity of impacts – How the benefits and losses will be distributed to different sections of the community,
- Impacts over time and location are considered (e.g. local as opposed to state and national benefits and losses),
- Impacts which are not amendable to precise measurement are not excluded from consideration – the assessment is and evaluation not a proof,
- The precautionary principle applied in making an assessment,
- A review mechanism where appropriate

Please contact Council's Planning Duty Officer on 9725 0222 if in doubt about whether your development requires a SIA.

2.6 Step 4 - Lodging an Application on NSW Planning Portal Website

Information regarding lodgment of applications and certificates

Applications are required to be lodged via the NSW Planning Portal link

The following applications and certificates can be submitted:

- Development Applications, Modification Applications and Section 8.2 Review Applications
- Construction Certificates, Complying Development Certificates, Occupation Certificates and Building Information Certificates
- Subdivision Certificates
- Approvals under Section 68 of the Local Government Act
- Approvals under Section 138 of the Roads Act
- Outdoor Dining and Footpath Uses

How to lodge an application online

To commence the online application lodgment process, you will need to log in or register via the NSW Planning Portal website.

Please refer to this guide to learn how to register an account and lodge an application via the NSW Planning Portal.

This guide provides a step by step process that will assist customers to –

1. Register and Log in
2. Create a new application
3. Provide all contact details
4. Input application details
5. Input related planning policy and regulation details
6. Input the payer details
7. Upload required and supporting documentation
8. Review, confirm details and submit application.

Should you not have access to a computer to lodge an application, Council has a self-serve kiosk that you are able to use located at Council's main administration building in Wakeley. Further, staff are available to assist you with the process of submitting your application.

Prior to lodgment of the application

Once Council receives your application through the NSW Planning Portal Website, a Council Assessment Officer will perform a preliminary assessment and completeness check, checking that the required information has been uploaded with your application.

After reviewing the details of your application, Council will either accept your application, or return your application.

If your application is incomplete, you will receive an email through the Portal containing written details from Council's assessment officer regarding the additional information required.

If your application is complete and accepted for lodgment on the NSW Planning Portal, Council will email you through the Portal with written details for payment of fees.

Your application will not be considered as lodged until the application fees have been paid.

Once the fees have been paid, an acknowledgement email will be issued by Council through the Portal, advising of your application number.

If the application involves integrated development, this fee is paid via the NSW Planning Portal directly to the external agency. This fee will not be requested until the concurrence/referral is actioned from Council.

Following Lodgement of the Application

You will be able to monitor the status of your application via your dashboard through the NSW Planning Portal website. To do this, you will need to be logged into the NSW Planning Portal online system. You will also automatically receive email notifications as the application progresses through the system.

2.6.1 Development Application Fees

Fees are calculated based on the estimated development cost.

Please contact the Customer Service Centre on 9725 0222 for a quote of the fees applicable to your application.

2.6.2 Payment Options

The following methods of payment are available at Fairfield City Council:

- Cheque
- EFTPOS / Credit Card payment
- Cash
- Money Order.

2.6.3 Local Infrastructure Contributions (s.7.11 & s.7.12)

The *Environmental Planning and Assessment Act, 1979* allows local government to apply contributions (s.7.11) or a levy (s.7.12) towards the cost of providing or improving public amenities and public services to meet increased demand created by development within their areas. Where applicable, the payment of these contributions or levies will be included as a condition of development consent (development application) or condition on a complying development certificate (CDC).

The Fairfield City Local Infrastructure Contributions Plan 2023 (s.7.11 & s.7.12) came into force on (*26 February 2024*), replacing the Direct (Section 7.11) Development Contribution Plan 2011 and Indirect (Section 7.12) Development Contribution Plan 2011.

The Local Infrastructure Contributions Plan 2023 applies to all of Fairfield City. The plan separates the city into three (3) distinct catchments (Eastern, Central and Western) which align with suburb boundaries and Australian Bureau of Statistics (ABS) Areas. The three (3) catchments also align with Council's high level strategic planning documents, including the Local Strategic Planning Statement ("LSPS") and Local Housing Strategy ("LHS"). As shown in the Figure below, the suburbs in each catchment include:

Eastern Catchment Old Guildford, Yennora, Fairfield East, Villawood, Lansvale, Fairfield, Canley Vale, Cabramatta, Smithfield, Fairfield Heights, Fairfield West, Canley Heights, Cabramatta West, Mount Pritchard.

Central Catchment Wetherill Park, Prairiewood, Wakeley, St Johns Park, Bonnyrigg, Bossley Park, Greenfield Park, Edensor Park, Abbotsbury and Bonnyrigg Heights.

Western Catchment Horsley Park and Cecil Park.

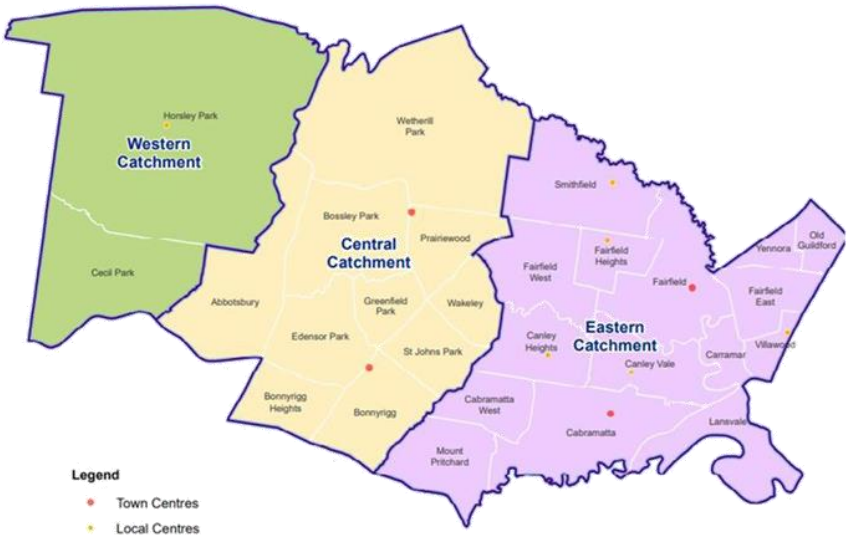

Figure 2: Local Infrastructure Contribution Areas

NSW Government - Housing and Productivity Contribution

On 1 October 2023, the NSW Government introduced a Housing and Productivity Contribution that affects most new development. From the 1st October 2023, most new Development Applications in the Greater Sydney, Illawarra-Shoalhaven, Lower Hunter and Central Coast regions need to pay the Housing and Productivity Contribution on top of the existing Local Council Section 7.11 Development Contributions.

The Housing and Productivity Contribution will apply to:

- residential development that intensifies land-use where new dwellings are created, such as residential subdivision, houses, apartments, terraces and dual occupancies.
- commercial and retail development such as shops, neighbourhood shops, supermarkets, and commercial office buildings where new floorspace is created.
- industrial development such as warehouses and industrial buildings, where new floorspace is created.

The contribution will not apply to replacing existing houses (knock-down/rebuild).

The NSW Government has begun its phase in approach for payment, during the initial period between 1 October 2023 and June 2024 payments will be discounted at 50%, from July 2024 to June 2025 payments will be discounted at 25%. From July 2025 the full contribution comes into effect.

The contribution will be paid through the NSW Planning Portal which uses the Service NSW payment gateway, enabling multiple options.

As this is not a Contribution related to Fairfield City Council, for further information, please contact the NSW Government team for Housing and Productivity Contribution hpc.enquiry@planning.nsw.gov.au.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 3A

Environmental Management and Constraints

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3A.0 Context and Objectives

The natural environment of the City comprises the creeks, trees, air, vegetation and soil. There is a complex relationship between these elements which can place a constraint on how development can occur in different parts of the City.

Trees, vegetation and waterway areas of Fairfield City form the backbone of the natural environment and support biodiversity. Trees also provide shade from summer heat, reduce the effects of soil erosion that pollute the City's creeks and assist in preventing salinity problems that are a growing threat to buildings.

Waterways includes wetlands, creeklines and land immediately adjoining a creek where native vegetation occurs (referred to as the Riparian Corridor) of the City. The urban areas of Fairfield are located in the Georges River Catchment and many parts of the City can experience flooding from creeks (mainstream flooding) or from water surging towards lower lying areas and creeks (over land flooding) along drainage lines and channels.

The objectives of the controls of this chapter are:

a) to protect trees, biodiversity, creekline and riparian areas, and groundwater as part of the City's natural assets

b) to provide guidance in what trees are appropriate to be removed without the need for Council approval

c) to provide clear guidelines on how to request the removal of tree

d) to provide guidance in respect to development affected by:
   i. Riparian Corridor and Waterways controls
   ii. Flood risk assessment, and
   iii. Land contamination, acid sulphate soils and landslip issues.

3A.1 Statutory Provisions

3.1.1 Fairfield Local Environmental Plan 2013 – Environmental Protection Zones and Waterway Zone

Under Fairfield LEP 2013 the Standard LEP Environmental Protection Zones have been applied to a number of areas of the City due to the conservation and/or management of environmental values or constraints relevant to these areas. A Recreation Waterway zone also applies to waterways comprising Chipping Norton Lakes and Georges River which aims to protect the ecological, scenic and recreation values of this area.

Zoning of these areas has been applied in light of strategic investigations carried out by Council under the Fairfield Biodiversity Strategy, having regard to Department of Planning, Housing and Environment guidelines/practice notes relating to preparation of Standard LEP's and advice provided by State Government Agencies. Areas of the City zoned for Environment Protection and Recreation Waterway are shown on the land zoning map accompanying Fairfield LEP 2013.

Key information in relation to assessment issues/requirements applying under the Environment Protection Zones and the Recreation Waterway Zone is provided below.

C2 - Environmental Conservation Zone: The C2 Zone applies to areas of the City with ecological, scientific, cultural or aesthetic values. This zone provides the highest level of protection for management and restoration of such lands.

Under Fairfield LEP 2013 important creekline areas of the City have been zoned C2 due to the existence of endangered species, ecological communities and habitat where over time there is also capacity to either retain or restore the environmental condition of these areas.

For the majority of the existing urban areas, land to be zoned C2 is already in Council ownership but also includes some parcels in private ownership. The C2 zone also applies to privately owned sections of key creeklines in the rural areas of the City (Horsley Park and Cecil Park) generally between the top of banks of these creeks.

Key Assessment Issues for the C2 zone - In this zone key issues relevant to development proposals are as follows:

a) The range of land uses permitted in the C2 zone is more restricted than surrounding zones.

b) Uses permitted in an adjoining zone can be considered as long as potential impacts on the land zoned C2 is minimised.

c) Generally, a higher level of assessment is required for development on land zoned C2 or immediately adjoining land zoned C2.

d) Remnant natural vegetation is located in many of the C2 areas and development will need to address the Conservation Significance Assessment included in the Fairfield Biodiversity Strategy 2022.

e) Land zoned C2 is also affected by a number of overlay clauses contained within Fairfield LEP 2013, including Natural Resources – Biodiversity and Natural Resources – Riparian Land and Waterways. Detailed provisions in relation to these issues are set out in the following sections of Chapter 3A.

f) Development within or in close proximity to the C2 zone where there is a creek line is also likely to require approval from State Agencies under Integrated Development Provisions of the Environmental Planning and Assessment Act 1979.

C3 - Environmental Management Zone: This zone applies to land where there are special ecological, scientific, cultural or aesthetic attributes and environmental hazards/processes that require careful consideration and management. Under Fairfield LEP 2013 this zone has been applied specifically to certain privately owned properties in Lansvale Peninsula previously zoned 6(d) Tourism under the former Fairfield LEP 1994.

The C3 zone has been applied to the Peninsula based on the following key environmental conservation values and hazards applying to the area:

a) The area is affected by significant flooding hazards and has experienced regular and major flooding events. This is due to the fact that a significant proportion of stormwater run-off from the urban areas of Fairfield (and a number of surrounding Western Sydney Council's) finds its way into the Peninsula from the Georges River, Prospect and Cabramatta Creeks. Flooding on the Peninsula can be compounded by the fact that the surrounding waterways experience tidal inundation which can magnify the level of flooding impacts.

b) As shown on the Fairfield LEP 2013 - Acid Sulfate Soils Maps the area is an important location with the potential for acid sulfate soils as defined in the *NSW Acid Sulfate Soils Assessment and Management Guidelines*. Although the aforementioned guidelines provide a framework for managing the risks associated with these soils, the C3 zoning reinforces the context of this hazard for proposed development on the Peninsula.

c) As shown on the Natural Resource Maps, the Peninsula supports a range of environmental values including:

   i. Biodiversity – Cumberland Plain Woodland, Fish Habitat;
   ii. Riparian Land and Waterways, providing habitat and movement corridors for native species; and
   iii. Significant portions of publicly owned land on the Peninsula have been revegetated and rehabilitated. These areas have been zoned C2 (see above) and are subject to ongoing maintenance and care by Council and State Agencies.

Key Assessment Issues for the C3 Environmental Management Zone

a) Flooding issues affecting Lansvale Peninsula place significant constraints on development. Any development in the C3 zone must address the controls contained in Chapter 11 of this DCP – Flood Risk Management.

b) Remnant natural vegetation is located in many of the C3 areas and development will need to address the areas of biodiversity value and conservation significance assessment included in the Fairfield Biodiversity Strategy 2022.

c) Where relevant, development will need to address the requirements of the *NSW Acid Sulfate Soils Assessment and Management Guidelines*. Further details regarding the relationship of these guidelines to development and level of assessment required is detailed under cl.6.1 of Fairfield LEP 2013 – Acid Sulfate Soils.

d) Land zoned C2 is also affected by a number of overlay clauses contained within Fairfield LEP 2013, including Natural Resources – Biodiversity and Natural Resources – Riparian Land and Waterways. Detailed provisions in relation to these issues are set out in the following sections of Chapter 3A.

e) Development within or in close proximity to the C2 zone where there is a creek line is also likely to require approval from State Agencies under Integrated Development Provisions of the Environmental Planning and Assessment Act 1979.

W2 – Recreation Waterway Zone: The W2 Zone applies to the Chipping Norton Lakes and Georges River area in Lansvale Peninsula. This zone has been applied to this location having regard to the ecological, scenic and recreation values of the Chipping Norton Lakes. Permitted uses in the zone includes water-based recreation, boating and water transport, and development associated with fishing industries, such as natural water-based aquaculture and recreational fishing.

Key Assessment Issues for the W2 zone

a) Flooding issues affecting Lansvale Peninsula place significant constraints on development in the area. Any development in the W2 zone must address the controls contained in Chapter 11 of this DCP – Flood Risk Management.

b) Where relevant, development will need to address the requirements of the *NSW Acid Sulfate Soils Assessment and Management Guidelines*. Further details regarding the relationship of these guidelines to development and level of assessment required is detailed under cl.6.4 of Fairfield LEP 2013 – Acid Sulfate Soils.

c) Land zoned W2 is also affected by a number of overlay clauses contained within Fairfield LEP 2013, including Natural Resources – Terrestrial Biodiversity and Natural Resources – Riparian land and Watercourses. Detailed provisions in relation to these issues are set out in the following sections of Chapter 3A.

d) Any development in the Chipping Norton Lakes waterway area will need owners consent/concurrence from relevant State Government Agencies. It will also require approvals under State Government Legislation including the Water Management Act 2000.

e) Applicants seeking to install a mooring should contact the Maritime Division of NSW Roads and Waterways Services. Moorings are required to be licensed by Service NSW and subject to satisfactory environmental assessment by that authority may be permitted without development consent.

3A.1.2 Fairfield Local Environmental Plan 2013 – Local Clauses

Fairfield LEP 2013 includes zones and a number of local clauses originating from the NSW Standard LEP Order that requires Council to take into account the impacts of development on the natural environment.

The following provides a list of the LEP provisions underpinning controls set out in the remainder of this Chapter.

- Clause 5.7 Development below mean high water mark
- Clause 5.21 - Flood Planning
- Clause 5.23 – Public Bushland
- Clause 6. 1 - Acid Sulfate Soils
- Clause 6.2 – Earthworks
- Clause 6.4 – Flood Risk Management
- Clause 6.5 – Terrestrial Biodiversity
- Clause 6.6 – Riparian Lands and Watercourses
- Clause 6.7 – Landslide Risk

3A.1.3 State and Federal legislation

State Legislation	Provisions
State Environmental Planning Policy (Biodiversity and Conservation) 2021	The provisions of this SEPP must be considered when the relevant Chapter applies to land within Fairfield City.
State Environmental Planning Policy (Resilience and Hazards) 2021	The provisions of this chapter must be considered when a relevant constraint as specified under this SEPP applies to the land
Environmental Planning and Assessment Act 1979	Section 5.5: Requires Council to take into consideration the provisions to examine to the fullest extent possible all matters affecting or likely to affect the environment. This is a critical component in the assessment of Development Applications and Tree Work Permits (see s.3.2 below for further information) Section 9.56 sets penalties for offences against the act or regulations.
Fisheries Management Act 1994	Section 144 relates to aquaculture permits; Section 201 requires a permit for dredging or reclamation work; Section 205 requires a permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease; Section 219 requires a permit to: (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat
NSW Biodiversity Conservation Act 2016	Schedules 1 and 2: Lists threatened species. Note under this Act the Cumberland Plain Ecological Community (located in Fairfield) is a critically endangered species. Schedule 4: Lists the key threatening process Schedule 5: Lists the protected animals. Note that all native and migratory animals are considered protected animals.
Local Government Act 1993	Section 124: Allows Council to issue an Order for property owners to prune hazardous trees overhanging a public space or causing damage to public property.
Water Management Act	Section 91: Controlled activities require a licence from relevant State Agency within 40m of a waterway.
Water Act 1912	Part 5 – requires licences to be obtained for the interception and / or use of groundwater.
Soil Conservation Act 1938	Section 15: Permits the Commissioner of Soil Conservation to issue notice on land owners to abstain from or prohibit, activities which may cause or is causing soil erosion and to prosecute those failing to comply.
Rural Fires Act 1997	Section 66: Allows for tree removal as part of fire hazard reduction.
Trees (Disputes Between Neighbours) Act 2006 and Trees (Disputes Between Neighbours) Amendment Act 2010	Provides residents an opportunity to apply to the Land and Environment Court of New South Wales for an order to remedy, restrain or prevent damage to property or to prevent injury, as a consequence of a tree situated on adjoining land. Section 17: Allows for Council to ascertain that Court ordered tree works have been carried out, and if not carry out the works themselves.
Roads (General) Transitional Regulation 1993	Clause 34: Council can order the owner of a property to remove or prune any tree, hedge or plant where it overhangs or overshadows a road or footpath creating an obstruction for pedestrians or vehicles
Local Government Act, July 1993	S.428 requires Council to report on the state of the environment of the area including any unique landscape and vegetation, vegetation cover and any instruments or policies relating to it, including any instrument relating to Tree Preservation
Federal	**Provisions**
Environmental Protection and Biodiversity Conservation Act 1999	Provides for the listing of nationally threatened native species and ecological communities, native migratory species and marine species. Includes the critically endangered Cumberland Plain Woodland.

3A.2 Preservation of Trees or Vegetation

Chapter 2 (Vegetation in Non-Rural Areas), of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 sets the rules for the clearing of vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

The aims of this policy are:

a) To protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
b) To preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The policy works with the *Biodiversity Conservation Act 2016* and the *Local Land Services Act 2013* to provide the Land Management and Biodiversity Conservation (LMBC) framework across NSW. For more information visit the Local Land Services website.

The SEPP ensures that if the clearing of native vegetation on land zoned for urban or environmental purposes exceeds entry thresholds, the Biodiversity Offset Scheme will apply. The SEPP also allows councils to manage vegetation clearing in their local area through a permit system and allows certain routine clearing activities on land used for primary production.

Council acknowledges that often there are good reasons to remove trees. Sometimes trees have been planted in the wrong areas and may affect building structures or are dying and need to be removed for safety. Preservation of Trees or vegetation makes sure that trees can be removed where necessary, whist protecting other trees for the sake of the environment and everyone's enjoyment.

The Fairfield Biodiversity Strategy provides guidance on areas of biodiversity value and conservation significance (CS) of native vegetation in the City. These areas have been identified considering the NSW Biodiversity Values Map and the results of an ecological assessment process. The effect of the CS areas is to highlight the existence of native vegetation so that the ecological value of the vegetation can be considered as an early part of the development process. A copy of the Biodiversity Strategy is available on Council's website www.fairfieldcity.nsw.gov.au under the heading 'Biodiversity', 'Land/Open Space', 'Biodiversity Strategy'.

Objectives

a) To protect, conserve and improve the environment of the City of Fairfield by ensuring that no trees are wilfully injured, removed or destroyed without the approval of Council;

b) To ensure that any works in relation to trees meet the objectives of Fairfield LEP 2013 and relevant State and Federal Legislation; and

c) To protect rehabilitated riparian vegetation and prevent the clearing of riparian trees and other vegetation by private landowners.

Definitions

Some of the terms used in this document have a special meaning in the Environmental Planning and Assessment Act 1979 or Fairfield LEP 2013 unless specifically defined in this chapter.

"**Tree**" means a perennial plant with a self-supporting stem which:

i. has a height of more than 4 metres if located on land other than land shown on the Fairfield LEP 2013 Riparian land and Waterways Map or 1 metre if located on such land; or
ii. has a spread of more than 3 metres if located on land other than land shown on the Fairfield LEP 2013 Riparian land and Waterways Map or 0.5 metre if located on such land; or
iii. has a trunk diameter of more than 75mm measured 1 metre above ground level if located on land other than land shown on the Fairfield LEP 2013 Riparian land and Watercourses Map or 20mm if located on such land, and is also of a species which has a mature height of more than 4 metres; or
iv. is listed in Council's Significant Tree Register but excludes any tree declared under the Biosecurity Act 2015

In addition the following definitions apply under this chapter of the DCP.

Word/Term	Definition
Arborist/Arboriculturist	A specialist in the practice of arboriculture, which is the cultivation, management, and study of individual trees, shrubs, vines, and other perennial woody plants, including tree surgery, the diagnosis, treatment and prevention of tree diseases and decay, and the control of pests. Arborists generally focus on the health and safety of individual plants and trees, rather than their harvesting.
Biodiversity Offset Scheme (BOS)	A scheme enacted by the Biodiversity Conservation Act 2016, Biodiversity Conservation Regulation 2017 and Local Land Services Amendment Act 2016. The BOS includes a Biodiversity Values Map and Area Threshold, either which trigger an alternative approval framework for the clearing of native vegetation. The Biodiversity Values Map can be viewed on the NSW Environment and Heritage website.
Bushland	Any area that is predominantly indigenous flora and fauna or retains characteristics of natural vegetation.
Dead Tree	A tree that has not produced leaves for two successive years, exhibits permanent wilting or is shedding bark which is dried out and peeling off to the beginning of sapwood.
Destroy	Any immediate or ongoing process or activity leading to the death of a tree.
Canopy	That part of the tree above the main stem comprising primarily branches and foliage.
Conservation Significance (CS)	The conservation rating adopted by Council for remnant natural vegetation as listed in the Fairfield Biodiversity Strategy 2022
Height	The distance measured vertically between the horizontal plane at the lowest point at the base of a tree which is immediately above ground and the horizontal plane immediately above the uppermost point of a tree.

Word/Term	Definition
Heritage Item	Heritage items listed in Council's environment plan or the State's heritage lists.
Injure/ Wilfully Destroy	To inflict damage by immediate or ongoing process or activity leading to the death of a tree and includes: - lopping and topping; - poisoning; - compaction or excavation - stripping of topsoils - underscrubbing.
Lop	Indiscriminate cutting between branch unions or at internodes on a young tree, with the final cut leaving a stub.
Priority Weed	An invasive species of a plant that has been designated injurious to agricultural or horticultural crops, natural habitats, ecosystems, humans or livestock.
Poisoning	Applying herbicides and other plant toxic chemicals to a tree or spilling (including washing off or directing water contaminated by) plant toxic material onto the root zone.
Prune	The removal of any stem dead or alive, back to the intersection of another live stem to a swollen area at the intersection called a branch collar, with a final cut at the outer edge of the collar leaving no stub. This also means any act or acts severing any part of a tree so as to cause a reduction of the air space occupied by the branches and foliage of a tree.
Remove	Dismantle or dislodge a tree, separating the tree from the ground where it is growing so that the tree, including its branches, foliage, trunk, stump and root system will not regrow. This includes the poisoning of the stump and/or roots and/or taking away, or grinding or burning out its remains to prevent regrowth.
Ringbarking	Scarring the bark so as to significantly restrict the normal vascular function of the trunk or branches.
Significant Tree	A tree which has been identified by Council displaying biological, cultural, heritage or intrinsic value significant to warrant its protection.
Tree (Native, Exotic and Indigenous)	Native are trees with natural origins in a particular environment; Indigenous are trees endemic to the local environment ; Exotic are introduced trees and may include native trees in some locations.
Tree Work	Cutting down, topping, lopping, pruning, ringbarking or removing a tree.
Top	Cutting away any part of a tree's foliage crown leaving a trunk and stubbed main branches to reduce its height and spread.
Urban Forest	The totality of trees and shrubs on all land in and around urban areas and is measured as a canopy cover percentage of the total urban area.

Prosecution – Any person acting contrary to the provisions of Part 2.6 of SEPP (Biodiversity and Conservation) 2021, Fairfield LEP 2013 or related provisions of this DCP will be liable to prosecution unless it can be demonstrated to the satisfaction of the Council that the tree was dying or dead or had become dangerous.

In the event of prosecution, it will not be a sufficient defence that the species was not appropriately identified by a qualified person.

3A.2.1 Tree Work Permits

Under the provisions of Part 2.6 of SEPP (Biodiversity and Conservation) 2021, a tree work permit is required from Council for cutting down, topping, lopping, pruning, ringbarking or removing a tree.

The exception to this is that an approval is not required from Council for the removal of limited undesirable trees and plants listed in the Schedule at the end of this Chapter. You should contact Council if you have any doubt as to whether or not the tree/plant you wish to remove from your property is a species included in the schedule.

Council will generally approve An Application to Prune or Remove a Tree:

a) To remove completely dead trees and dead branches;

b) To remove diseased or unhealthy trees which are not expected to survive;

c) To prune or remove trees which are considered a safety hazard (including those impeding access for pedestrians);

d) To prune or remove trees which are causing structural damage. Council will consider a removal application where the damage is substantial and removal is the best option;

e) On medical advice (from a registered medical practitioner) that the tree in question is injurious to the health and wellbeing of the resident or residents;

f) Pruning which is necessary to improve tree health and stability and reduce risk; and

g) When a tree has caused extensive damage to fences, kerb and guttering, sewer or stormwater drains, where there are no permanent repair alternatives.

Without limiting Council's discretion, approval would not normally be given:

a) To improve views;

b) For minor property damage such as minor lifting of driveways and paths by tree roots;

c) Because trees are creating a nuisance by shedding leaves, fruit, bark, cones or twigs;

d) Because trees are overshadowing. Increasing solar access will not be considered sufficient reason to remove a tree. But Council may approve selective thinning of the canopy; or

e) To rectify/prevent termite damage. As termites eat only dead wood, removing or pruning an otherwise healthy tree is not a justifiable reason for tree works. Termite damage to private property can be inhibited by appropriate barrier treatment and regular pest inspections by a certified pest inspector.

Council will write to the applicant, stating whether a Tree Work Permit has been approved without conditions, approved subject to conditions or refused. Under Section 2.11 of the SEPP (Biodiversity and Conservation) 2021 Council has 28 days to determine the application after the date on which the application was made. If the BOS has been triggered then the native vegetation panel have 90 days after the application is received to make a decision. To ensure consistency and provide a reference, Council will keep a record **and regularly** publish all determinations.

In keeping with the communities' sustainability vision, when approval is given to remove a tree, property owners may be required to plant compensatory tree(s) elsewhere within the property.

Council will not be responsible or liable, for meeting the cost of any tree work on private and non Council owned property.

As tree work can be dangerous, Council encourages property owners to engage a qualified Arborist/Arboriculturist who meets the requirements of current occupational health and safety legislation, abides by work cover NSW Code of Practice for the amenity tree industry and has current Workers' Compensation Insurance. The National Arborists' Association of Australia provides a directory of approved professionals.

Pruning must be done with due regard to the health of the tree, correct pruning techniques and the safety of nearby people and property. All approved pruning work must be done to Australian Standard AS4373 2007, Pruning of Amenity Trees.

3A.2.2 Special LEP Provisions in relation to Heritage Items – Trees

Please refer to SEPP (Biodiversity and Conservation) 2021 for specific requirements relating to permits that require the clearing of vegetation.

Notes: As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 of Fairfield LEP 2013 will be applicable to any such consent. Heritage Items are listed under Schedule 5 of Fairfield LEP 2013.

3A.2.3 Tree Work Permit – Fees

Inspection fees apply residents who apply for a Tree Work Permit. The fee has been introduced in an attempt to encourage residents to think seriously about the issue of tree preservation, and to perhaps reconsider hasty decisions to remove trees. Contact Council for the fee amount.

3A.2.4 Tree Work Permits – Inspections

a) **Applications for Inspections** – Applicants for a Tree Work Permit can either come in person to the Administration Centre, phone or write to Council asking for permission to carry out work on their tree. A person coming to the Administration Centre, simply fills out a Tree Work Permit application form, pays the inspection fee to the cashier and then makes an appointment for the inspection.

b) **Inspections** –Inspections are carried out by staff with horticultural qualifications. The inspections are by appointment and the applicant is welcome to attend. If necessary, the trees to be inspected should be clearly identified with a ribbon or something that will be clearly noticed."

c) Inspections that have triggered the BOS – will be undertaken by the native vegetation panel. The panel will charge fees according to section 2.18 of the SEPP (Biodiversity and Conservation) 2021**.**

d) **Criteria For Assessment** – Several criteria which are taken into consideration when assessing an application for works to be undertaken have been identified:

a. Health of the tree
b. Tree environs
c. Adverse effects
d. Significance of Treescape
e. Biodiversity offset scheme thresholds
   i. Area criteria
   ii. Biodiversity Values Map
   iii. Threatened species test of significance

See clause 3.2.6 below for further detail in relation to the above.

e) **Possible Liability to Council** – The refusal of an application to remove a tree may place a liability upon Council should negligence be proven in the accurate assessment of the tree and its likely effect upon its environment. The potential for the tree to cause damage in the future is also considered in an assessment for removal.

3A.2.5 Exemptions

The following trees or works are exempt from the provisions of this DCP and Council permission is not required in relation to:

a) Undesirable' trees listed under the schedule at the end of this Chapter;

b) All trees, plants declared priority weeds under the Biosecurity Act 2015 – see schedule at end of this Chapter;

c) Rhus Tree *Toxicodendron succedaneum;*

d) To trees less than four metres in height or with a branch span of less than 3 metres or with a trunk diameter of less than 75mm measured 1 metre above ground level (not including trees associated with the Cumberland Plain Critically Endangered Ecological Community – see s. 3.2.8 – below for further information);

e) Where permission has been granted with a valid Development Consent issued by Council;

f) Where the Rural Fire Service has issued a Hazard Reduction Certificate (Fire Permit) under Section 23 of the Rural Fires Act 1997;

g) Work permitted under section 48 of the Electricity Supply Act 1995 including pruning of branches within 0.5 metres of electrical service lines on private property;

h) Where the tree's condition constitutes an immediate threat to life or property. In these circumstances only authorised emergency service personal are permitted to work on trees on Council land;

i) Tree work undertaken by Council or Council's authorised agents, on Council owned land, providing these works are consistent with Council's policies and internal guidelines;

j) Minor pruning of branches not more than 50mm in diameter provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007);

k) Minor pruning of roots not more than 30mm in diameter provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007);

l) Pruning of branches directly overhanging the roof of a residence or commercial building, only to the nearest branch junction or collar to clear the roofline, subject to owner's approval and provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007). Detached garages, carports and ancillary buildings are not included in this exemption; and

m) Trees within 3 metres of an approved, existing residential building, measured from the centre of the trunk of the tree at ground level to the external wall of the building. The trunk of the tree must be located on the same property. Verandas, all carports, detached garages, and ancillary buildings, cantilevered and pier supported structures such as balconies and decks are not included within this exemption; and for pruning and/or removing dead trees and branches.

It should be noted that in a breach of the Order it will not be sufficient defence that the species was not appropriately identified by a qualified person prior to the removal of the tree.

Assessment Process

3A.2.6 General Assessment Criteria

In assessing a development application or Tree Work Permit under this Chapter (whether or not the tree requires assessment under Section 7.3 of the Biodiversity Conservation Act 2016. For further information on factors to be taken into consideration during a Threatened species test of significance test. Click on the link below, which will direct you to the guidelines on the Office of Environment and Heritage website.

Threatened Species Test of Significance Guidelines

3A.2.7 Statutory Requirements – Triggers for the Biodiversity Offset Scheme Thresholds

The Biodiversity Offsets Scheme will apply to local developments and tree preservations works that are likely to significantly affect threatened species. These are defined as a development that:

- Impacts on an Area of Outstanding Biodiversity, or
- Exceeds the Biodiversity Offsets Scheme area threshold, or
- Is included in the Biodiversity Offsets Scheme Values map, or
- Is likely to significantly affect threatened species, ecological communities or their habitats according to the test of significance in Section 7.3 of the Biodiversity Conservation Act, 2016.

The biodiversity impacts of developments that do not trigger the NSW Biodiversity Offsets Scheme threshold will continue to be assessed under Section 4.15 of the EP&A Act.

a) **Biodiversity Offset Scheme – Area Criteria**

For offset area thresholds please refer to Section 7.2 of the Biodiversity Conservation Regulation 2017

b) **Biodiversity Offset Scheme – Biodiversity Values Map**

The Biodiversity Values (BV) map and threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing. The map forms part of the Biodiversity Offset Scheme threshold , which is one of the factors for determining whether the Biodiversity Offset Scheme (BOS) applies to a clearing or development proposal. For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the Biodiversity Values Map webpage: See below a link to the current mapping and the Biodiversity Values map webpage.

Biodiversity Values Map

Biodiversity Values Map Webpage

c) **Threatened Species Test of Significance**

Proponents are required to carry out a test of significance for all local development proposals that do not exceed the Biodiversity Offset Scheme Threshold. The test of significance is intended to provide standardised and transparent consideration of threatened species, ecological communities, and their habitats through the development assessment process. In the context of a Part 4 development (not including major projects) if the test of significance assessment indicates that there will be a significant impact, the proponent must carry out a Biodiversity Assessment Method assessment (BAM assessment).

The outcome of the assessment must be provided to the consent authority to decide whether a significant affect is likely. The test of significance is also required to be applied for Part 5 activities under the EPA Act. For further guidance on how to interpret and apply the factors of the Test of significance please refer to the

Test of Significance Guidelines

Section 7.3 of the Biodiversity Conservation Act 2016 requires a proponent to undertake a test to determine if a clearing or development proposal is likely to significantly affect threatened species or ecological communities, or their habitats. This is otherwise known as a threatened species test of significance (TOS).

d) **Impacts below the Biodiversity Offsets Scheme Threshold and Test of Significance**

The environmental impact of development proposals that do not exceed the Biodiversity Offsets Scheme Threshold and will not otherwise have a significant impact on Biodiversity values as assessed by the test of significance will continue to be assessed under section 4.15 of the Environmental Planning and Assessment Act 1979.

Clearing of land in urban areas of NSW including C2 and C3 zoned land that does not require development consent and does not exceed the biodiversity threshold will continue to be regulated by Council's development control plans pursuant to provisions in SEPP Biodiversity and Conservation 2021.

Exceeding Biodiversity Offset Scheme Thresholds

Where a biodiversity assessment report (BAR) has been prepared and the BOS thresholds have been exceeded the applicant is required under the Biodiversity Conservation act 2016 to submit a biodiversity development Assessment report (BDAR). This report is to be undertaken by an accredited assessor using the biodiversity assessment method (BAM) as set out in the BC act. A list of accredited people can be found on the NSW Department of Climate Change, Energy, the Environment and Water (DECCW) website below.

Accredited Assessor (nsw.gov.au)

Further information in regard to threatened species and preparation of SIS can be viewed on the NSW Office of Environment and Heritage:
www.environment.nsw.gov.au

Some development proposals also require approval under Commonwealth legislation known as the *Environmental Protection and Biodiversity Conservation Act 1999.* The Australian Government Department of Sustainability, Environment, Water, Population and Communities (the Department) administers the EPBC Act. Further information concerning the EPBC Act can be found at Environment Protection and Biodiversity Conservation Act - DAFF (agriculture.gov.au)

3A.2.8 Refusal and Appeals for Tree Work Permits

Under the provisions in Fairfield LEP 2013, refusal by Council to grant a permit is taken for the purposes of the Environmental Planning and Assessment Act (1979) to be refusal by Council to grant consent.

Prior to issuing a refusal, Council will advise applicants of its intention to refuse the permit/Development Application. The applicant then has the following avenue appeal under section 2.12 of the SEPP (Biodiversity and Conservation) 2021.

Appeal to Land and Environment Court

(1) An applicant for a permit may appeal to the Land and Environment Court against the refusal by a council to grant the permit.

(2) Any such appeal is to be made within 3 months after the date on which the applicant is notified of the decision or within 3 months after the council is taken to have refused the application (whichever is the later).

3A.2.9 Encroachment and Neighbour Disputes over Trees

Sometimes it becomes necessary to prune overhanging branches from a tree on an adjoining property or where it has become a hazard, to remove it. In this circumstance, it is desirable that both property owners agree to the tree work and who should meet the cost.

While either neighbour can apply to Council for a Tree Work Permit, the application can only be approved with the signature of the property owner on which the tree is situated.

Where neighbouring parties can't agree to the proposed tree work and the tree is considered unsafe, Council is prepared to assess the tree to aid in the mediation process. The applicable Tree Work Permit inspection fee must be paid and the owner's consent to enter the property given, otherwise Council is not empowered to intervene.

Further mediation can be sought through the Community Justice Centres or affected property owners may apply provisions in the Trees (Disputes Between Neighbours) Act 2006 before the Land and Environment Court of New South Wales.

If the Court orders the tree owner to carry out work in relation to a tree, the neighbouring owner may request Council to enter the tree owner's land to ascertain whether the ordered work has been carried out and if not, carry out the work itself.

Council is not obliged to act in either of these ways, but must follow a statutory procedure if it elects to take action. That includes giving written notice to the tree owner of its intention to enter the land (except in certain circumstances) and an avenue to recoup the reasonable cost of any tree work undertaken, from the property owner.

Where trees from private property overhang public land, causing a hazard or damage to property, Council may serve an Order under the Local Government Act on the tree owner to prune or remove the offending tree. In some cases Council may notify and then undertake tree works and charge the property owner to recover costs.

3A.2.10 Conditions of Development Consent and Tree Planting

Council has no legal ability to control tree planting on private property except where this is associated with a condition of development approval. As urban development has expanded, lot sizes have shrunk. With the current trend of building large houses with smaller green space on smaller lots, it is essential that we understand, appreciate and advocate the important role trees play in the urban environment. It is also critical that provisions of Section 3.3 Biodiversity Corridors of Chapter 3A relating to Riparian Corridors and Biodiversity be considered.

In considering development on private property, Council will:

a) Ensure development is carried out with sensitivity to the environment and to any trees in the vicinity;

b) Implement good planning which maximises the positive benefits trees provide by situating buildings, structures and car parks appropriately in relation to trees. Superior site planning and development practices prevent indiscriminate removal or destruction of trees and minimises disturbance to the urban forest;

c) Identify trees to be retained and protected prior to development. This is to be done by drawing up a plan showing the position of trees on the site, their species, age and condition. This work is to be undertaken by a qualified arborist or horticulturalist;

d) Isolate the root zone to the drip line (canopy line) of individual or groups of trees through the erection of a clearly marked fence, (minimum 1 .5m high) prior to land clearing or construction work;

e) No dumping of materials, parking of vehicles, excavation, or filling is to be permitted within the fenced root zone;

f) Minimise soil disturbance in the surrounding area (to twice the canopy width);

g) Where trenches for services cannot be laid outside the fenced zone, roots greater then 75mm wide diameter are to be clean cut and treated with a fungicide in accordance with acceptable arboriculturally practices. All cut roots will be treated with an approved hormone compound and sealed with bitumen;

h) Require professional treatment of roots disturbed by unavoidable development within the root protection zone;

i) Require minimal soil disturbance, including compaction, excavation and filling within an area twice the canopy width;

j) Require mulching of the area within the root protection zone to a depth of not less than 100mm and the trees regularly watered; and

k) Require erection of signage indicating which tree(s) are protected.

Council recognises that inappropriate plantings can create a nuisance. Most tree problems are caused by inappropriate species selection or unsuitable location.

Before planting, careful consideration should be given to the height, width and shadowing effect the tree will have on maturity. Trees should be planted only where space ensures they can mature without contact with overhead wires, underground services and structures – both existing and proposed. While providing the benefit of shade, trees should be carefully selected to ensure they do not unduly impede solar access. It is recommended not to plant trees within three metres of the boundary or any significant structure or too close together.

In selecting an appropriate species, Council encourages the planting of native varieties, particularly those found locally. Native trees are generally hardier and require less water. They also provide a habitat for native fauna.

In the interests of enhancing the City's urban canopy, Council will assist and guide appropriate selection for planting on private property by:

a) Developing greater community involvement in the process of tree management.

b) Promoting and encouraging the responsible planting of suitable new trees through appropriate species and location selection; and

c) Providing a guide to appropriate plantings, identifying native species.

3A.3 Biodiversity Corridors

3A.3.1 Background – Fairfield Biodiversity Strategy

The Fairfield Biodiversity Strategy 2022 covers important 'natural' areas of the City with conservation significance. It also provides extensive information used to inform preparation of the Fairfield LEP 2013 in meeting the requirements of relevant State and Federal legislation governing the management of land where native flora and fauna exist. The Biodiversity Strategy provides the basis for the assessment and that reports should reference the impact of development in relation to the Biodiversity Strategy.

The Strategy involved extensive research and analysis of biodiversity issues (including detailed mapping of Cumberland Plain Woodland Critically Endangered Ecological Community) and provides a technical and scientific framework covering the application of Environmental Protection Zones and Natural Resource local clauses contained in the Fairfield LEP 2013, including clause 6.5 Biodiversity (Terrestrial) Clause.

To provide guidance on the ecological significance of native vegetation the Biodiversity Strategy identifies areas of remnant vegetation in the City which have Conservation Significance (CS). The effect of the CS areas is to highlight the existence of native vegetation so that the ecological value of the vegetation can be considered as an early part of the development process.

3A.3.2 Fairfield LEP 2013

Clause 6.5 and 6.6 of the Fairfield LEP 2013 requires Council to take into consideration the impact of development on areas of the City where biodiversity issues need to be considered. These areas area identified on the Fairfield LEP Terrestrial biodiversity map and the Riparian lands and watercourse mapping. The NSW Governments Biodiversity Values Map also contains this information can be viewed on The Department of Climate Change, Energy, the Environment and Water (Heritage and Environment) website Biodiversity Values Map and Threshold tool (nsw.gov.au).

The objectives and provisions of the clause 6.5 Terrestrial Biodiversity are to maintain terrestrial biodiversity, including:

Other matters that Council must take into account in relation to this clause are set out under Fairfield LEP 2013.

3A.3.3 Designing to minimise impact on Biodiversity.

The principal aim for development in areas that benefit from the presence of Biodiversity issues is to consider steps in the early stage of the design process to minimise the impact on the area with biodiversity significance. Recommended measures include:

a) Seek advice from an environmental consultant with expertise in biodiversity issues. This can include consultants with qualifications in ecology, environmental science or related (relevant) fields.

b) Check if your works are mapped under the biodiversity offset scheme – values map and area threshold criteria.

c) Seek advice from Council about areas of biodiversity value and conservation significance (CS). These areas have been identified considering the NSW Biodiversity Values Map and the results of an assessment process. The effect of the CS areas is to highlight the existence of native vegetation so that the ecological value of the vegetation can be considered as an early part of the development process.

d) The development should be designed to minimise impacts on the area with biodiversity significance. This can be achieved for example by not removing or disturbing areas containing indigenous vegetation, maximising the setback distance or buffer area from the development to the area with biodiversity significance

e) Provide new planting or 'undisturbed' areas which maximise connection to adjoining areas of remnant indigenous vegetation retained on-site or on neighbouring sites.

f) Try to maximise not only the length but width of corridor supporting indigenous vegetation and movement on native fauna. Narrowing or bottlenecks within the biodiversity corridor should be avoided.

g) Ensure any new access roads or provision of services (including stormwater drainage or sewerage systems) avoids indigenous vegetation. Where this is not possible, minimise the level of intrusion (including the length and width of the services) and consider providing for wildlife under/overpasses.

3A.3.4 Assessment Requirements

For development affected by clause 6.5 and 6.6 of the Fairfield LEP a Biodiversity Assessment Report (BAR) as per the BC Act will need to be submitted with development applications, prepared by a suitably qualified environmental consultant. The report will need to address the following matters:

a) Description of the plant and potential animal species located on the site. Areas of the City identified with Biodiversity significance comprise the Cumberland Plain Woodland Critically Endangered Ecological Community.

b) Development impacting on native vegetation will generally be required to submit a report prepared by a qualified consultant. The report will need to address criteria contained in BOS thresholds (see c.3.2.7). In the event the thresholds indicates there is potential for a significant impact then a biodiversity development assessment report (BDAR) will need to be submitted.

c) Where applicable consideration must be given to areas of biodiversity value and the conservation significance assessment prepared by Council as part of the Fairfield Biodiversity Strategy 2022. The Biodiversity Strategy provides an important basis for the assessment. A Threatened Species Test of Significance required under section 7.3 of the Biodiversity Conservation Act 2016 shall reference Councils Biodiversity Strategy.

d) Information on measures to mitigate potential impacts of development on the area with biodiversity significance.

e) Provision of a landscape plan detailing new vegetation to be provided on the site. Note this should include locally occurring indigenous vegetation.

f) Consideration of the potential impacts of the proposal on movement of native fauna through the site.

g) A number of areas of the City with Biodiversity significance have also been zoned C2 Environmental Protection, C3 Environmental Management or W2 Waterways Recreation. Where applicable, the report will also need to address the objectives of these zones.

3A.4. Riparian Land and Watercourses

3A.4.1 Background – Proximity to Watercourses

a) Properties affected by the Riparian Land and Watercourses clause are generally located within 10 to 40 metres of the top of bank of a Watercourse.

b) Under this clause, the Standard Instrument LEP relies on the following key definitions:

c) Watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently in a defined bed or channel, but does not include a waterbody (artificial)

d) Bank means “the slope immediately bordering the course of a river along which the water normally runs”.

e) Land to which this clause applies is shown on the Natural Resources – Riparian Land and Watercourses Map and were identified having regard to guidelines issued by the Department of Planning, Housing and Infrastructure, advice from State Government Agencies, and work associated with Council’s Biodiversity Strategy.

f) In addition to the above, aerial photo interpretation and ground surveys were undertaken to determine the top of bank information referred to above.

3A.4.2 Designing to minimise impact on Riparian Land and Watercourses

The principal aim for development affected by Riparian Land and Watercourses issues is to consider steps in the early stage of design to minimise the impact on the area with biodiversity significance. Recommended measures include:

a) Seek advice from an environmental consultant with expertise in riparian land and watercourse issues. This can include consultants with qualifications in ecology, environmental science or related (relevant) fields.

b) Seek advice from Council about areas of biodiversity and conservation significance. These areas have been identified taking into account the NSW Biodiversity Values Map and the results of an assessment process. The effect of the CS areas is to highlight the existence of native vegetation so that the ecological value of the vegetation can be considered as an early part of the development process.

c) As far as possible, retain the natural contours of the land. The degree of cut and fill on a site should be minimised and ensure there are not detrimental impacts on the natural water flow characteristics of the site and surrounding area.

d) Minimise stormwater runoff into creeks or bushland.

e) Maximise the amount of soft landscaped area and planting with local native species on a site.

f) Protect, maintain and promote natural vegetated riparian buffer areas for land shown the Riparian Land and Watercourses Map. Plant species established in the riparian area should consist of local native plant species that area representative of the local vegetation community.

g) Plant local (native) vegetation and tree species other plants should be non-invasive species.

3A.4.3 Assessment Requirements

For development affected by clause 6.6 Riparian Land and Watercourses, consideration of the following matters will be required when documenting the development application, together with appropriate mitigation strategies:

a) Measures that maintain or enhance water quality within the watercourse. This can be achieved by minimising the amount of stormwater discharged from a site into a creek.

b) Development in proximity of a watercourse should include appropriate setbacks and be designed not to compromise the stability of the creek bed, shore and bank of the watercourse.

c) Where relevant measures to ensure the free passage of fish and other aquatic organisms within and along the watercourse.

d) Development impacting on native vegetation will generally be required to submit a report prepared by a qualified consultant, the report will need to address criteria contained in the BOS thresholds (see c.3.2.7 above). In the event that the BOS thresholds are triggered a BDAR will need to be prepared and submitted

e) Where applicable consideration must be given to areas of biodiversity value and the conservation significance assessment prepared by Council as part of the Fairfield Biodiversity Strategy 2022. The Biodiversity Strategy provides the basis for the assessment. Any Threatened species test of significance undertaken per Section 7.3 of the Biodiversity Conservation Act 2016 shall reference the impact of development in relation to the Biodiversity Strategy.

f) Details of any proposed water extraction from, or discharge into the watercourse.

3A.4.4 Coastal Wetlands

Coastal wetlands are identified on urban and rural land within the Fairfield LGA under the SEPP Resilience and Hazards 2021. Coastal Wetlands including all land within 100 metres are identified as environmentally sensitive under the Resilience and Hazards SEPP. The provisions of complying development do not apply to environmentally sensitive land therefore development proposed within 100 metres of a Costal Wetland must be considered under a development application pursuant to Part 4 of the Environmental Planning and Assessment Act.

Note: The Department of Planning, Housing and Environment can be contacted for further information relating to Coastal Wetlands. Councils Section 10.7 (2) Planning Certificates include information relating to coastal wetlands and complying development.

3A.5 Flood Risk Assessment

Fairfield City Council is located within the upper reaches of two floodplains associated with the Georges River (generally to the east of the Sydney Regional Parklands) and Hawkesbury/Nepean River (generally to the west of the Sydney Regional Parklands) Catchment areas.

As such, parts of the City are flood prone and from time to time are subject to the risk of flooding from either mainstream (e.g. associated with discharge from creeks) or overland (e.g. local runoff) flooding.

As part of ongoing flood studies, Fairfield City Council has undertaken a number of investigations into flooding in the City, identifying risk mapped areas.

There are still large sections of the City that require investigation and mapping and as these are completed, additional information and controls will be added to Chapter 11 – Flood Risk Management of this DCP.

The following points set out the steps that need to be followed for all development applications in relation to flood risk analysis and management, regardless of whether or not Council has conducted a flood study for the land. Please read this section carefully and seek assistance from Council officers as required:

a) Check the proposal is permissible in the zoning of the land by reference to Fairfield Local Environment Plan 2013.

b) Consider other relevant planning controls found in other chapters of the City-Wide DCP (e.g. controls which govern size and setback of development).

c) Determine whether the property is flood prone, this can be achieved by obtaining a 10.7(2) Planning Certificate.

d) If the property is flood prone the Section 10.7 Planning Certificate will also indicate which flood risk precincts (i.e. low, medium or high) are applicable to the site.

e) Additional information about the relative flood risk levels to Australian Height Datum (AHD) and floodplain in which a property is located (eg. Georges River, Upper Prospect Creek, etc.) can be obtained by applying for a Section 10.7(5) Certificate which includes this information on a Flood Information Sheet.

f) Enquire with Council regarding existing flood risk mapping or whether a site-specific assessment may be warranted in your case (for example, if local overland flooding is a potential problem). A property may be located in more than one floodplain (e.g. mainstream and overland) and/or more than one Flood Risk Precinct, in which case the assessment must consider the controls relative to each floodplain and each Precinct.

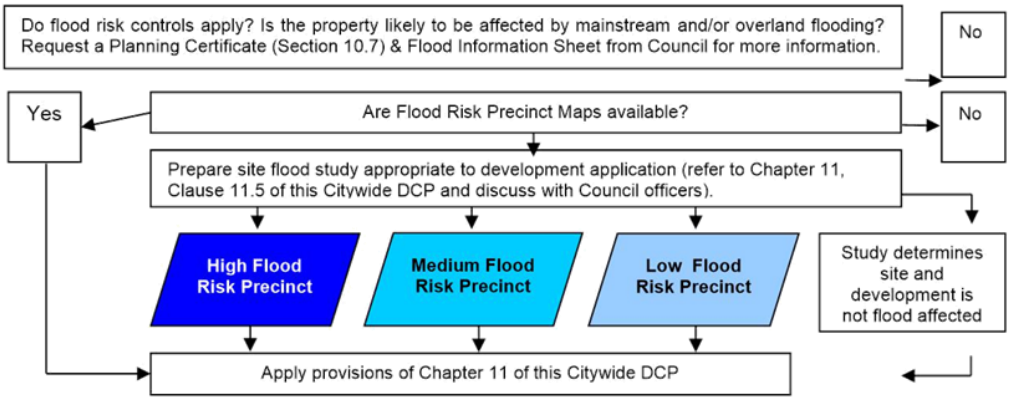
g) Determine the land use category relevant to your development proposal, by firstly confirming how it is defined by the relevant environmental planning instrument and secondly by ascertaining the applicable land use category from Schedule 2 of Chapter 11 of this Plan.

h) Assess and document how the proposal will achieve the performance criteria for development and associated fencing provided by Clauses 11.5 and 11.6 found in Chapter 11.

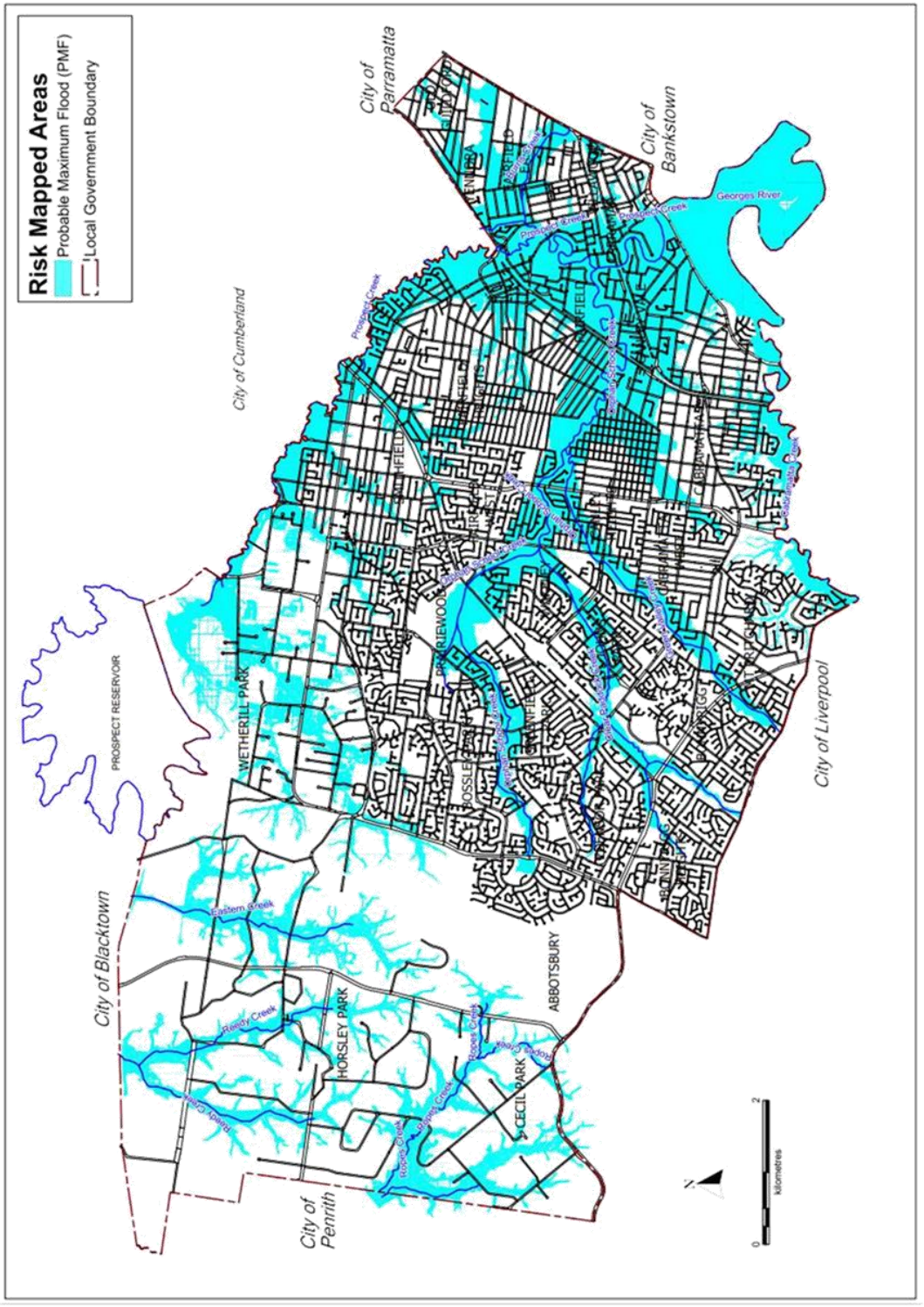
i) Check if the proposal will satisfy the prescriptive controls for different land use categories in different flood risk precincts, as specified in Schedules 3 to 5 in Chapter 11 of this Plan depending on which floodplain the site is located.

If the proposal does not comply with the prescriptive controls, determine whether the performance criteria are nonetheless achieved. The assistance of Council staff or an experienced floodplain consultant may be required at various steps in the process to ensure that the requirements of this Plan are fully and satisfactorily addressed.

The following flow diagram below summarises the overall consideration process.



Note: Please refer to clause 6.4 Floodplain Risk Management for additional provisions that apply within Fairfield Local Environmental Plan 2013 in relation to safe occupation of and evacuation of certain flood liable land.


Risk Mapped Areas
Probable Maximum Flood (PMF)
Local Government Boundary
City of Parramatta
City of Bankstown
City of Cumberland
City of Liverpool
City of Blacktown
City of Penrith
PROSPECT RESERVOIR
WETHERILL PARK
HORSLEY PARK
CECIL PARK
ABBOTSBURY
Georges River
Prospect Creek
Eastern Creek
Reedy Creek
Ropes Creek
kilometres

3A.6 Land Contamination

3A.6.1 Overview

Contaminated land is an important land management issue in Fairfield City. Contaminated land means land in/on or under which harmful substances are present in excess of normal background levels. These substances are often the result of past uses and can have a debilitating effect on human health and the environment. The purpose of this section is to help guide Fairfield City Council and the community in dealing with potentially contaminated land and where relevant, to help safeguard the well being of residents and the environment of Fairfield City.

This section of the City-Wide DCP should be read having regard to the provisions of the Contaminated Land Management Act 1997, Contaminated Land Management (Site Auditors) Regulations 1998, State Environmental Planning Policy Resilience and Hazards 2021 and in response to the provisions of Managing Land Contamination: Planning Guidelines NSW Department of Planning, Housing and Infrastructure and the NSW Government's Office of Environment and Heritage.

Objectives

a) To supplement the provisions of Chapter 4 of SEPP Resilience and Hazards 2021 and associated planning guidelines by clarifying the local context for decision making on contaminated land issues in Fairfield City;

b) To ensure Council considers the likelihood of land contamination as early as possible in the planning and development control process;

c) To link decisions about the development of land with the information available about contamination possibilities; and

d) To provide a policy that will provide strategic and statutory planning options based on the information available about contamination.

Controls

3A.6.3.1 General Requirement

All development applications (except for change of use and occupation DA's) must submit information within the statement of environmental effects (as detailed in Chapter 2) detailing whether there is evidence to suggest that the site of the proposed development may be contaminated. In order to prepare this statement reporting on the sites history including historical records of land use, land title searches, aerial photographs and the results of a site investigation will be necessary.

3A.6.3.2 Preliminary Site Investigation

a) All development proposals on known contaminated land, or land that may be contaminated, will require a preliminary Site investigation (PSI) of the land subject of a development application where:

i. Council has reasonable grounds to believe the land is contaminated because of the land's history, condition, or other information known to Council.
ii. Where there are records or evidence that the land contains fill material and the contamination status of the fill cannot be clarified.
iii. The site has been investigated and/or remediated but there is insufficient information available about the nature and extent of contamination, or the circumstances have changed.
iv. There are restrictions on, or conditions attached to, the use of the site by a regulatory authority that are, or may be, related to contamination, but there is insufficient information available about the nature and extent of contamination.
v. Council records indicate that the site is associated with pollution incidents or illegal dumping of waste.
vi. The site has previous land uses or is adjoining land that has been associated with activities that may cause contamination such as:

Industry	Type of Chemical	Associated Chemicals
Agricultural/ horticultural activity		See Fertiliser, Insecticides, Fungicides and Herbicides under 'Chemicals manufacture and use'
Airports	Hydrocarbons Metals	Aviation fuels Particularly aluminium, magnesium, chromium.
Asbestos production and disposal		Asbestos
Battery manufacture and recycling	Metals	Lead, manganese, zinc, cadmium, nickel, cobalt, mercury, silver, antimony Sulphuric acid
Breweries/distilleries	Alcohol	Ethanol, methanol, esters
Chemicals	Acid/alkali manufacture and use	Mercury (chlor/alkali), sulphuric, hydrochloric and nitric acids, sodium and calcium hydroxides
	Adhesives/resins	Polyvinyl acetate, phenols, formaldehyde, acrylate, phthalate
	Dyes	Chromium, titanium, cobalt, sulphur and nitrogen organic compounds, sulphates, solvents
	Explosives	Acetone, nitric acid, ammonium nitrate, pentachlorophenol, ammonia, sulphuric acid, nitro-glycerine, calcium cyanamide, lead, ethylene glycol, methanol, copper, aluminium, bis(2-ethylhexyl) adipate, dibutyl phthalate, sodium hydroxide, mercury, silver
	Fertiliser	Calcium phosphate, calcium sulphate, nitrates, ammonium sulphate, carbonates, potassium, copper, magnesium, molybdenum, boron, cadmium
	Flocculants	Aluminium
	Foam production	Urethane, formaldehyde, styrene
	Fungicides	Carbamates, copper sulphate, copper chloride, sulphur, chromium, zinc
	Herbicides	Ammonium thiocyanate, carbamates, organochlorines, organophosphates, arsenic, mercury, triazines
	Paints • heavy metals • solvents	Arsenic, barium, cadmium, chromium, cobalt, lead manganese, mercury, selenium, zinc Titanium Toluene oils either natural (eg pine oil) or synthetic
	Pesticides • active ingredients • solvents	Arsenic, lead, organochlorines, organophosphates, sodium tetraborate, carbamates, sulphur, synthetic pyrethroids Xylene, kerosene, methyl isobutyl ketone, amyl acetate, chlorinated solvents

Industry	Type of Chemical	Associated Chemicals
	Pharmaceutical • solvents	Acetone, cyclohexane, methylene chloride, ethyl acetate, butyl acetate, methanol, ethanol, isopropanol, butanol, pyridine methyl ethyl ketone, methyl isobutyl ketone, tetrahydrofuran
	Photography	Hydroquinone, sodium carbonate, sodium sulphite, potassium bromide, monomethyl para-aminophenol sulphate, ferricyanide, chromium, silver thiocyanate, ammonium compounds, sulphur compounds, phosphate, phenylene diamine, ethyl alcohol, thiosulphates, formaldehyde
	Plastics	Sulphates, carbonates cadmium, solvents, acrylates, phthalate, styrene
	Rubber	Carbon black
	Soap/detergent • general • acids • oils	Potassium compounds, phosphates, ammonia, alcohols, esters, sodium hydroxide, surfactants(sodium lauryl sulphate), silicate compounds Sulphuric acid and stearic acid Pal, coconut, pine, Teatree
	Solvents • general • hydrocarbons • chlorinated organics	Ammonia eg BTEX (benzene, toluene, ethylebenze, xylene) eg trichloroethane, carbon tetrachloride, methylene chloride
Defence works		See Explosives under 'Chemicals manufacture and use'; also 'Foundries', 'Engine works' and 'Service Stations
Drum reconditioning		See' Chemicals manufacture and use'
Dry cleaning		Trichloroethylene and 1,1,1-trichloroethane Carbon tetrachloride Perchlorethylene
Electrical		PCBs (transformers and capacitors), solvents, tin lead, copper, mercury
Engine works	Hydrocarbons Metals Solvents Acids/Alkalis Refrigerants	Chlorofluorocarbons, hydro chlorofluorocarbons, hydro fluorocarbons
	Antifreeze	Ethylene glycol, nitrates, phosphates, silicates
Foundries	Metals	Particularly aluminium, manganese, iron, copper, nickel, chromium zinc, cadmium and lead and oxides, chlorides, fluorides and sulphates of these metals
	Acids	Sulphuric and phosphoric Phenolic and amines coke/graphite dust
Gas works	Inorganics	Ammonia, cyanide, nitrate, sulphide, thiocyanate Aluminium, antinomy, arsenic, barium, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, vanadium, zinc
	Organics	BTEX, phenolic, PAHs and coke
Iron and steel works		BTEX, phenolic, PAHs metals and oxides of iron, nickel, copper, chromium, magnesium, manganese and graphite
Landfill Sites		Alkanes an ammonia, sulphides, heavy metals, organic acids
Marinas	Antifouling paints	See 'Engine works' and Electroplating metals under 'Metal treatments' Copper, tributyltin (TBT)
Metal treatments	Electroplating • metals • acids • general	Nickel, chromium, zinc, aluminium, copper, lead, cadmium, tin Sulphuric, hydrochloric, nitric, phosphoric sodium hydroxide, 1,1,1-trichloroethane, tetrachloroethylene, toluene, ethylene glycol, cyanide compounds

Industry	Type of Chemical	Associated Chemicals
	Liquid carburizing baths	Sodium, cyanide, barium, chloride, potassium chloride, sodium chloride, sodium carbonate, sodium canate
Mining and extractive industries		Arsenic, mercury and cyanides and also explosives under 'Chemicals manufacture and use' Aluminium, arsenic, copper, chromium, cobalt, lead, manganese, nickel, selenium, zinc and radio-radionuclides The list of heavy metals should be decided according to the composition of the deposit and known impurities
Power stations		Asbestos, PCBs, fly ash metals, water treatment chemicals
Printing shops		Acids, alkalis, solvents, chromium See also Photography under 'Chemicals manufacture and use'
Railway yards Scrap yards		Hydrocarbons, arsenic, phenolic (creosote), heavy metals, nitrates, ammonia Hydrocarbons, metals, solvents
Service stations and fuel storage facilities		Aliphatic hydrocarbons BTEX (i.e. benzene, toluene, ethyl benzene, xylene) PAHs Phenols Lead
Sheep/ cattle dips		Arsenic, organochlorines, organophosphates, carbamates, synthetic pyrethoids
Smelting and refining		Metals, the fluoride, chlorides and oxides of copper, tin, silver, gold, selenium, lead and aluminium
Tanning and associated trades	Metals	Chromium, manganese, aluminium
	General	Ammonium sulphate, ammonia, ammonium nitrate, arsenic phenolic, formaldehyde, sulphide, tannic acid
Water and sewage treatment plants	Metals	Aluminium, arsenic, cadmium, chromium, cobalt, lead, nickel, fluoride, lime, zinc
Wood preservation	Metals	Chromium, copper, arsenic Naphthalene, ammonia, pentachlorophenol, dibenzofuran, anthracene, biphenyl, ammonium sulphate, quinoline, boron, creosote, organochlorine pesticides

b) Subsequent stages in the investigation of contamination need not apply where:
   i. The contaminated land consultant certifies that the preliminary investigation clearly and unequivocally demonstrates that contamination of the subject land, and its surrounds, has not occurred and the site is appropriate for the proposed use; or
   ii. The subject land has previously been remediated to an appropriate standard acceptable to Council, for the proposed land use.

c) Where the proponent fails to satisfy the above criteria, a detailed investigation will be required as referred to in sub clause 3.6.3.3.

3A.6.3.3 Detailed Site Investigation

a) Should the preliminary investigation fail to clearly demonstrate that the land is suitable for its proposed use, a more detailed assessment and evaluation is to be undertaken.

b) This detailed Site investigation involves formal sampling by a suitably qualified contaminated land consultant in accordance with the *Contaminated Land; Planning Guidelines* and is to include within the statement of environmental effects which:
   i. defines the nature, extent and degree of contamination;
   ii. assesses potential risk posed by contaminants to health and the environment; and
   iii. describes whether the site is suitable for the proposed use whether feasible remediation options exist (and if so what they are).

3A.6.3.4 Submissions Requirements for the detailed investigation phase based on the Category of the proposed development

a) Those development applications which require a detailed investigation under 3.6.3.3, and are category 1 remediations as described by SEPP Resilience and Hazards 2021 will be required to submit with the DA a Remedial Action Plan (RAP). The RAP should be based on EPA guidelines prepared in 1997. The RAP should provide information on investigations and on the proposed development. The objectives of the remediation strategy and the recommended clean-up criteria should be clearly stated in the RAP. The RAP should demonstrate how the proponent proposes to reduce risks to acceptable levels and achieve the desired clean up levels.

b) These development applications which require a detailed investigation under 3.6.3.3, and is a category 2 remediation as described by SEPP Resilience and Hazards 2021 will be required to submit with this detailed investigation information on how they intend to remediate the site. The applicant will undertake remediation as described by Council in the conditions of consent, or through deferred commencement procedures, before the commencement of other works. Council must be notified of validation of this work within one month of the remediation work being completed. Sample conditions of consent are found in Appendix C of the Managing Land Contamination (planning guidelines Chapter 4 State Environmental Planning Policy (Resilience and Hazards 2021) or go to www.planning.nsw.gov.au for this information.

c) If the remediation works for a category 2 development is deemed to be inconsistent with the objectives of clause 3.6.2 then the work becomes a category 1 development.

3A.6.3.5 Assessment Considerations

a) Council before granting consent for a development which requires a RAP or where a detailed investigation has been carried out must adequately consider and be satisfied that the proposed remediation works is of a standard and quality consistent with EPA guidelines.

3A.7 Consideration of SEPP (Resilience and Hazards) 2021

Objectives

To ensure applicants adequately consider SEPP (Resilience and Hazards) 2021 and NSW Hazardous Industry Planning Advisory Paper No.10 – Land Use Safety Planning, 2011.when preparing development applications.

Controls

Applicants are required to consider and address SEPP (Resilience and Hazards) 2021 and NSW Hazardous Industry Planning Advisory Paper No.10 – Land Use Safety Planning when proposing a residential use adjoining a Hazardous or Potentially Hazardous or Offensive or Potentially Offensive Development.

3A.8 Land Affected by Tidal Waters

Overview

Some land in the City adjoining certain creeks and the Georges River are affected by tidal waters.

Clause 5.7 of Fairfield LEP 2013 sets out requirements for properties and development affected by tidal waters and below the mean high water mark. These requirements originate from the NSW Standard LEP Order.

Objectives

To ensure appropriate environmental assessment for development carried out on land covered by tidal waters.

Controls – General

The controls below are reproduced from Clause 5.7 of Fairfield Local Environmental Plan 2013

a) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

b) The controls can apply to a range of development in different zones depending on whether a property is affected by tidal influence or below the mean high water mark.

3A.9 Acid Sulfate Soils

Overview

Acid sulfate soils are the common name given to soils containing iron sulphides. The acid produced by oxidation of iron sulfides affects both soil and water, and can damage the environment severely. As sulfuric acid moves through the soil, it strips iron, aluminium and sometimes manganese from the soil. In the soil this mixture can make the soil so acid and toxic that few plants can survive.

Drainage of coastal wetlands for agricultural and urban development constantly releases enough sulphuric acid and aluminium to affect our waterways. The purpose of this section is to manage the impacts of acid sulphate soils during the construction phase of a development.

Objectives

a) To manage any disturbance to acid sulfate soils so as to minimise impacts on natural water bodies and wetlands, vegetated riparian zones, native vegetation, and on agricultural, fishing, aquaculture, urban and infrastructure activities.

b) To require development consent for works that would disturb soils or groundwater levels in localities identified as having acid sulfate soils.

Controls - General

The controls below are reproduced from Clause 6.1 of Fairfield Local Environmental Plan 2013:

a) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

b) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of Land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered
3	Works more than 1metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1metre below the natural ground surface.
4	Works more than 2 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metre below the natural ground surface.
5	Works within 500 metre of adjacent Class 1, 2, 3 or 4 land that is below 5 metre Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

c) Development consent must not be granted under this clause for the carrying out of works unless an acid sulphate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

d) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:
   i. a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan need not be carried out for the works, and
   ii. the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

e) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
   i. emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
   ii. routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
   iii. minor work, being work that costs less than $20,000 (other than drainage work).

f) Despite subclause (2), development consent is not required under this clause to carry out any works if:
   i. the works involve the disturbance of less than one tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or
   ii. the works are not likely to lower the watertable.

Explanatory Note: The Acid Sulfate Soils – Planning Maps can be downloaded from the NSW Planning Portal under Fairfield LEP 2013.

3A.10 Bushfire

Overview

This section is to ensure that consideration in the development assessment process is given to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas.

Objectives

a) To ensure the types of protection measures imposed on a development are governed by the degree of threat posed to a development;

b) To manage vegetation to reduce potential bushfire attack on habitable buildings; and

c) To ensure the siting and construction of a development is done in such a way that it increases the likelihood of a development surviving a bushfire attack.

Controls – General

That development subject to bushfire risk satisfies the specifications and requirements of the Planning for Bushfire Protection 2019 (Planning for Bush Fire Protection - NSW Rural Fire Service) *that are relevant to the development*, or in the case of a development that is for subdivision purposes and in an area deemed Bushfire Prone that consultation with RFS concerning measures to protect life, property and the environment from bushfire takes place.

3A.11 Landslide Risk

Overview

Some land within the City is at increased risk of landslide. Such land has been identified on the Fairfield Local Environmental Plan 2013 Natural Resources – Landslide Risk Map. Where land is identified on the Landslide Risk Map development of such land is subject to the provisions of clause 6.7 Landslide Risk of LEP 2013.

Controls

The controls below are reproduced from Clause 6.7 Landslide Risk of Fairfield Local Environmental Plan 2013:

Landslide risk [local]

The objective of this clause is to ensure that proposed development on land susceptible to landslide:

i. is commensurate to the underlying geotechnical conditions of the land; and
ii. is restricted on unsuitable land; and
iii. does not endanger life or property.

a) This clause applies to land identified on the Fairfield Local Environmental Plan 2013 Natural Resource – Landslide Risk Map.

b) Before determining a development application in an area identified as landslide risk, the consent authority must consider whether the proposed development's design is responsive to the constraints of landslide risk, including:

i. site layout, including access,
ii. the building's design and construction methods,
iii. the amount of cut and fill,
iv. wastewater management, stormwater and drainage across the site, and
v. the specific geotechnical constraints of the site.

c) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development

i. is designed, sited, constructed and managed to avoid any landslide risk and potential adverse impact on the development or on land in the vicinity of the proposed development, and
ii. will appropriately manage wastewater, stormwater and drainage across the site so as to not affect the rate, volume and quality of water leaving the land.

3A.12 Erosion and Sediment Control

Overview

Erosion and sediment control applies to all sites where works over the site will or may have the potential to involve:

a) Disturbance of the soil surface or placement of fill

b) Changes in the rate and/or volume of run-off from the site

c) Stockpiling of soil, sand or other erodible material.

Objectives

a) To achieve a healthy aquatic ecosystem within the local and broader Georges River and other catchments

b) To maintain Council's and private stormwater drainage infrastructure to maximum operating capacity and life

c) To maintain natural soil on site as part of biodiversity health.

Controls

a) An Erosion and Sediment Control Plan is required for all development sites where soil disturbance, change or stockpiling will occur. Guidelines are available from the NSW Office of Environment and Heritage and NSW Landcom and will be a condition of approval.
b) All conditions attached to an approval that specifies how erosion and sediment will be controlled must be:
   i. put into place prior to any works occurring onsite, and
   ii. maintained throughout the course of the works until the site has been effectively stabilised and revegetated.

3A.13 Heritage Items

Overview

Our environmental heritage involves places and landscapes of historic, cultural, social, spiritual sacrifice, archaeological, architectural or aesthetic significance. Aboriginal places and landscapes of significance include ceremonial sites, camping places, sacred landscapes, quarries and burial sites.

The built environment includes buildings, works, relics and places where important events occurred, or which have important historic associations with the local community. The natural environment includes elements of the natural world such as plants, animals, ecosystems on which they depend and geographic features formed by geological and climatic processes such as a woodland or a fossil site. The modified environment, or cultural landscape, includes areas of the natural environment modified by human occupation such as a rural landscape, a designed garden or an avenue of trees.

Fairfield's heritage is also associated with the significant migration that occurred in the post World War II period. Many cultural and social sites are identified as local heritage items including places of worship. The location of all heritage items located within Fairfield City is available from Council.

To ensure heritage items are kept for existing and future generations to enjoy, it is important to consider heritage issues in the early stages of designing a development proposal or in any maintenance work. Applicants are encouraged to discuss proposals with Council's independent Heritage Adviser, whose assistance is available free of charge.

Objectives

a) to conserve the heritage significance of the natural and built environment for present and future generations to appreciate

b) to ensure that new development does not diminish the significance of the heritage item

c) to set out all the necessary studies, reviews and information applicants must provide based on their proposed development to help make the submission, processing and assessment of applications easier and quicker

d) to enable Council to make an informed decision on the merits of their development proposal based on the information provided.

Control

a) To assist Council in making the assessments required under clause 5.10 of the Fairfield LEP 2013, and to help applicants and designers to take account of heritage issues when contemplating development, applicants must provide the information set out in the table below.

b) Vegetation such as significant landmark trees are important heritage items and are to be retained and protected from any proposed works. An Arborist is to be engaged to assess this impact.

Type of Development	Heritage Item (1)
Demolition and/or new building	DA and SOHI (2)
Major alterations and additions	DA and SOHI (2)
Minor work associated with Council's Heritage Grants Program (3)	Minor Development Application (4)
All proposed work	Consideration of the relevant design guidelines "Heritage and Development" contained within Appendix G to this DCP.

Note 1: Requirements apply to:

a) Items listed in Schedule 5 of the Fairfield LEP 2013 and to any structure on the same parcel of land as such an item.

b) Items listed on the State Heritage Register. The Heritage Council and Fairfield City Council have more detailed requirements, which applicants can obtain by contacting Council's Heritage Advisor.

Note 2: SOHI means a Statement of Heritage Impact is an assessment of the heritage significance of the item prepared by a suitably qualified heritage consultant in accordance with the guidelines issued by the NSW Heritage Office. In most cases the listing sheet in Council's Heritage Inventory will provide sufficient detail of the significance of the item. Consultants are invited to discuss the scope of the SOHI with Council's Heritage Advisor. **For minor work**, Council's Heritage Advisor will discuss proposed work with owners and, where it is assessed that there is no adverse impact, may issue a letter stating conditions upon which the requirement for a SOHI will be waived.

Note 3: Minor Development Applications associated with Council's Heritage Grants Program – In the case of minor works associated with the Heritage Grants Program, Council will accept a development application which includes a completed Development Application Form and the Heritage Grant application details required to be submitted under the Heritage Grants Program.

Note 4: Minor work, including painting, repairs, replacement of original materials with similar materials and some unobtrusive minor alterations, does not require a Development Application but does require owners to write to Council of any intended work. Council will reply with a letter:

a) approving the work, or

b) declining the work, or

c) advising that the work is considered to be major and that a Development Application with SOHI is required.

Note: No fee will be charged for these types of development applications as they form part of Council's Heritage Grants Program.

Note 2: Discussion with the Heritage Advisor is available free of charge. Council's booklet "Heritage and Development" also provides guidelines on how to sympathetically alter a heritage item.

SCHEDULE: Trees and plants that can be removed without the need for a permit from Council

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Aaron's Beard / Rose-of-Sharon	*Hypericum calcinum*			□				
African boxthorn	*Lycium ferocissimum*	□						□
African lovegrass	*Eragrostis curvula*			□				
African olive	*Olea europaea subsp. cuspidata*		□				□	
Agapanthus	*Agapanthus Praecox subsp. Orientalis*			□				
Alligator weed	*Alternanthera philoxeroides*	□	□				□	
American cooton palm / Cotton palm / California fan palm	*Washingtonia filifera*			□				
Anchored water hyacinth	*Eichhornia azurea*	□			□			
Apple of Sodom	*Solanum linnaeanum*			□				
Arrowhead	*Sagittaria montevidensis*			□				
Arum lily	*Zantedeschia aethiopica*			□				
Asparagus weeds	*Asparagus species (generally)*	□						□
Athel pine	*Tamarix aphylla*	□						□
Awabuki sweet viburnum	*Viburnum odoratissimum var awabuki*			□				
Balloon vine	*Cardiospermum grandiflorum*			□				
Banana passionfruit	*Passiflora tarminiana*			□				
Beach daisy	*Arctotheca populifolia*			□				
Bellyache bush	*Jatropha gossypiifolia*	□						□
Berberis / Barberry	*Berberis aristata / B. darwini / B.thunbergii*			□				
Billardieria / Bluebell creeper	*Billardiera heterophylla*			□				
Bitou bush	*Chrysanthemoides monilifera subsp. Rotundata*	□					□	
Black cherry / Wild black cherry	*Prunus serotina*			□				
Black knapweed	*Centaurea nigra*	□			□			
Black locust	*Robinia pseudoacacia*			□				
Black willow	*Salix nigra*		□		□	□		
Blackberry	*Rubus fruticosus species aggregate*	□						□
Blue heliotrope	*Heliotropium amplexicaule*			□				
Blue hound's tongue	*Cynoglossum creticum*			□				

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Blue periwinkle	*Vinca major*			□				
Blue stars	*Aristea ecklonii*			□				
Bokhara	*Melilotus albus*			□				
Boneseed	*Chrysanthemoides monilifera subsp. Monilifera*	□				□		
Box Elder	*Acer negundo*			□				
Brazilian button flower	*Centratherum punctatum*			□				
Brazilian cherry	*Eugenia uniflora*			□				
Bridal creeper	*Asparagus asparagoides*	□						□
Bridal veil creeper	*Asparagus declinatus*	□			□			
Broad-leaf pepper tree	*Schinus terebinthifolius*			□				
Broomrapes	*Orobanche species*	□			□			
Buckthorn	*Rhamnus alaternus*			□				
Buffel grass	*Cenchrus ciliaris*			□				
Burr ragweed	*Ambrosia confertiflora*			□				
Bushman's poison / Hottentot's poison / Poison arrow plant /Wintersweet	*Acokanthera oblongifolia*			□				
Cabomba	*Cabomba species*	□	□					□
Camphor laurel	*Cinnamomum camphora*			□				
Cane needle grass	*Nassella hyalina*			□				
Cape / Montpellier broom	*Genista monspessulana*	□						□
Cape honeysuckle	*Tecoma capensis*			□				
Cape ivy	*Delairea odorata*			□				
Cape tulip	*Moraea species*			□				
Cassia	*Senna pendula var. glabrata*			□				
Cat's claw creeper	*Dolichandra unguis-cati*	□	□					□
Cherry guava	*Psidium cattleianum*			□				
Chilean needle grass	*Nassella neesiana*	□						□
Chinese celtis	*Celtis sinensis*			□				
Chinese elm	*Ulmus parvifolia*			□				
Chinese knotweed	*Persicaria chinensis*		□			□		
Chinese tallow tree	*Triadica sebifera*			□				
Chinese violet	*Asystasia gangetica subsp. micrantha*		□		□			
Climbing asparagus	*Asparagus africanus*	□	□			□		□
Climbing asparagus fern	*Asparagus plumosus*	□						□
Climbing nightshade / Brazilian nightshade	*Solanum seaforthianum*			□				
Cockspur coral tree	*Erythrina crista-galli*			□				
Cocos palm	*Syagrus romanzoffiana*			□				

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Coffee bush / Leucaena	*Leucaena leucocephala*			□				
Coolatai grass	*Hyparrhenia hirta*			□				
Coral berry	*Ardisia crenata*			□				
Coral creeper	*Barleria repens*		□		□			
Coral tree	*Erythrina x sykesii*			□				
Corky passionfruit	*Passiflora suberosa*			□				
Cotoneaster	*Cotoneaster glaucophyllus*			□				
Creeping lantana	*Lantana montevidensis*			□				
Crofton weed	*Ageratina adenophora*			□				
Cumbungi	*Typha latifolia*			□				
Day-lily / Kwanso	*Hemerocallis fulva*			□				
Dipogon	*Dipogon lignosus*			□				
Dutchmans pipe	*Aristolochia elegans*			□				
East Indian hygrophila	*Hygrophila polysperma*		□		□			
Espartillo – broad kernel	*Amelichloa caudata*			□				
Espartillo – narrow kernel	*Amelichloa brachychaeta*			□				
Eurasian water milfoil	*Myriophyllum spicatum*	□			□			
European hackberry / Lote tree / Nettle tree / Mediterranean hackberry	*Celtis australis*			□				
European olive	*Olea europaea subsp. Europaea*			□				
Firethorn	*Pyracantha spp.*			□				
Fireweed	*Senecio madagascariensis*	□						□
Fishbone fern	*Nephrolepis cordifolia*			□				
Flax-leaf broom	*Genista linifolia*	□						□
Formosa lily / Taiwan lily	*Lilium formosanum*			□				
Fountain grass	*Pennisetum setaceum*			□				
Foxglove tree / Empress tree	*Paulownia tomentosa*			□				
Frogbit	*Limnobium laevigatum*	□			□			
Galenia	*Galenia pubescens*			□				
Gamba grass	*Andropogon gayanus*	□			□			
Giant devil's fig	*Solanum chrysotrichum*		□		□			
Giant Parramatta grass	*Sporobolus fertilis*			□				
Giant rat's tail grass	*Sporobolus pyramidalis*		□		□			
Giant reed	*Arundo donax*		□					□
Ginger lily	*Hedychium gardnerianum*			□				
Glory lily	*Gloriosa superba*		□			□		
Golden rain tree	*Koelreateria elegans*			□				
Golden wreath wattle	*Acacia saligna*			□				
Gorse	*Ulex europaeus*	□	□				□	□

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Green cestrum	*Cestrum parqui*		□					□
Grey sallow	*Salix cinerea*		□			□		
Ground asparagus	*Asparagus aethiopicus*	□						□
Groundsel bush	*Baccharis halimifolia*			□				
Harrisia cactus	*Harrisia species*			□				
Hawkweed	*Hieracium species*	□			□			
Himalayan honeysuckle	*Leycesteria formosa*			□				
Holly / English holly	*Ilex aquifolium*			□				
Holly-leaved senecio	*Senecio glastiolius*		□				□	
Honey locust	*Gleditsia triacanthos*			□				
Horsetails	*Equisetum species*		□				□	
Hydrocotyl / Water pennywort	*Hydrocotyl ranunculoides*	□			□			
Hygrophila	*Hygrophila costata*		□			□		
Hymenachne	*Hymenachne amplexicaulis and hybrids*	□	□		□			□
Indian hawthorn	*Rhaphiolepis indica*			□				
Japanese climbing fern	*lygodium japonium*			□				
Japanese hawthorn / Yeddo hawthorn	*Rhaphiolepis umbellata*			□				
Japanese honeysuckle	*Lonicera japonica*			□				
Jasmine / White Jasmine / Chinese jasmine	*Jasminum polyanthum*			□				
Karroo thorn / acacia	*Vachellia Karoo / Acacia karroo*	□			□			
Kei apple	*Dovyalis caffra*		□			□		
Keriberry	*Rubus rugosus*			□				
Kidney-leaf mud plantain	*Heteranthera reniformis*		□			□		
Kikuyu	*Penniserum clanestinum*			□				
Kochia	*Bassia scoparia*	□			□			
Koster's curse	*Clidemia hirta*	□			□			
Kudzu	*Pueraria lobata*		□			□		
Lagarosiphon	*Lagarosiphon major*	□			□			
Lantana	*Lantana species*	□						□
Leaf cactus	*Pereskia aculeata*		□			□		
Leafy elodea	*Egeria densa*			□				
Long-leaf willow primrose	*Ludwigia longifolia*			□				
Madeira vine	*Anredera cordifolia*	□						□
Mahonia / Chinese holly	*Berberis lomariifolia*			□				
Mesquite	*Prosopis species*	□						□
Mexican feather grass	*Nassella tenuissima*	□			□			

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Mexican water lily / Yellow water lily	*Nymphaea mexicana*			□				
Miconia	*Miconia species*	□			□			
Mikania vine	*Mikania micrantha*	□			□			
Mimosa	*Mimosa pigra*	□			□			
Mimosa bush / Briar bush / Yellow mimosa	*Vachellia farnesiana*			□				
Ming asparagus fern	*Asparagus macowanii var. zuluensis*		□			□		
Mirror bush	*Coprosma repens*			□				
Mistflower	*Ageratina riparia*			□				
Monkey's comb	*Pithecoctenium crucigerum*			□				
Montbretia	*Crocosmia x crocosmiiflora*			□				
Morning glory – coastal	*Ipomoea cairica*			□				
Morning glory – common	*Ipomoea purpurea*			□				
Morning glory – purple/blue	*Ipomoea indica*			□				
Mossman River grass	*Cenchrus echinatus*			□				
Moth vine	*Araujia sericifera*			□				
Mother-of-millions	*Bryophyllum spp.*			□				
Murraya / Orange jessamine	*Murraya paniculata*			□				
Mysore thorn	*Caesalpinia decapetala*		□			□		
New Zealand flax	*Phormium tenax*			□				
Nodding thistle	*Carduus nutans*		□		□			
Ochna / Micky Mouse plant	*Ochna serrulata*			□				
Onion grass	*Romulea rosea*			□				
Opuntia	*Opuntia spp., Cylindropunta spp., Austrocylindropunta spp. (excludes O.ficus- indica*	□						□
Osage orange	*Maclura pomifera*			□				
Pampas grass	*Cortaderia species*		□					□
Pampas lily of the valley	*Salpichroa origanifolia*			□				
Paper mulberry	*Broussonetia papyrifera*			□				
Parthenium weed	*Parthenium hysterophorus*	□			□			
Paterson's curse	*Echium plantagineum*			□				
Patula pine / Mexican weeping pine	*Pinus patula*			□				
Pellitory / Asthma weed	*Parietaria judaica*			□				
Phoenix palm / Canary Island date palm	*Phoenix canariensis*			□				

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Pink trumpet vine	*Podranea ricasoliana*			□				
Pond apple	*Annona glabra*	□			□			
Prairie ground cherry	*Physalis hederifolia*							
Prickly acacia	*Acacia nilotica*	□			□			
Privet – broad-leaf	*Ligustrum lucidum*			□				
Privet – European	*Ligustrum vulgare*			□				
Privet – narrow-leaf	*Ligustrum sinense*			□				
Radiata pine	*Pinus radiata*			□				
Rattlepods	*Crotalaria lunata*			□				
Red ludwigia	*Ludwidgia repens*			□				
Reed canary grass	*Phalaris arundinacea*			□				
Reed sweet grass	*Glyceria maxima*			□				
Rhizomatous bamboo	*Phyllostachys species*			□				
Rhodes grass	*Chloris gayana*			□				
Rhus tree	*Toxicodendron succedaneum*			□				
Rubber vine	*Cryptostegia grandiflora*	□			□			
Rush - soft	*Juncus effusus*					□		
Rush - jointleaf	*Juncus articulatu*					□		
Sagittaria	*Sagittaria platyphylla*	□						□
Salvinia	*Salvinia molesta*	□	□				□	□
Scotch broom	*Cytisus scoparius*	□	□					□
Scotch thistle	*Onopordum acanthium*			□				
Sea spurge	*Euphorbia paralias*		□				□	
Sedge / Cyperus	*Cyperus teneristolon*			□				
Senegal tea plant	*Gymnocoronis spilanthoides*		□				□	
Serrated tussock	*Nassella trichotoma*	□	□				□	□
Siam weed	*Chromolaena odorata*	□			□			
Sicilian sea lavender	*Limonium hyblaeum*		□			□		
Sicklethorn	*Asparagus falcatus*		□			□		
Silverleaf nightshade	*Solanum elaeagnifolium*	□						□
Singapore daisy	*Wedelia trilobata*		□					□
Siratro	*Macroptilium atropurpureum*							
Skunk vine	*Paederia foetida*		□			□		
Snakefeather	*Asparagus scandens*	□						□
Spanish broom	*Spartium junceum*		□		□			
Spanish heath	*Erica lusitania*			□				
Spiderwort / Moss inch plant	*Tradescantia cerinthoides*			□				
Spiny burrgrass – longispinus	*Cenchrus longispinus*			□				

Common Name	Scientific name	State	Regional	Greater Sydney Local	Prevention	Eradication	Containment	Asset Protection
Spiny rush / Spike rush / Sharp rush	*Juncus acutus*			□				
Spotted knapweed	*Centaurea stoebe subsp. micranthos*	□			□			
St. John's wort	*Hypericum perforatum*			□				
Sweet briar	*Rosa rubiginosa*			□				
Sweet vernal-grass	*Anthoxanthum odoratum*			□				
Tall wheat grass	*Thinopyrum ponticum*			□				
Tangier pea	*Lathyrus tingitanus*			□				
Trad / Wandering Jew	*Tradescantia albiflora*			□				
Tree-of-heaven	*Ailanthus altissima*			□				
Tropical soda apple	*Solanum viarum*	□				□		
Turkey rhubarb	*Acetosa sagittata*			□				
Tussock paspalum	*Paspalum quadrifarium*			□				
Tutsan	*Hypericum androsaemum*			□				
Umbrella tree	*Schefflera actinophylla*			□				
Viper's bugloss	*Echium vulgare*			□				
Water caltrop	*Trapa species*	□			□			
Water hyacinth	*Eichhornia crassipes*	□	□				□	□
Water lettuce	*Pistia stratiotes*		□		□			
Water poppy	*Hydrocleys nymphoides*		□				□	
Water soldier	*Stratiotes aloides*	□			□			
Water star grass	*Heteranthera zosterifolia*		□		□			
Watsonia	*Watsonia meriana*			□				
Whisky grass	*Andropogon virginicus*			□				
White blackberry	*Rubus niveus*		□		□			
Wild poinsettia	*Euphorbia cyathophora*			□				
Wild tabacco	*Solanum mauritianum*			□				
Willow-leaf primrose / Water primrose	*Ludwigia peruviana*		□					
Willows	*Salix species*	□	□			□		□
Winter senna	*Senna septemtrionalis*							
Witchweed	*Striga species*	□			□			
Yellow bells	*Tecoma stans*			□				
Yellow burrhead	*Limnocharis flava*	□			□			
Yorkshire fog	*Holcus lanatus*			□				

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 3B
Heritage & Development

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Context and Objectives

This Chapter is to be used for any proposed development that directly affects or is in the vicinity of items and areas identified as having Aboriginal and/or built heritage within the Fairfield Local Government Area (LGA). This includes places and landscape of historic, cultural, social, architectural, and archaeological significance. The purpose of this Chapter, which is divided into two parts, is to ensure that heritage in Fairfield is maintained and enhanced for future generations to enjoy.

3B.1 Aboriginal Heritage

3B.1 Introduction

The information and contents of Part 1 of this Chapter are based from the findings and recommendations of the *Fairfield City Council Aboriginal Heritage Study 2017* which can be viewed on Council's website at www.fairfieldcity.nsw.gov.au. The specific technical requirements of this section originate from the Department Climate Change, Energy , the Environment and Water (now known as Heritage NSW) *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* accessible via their website www.environment.nsw.gov.au.

3B.1.1 Context

Aboriginal people have lived in the Fairfield Local Government Area for thousands of years. Their presence shaped the land encountered by the first Europeans and gave places like Cabramatta their name. Fairfield City Council understands the importance of both protecting and celebrating Aboriginal culture and heritage. One of the key ways to achieve this is by ensuring that the potential impacts of a development on Aboriginal heritage are considered.

This section is designed to help applicants address the requirements of State Legislation and polices, including due diligence required by the National Parks and Wildlife (NP&W) Act 1974, as well as the Environmental Planning and Assessment (EP&A) Act 1979.

The objectives of Part 1 Aboriginal Heritage are:

a) To ensure that new development takes appropriate account of the significance of Aboriginal heritage and that no Aboriginal objects are damaged in the development;

b) To promote the protection or conservation of Aboriginal objects or places; and

c) To respect and celebrate Aboriginal Heritage in Fairfield City.

3B.1.2 What is Aboriginal Heritage

Aboriginal heritage can include any object or place used by Aboriginal people up to and including the present day. Aboriginal heritage is not limited to the physical remains of a place such as a structure or archaeological site, but can also include the associations people have had, or continue to have with a place – a place's social history and social significance.

Managing Aboriginal heritage is therefore not only limited to protecting a place from development impact, it is also about celebration, remembrance and recognition. In some cases, this can be achieved through permanent signage onsite (even where nothing physical remains of the place), documenting oral histories, curating an arts exhibition or creating a website.

3B.1.3 Statutory Requirements

Aboriginal heritage is protected by a range of State legislation and policies. Consideration of the potential impacts of development on Aboriginal heritage is a key part of the environmental impact assessment process under the Environmental Planning and Assessment (EP&A) Act 1979. Additionally, under Section 86 of the National Parks & Wildlife (NP&W) Act 1974 it is an offence to harm either an Aboriginal object or Aboriginal Place in NSW either knowingly [s86(1)] or unknowingly [s86(2)].

3B.1.4 Due Diligence

For activities that are not low impact and not on disturbed land (as defined within the National Parks and Wildlife Regulation 2019), evidence of following due diligence procedures in development is a defence against prosecution for the strict liability offence under s86(2) of the NP&W Act 1974 if an Aboriginal Object or Place is unknowingly harmed without an Aboriginal Heritage Impact Permit (AHIP).

The Office of Environment and Heritage has a Due Diligence Code of Practice, designed to assist proponents to exercise due diligence when carrying our activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an Aboriginal Heritage Impact Permit (AHIP).

The due diligence procedure sets out reasonable and practicable steps which individuals and organisations need to take in order to:

a) Identify whether or not Aboriginal objects are, or are likely to be, present in an area.

b) Determine whether or not their activities are likely to harm Aboriginal objects (if present).

c) Determine whether an AHIP application is required.

Council has its own detailed due diligence procedure that is applied during the Development Assessment process based on the Department Climate Change, Energy, the Environment and Water *Due Diligence Code of Practice*.

Prior to a submission of a Development Application proponents are able undertake an initial assessment of the potential impacts of their development on Aboriginal Heritage in accordance with the *Due Diligence Code of Practice*.

3B.1.5 Low impact activities on disturbed land

The requirement to undertake Due Diligence for proposed activities has exemptions for ‘low impact activities’ in ‘disturbed lands’. These are defined by the National Parks and Wildlife Regulation and may be subject to change.

See http://www.legislation.nsw.gov.au/ for up to date regulations. The list of 'low impact activities' in the Regulation is lengthy and includes many common open space maintenance activities, however for example, does not include activities such as the construction of a new dwelling or road.

The list of 'disturbed lands' in the Regulation is also lengthy however, generally, land is considered 'disturbed' if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Some examples of activities that may have disturbed land include soil ploughing, the construction of rural infrastructure (such as dams and fences), roads, trails and tracks, buildings or structures, substantial grazing or earthworks.

The exemption only applies to 'low impact activities' in 'disturbed land'. It does not apply to other activities in 'disturbed land'. For example, constructing a house on land defined under the Regulation as 'disturbed' is not an exempt activity.

NOTE: The exemption for 'low impact activities' in 'disturbed land' does not apply to Aboriginal Scarred trees whether or not they are 'known' through recording on the AHIMS Register.

3B.1.6 Potential Investigation Areas (PIA)

To assist in the identification of areas of the City where Aboriginal Heritage needs to be taken into account, Council's Aboriginal Heritage Study identified Potential Investigation Areas based on best current archaeological practice (Figure 1). These areas include:

- Relatively undisturbed ground within 200 metres of creekline or major ridgeline.
- Land within 50 metres of known aboriginal Sites.
- Aboriginal Historical Places.

Properties within Potential Investigation Areas will be noted within a Section 10.7 (2) &(5) certificate.

More information on the methodology behind the determination of Potential Investigation Areas in Fairfield City is available within Section 6.2.2 of the F*airfield City Council Aboriginal Heritage Study 2017*.

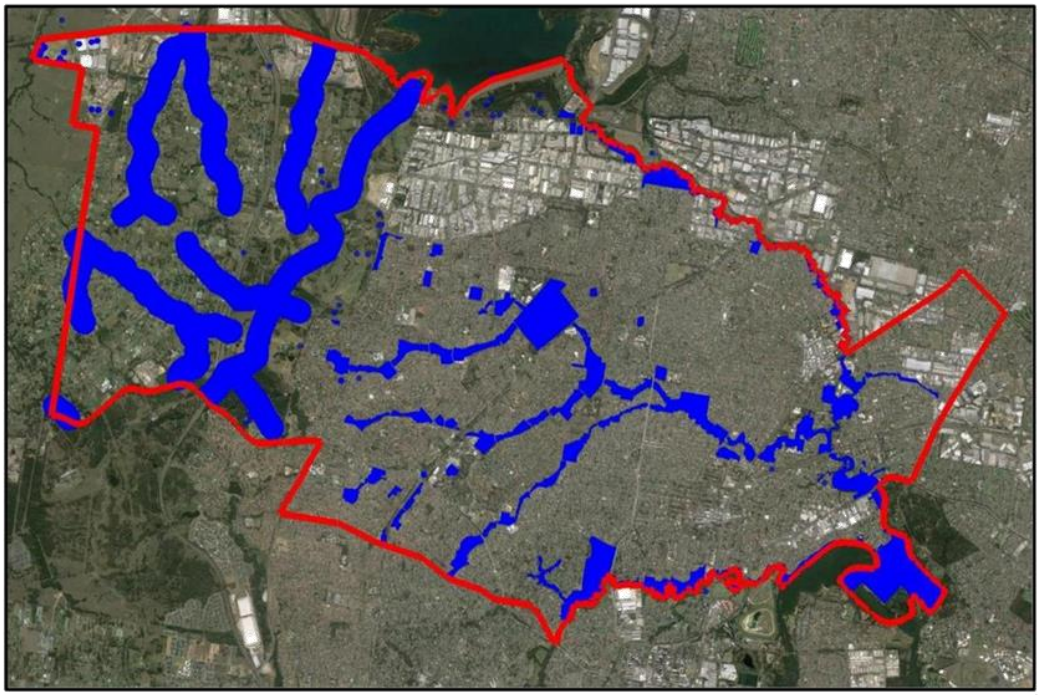

Figure 1: Potential Investigation Areas within Fairfield City Council.

3B.1.7 Procedure for Development Assessment

Each Development Application's impact on Aboriginal Heritage will be assessed by Council in accordance with the principles of Council's own Aboriginal Heritage Management system as recommended under Council's *Aboriginal Heritage Study 2017*.

If Council deems that a development may have an impact on Aboriginal Heritage, an Aboriginal Heritage Assessment will be required. The requirements for an Aboriginal heritage Assessment are outlined below (Section 15.1.8 and 15.1.9). Under the development assessment process, if Council advises that an Aboriginal Heritage Assessment is not required, this indicates that there is a low likelihood that Aboriginal objects will be impacted by the proposal. It does not however constitute a guarantee that no Aboriginal heritage may be exist on a site.

Any Aboriginal objects which may be present within the property are still legally protected. All development applications in potential investigation areas contain an advisory note that outlines the legal responsibilities of all proponents regarding Aboriginal heritage.

NOTE 1: The presence of Aboriginal objects on a site does not prevent development from occurring. However, modifications may be required to a development to accommodate the presence of Aboriginal heritage.

3B.1.8 Requirements for Aboriginal Heritage Assessment

Where proponents are required to provide an Aboriginal heritage assessment, the following standards need to be met. This will ensure that the assessment is consistent with the Department Climate Change, Energy, the Environment and Water *Due Diligence Assessment Code of Practice for the Protection of Aboriginal Objects in New South Wales* and the obligations of Council. Any Aboriginal heritage assessment report submitted to Council should:

- Be undertaken by a suitably qualified Aboriginal heritage consultant;
- Also meet the requirements for Due Diligence as per the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales;
- Contain evidence of Aboriginal community consultation with the relevant Local Aboriginal Land Councils;
- Include evidence of a current (no more than 12 months old) search of the AHIMS Aboriginal Sites Register and consideration of relevant previous Aboriginal heritage investigations;
- Involve a field inspection, or justification as to why an inspection was not considered necessary (for example if background research confirmed that the land has been comprehensively disturbed in the past);
- Consider ways in which harm to known or potential Aboriginal objects can be avoided in relation to the proposed activity and outline the steps to be followed to ensure this (e.g. an alternative location or method of construction);
- Identify further requirements in situations where harm cannot be avoided (e.g. archaeological test excavation, applications for an Aboriginal Heritage Impact Permit).

3B.1.9 Actions resulting from Aboriginal Heritage Assessments

All Aboriginal heritage assessments received by Council will be reviewed to determine:

a) If the assessment and documentation is sufficient to support a determination in relation to the proposal;

b) If the assessment report and proposal will require referral to Heritage NSW as Integrated Development under Part 4 of the Environmental Planning and Assessment Act (1979).

It is noted that there are some options under current procedure which allow further investigation without referral to Heritage NSW. Under the Department Climate Change, Energy, the Environment and Water *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW*, in certain circumstances, archaeological test excavation can be undertaken without an Aboriginal Heritage Impact Permit.

As part of the Aboriginal Heritage Assessment, a proponent may decide, on advice from their Aboriginal heritage consultant, that such test excavations will take place prior to obtaining development consent. The resulting report is described as an Aboriginal Cultural Heritage Assessment report and will require referral to Heritage NSW unless no Aboriginal objects were uncovered during the excavations and it is assessed that no potential harm will arise from the proposed development activity.

NOTE: The requirements stated in 2.1 and 2.2 above will not apply to developments where there is no:

a) Disturbance of the soil, or

b) Construction works on the land. For the purposes of this section, any internal or external works to an existing building is not deemed to be construction work.

3B.2 Built and Landscaped Heritage

3B.2 Introduction

Fairfield City contains many items that have environmental heritage value or that are located within the vicinity of such items. Schedule 5 of the Fairfield Local Environmental Plan (FLEP) 2013 contains a list of heritage items located within Fairfield City. These items are subject to the provisions of Clause 5.10 of the FLEP 2013.

The guidelines contained within this Chapter are designed to assist owners of heritage listed properties and those in the vicinity of such properties when contemplating maintenance, renovation and building works.

3B.2.1 Context

Part 2 of this chapter applies to any development associated with a heritage item or land within the vicinity of a heritage item. The controls in this chapter are additional to all types of developments located within the Fairfield Citywide Development Control Plan (FCW DCP) 2024.

The objectives of this chapter aim to:

a) Retain, conserve and enhance the heritage items and their associated setting.

b) Ensure that the heritage significance, streetscape and landscape character of heritage items are maintained.

c) Ensure the alteration and additions to heritage items do not compromise the significance and character of individual heritage items.

d) Ensure new development within the vicinity of heritage items in respect to the heritage context and is sympathetic in terms of form, scale, character, bulk, orientation, setback, colours and textures, and does not mimic or adversely affect the significance of the heritage item.

This chapter applies to any development that is:

a) A heritage item listed under Schedule 5 Environmental Heritage within the FLEP 2013;

b) In the vicinity of a heritage item identified in the FLEP 2013.

For any development within the above categories, a pre-development advisory meeting is recommended prior to the lodgement of a Development Application.

Where there is inconsistency between the controls in this chapter and in any other part of this DCP, the controls in this chapter prevail.

This application process allows a merit-based assessment to occur in relation to development affecting heritage items.

3B.2.1.1 Supporting Heritage Documentation

For any works within the above categories, a Heritage Impact Statement (HIS) is required as a minimum. A Heritage Management Document (HMD) such as a Conservation Management Plan (CMP) may be required for works to a heritage item. The HIS or HMD are to be completed by an appropriately qualified and experienced heritage consultant.

Applicants are advised to refer to:

a) Council's Heritage Inventory Sheets

b) Australia ICOMOS Charter for Placed and Cultural Significance 2013

c) Council's DA Guide within Chapter 2 of this DCP

d) Council's Heritage Study

e) *Better Placed Design Guide for Heritage*, Heritage Council of NSW and Government Architect of NSW, 2019

3B.2.1.2 Statement of Heritage Significance

The heritage significance of Fairfield is contained within:

a) The evidence provided by its rich history and all its sequential layers from Aboriginal occupation, early timber mills to orchards and farming followed by the rapid growth of suburban development in response to the establishment of railways.

b) The evidence it provides of the history of planning through the segregation of residential areas from other urban uses, subdivision patterns which reflects a range of suburban aspirations, the use of residential district proclamations, street tree planting and post-war neighbourhood planning.

c) The evidence offered by built landscaped, garden design, incorporating a variety of horticultural styles in harmony with the natural landscape.

3B.3 Subdivision

Objective:

a) To retain the historic subdivision patterns that reflect the age, circumstances of the early and later subdivisions including the characteristics and built form spacing.

b) To ensure that new development respects the established streetscape, and the historical patterns of the development.

c) To ensure new subdivisions and lot consolidations do not have an adverse impact upon the curtilage of heritage items, the streetscape setting of significant buildings and the identified character of the area as a whole.

d) To encourage the incorporation of heritage items into larger consolidated development sites whilst avoiding isolation within new developments.

e) To ensure new development respects and conserves heritage items including the garden setting, streetscape and important views.

Controls:

Applications for subdivision and site consolidation is discouraged and will only be considered if:

a. Heritage significance:

i. The subdivision or site consolidation will not have any adverse effect of the significance of the heritage item.
ii. Retains the typical block width characteristics and historical subdivision pattern of the area.
iii. Retains the significance of the item including the ability to demonstrate the historic use of the item and to continue any significant cultural practises and uses of the item.

b. Settings and views:

i. The setting and curtilage of heritage items or significant buildings in the vicinity, including important structures and elements that are retained.
ii. Maintains any relationship between key elements which are significant to the heritage item, including any historically significant boundaries, fence lines or plantings, built fabric, landscape design, natural features and archaeological remains.
iii. Vistas and views to and from heritage items, public viewing points and contributory properties, especially the principal elevations of buildings that are not interrupted, obscured, or hold a visual, historic or functional link to the heritage item.
iv. The landscape quality of the streetscape is retained.
v. The contours and any natural features of the site have been retained and respected.
vi. Will not result future development that will adversely affect the significance and character of the heritage item.

c. Curtilage:

i. Recognises the original orientation, setbacks, traditional access points and historic subdivision pattern.
ii. Retain any buffer areas which protect the item from visually unsympathetic development.
iii. Keeps significant associated elements on one title with the heritage item.
iv. Retains the ability to interpret the historical use, design, layout and significant cultural practises associated with the item.

d. Conservation:

i. Promotes conservation and continued use of the heritage item, for example, demonstrating that funds generated from the subdivision or future development will be applied for the conservation of the heritage item.
ii. Is consistent with any existing Conservation Management Plan of Strategy endorsed by Council.

1) Subdivision or consolidation is not supported where the setting or curtilage of any heritage item within or adjoining the site would be compromised.

2) The distance or setback of new development from a heritage item is to consider the curtilage and setting of the item informed by a Conservation Management Plan (CMP).

3) Applications for subdivision requires a curtilage assessment.

3B.4 Development of Heritage Items

3B.4.1 Demolition

Objectives:

a) To ensure that heritage items and all significant elements are retained and conserved.

b) To provide a photographic record of a heritage item before and during major works, including demolition.

Controls:

a) The demolition of a heritage item, including buildings, other structures, trees and landscape features if not supported. Council will only consider the demolition of a heritage item where the proposal can satisfactorily demonstrate:
   i. Retention and stabilisation of the building or structure is unreasonable whilst consider ting the heritage significance of the property and whether it constitutes a danger to the *public*.
   ii. All alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

b) For partial demolition of a heritage item, including any parts of the building, structures, trees and landscape features, consideration will be given:

i. On the significance of the partial demolition and whether its retention is considered necessary;
ii. The contribution to the significance of the heritage item as a whole; and
iii. Whether all alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

Note: Council may require the reconstruction following any unauthorised removal of detail or important elements that contribute to the significant and character of the heritage item.

Plans for the replacement building or structure are to be lodged concurrently so that the application can be assessed concurrently.

3B.4.2 Building Design

3B.4.2.1 Alterations and Additions

Objectives:

a) To ensure the significant external and internal features of a heritage item and its setting are retained and new development is sympathetic in terms of bulk, form, style, character, scale and materials.

b) To encourage the reinstatement of missing elements where known and the removal of unsympathetic changes of a heritage item.

c) To ensure that the materials, finishes and colours of new work enhances the identified significance of the heritage item.

Controls:

a) All work to a heritage item are to comply with the control in this section.

b) Development application for works to a heritage item require a schedule of materials, colours and finishes to be submitted.

c) All significant built features of a heritage item are to be retained and conserved.

d) Original materials, finishes and details are to be retained and their repair using traditional techniques is encouraged.

e) Alterations and additions are to respect the scale, form, height, location, materials and colours of the heritage item.

f) Alterations and additions are to be located at the rear or side of the building to maintain the integrity of the prominent elevation sand streetscape contribution.

g) Extension, alterations and additions are not to visually dominate or compete with the original scale of the existing buildings which are added.

h) The re-instatement of missing elements and details where known and the removal of past unsympathetic changes is encouraged.

i) Major internal alterations resulting in the loss of significant interior details, finishes, built fabric, room layout and original floor plan are unlikely to be supported unless it can be demonstrated that there is no adverse impact on the heritage item.

3B.4.2.2 Adaptive Reuse

Objectives:

To ensure that new uses for heritage items are compatible with the fabric and heritage significance of the heritage item.

Controls:

a) Adaptive reuse of a heritage item is permissible under clause 5.10(10) of the Fairfield LEP 2013 where the conservation of the heritage item is facilitated. Substantial alteration of a heritage item is generally not supported.

b) Development involving adaptive reuse of a heritage item requires the preparation of a Conservation Management Plan (CMP) by an experienced consultant to guide change and ensure conservation of heritage item.

c) In accordance with clause 5.10(10) of the Fairfield LEP 2013, Council will consider variations to other development standards, including car parking requirements, in order to achieve desirable heritage and planning outcomes.

3B.4.3 Building Setbacks

Objectives:

a) To ensure new work to heritage items respects and contributes to the character of the heritage item.

b) To ensure new development provides an interface of bulk and scale to preserve the amenity to the significant elements within the heritage curtilage.

c) To ensure new developments does not visually dominate the heritage item where is considered appropriate.

Controls:

a) In addition to the site and rear setback controls to the relevant development chapter of this DCP, new development on the site of a heritage item is to comply with the following:
   i. New buildings are to have minimum 12 metre building separation to significant elements of the heritage item. More if the setback requirements are not met within the 12 metre setback.
   ii. Adjacent buildings are not to exceed a façade height of 8 metre from existing grounding level, including balustrades.
   iii. Adjacent buildings with a building mass above 8 metre high from the existing ground level are to be stepped back an additional 4 metre from significant elements of the heritage item.
   iv. Where variations in setbacks exist, the larger setback will apply.

3B.4.4 Garden Setting, Landscaping & Structures

Objectives:

To retain and conserve the significance of the heritage item in its setting including significant garden elements, structures to retain the appropriate garden or rural setting.

Controls:

a) Trees, garden elements and structure that contribute to the significance of the heritage item are to be retained and conserved.

b) New gardens should be horticulturally and aesthetically sympathetic to the period of the heritage item.

c) The use of a variety of plant species to avoid mono-cultural plantings is encouraged.

d) High solid hedges that screen buildings from the street are not permitted.

e) To erect an outbuilding or structure, the following will be considered:
   i. The location of the proposed structure in relation to the principal building, boundaries and other details of the site.
   ii. The proposed form, scale, materials and colours of the structure to be subservient and recessive to the heritage item.
   iii. The relative prominence and visibility of the proposed structure from the frontage of the site.

3B.4.5 Access & Parking

Objectives:

a) To ensure that modifications to provide access do not adversely affect significant built fabric.

b) To allow for on-site car parking where possible while retaining the character of the property.

c) To ensure that driveways, garages and carports do not have any adverse impact on the curtilage or setting of the heritage item.

d) To minimise the visual impact of new car parking by locating it at the side or rear of the property.

e) To ensure that car parking structure do not challenge the mass or bulk or mimic the architectural detail of the heritage item.

Controls:

Equitable Access

a) Modifications and alterations to provide access and mobility are to:
   i. Explore all options to achieve the statutory requirements in the least obtrusive manner possible;
   ii. Involve the least demolition of significant fabric;
   iii. Be reversible; and
   iv. Preserve fabric of higher significant if a compromise is required.

Driveways

a) Original and existing rear lane or side entry vehicle access is to be retained and/ or utilised where they exist.

b) Where original concrete wheel strips existing, they are to be retained with grass in between them.

c) New parking areas, garages and driveways are to be designed so that they do not dominate the principal elevations or detract from the setting of the heritage item.

d) Driveway finishes are to be appropriate to the architectural style of the heritage item. Painted, colours, stamped or stencilled concrete pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements.

e) Appropriate materials for driveways such as bitumen, gravel, stone flagging or concrete wheel strips with the incorporation of landscaping should be considered.

f) Swing gates are preferred to sliding gates. Sliding gates are only acceptable where the driveway is sloping from the street.

Garages and Carports

a) Where it is physically possible, new car parking is to be consistent with the historic placement of parking structure on the site.

b) New garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.

c) New carport and structures must have regard to the existing and original features of the dwelling such as windows and doors.

d) Only in the circumstance where the heritage dwelling has a side setback of less than 3m, a hardstand area at the front of the building line will be considered based on the suitable materials used as appropriate.

e) Original existing building fabric, including verandahs, balconies, are not to be altered to provide a carparking structure or hardstand area.

f) Where original and early garages survive, they should be retained and conserved.

g) Where replacement doors are proposed to original and early garage structures, they are to be similar in colour, materials and detail of the original.

3B.4.6 Outbuildings

Objectives:

To ensure that new garden structures and outbuildings do not detract from the significance of a heritage item through inappropriate siting or excessive scale, bulk or visibility.

Controls:

a) Original and early outbuildings and garden structures are to be retained.

b) No new garden structures or outbuildings including pools, water tanks, gazebos/ cabanas, sheds are to be located within the front setback.

c) In considering the erection of an outbuilding, the following will be considered:
   i. The locations of the proposed structure in relation to the principle building, boundaries and other details of the site.
   ii. The proposed form, scale, materials and colour of the outbuilding or structure and is to be subservient and recessive to the main house.
   iii. The relative prominence and visibility of the proposed structure from the frontage of the site.

3B.4.7 Fences

Objectives:

a) To retain early and original fences, gates and retaining walls where they survive and reinforce the original landscape character of the garden and streetscape.

b) To retain those streetscapes where front and side fencing do not form part of the original streetscape.

c) To encourage the reinstatement of the original form of fencing and gates where known.

d) To encourage new front fences and gates which contribute to the streetscape character of the area by being consistent with the established pattern of existing original fences.

Controls:

Original and Early Fences, Gates and Retaining Walls

Original and early fences, piers and retaining walls are to be retained and conserved. The height of original and early fences is not to be altered. They are not to be rendered coated or painted.

New Front Fences and Gates

a) Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.

b) Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates are to reinstate as original.

c) Where no evidence is available to guide reconstruction of missing fences and gates, new front fencing, pedestrian, and vehicular access gates are to match the architectural style and period of the house.

d) No metal panel fencing such as Colourbond is to be constructed on any boundary to a heritage item.

3B.5 Development Within the Vicinity of a Heritage Item

3B.5.0 Introduction

This section applies to development on sites that either directly adjoin or is in the vicinity of a heritage item. This part also applies to a situation where the heritage item is not incorporated into new consolidated development.

This section provides guidance to meet the objectives set out within clause 5.10 Heritage Conservation of the Fairfield LEP 2013.

The term "in the vicinity" not only means immediately adjoining a heritage item but depending on the site context, can be extended to include other sites with a high visual presentation due to landform, size or location of the heritage item.

3B.5.1 Local character and streetscape

Objectives:

a) To consider the impact on historic curtilage and setting of a heritage item and related features such as views, streetscape context, historical subdivisions, garden settings and other landscape features.

b) To enhance contributory properties in vicinity of heritage items in their setting.

c) To ensure that the scale of new development does not dominate, detract from or compete with heritage item.

d) To ensure that the scale of new development in the vicinity of a heritage item is in harmony with the streetscape.

e) To ensure that new development respects and conserves the significance of any nearby heritage items and their settings.

Controls:

General

All development in the vicinity of a heritage item is to include a Heritage Impact Statement (HIS). The HIS is to address the effect of the proposed development on a heritage item and must demonstrate that the proposed works will not adversely impact upon the significance, including any related heritage features within the identified curtilage and setting.

Built form

a) Development on sites that either directly adjoin or are in the vicinity of a heritage item is to have regard to:
   i. The form of the existing building or buildings including height, roofline, setbacks and building alignment.
   ii. Dominant architectural language such as horizontal lines and vertical segmentation.
   iii. Proportions such as door and window openings, bays, floor to ceiling heights and coursing levels.
   iv. Materials and colours.
   v. Sitting and orientation.
   vi. Setting and context
   vii. Streetscape patterns.

Mixed use or retail setting

a) New development adjacent to or in the vicinity of a heritage item within a mixed use or retail setting are to:
   i. Retain the existing characteristics of the street including the setback, height, rhythm of facades and is sympathetic to the materials and detailing of the earlier facades.
   ii. Retain a pedestrian building scale at the street level and to set back any levels that are high than the heritage item.

Views

Development in the vicinity of a heritage item is to demonstrate that it will not reduce or impair important views to and from the heritage item from the public domain.

3B.5.2 Building setbacks

Objectives:

a) To ensure new work in the vicinity of a heritage item respects and contributes to the established streetscape patterns through careful sitting of new buildings.

b) To ensure new development provides an interface of bulk and scale to preserve the amenity of the heritage item.

c) To ensure new medium to high density development does not visually dominate the heritage item.

Controls:

Setbacks

The front setback of development adjacent to a heritage item or building is to be greater than that of the heritage item. Where variation in the setback exist, the larger setback will apply.

Residential Context

a) All medium and high density development is to have a stepped back façade to any common boundary with a heritage item. The façade is to be stepped back above an 8 metres height from natural ground level.

b) In addition to the side and rear controls, new development adjacent to a heritage item is to comply with the following:
   i. Adjacent developments are to have a minimum 12 metre building separation to the heritage item.
   ii. Adjacent development is to not exceed a façade height of 8 metre from existing ground level.
   iii. Adjacent development with a building mass above 8 metre high from the existing ground level is to be stepped back an *additional* 4 metre from the heritage item.

Note: Where variations in the setbacks exist, the larger setback will apply.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 4A

Development in Rural Zones

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4A.0 Introduction

This chapter applies to all development in those areas zoned:

a) RU1 Primary Production

b) RU2 Rural Landscape

c) RU4 Primary Production Small Lots

d) RU5 Village

under Fairfield Local Environmental Plan 2013.

The objectives of this chapter are to:

a) set out all the necessary information applicants must consider in their proposed development

b) ensure development proposals make a quality contribution to the vision for the City's rural area

c) ensure development proposals maintain environmental and quality of life standards for present and future residents in the rural area.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B Local and Aboriginal Development.

For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

4A.1 Existing Character

Overview

The existing character of the rural area is generally a semi-rural environment that contains a mix of rural-residential, agricultural and extractive land uses. Several creeks traverse the area and are lined with pockets of vegetation. The remainder of the area has historically been cleared of natural vegetation to accommodate farming or grazing.

Objectives

a) To ensure development is consistent with the existing character of the rural area

b) To prohibit any further intensive agricultural activities such as piggeries and poultry farms

c) To ensure all new development in the area has regard to its rural setting and minimises adverse effects on the environment and neighbouring residents.

Controls

a) To ensure new development is consistent with Council's intention to provide a suitable environment for rural-residential living and at the same time allow the retention of the semi-rural character of the area.

4A.2 Road Access and Points

Overview

To outline development controls regarding road widths, construction of road verges, cycle ways and access points to properties.

Objective

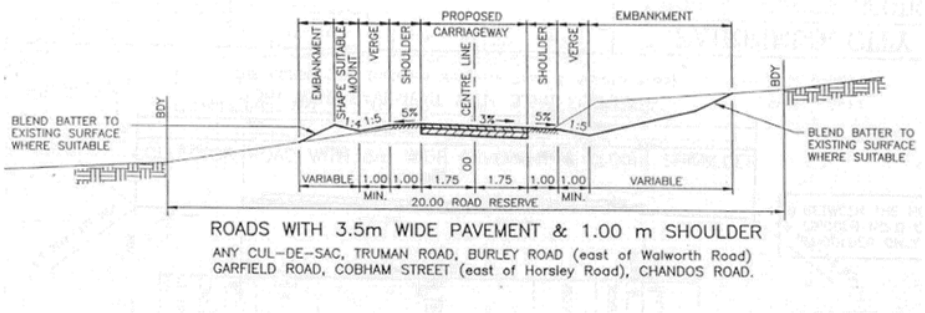
To ensure road construction in the rural area is consistent with other areas of the City and where appropriate provided in a manner conducive to local conditions.

Controls

4A.2.1 Roads (General)

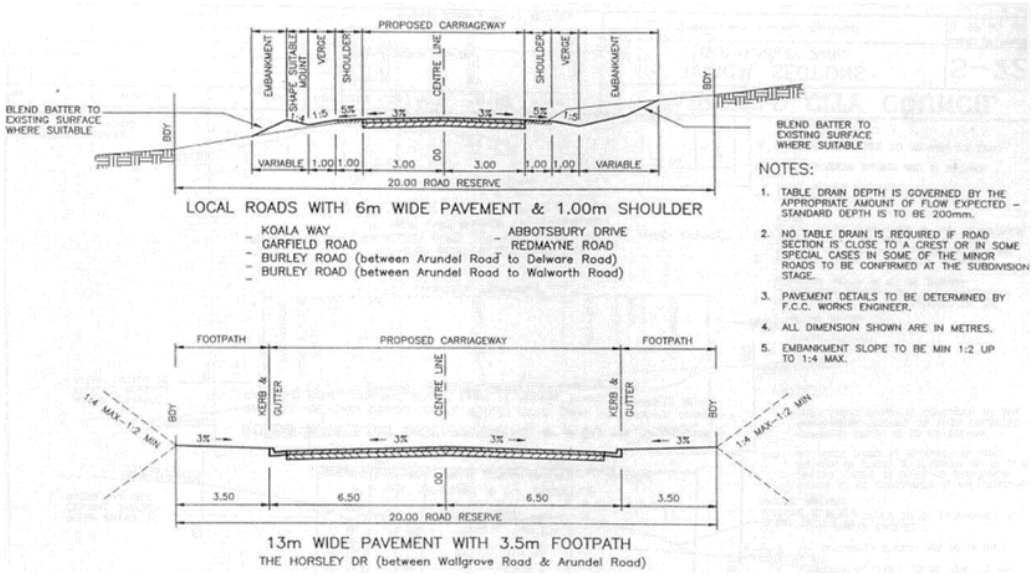
a) A 20 metre road reserve applies for all public roads in the rural area as it does across other areas of the City. Generally, the sealed carriageway width will be shown on the typical cross sections for the roads in the area. These cross sections are outlined in the following figures:

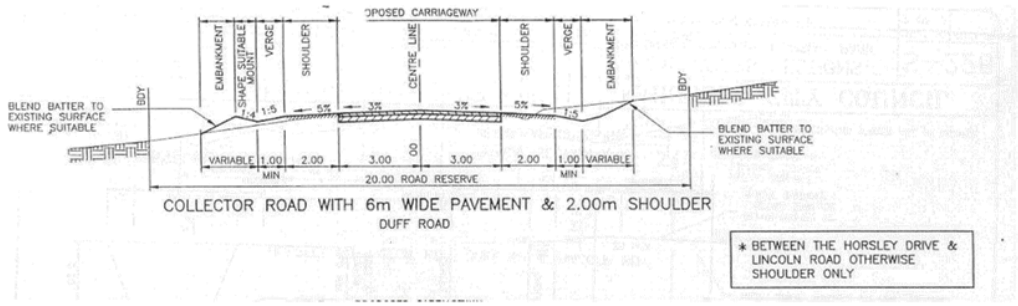
Typical Cross Sections – DCP Horsley Park

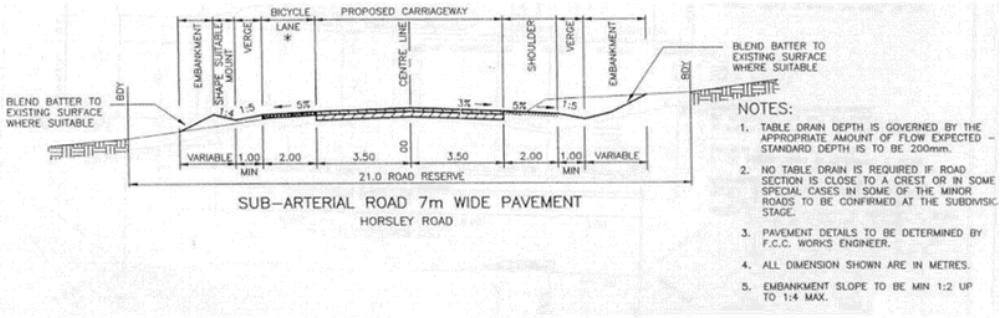


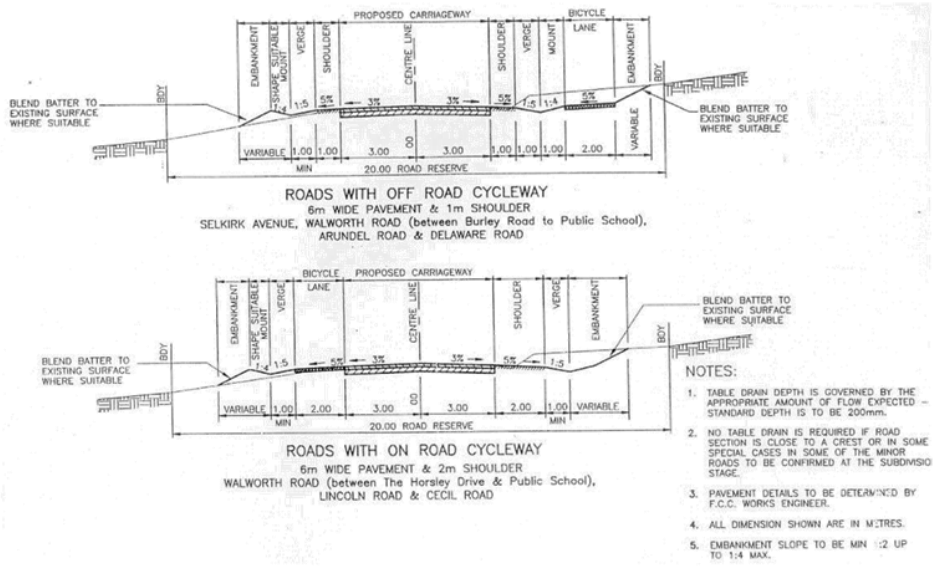
ROADS WITH 3.5m WIDE PAVEMENT & 1.00 m SHOULDER

ANY CUL-DE-SAC, TRUMAN ROAD, BURLEY ROAD (east of Walworth Road) GARFIELD ROAD, COBHAM STREET (east of Horsley Road), CHANDOS ROAD.


PROPOSED CARRIAGEWAY
EMBANKMENT
SHAPE SUITABLE MOUNT
VERGE
SHOULDER
CENTRE LINE
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
BDY
VARIABLE
1.00
3.00
20.00 ROAD RESERVE
LOCAL ROADS WITH 6m WIDE PAVEMENT & 1.00m SHOULDER
KOALA WAY
GARFIELD ROAD
BURLEY ROAD (between Arundel Road to Delware Road)
BURLEY ROAD (between Arundel Road to Walworth Road)
ABBOTSBURY DRIVE
REDMAYNE ROAD
NOTES:
1. TABLE DRAIN DEPTH IS GOVERNED BY THE APPROPRIATE AMOUNT OF FLOW EXPECTED – STANDARD DEPTH IS TO BE 200mm.
2. NO TABLE DRAIN IS REQUIRED IF ROAD SECTION IS CLOSE TO A CREST OR IN SOME SPECIAL CASES IN SOME OF THE MINOR ROADS TO BE CONFIRMED AT THE SUBDIVISION STAGE.
3. PAVEMENT DETAILS TO BE DETERMINED BY F.C.C. WORKS ENGINEER.
4. ALL DIMENSION SHOWN ARE IN METRES.
5. EMBANKMENT SLOPE TO BE MIN 1:2 UP TO 1:4 MAX.
FOOTPATH
KERB & GUTTER
1:4 MAX–1:2 MIN
3.50
6.50
13m WIDE PAVEMENT WITH 3.5m FOOTPATH
THE HORSLEY DR (between Wallgrove Road & Arundel Road)


EMBANKMENT
SHAPE SUITABLE MOUNT
VERGE
SHOULDER
CENTRE LINE
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
BDY
VARIABLE
1.00
2.00
3.00
MIN
20.00 ROAD RESERVE
COLLECTOR ROAD WITH 6m WIDE PAVEMENT & 2.00m SHOULDER
DUFF ROAD
* BETWEEN THE HORSLEY DRIVE & LINCOLN ROAD OTHERWISE SHOULDER ONLY


BICYCLE LANE *
PROPOSED CARRIAGEWAY
EMBANKMENT
SHAPE SUITABLE MOUNT
VERGE
CENTRE LINE
SHOULDER
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
BDY
VARIABLE
1.00
2.00
3.50
MIN
21.0 ROAD RESERVE
SUB–ARTERIAL ROAD 7m WIDE PAVEMENT
HORSLEY ROAD
NOTES:
1. TABLE DRAIN DEPTH IS GOVERNED BY THE APPROPRIATE AMOUNT OF FLOW EXPECTED – STANDARD DEPTH IS TO BE 200mm.
2. NO TABLE DRAIN IS REQUIRED IF ROAD SECTION IS CLOSE TO A CREST OR IN SOME SPECIAL CASES IN SOME OF THE MINOR ROADS TO BE CONFIRMED AT THE SUBDIVISION STAGE.
3. PAVEMENT DETAILS TO BE DETERMINED BY F.C.C. WORKS ENGINEER.
4. ALL DIMENSION SHOWN ARE IN METRES.
5. EMBANKMENT SLOPE TO BE MIN 1:2 UP TO 1:4 MAX.



4A.2.2 Regional Roads

For these roads, a 7 metre wide sealed carriageway with 2 metre wide shoulders table drain applies

4A.2.3 Collector Roads

For these roads, a 6 metre wide sealed carriageway with 2 metre wide shoulders plus table drain applies.

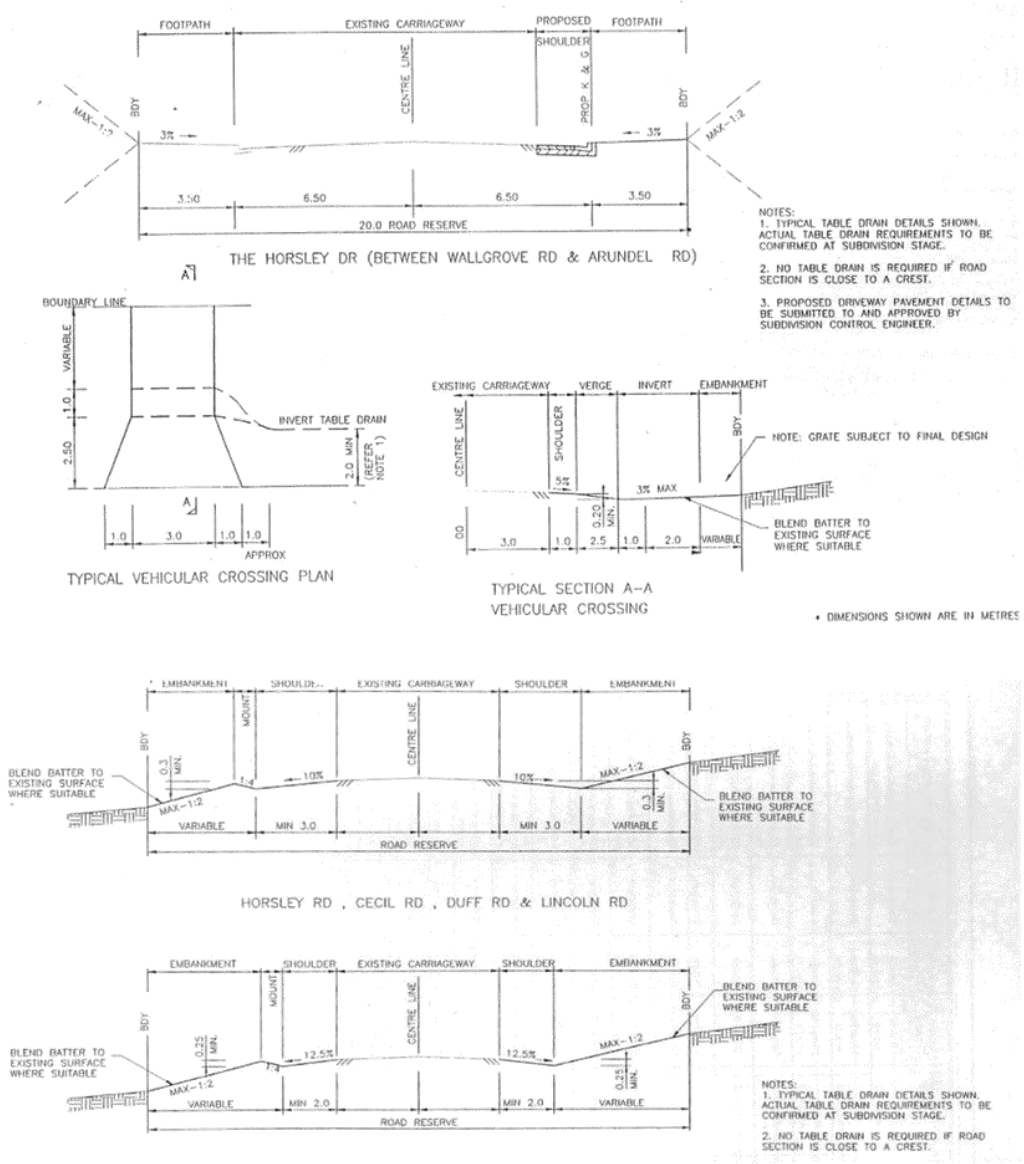
4A.2.4 Local Roads

For these roads, a 6 metre wide sealed carriageway with 1 metre wide shoulders plus table drain applies.

4A.2.5 Minor Access Roads and Cul-de-sac

a) For these roads, a 3.5 metre wide sealed carriageway with 1 metre wide shoulders plus table drain applies.

b) Each developer will be required to carry out the following works for the full property frontage:



i. Construction of a low maintenance turfed road verge in accordance with the following figures.
ii. That the velocity of stormwater run-off exceeds the scour velocity of the turf lining.
iii. Avenue type tree planting to be provided.
iv. Where deemed necessary by Council, construction of a turfed flow path through the property carrying flows from road culverts away from development sites.
v. Construction of a sealed access from the existing road pavement to the property boundary for all existing and proposed houses or lots.

vi. Where possible all existing piped driveway crossings will be removed and replaced with a sealed access pavement.

c) Before commencement of any works requiring the removal of any ground cover, suitable soil erosion protection measures must be implemented. Such measures may include but need not be limited to sediment traps or ponds, diversion banks and silt fencing. All exposed areas of soil must be turfed or seeded and mulched immediately following completion of earthworks.

4A.2.6 Cycleways

a) A cycleway network has been designed for the area, which is a combined on-road and off-road facility. The on-road cycleway will be 2.5 metre wide and will be delineated from the normal road carriageway by the use of a different coloured asphalt.

b) The off-road facility will also be 2.5 metre wide and will be a combined pedestrian footway and cycleway. This facility will have a turfed surface.

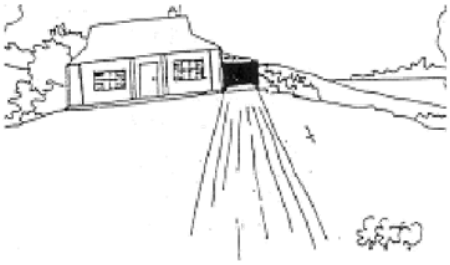
4A.2.7 Access Points

a) Access driveways should as far as possible follow natural contours rather than cutting across the contours. Extensive cut and fill should be avoided in order to:
   i. Retain the natural character of the site by reducing the intrusive appearance of driveways.
   ii. Lessen the possibility of erosion thereby minimising maintenance costs.
   iii. Allow an informal lot layout and dwelling placement.
   iv. Allow easier manoeuvring and reduce speeding.



Satisfactory

A well-positioned driveway which follows natural contours is pleasant and easy to drive on and preserves the natural character of the site.



Unsatisfactory

Driveways located straight down slopes are susceptible to erosion and will require constant maintenance. They are clearly visible to the public and destroy the natural character of the land.

b) Driveways are to be landscaped along the edges and should be constructed of compacted gravel, paved or sealed in brown, green, grey or ochre tones. Regardless of the proposed method of internal construction all driveways must be sealed between and the property boundary in accordance with drawing S-226 found in this chapter.

c) Access handles serving more than one hatchet lot must be not less than 10 metres in width. Driveways within such access handles should have a 3 metres wide sealed pavement and should avoid long straight sections. Access handles serving a single lot must be not less than 7 metres in width; single lot driveways must have an all weather surface with a minimum width of 3 metres. Details of proposed driveway lots and landscaping are to be submitted with the development application.

d) The number of access points to arterial roads should be minimised. Subdivision design should provide access via adjacent local roads. Where such arrangements cannot be made, common access points/driveways should be established as part of the proposed subdivision. A buffer area of 10 metres should be provided between a regional road and an access driveway. This setback should be appropriately landscaped to reduce visible road. Suitable landscaping should include vegetation.

e) Refer to Council's Vehicular Crossing Policy for further information regarding driveway and layback design controls.

4A.3 Landscaping

Overview

All new developments in the rural zone are required to provide soft soil zones to complement existing vegetation and the neighbouring area.

Objectives

a) To encourage native plantings within the rural area.

b) To soften the built form of rural sheds and other large buildings.

Controls

A Landscaping Plan will need to be prepared by a Landscape Architect and provided in accordance with Appendix F.

4A.4 Sewage Management

Overview

The rural area is not served by the Sydney Water reticulated sewerage system. All new dwellings in the rural area need to be provided with an on-site sewage management system to deal with waste water and human wastes. This clause details the requirements for installing and maintaining septic tanks.

Objectives

a) To prevent the waste water from the system causing a danger to human or animal health or to the environment.

b) To ensure that on-site sewage management systems are designed, installed and located appropriately.

Controls

4A.4.1 Installation

On-site sewage management systems are to be installed and maintained in accordance with the Council's On-Site Sewage Management Policy.

4A.4.2 Location

a) A minimum area of 1,600sqm is to be dedicated for the disposal of waste water arising from the on-site system.

b) The buffer distances (i.e. the distance between the disposal area and the boundaries of the premises, dwellings, swimming pools, driveways, outbuildings and from drainage reserve or flood liable land) shall be according to the distances indicated in the Council's On-site Sewage Management Policy. The buffer distances vary according to the contours and other features of the land.

4A.4.3 Non-Residential Development in the rural area

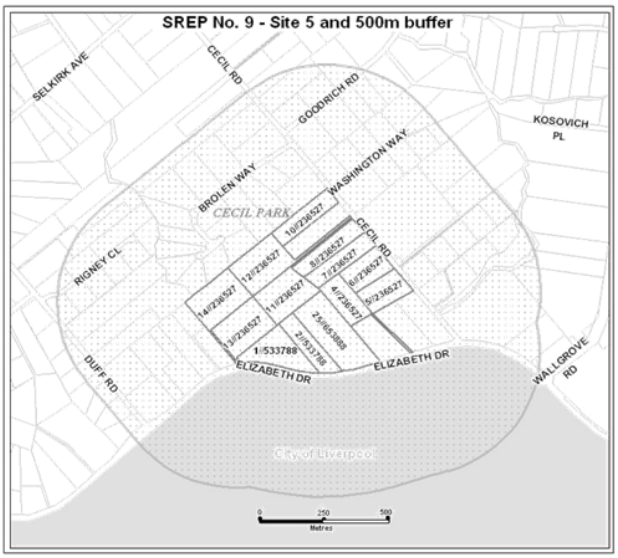
All proposals for non-residential forms of development will need to satisfy the requirements of the NSW Government's Office of Environment and Heritage

4A.5 Residential Development near Extractive Industries

Overview

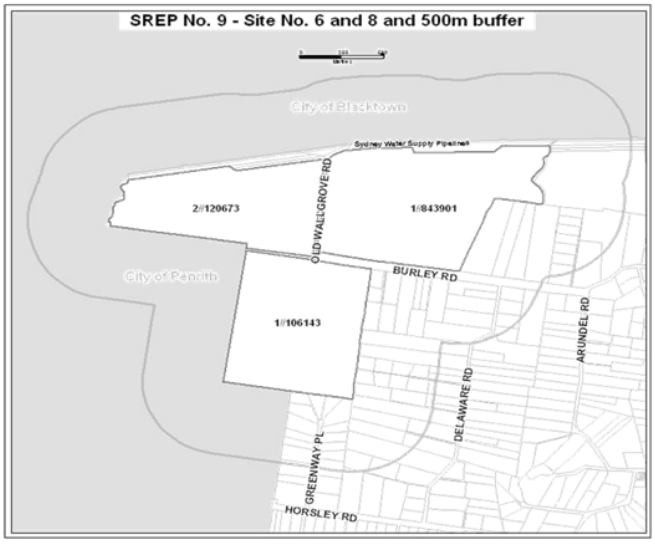
State Environmental Planning Policy (Resources and Energy) 2021 provides for controls, referrals to State Government Departments and other matters for consideration for developments located within the vicinity of extractive industry.

The following extractive industry sites are identified within Fairfield City under Schedule 3, Division 1 within SEPP (Resources and Energy) 2021. If your property is located within 500 metres of an extractive industry boundary, certain development controls may apply to your land.



Site 5

Lots 4–8 and 10–14, DP 236527; Lots 1–2, DP 533788 and Part Lot 25 (Section 5), DP 2954, Cecil Road, Cecil Park. PGH Brickworks, Cecil Park. (Now Lots 4-8 and 10-14, DP 236527; Lots 1-2, DP 533788 and Lot 25, DP 653888).



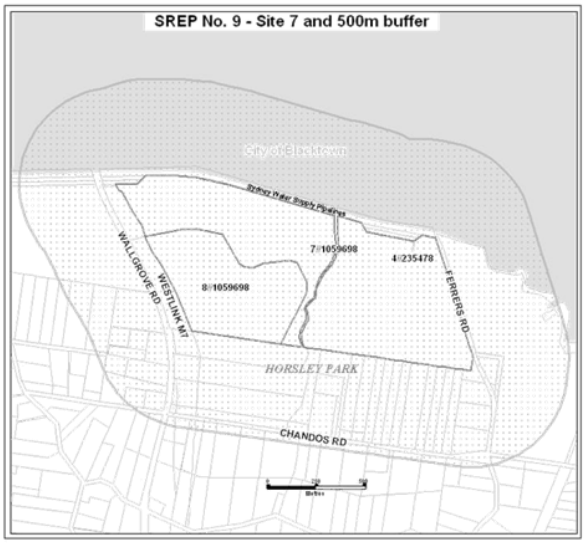
Site 6

Lot 1, DP 106143 Cnr. Old Wallgrove Road and Burley Road, Horsley Park.

PGH, Horsley Park.

Site 8

Lot 2, DP 120673, Old Wallgrove Road, Horsley Park. Land in Conveyance Book 2842 No 807, excluding Lot 1, DP 579002, Old Wallgrove Road, Horsley Park, being Part Portion 32 and Part Portion 45, Parish of Melville, County of Cumberland. Austral Plant 3, Horsley Park. (Now Lot 2, DP 120673; Lot 1, DP 843901).



Site 7 - Lots 3 and 4, DP 235478; Lot 1, DP 206617; Lot E, DP 384514 Wallgrove Road, Horsley Park. Austral Plants 1 and 2, Horsley Park. (Now Lot 4, DP 235478; Lots 7-8, DP 1059698).

Objectives

a) To ensure development will not be adversely affected by noise, dust, vibration or reduced visual amenity from any nearby extractive industry.

b) To ensure development will not adversely affect any existing or future activity associated with any nearby extractive industry.

Controls

a) Council must not consent to development in the vicinity of extractive industry sites unless it is satisfied that:
   i. the proposed development will not be adversely affected by noise, dust, vibration or reduced visual amenity from any nearby extractive industry, and
   ii. the proposed development will not in any way adversely affect any existing nearby extractive industry or prevent any such extractive industry from realising its full economic potential by adversely affecting future expansion of the extractive industry of which the Council is aware.

b) **Noise and Vibration Reports** – For dwelling houses, secondary dwellings and sensitive land uses located within the 500 metre buffer from a nominated extractive industry site, the submission of an acoustic report must accompany all development applications.
   i. A noise and vibration report, prepared by a suitably qualified acoustic engineer, showing how the predicted maximum noise levels will be mitigated, must be submitted to Council. As a guide:
   ii. the predicted noise is to be attenuated to a level that complies with AS/NZS 2107:2000 Australian/New Zealand Standard™ Acoustics—Recommended design sound levels and reverberation times for building interiors. Appropriate criteria for external recreational areas of the dwelling that fall within the 500 metre buffer are to be determined by the acoustic consultant.

c) **Dust suppression and visual amenity** - Landscaping plans should demonstrate appropriate landscaping that will assist to both reduce dust (permitted through environmental regulations) and visually screen quarry sites.

4A.6 Aircraft Noise

Overview

The Western Sydney International Airport (WSIA) is under construction and scheduled to commence operation in 2026. The site for the Airport is located in the Liverpool City Council area however some land within Fairfield LGA is affected by aircraft noise restrictions for future flight paths.

The preliminary flight paths for the WSIA will be assessed for their environmental impact under the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999*. A draft Environmental Impact Statement (EIS) for the preliminary flight paths will be released for public exhibition in the second half of 2023.

To mitigate the impacts of aircraft noise, aircraft noise restrictions were introduced by the State Government in October 2020. The aim of the restrictions is to minimise future impacts on the areas neighbouring the airport by restricting the types of buildings that can be constructed near the airport. These restrictions were imposed without consultation on properties within Horsley Park and Cecil Park located under the 20-25 ANEC associated with the Western Sydney Airport. The restrictions mean that:

- Affected land can no longer be subdivided into 1 hectare (2.5 acre) lots for residential purposes: and
- Dwellings, dual occupancies and granny flats are prohibited on the land.

State Government planning restrictions for 'noise sensitive development' includes residential development under Chapter 4 (Western Sydney Aerotropolis), Clause 4.17 Aircraft noise, of State Environmental Planning Policy (SEPP) Precincts - Western Sydney Parkland City.

The restrictions generally prohibit additional housing (e.g. as part of a new subdivision) or secondary dwellings on existing lots in areas of Cecil Park and Horsley Park affected by the 20-25 Australian Noise Exposure Concept (ANEC) footprint of the WSIA at Badgerys Creek.

Development applications to knockdown and rebuild an existing dwelling now rely on 'existing use right provisions' of the NSW Environmental Planning and Assessment Act 1979.

To prove existing use rights, the following information is required:

- Proof of development approval of original dwelling - You can request access to Council records. There are different ways to access information which you can find on the Access to Information page on the Fairfield City Council website.
- Proof of ongoing residence – You can supply evidence to show that the dwelling has been occupied, including Driver Licence with property address, copy of utility bill with property address.

Development approvals for dwellings in the 20-25 ANEC affected area will have the following condition apply:

Acoustic report – Aircraft Noise

An acoustic report shall be submitted to the satisfaction of The Certifier, from a suitably qualified acoustic consultant, confirming that the proposed development complies with the Western Sydney Airport 20-25 ANEC, Wildlife Management and Obstacle Limitation Surface (OLS) SEPP, due to the sites being identified in the State Environmental Planning Policy (SEPP) Precincts - Western Sydney Parkland City. . *The report shall be undertaken in accordance with AS 2021-2015, Acoustic – Aircraft Noise Intrusion – building, siting and construction. All recommendations in the report shall be included on the construction certificate plans.*

For further information regarding future flight paths and development controls for development within the vicinity of the WSIA please visit the following website http://westernsydneyairport.gov.au

Objectives

a) To mitigate against the acoustic impacts of aircraft noise on new residential development in Horsley Park and Cecil Park as a result of a Western Sydney Airport at Badgerys Creek.

b) To provide clarification of measures required in buildings to mitigate against aircraft noise by achieving compliance with relevant deemed to satisfy criteria.

c) To ensure measures to mitigate against aircraft noise are consistent with provisions contained in the Australian Standard – Aircraft Noise Intrusion – building, siting and construction.

Controls - Design for impacts of Aircraft Noise

Prior to the issue of a construction certificate, Applicants are required to submit an Acoustic Report prepared by a qualified acoustic consultant detailing compliance with AS 2021-2000, Acoustic – Aircraft Noise Intrusion – building, siting and construction, this shall be submitted to the Certifier for approval.

4A.7 Criteria for Rural Building Design

Overview

The controls as described below set out the criteria for building design on rural land. Sensitive siting and design of structures and the use of landscaping are important to minimise the impact of the overall development on the landscape.

Consideration also needs to be given to the design and siting of buildings on rural land prior to determining the subdivision layout, as this will determine the future pattern of the built environment. Controls for subdivision of rural land are set out in Chapter 14, Section 14.3.

Objectives

a) To ensure building designs respond to the natural features and topography of the land.

b) To preserve existing landscape features.

Controls

4A.7.1 Siting of development

a) In determining the siting of a building, consideration should be given to the following factors:
   i. Dwellings should be orientated to make the best use of sunlight and views. Living areas should have a northerly aspect to maximise energy and the amount of sunshine that a building is exposed to during the year.
   ii. West facing walls should have very few windows for protection against hot westerly winds and summer sun.
   iii. Slopes and access to views.
   iv. Protection from wind and adverse weather.
   v. The preservation of prominent ridgelines from intrusion by new buildings.
   vi. Buildings should not be sited on overland flow paths identified by Council. This may increase any potential flood hazard or flood damage to buildings.
   vii. The dwelling should be set back from roads and neighbouring dwellings in order to reduce noise and other disturbances.
   viii. Driveway access.
   ix. Retaining the existing vegetation for possible incorporation with the landscape of the buildings.
   x. Future use and enjoyment of the site.

Mid slope
a) Views
b) Protected from winds
c) Access may be difficult
d) Not highly visible

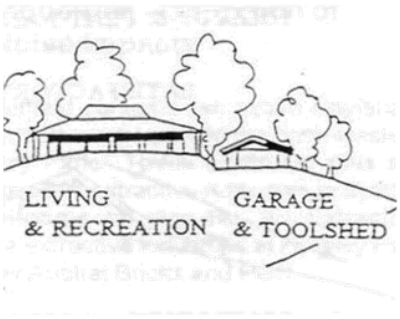


Bottom slope
a) Least exposed
b) Least prominent
c) Could be in frost hollow
d) Easily accessible (except in periods of flood)

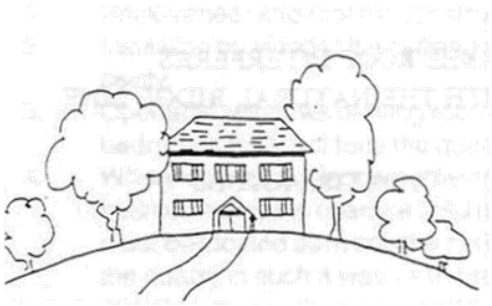
Site options

4A.7.2 Specific building design criteria

a) Avoid monolithic structures by grouping buildings in a more sympathetic way, through the use of landscaped features and contours, as depicted in the figures above and below.



Satisfactory



Unsatisfactory

Clumsy solution:

Living, recreation, garage, tool room and storage spaces all incorporated into one monolithic structure

The roofline of a building is critical to the way that the building blends in with the natural topography of the land. On flat landscapes and sites with hills as backdrops, hipped roofs are generally more appropriate. Split-level homes are generally more suited to sloping sites.

The roofline can be staggered according to degree of slope. The use of wider eaves, and in particular, verandas, can bring the roof edge closer to the ground thereby integrating the dwelling into the overall landscape. Dormer windows can be used to allow upper floor accommodation while minimising wall height and roof bulk.

4A.7.3. Building Materials

a) The predominant colours of the rural area are the range of greens, greys and brown of the vegetation. Similar or complementary colours are therefore appropriate for new buildings and additions. Any ancillary buildings should be similar materials, style and colour to the main dwelling building.

b) Highly reflective surfaces such as large expanses of glass or unpainted metal decking should be avoided. Suitable roofing materials include painted corrugated iron, colourbond, slate, shingles or tiles in grey, brown, green or ochre tones

c) The materials used must also achieve the following outcomes:
   i. Durable and robust construction, and
   ii. Achieve adequate acoustic amenity, natural ventilation and access to sunlight for the occupants of the secondary dwelling.

d) The table below identifies set colours and material that are to be used which allow the building to be compatible with the character of the locality.

Building Element	Material	Colours
Roof	Tiles	Olive, Brown, Red (no black)
	Corrugated metal	Olives - Evening Haze, Cove, Mangrove, Pale Eucalypt, Jasper, Bushland. Greys – Windspray, Gully, Wallaby, Smurfmist, Dune. Browns- Paperbark, Terrain. (no black)
Walls	Face brick	Monochromatic, dichromatic and polychromatic or recycled (no black)
	Timber weatherboard	Avoid dark colours (no black)
Guttering	Metal (aluminium, zinc, steel, copper, lead)	Unpainted or to match roof
Downpipes	Metal (aluminium, zinc, steel, copper, lead)	Unpainted or to match walls
Door and window framing	Timber	Avoid dark colours
	Metal (steel or aluminium)	Avoid dark colours
Ground surfaces	Gravel	Red, grey, brown
	Recycled bricks	N/A
	Pavers	N/A
	Bitumen with brick edge	N/A
*Avoid black, dark grey and stark/bright white for large surfaces including walls and roofs and limit non-permeable ground surfaces like concrete.		

4A.7.4 Setbacks

a) **Front:**
   i. No building is to be built within 30 metres of either Wallgrove Road or Elizabeth Drive.
   ii. In all other situations the minimum setback shall be no less than 15 metres or the average existing setback whichever is the less.

b) **Side & Rear:**
   i. Dwellings must be setback a minimum of 5 metres.
   ii. Ancillary structures must be setback a minimum of 3 metres, from the boundary, this includes retaining walls and driveways.

4A.7.5 Swimming Pools

Objectives

a) Ensure swimming pool safety.

b) Minimise noise levels.

Controls

a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act.

b) Swimming pools must be located in the rear yard.

c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

4A.7.6 Building Height

a) Building Height is determined by reference to the Building Height Map which forms a part of Fairfield LEP 2013.

b) The maximum building height within the RU2, RU4 and RU5 zone is 9 metres at any point. Within these zones dwellings should be no greater than two storeys in height.

c) The wall height of the building should not exceed 6.5 metres above natural ground level at any point and the overall height of the building including the roof shall not exceed 9 metres.

d) Ancillary structures should not exceed 5 metres in height, including the roof, above natural ground level.

4A.7.7 Cut and Fill

Objectives

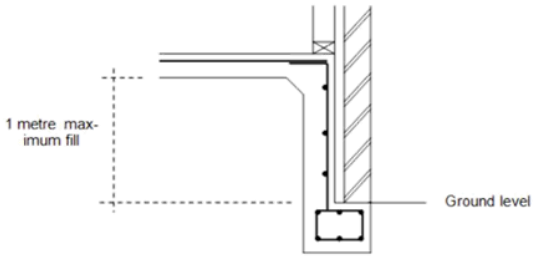
a) Reduce the necessity for retaining walls.

b) Reduce stormwater problems associated with changing the natural contours of the land.

c) Reduce the necessity to import fill onto the premises

d) Reduce stormwater problems associated with changing the natural contours of the land.

Cut and Fill Requirements



Controls

a) All proposed and existing ground levels are to be shown to Australian height datum

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Filling of land outside of the building envelope is not permitted.

d) Any cut proposed is required to be appropriately retained.

e) Proposed retaining walls must be included in the description of works in the development application.

f) The height of retaining walls are to be shown along with a minimum 3 metre setback from the boundary.

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4A.7.8 Rural ancillary structures

a) The maximum size of a rural ancillary structure proposed on a site with an approved dwelling shall be:
   i. for an awning 100sqm,
   ii. for a carport 100sqm,
   iii. for an attached garage for 100sqm,
   iv. for a detached garage 100sqm,
   v. for a basement 300sqm,
   vi. for an outbuilding 75sqm,
   vii. for a rural shed 150sqm.

b) Only two enclosed rural ancillary structures of any type such as a detached garage or rural shed or the like are permitted per dwelling.

c) For enclosed rural ancillary structures over 60sqm in size, an internal layout must be provided.

d) Habitable outbuildings are not supported.

4A.7.9 Fencing

To maintain a rural setting, boundary and other fencing should be inconspicuous. Post and wire or post and rail fences in natural or earth tones are preferred. Hedges are also suitable.

4A.7.10 Proposals for or to retain a dam

a) All existing dams on flood liable land are to be removed and the surface reinstated at the time of subdivision or building construction (whatever comes first) unless the applicant can demonstrate that retention of a dam will mitigate flooding.

b) The stability of a dam proposed to be retained must be certified by a suitably qualified engineer before approval of any development application relating to that property.

c) Development downstream of any dam is to be located clear of the flow path created in the event of a dam-break. The flow path is to be determined by a qualified engineer and provided with the development application.

d) A proposal to fill an existing dam or excavate a new dam requires a development application accompanied by an environmental assessment and a qualified engineer's report, which must detail aspects of dam safety and effects on neighbouring properties and the potential impact on the environment.

e) The Office of Water should be consulted for licensing requirements if the new dam to be constructed exceeds the harvestable right.

4A.8 Horsley Park Village

Overview

The Horsley Park Village provides for the day-to-day commercial needs of the neighbouring area. These development controls are intended to improve the amenity, encourage consistent building form, integrate access and parking arrangements and promote an overall village atmosphere. The Horsley Park Village refers to land that is zoned RU5 – Village in the Fairfield Local Environmental Plan 2013.

Issue: Lacking controls for accessibility and inclusion for people with mobility issues

Objective

a) To ensure all new commercial development in the village is compatible and complementary to the scale, form and functionality of existing commercial developments.

b) To ensure accessibility of the built environment and inclusion for all members of the community.

4A.8.1 Building Height

The wall height of a building should not exceed 6 metres at any point. The overall height of a building including the roof should not exceed 9 metres.

4A.8.2 Development carried out within the village

a) Development within the village should respect the existing spatial qualities of the streetscape and avoid introducing elements which would create discord in the space such as:
   i. noticeably different setbacks
   ii. high solid walls where low or open fences are predominant
   iii. replacement or loss of well-established trees
   iv. Out of scale facades.

4A.8.3 Accessibility for Medical Centres and Physiotherapists

All medical centres and physiotherapy premises, including multi-tenanted premises, must require adequate access for people with mobility issues, such as the elderly, those with a disability, and young children.

4A.8.4 Roadside stalls

a) Roadside stalls are permitted on land neighbouring local roads within the rural area provided the commercial activity in the stall is carried on in conjunction with the agricultural use of land, on the property on which they are located or from an adjacent property.

b) Roadside stalls are not to be erected within 100 metres of an Arterial Road.

c) The gross floor area of a road side stall must not exceed 8sqm.

4A.9 Agricultural Development

Overview

Describes Council's position on the extent and nature of agricultural activity which is appropriate given the rural residential character of the area.

Objectives

a) To facilitate agriculture such as horticulture, flower cultivation and those activities, which could, in the opinion of Council, qualify as a hobby farm.

b) To ensure the use of chemical sprays and pesticides are carried out without health affects to the community.

c) To ensure that agricultural activities do not pollute neighbouring properties.

Controls

That any development proposal for agricultural development be assessed against the development objectives set out above.

4A.10 Stormwater

4A.10.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on neighbouring or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Controls

a) OSD requires integration with the architectural design and layout of the development, ie the OSD system needs to be located so as not to compromise the location of the septic system.
b) All development applications must comply with Council's Stormwater Management Policy 2017.

c) Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

4A10.2 On Site Detention

Objectives

a) To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

4A.11 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

4A.12 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.

b) Dwellings are defined in accordance with *Fairfield Local Environmental Plan 2013*.

c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 4B

Secondary Dwelling in Rural Areas

1 Development Control Plan – Chapter 4B Secondary Dwelling in Rural Area – Horsley and Cecil Park

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4B.0 Introduction

4B.0.1 Development to which this Chapter applies

This Chapter applies to Secondary Dwelling development in the RU2 – Rural Landscape zone and RU4 – Primary Production Small Lots zone under Fairfield Local Environmental Plan (LEP) 2013.

4B.0.2 Objectives of this Chapter

The objectives of the Chapter are:

a) To provide for the housing needs of the residents of Horsley Park and Cecil Park that meets the needs of extended families, single households and creates greater availability of affordable accommodation.

b) To ensure that a new secondary dwelling provide a high standard of amenity for their occupants.

c) To protect adjacent land and the wider environment from the impact of a secondary dwelling.

d) To ensure a secondary dwelling makes a positive contribution to the vision for the City's rural area.

e) To ensure a secondary dwelling maintains environmental and quality of life standards for present and future residents in the rural area.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B Local and aboriginal Development.

For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

Note 1: Prefabricated housing is not permitted as they do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

4B.1 Site Requirements

The size of an allotment and the density of built structures have an impact on the amenity of the people living on the site as well as those on the neighbouring sites and the area as a whole.

The appearance, position and height of dwellings may affect the streetscape and character of a neighbourhood. In order to ensure that the building appearance is maintained in a uniform manner, the dwelling position, development façade, building height, sizes of rooms and access for all residents, and safety and security are regulated.

4B.1.1 Lot Requirements

There is no minimum site area requirement for secondary dwellings in the RU2 – Rural Landscape zone and RU4 – Primary Production Small Lot zone under Fairfield LEP 2013, for which secondary dwellings are permitted with consent. However, a minimum subdivision requirement of 10 hectares applies to the RU2 – Rural Landscape zone and a minimum subdivision requirement of 1 hectare applies to the RU4 – Primary Production Small Lot zone under the Fairfield LEP 2013.

Objectives

a) To ensure occupants are provided with an acceptable standard of independent living

b) To ensure privacy is maximised for neighbours of the development and those who will occupy the secondary dwelling

c) To provide adequate space for landscaped area to promote the healthy growth of trees and shrubs

d) To ensure adequate permeable surfaces are allocated to reduce soil erosion and to increase sustainable management of stormwater and sewage.

Controls

a) A Secondary dwelling shall be located on the same lot of land as the principal dwelling.

b) The land shall only contain a principal dwelling and a secondary dwelling, no other dwelling.

c) A Secondary dwelling associated with a new principal dwelling is to be attached to the principal dwelling.

d) A Secondary dwelling associated with an existing principal dwelling can be detached but shall be setback by no more than 10 metres from the principal dwelling.

e) The design of the secondary dwelling shall complement the new or existing principal dwelling and shall have regard to the definition of a secondary dwelling outlined in Fairfield LEP.

f) Subdivision of secondary dwelling development is prohibited. This includes Strata, Torrens and Community title forms of subdivision.

4B.2 Built Form and Urban Design

The design and location of a secondary dwelling influence the amenity provided by the dwelling to its occupants as well as the amenity of those living on the same land and/or neighbouring sites. To ensure a reasonably high level of residential amenity is provided and/or maintained various building design elements are regulated.

4B.2.1 Floor Area

Objective

a) To ensure building bulk, site coverage and open space provisions are compatible with neighbouring developments.

b) To ensure secondary dwellings are provided with a reasonably high level of residential amenity to provide independent living.

c) To ensure that secondary dwelling appropriately integrates with and complements the principal dwelling on the land.

Controls

The maximum permitted gross floor area for secondary dwelling is 60sqm or 10% of the total floor area of the principal dwelling, whichever is the greater, subject to compliance with the definition of secondary dwelling prescribed in *Fairfield LEP 2013*.

4B.2.2 Building Height

Objectives

a) To ensure new development is consistent and compatible with established built form and results in a physically cohesive neighbourhood.

b) To ensure minimal overshadowing of neighbouring properties.

c) To ensure privacy and limited overlooking of neighbouring properties.

d) Maintain sunlight in public and private open spaces.

Controls

a) The secondary dwelling shall be single storey construction only.

b) The height of a detached secondary dwelling shall not exceed 4.5 metres, as measured from the natural ground level to the topmost point of the secondary dwelling. Greater heights may be considered where the contour of the land justifies additional building height.

c) A secondary dwelling proposed above or below the main principal will not be supported.

4B.2.3 Setbacks

The position of a secondary dwelling from property boundaries has potential to affect the privacy and solar access of neighbouring properties as well as the provision of access to the secondary dwelling from the street. To ensure solar access and privacy of neighbouring properties are preserved, and sufficient access is provided, setbacks from boundaries are regulated.

Objectives

a) To protect the privacy and solar access of neighbouring properties

b) To maintain and enhance established streetscape and the rural character of the neighbourhood

c) To ensure privacy is maximised for neighbours of the development and those who will occupy the secondary dwelling

d) To provide pedestrian and vehicular access to the secondary dwelling from the street.

Controls

a) No building, including secondary dwelling, is to be built within 30 metres of either Wallgrove Road or Elizabeth Drive.

b) A secondary dwelling is to be located in line with or behind the front elevation of the principal dwelling.

c) A secondary dwelling is to be setback a minimum of 5 metres from side and rear boundaries;

d) Where a secondary dwelling is proposed on a corner allotment, a minimum secondary street setback of 5 metres is to be provided.

e) An access path from the street to the secondary dwelling must be provided that does not rely on passing through the other dwelling on the site. The access path may pass through a carport/driveway or a path beside the main dwelling. The path must demonstrate a clear path to the secondary dwelling from the street and the path must have a minimum width of 900 millimetres and be a suitable material for all weather access.

Note 1: A detached secondary dwelling is to be positioned no greater than a maximum distance of 10 metres from the principal dwelling, as per Control 4B.2.4(f) below.

4B.2.4 Building Appearance and Location

The appearance and position of a secondary dwelling has potential to affect the amenity of the site and the character of the neighbourhood. In addition, the location of the secondary dwelling also has potential to impact the operation of the existing septic system for the principal dwelling.

Objectives

a) To ensure that the appearance of a secondary dwelling is consistent and complements the character of the rural area

b) To ensure that the location of a secondary dwelling minimises the loss of landscaping on the site.

c) To ensure that a secondary dwelling development minimises impact on the amenity of the neighbourhoods, minimises impact on existing septic system for the principal dwelling and suitably integrates with the existing development on the site.

Controls

a) Building bulk, height and scale, massing, roof form and materials shall be sympathetic to existing built forms and complement rather than detract from and/or compete with the existing development.

b) A secondary dwelling shall incorporate architectural design elements, articulation and fenestration so as to add architectural interests to the building.

c) In cases where the site contains an older style cottage (e.g., fibro cottage) that lacks architectural merit, the proposed secondary dwelling shall be designed to incorporate modern, contemporary style of architecture that would positively contribute to the area and/or the future character of the area.

d) The building appearance should preserve the visual amenity and rural quality that neighbouring residents enjoy.

e) An attached secondary dwelling must be physically and/or structurally attached to the principal dwelling on the site including sympathetic integration with the roof structure of the principal dwelling.

f) A detached secondary dwelling shall be positioned no greater than 10 metres from the principal dwelling and positioned away from designated sewage irrigation zones for the principal dwelling house.

4B.2.5 Building Materials

Objectives

a) To ensure building materials used for a secondary dwelling are sympathetic and complement the principal dwelling

b) To ensure that secondary dwelling development minimises impact on the amenity of neighbouring properties and suitably integrates with existing development on the site

c) To ensure materials selected for a secondary dwelling shall achieve maximum energy efficiency.

Controls

a) Any new development, when viewed from the street, should be compatible with the character of buildings within the site's visual locality by using similar shaped windows and similar building materials.

b) A secondary dwelling shall not be a prefabricated building or kit home.

c) The table below identifies colours and material that are to be used which allow the building to be compatible with the character of the locality. The materials used must also achieve the following outcomes:
   i. Durable and robust construction, and
   ii. Achieve adequate acoustic amenity, natural ventilation and access to sunlight for the occupants of the secondary dwelling.

d) The table below identifies set colours and material that are to be used which allow the building to be compatible with the character of the locality.

Building Element	Material	Colours
Roof	Tiles	Olive, Brown, Red (no black)
	Corrugated metal	Olives - Evening Haze, Cove, Mangrove, Pale Eucalypt, Jasper, Bushland. Greys – Windspray, Gully, Wallaby, Smurfmist, Dune. Browns- Paperbark, Terrain. (no black)
Walls	Face brick	Monochromatic, dichromatic and polychromatic or recycled (no black)
	Timber weatherboard	Avoid dark colours (no black)
Guttering	Metal (aluminium, zinc, steel, copper, lead)	Unpainted or to match roof
Downpipes	Metal (aluminium, zinc, steel, copper, lead)	Unpainted or to match walls
Door and window framing	Timber	Avoid dark colours
	Metal (steel or aluminium)	Avoid dark colours
Ground surfaces	Gravel	Red, grey, brown
	Recycled bricks	N/A
	Pavers	N/A
	Bitumen with brick edge	N/A
*Avoid black, dark grey and stark/bright white for large surfaces including walls and roofs and limit non-permeable ground surfaces like concrete.		

e) Where a garage, carport or outbuilding is proposed to be converted into a secondary dwelling, this must be in the form of brick veneer construction.
   i. Variations may be considered by Council where it can be demonstrated that the materials used meet construction standards relevant under the Building Code of Australia and will result in a building appearance which is compatible with existing development on the site and neighbouring area.
   ii. Exemptions will also be considered in the case of heritage items where the design and materials utilised for construction are sympathetic with the heritage item and satisfy other heritage requirements specified by Council.

f) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website

g) Where conversion of an existing structure is proposed to create a secondary dwelling, applicants need to be aware of construction standards specified under the Building Code of Australia and should seek technical advice to ensure compliance with the relevant Australian Standards.

4B.2.6 Internal Design

The internal design of a secondary dwelling should facilitate a functional and enriched environment for the occupants. To ensure the internal design is of a high standard it is regulated.

Objectives

a) Maintain a high quality of amenity within the secondary dwelling.

b) Ensure room sizes are functional, are of sufficient size and cater for intended use.

c) Furnish a secondary dwelling with basic amenities to ensure the occupants are provided with an acceptable standard of independent living.

d) Ensure private open space is easily accessible.

e) Ensure controls prevent over intensification of the development

Controls

a) The following minimum size requirements apply to secondary dwellings:
   i. Any rooms, including bedrooms must have a minimum floor area of 11sqm.
   ii. A combined living room, dining room and kitchen must have a minimum floor area of 23sqm.

b) Dwelling entrances should create a sense of individuality and act as a transitional space between communal and private areas.

c) Dwelling construction should minimise noise penetration between dwellings.

d) Living areas should connect to private outdoor areas.

e) A minimum width of 850millimetres is required for entries, doors and passageways and should be wide enough to allow furniture movement and wheelchair access.

f) The secondary dwelling must contain a kitchenette/bar, bathroom, living room and bedroom(s).

g) A common laundry may be provided only where external access for the occupants of each dwelling is possible. Where external access to the principal dwelling laundry is not possible, a laundry must be located in the secondary dwelling.

4B.2.7 Alterations and Additions

Alterations and/or additions to the principal dwelling may be required to ensure that the proposed secondary dwelling is integrated and appear as part of the overall appearance of the dwelling.

Objective

To ensure that alterations and additions proposed to create a secondary dwelling are integrated with the overall appearance of the original dwelling and streetscape.

Controls

a) Alterations and additions to the existing dwelling should not detract from the architectural form and style of the original dwelling and neighbouring dwellings.

b) New roof lines and materials should match the existing building to ensure the additions/alterations are integrated with the overall appearance of the building and streetscape.

4B.2.8 Attached Outbuildings

An attached outbuilding includes any of the following attached to a secondary dwelling:
- alfresco,
- deck,
- carport,
- patio,
- pergola,
- terrace or verandah. or
- any combination of the above.

Controls

a) Attached outbuildings onto a secondary dwelling must not exceed a maximum combined total floor area of 12sqm a roof covered area such as an alfresco, deck or patio.

b) An attached carport onto a secondary dwelling must not exceed a maximum area floor area of 18sqm.

c) A minimum setback shall be a minimum of 5 metres from the boundary.

d) The maximum height of an attached outbuilding shall not exceed 4.5 metres when measured from natural ground level.

e) The finished floor level of an attached outbuilding shall not exceed 500 millimetres when measured from natural ground level

f) Attached Outbuilding must not function as a self-contained dwelling.

4B.3 Car Parking and Access

Access for vehicles to safely enter and exit a dwelling house lot is essential. Access driveways should, where possible, follow the natural contours rather than cutting across the contours so as to preserve the natural character of the site. For general design information on car parking and the car parking requirement for the principal dwelling, refer to Chapter 4A and Chapter 12 of this DCP.

4B.3.1 Car Parking Rate

Objectives

a) Ensure that vehicle access is provided in a location that minimise hard paved surface and maintains opportunities for roadside planting, paths or other uses

b) Vehicle access to the proposed secondary dwelling shall, where possible, utilise the existing driveway for the principal dwelling to minimise the extent of hard stand on site.

Controls

a) A minimum of one (1) car parking space is required for a secondary dwelling. The car parking requirement for the principal dwelling shall be provided in accordance with the requirements of Chapter 12 of this DCP.

b) When a carport is attached to the secondary dwelling, for the use of the secondary dwelling occupant, a maximum area of 18sqm will be permitted.

c) Carports are to be completely open on three sides.

d) Attached garages to the secondary dwelling will not be supported.

4B.4 Open Space and Landscaping

4B.4.1 Private Open Space

To ensure that all residents have access to private open space to meet their needs, such as clothes drying and gardening, it is necessary to require a separate private open space for the secondary dwelling.

Objectives

a) To ensure all proposed private open space is usable, functional and easily accessible for the residents.

b) To ensure private open space includes soft soil zones.

c) To ensure direct access and a relationship between indoor and outdoor living areas is provided.

Controls

a) The principal and secondary dwelling must have its own separate private open space.

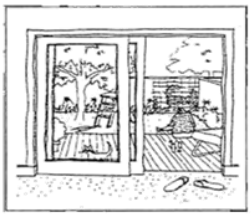
b) The secondary dwelling must have 24sqm of private open space.

c) The private open space area must have a 4 metre by 4 metre level ground area of soft soil zone in the rear yard.

d) The private open space should be appropriately located to ensure occupants of either dwelling do not pass through the private open space of the other dwelling.

e) In the calculation of the 24sqm of private open space:
   i. no area less than 2.5 metres in width will be included;
   ii. outdoor clothes drying areas are included as private open space; and
   iii. car parking spaces are not included in open space calculations.

f) The private open space must adjoin any alfresco area and living areas, such as a lounge room, a family room, a dining room or a kitchen.



g) Alfresco areas are to be completely open on two or more sides.

h) A garage or gate must provide access between the private open space and the driveway. This will allow items stored in backyards (e.g., garbage bins, garden tools) to be moved to the street without needing to come through the house.

i) Fencing located on secondary road boundary, a maximum of 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a maximum of 1.8 meters high fencing.

j) Private open space must be located behind a 1.8 metre high fencing.

4B.4.2 Landscaping

All new secondary dwelling proposals in the rural zones are required to provide landscaping to complement existing vegetation on the site and neighbouring area.

Applicants are encouraged to engage the services of a qualified landscape person to prepare a landscape plan to accompany the application for a secondary dwelling.

Objectives

a) To encourage native plantings within the rural area

b) To soften the built form of a secondary dwelling

c) To ensure that soft soil zones proposed responds to natural features, soften the appearance of developments, improve the living quality of the neighbourhood

d) To encourage soft soil areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 50% of the front yard of the principal dwelling is to be landscaped.

b) A landscape plan must be prepared for the site. Refer to Appendix F Landscape Planning of the Fairfield City Wide DCP 2024 for principles when preparing a landscape plan.

4B 4.3 Fencing

For fencing provisions, any relevant requirements specified in Chapter 4 must be met.

4B.5 Amenity

4B.5.1 Solar Access

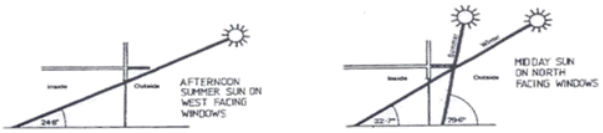
A secondary dwelling should appropriately respond to the orientation of the site so as to achieve maximum solar access and shall be designed to minimise reliance on mechanical ventilation for heating and cooling purposes. To achieve a high level of solar access for the secondary dwelling, the principal dwelling and neighbouring properties, the development must be designed having regard to potential internal and external overshadowing impacts.

Objectives

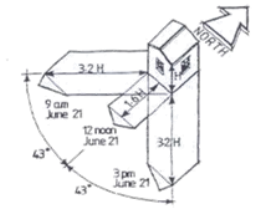
a) Encourage the benefits of winter sun and minimise the intrusion of harsh summer heat in design

b) Ensure internal living spaces and private open space has adequate access to sunlight

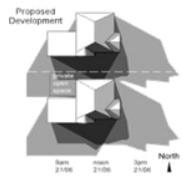
c) Maintain direct sunlight to adjacent dwellings.



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

Controls

a) A secondary dwelling must be designed to ensure that the living areas are orientated towards north, where possible, and that all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

b) New secondary dwelling design must take into consideration the location of existing solar panels on neighbouring properties. Design of a new secondary dwelling must ensure solar access to the existing solar panels during day light.

c) Garages, bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades.

d) A secondary dwelling must be designed to ensure that the windows of adjacent housing and more than two-thirds of their private open space receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

e) Council may require, where the situation warrants it, the preparation of shadow diagrams showing the impact of a proposal on the adjacent residential buildings and their private open space. Such diagrams shall be based on a survey of the site and neighbouring development. The shadow diagrams shall include all openings and windows of neighbouring buildings and shall demonstrate likely shadow impact on the 21 June for 9am, 12pm, and 3pm.

4B.5.2 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

a) To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel(s) will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

4B.5.3 Privacy

The privacy for neighbours and for residents must be maximised in secondary dwelling development.

Objectives

a) Ensure privacy is maximised for the principal dwelling, neighbouring properties and those who will occupy the secondary dwelling;

b) Avoid overlooking of private open spaces and windows of nearby dwellings; and

c) Limit noise transmission between the principal and secondary dwellings and to neighbouring dwellings.

Controls

a) Living area windows of secondary dwelling must not result in unsatisfactory direct overlooking of the living areas and private open space of the principal dwelling and neighbouring properties. Living areas do not include bedrooms, laundry and bathrooms.

b) Where there is a direct overlooking between living area windows of the secondary dwelling and the living area windows and private open space of the principal dwelling and neighbouring properties, consideration should be given to providing privacy screens including landscaping in the design.

4B.6 Stormwater

The provision of drainage and reuse of rainwater is important to reduce flooding, stormwater damage, and overland flow. To achieve this concept plans and rainwater tanks are regulated.

4B.6.1 Stormwater Disposal

Objectives

Stormwater disposal objectives include;

a) To direct stormwater runoff to Council's drainage system without adversely impacting on neighbouring or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Controls

a) OSD requirements apply to parcels where there is an increase in the impervious nature of the site.

b) All pervious areas draining into the detention basin shall be treated as impervious unless runoff routing calculations are performed.

c) Where the site is fully affected by flooding, or overland flow paths, OSD requirements do not apply. Applicants should seek more information on flooding by applying for a Section 10.7(2) and (5) certificate from Council, referring to Council's Flood Risk Management Policy and by checking compliance with Council's Flood Risk Management requirements (refer to Chapter 11 of this DCP).

d) The permissible site discharge shall be 78 l/s/ha.

e) In the interests of safety and amenity, ponded water depths are not to exceed:
   i. Parking/paved areas – 0.2 metre.
   ii. Landscaped areas – 0.5 metre.
   iii. Covered storage – no limit.
   iv. Fenced storage – no limit
   v. Roof area – as required for structural integrity

f) Finished floor levels are to be at the following minimum levels:
   i. Lockup garages – above the maximum 1 in 100 year water surface level.
   ii. Finished habitable floor levels – 0.3 metre above the maximum 1 in 100 year water surface level.

g) OSD requires integration with the architectural design and layout of the development, ie the OSD system needs to be located so as not to compromise the location of the septic system.

All development applications must comply with Council's Stormwater Management Policy 2017.For more information on Council's policy on stormwater detention in rural areas applicants should refer to Council's Rural Area On-site Detention Guidelines.

4B.6.2 On Site Detention

Objectives

a) To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

4B.6.3 Cut and Fill

Objectives

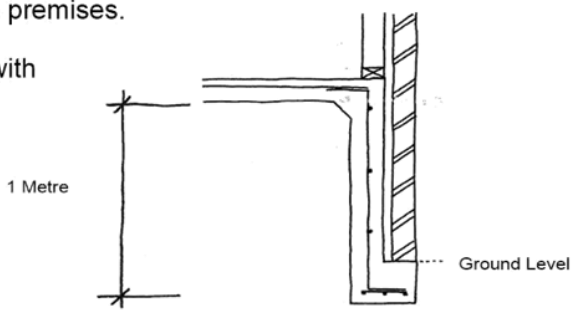
a) Reduce the necessity for retaining walls;

b) Reduce stormwater problems associated with changing the natural contours of the land;

c) Reduce the necessity to import fill onto the premises.

d) Reduce stormwater problems associated with changing the natural contours of the land.

e) Reduce the necessity to import fill onto the premises.



↑ The maximum permitted fill.

Controls

a) All proposed and existing ground levels are to be shown to Australian height datum

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Filling of land outside of the building envelope is not permitted.

d) Any cut proposed is required to be appropriately retained.

e) Proposed retaining walls must be included in the description of works in the development application.

f) The height of retaining walls are to be shown along with a minimum 3 metres from the boundary.

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4B.6.4 Rainwater Tanks

Objectives

a) Satisfy the requirement of the Building Code of Australia.

b) Position rainwater tank(s) to maximise rear yard space.

Controls

a) Above ground rainwater tanks are to be located a minimum of 3 metres from any neighbouring property boundary.

b) Only underground water tanks are permitted in the front yard and are encouraged to be placed under the driveway.

c) Pumps must comply with the noise requirements of the New South Wales Protection of the Environment Operations Act, 1997.

4B.7 Sewage Management

Horsley Park and Cecil Park are not connected to the Sydney Water reticulated sewerage system. Like all existing dwellings, secondary dwellings in the rural area requires the provision of an on-site sewerage management system to deal with waste water and human wastes.

A critical issue with respect to on-site sewage disposal for secondary dwelling is the adequacy of the loading capacity of the existing on-site sewage management system for the existing principal dwelling to accommodate the additional load generated by the secondary dwelling and the location of the secondary dwelling in relation to dedicated disposal of waste water zone. The following outlines the requirements for the installation and maintenance of septic tanks.

Objectives

a) To prevent waste water from the system causing a danger to human or animal health or to the environment.

b) To ensure that on-site sewage management systems are designed, installed and located appropriately.

Controls

4B.7.1 Installation

a) On-site sewage management systems shall be installed and maintained in accordance with the Council's On-Site Sewage Management Policy.

b) Secondary dwellings shall be connected into the existing On-Site-Sewerage Management Systems on the site.

4B.7.2 Location

a) The minimum required area of 1,600sqm dedicated for the disposal of waste water arising from the on-site system for the principal dwelling shall be maintained to accommodate the additional load generated by the secondary dwelling.

b) The buffer distances (i.e. the distance between the disposal area and the boundaries of the premises, dwellings, swimming pools, driveways, outbuildings and from drainage reserve or flood liable land) shall be according to the distances indicated in the Council's On-site Sewage Management Policy. The buffer distances vary according to the contours and other features of the land.

4B.7.3 Wastewater Report

A standard domestic system has the capacity to cater for up to 10 persons. In order to ensure that the system can cope with the additional load/persons generated by living in the secondary dwelling, a wastewater report shall be submitted with any a Development Application for a secondary dwelling.

The required wastewater report shall be prepared by a suitably qualified wastewater/geotechnical engineer, and shall address the following minimum matters:

a) Whether the existing On-Site-Sewerage Management System functions satisfactorily.

b) Whether the capacity of the existing system will be able to cope with the additional load generated by the secondary dwelling.

c) Assess whether the proposed location of secondary dwelling will or will not compromise the land areas required for irrigation and whether the location of the secondary dwellings complies with the buffer distances outlined in Council's On-Site Sewerage Management Strategy (2002).

In the event that any existing On-Site Sewerage System is deemed inappropriate and recommendations are made to upgrade or replace the system, a new application to install an On-Site Sewerage Management System shall be submitted to and approved by Council.

4B.8 Residential Development near Extractive Industries

There are 4 extractive industries located within Horsley Park and Cecil Park. If your property is located within 500 metres of an extractive industry boundary, certain development controls may apply to your land.

Refer to Chapter 4 of the City Wide DCP 2024 for details in respect to Controls for residential development near extractive Industries.

4B.9 Acoustic Impacts

Refer to the following clauses within Chapter 4A – Development in the Rural Zones:

4A.5 Residential Development near Extractive Industries

4A.6 Aircraft Noise

Note 1: A new secondary dwelling (without development approval prior to October 2020) are not permitted on properties within Horsley Park and Cecil Park located under the 20-25 ANEC associated with the Western Sydney Airport.

4B.10 Site Servicing

Objectives

a) Ensure that a secondary dwelling is serviced and provided with essential facilities;

b) Ensure front façades are free of utility services and structures; and

c) Ensure a secondary dwelling is able to be identified by street number.

Controls

4B.10.1 Water

a) Water connections must meet the requirements of Sydney Water.

b) Rainwater tanks, collecting rainwater from all site roof areas (including separate garages/sheds etc) and used for toilet flushing, laundry, and garden irrigation are encouraged.

4B.10.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services must satisfy the requirements of electricity distribution authority.

c) Meter boxes are to be placed in positions acceptable to the electricity distribution authority but must not face the street.

4B.10.3 Telephone and Internet

Telephone line installation must be in accordance with the requirements of Telstra.

4B.10.4 Dwelling Street Number

a) Contact Council to request the allocation of house number if required.

b) Position and secure clearly visible street numbers near property entrances such as the front fence, wall or letterbox.

c) Street numbers should be positioned at a minimum height at 500 millimetres above ground level (existing).

4B.10.5 Postal Services

a) The size of a letterbox must meet the Australia Post approved size. Australia Post recommends a separate box or tube to accommodate newspaper and non-mail articles.

b) A letterbox must clearly mark the street number of the dwelling that it serves.

c) A letterbox must be located on the boundary of the property with the footpath or road or at the junction of the driveway with the road. The opening of the mailbox must face the footpath or road.

4B.10.6 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Secondary Dwellings are defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.

4B.10.7 TV Antennas

The antenna must be located at the rear of the site to reduce visibility from the street.

Fairfield City
Celebrating diversity

Fairfield City Wide DCP

Chapter 5A
Single Dwelling House

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5A.0 Introduction

5A.0.1 Zones

This Chapter applies to single dwelling house development where they are permitted with consent in the following residential zones:

a) R1 General residential

b) R2 Low density residential

c) R3 Medium density residential

d) R4 High density residential

under Fairfield Local Environmental Plan (LEP) 2013.

Dwelling houses in the rural area are covered by the Development in Rural Zones Chapter 4A. See LEP 2013 for a definition of dwelling house.

Note: Prefabricated housing is not permitted as they generally do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

5A.0.2 Objectives of this Chapter

The general objectives of this Chapter are to:

a) Provide controls for the housing needs of the community within a low density residential environment.

b) Ensure that single dwelling house development provides a desired standard of amenity for occupants.

c) Mitigate adverse impacts on adjacent land and the wider environment from new single dwelling house development.

d) Ensure that single dwelling house development makes a positive contribution to the streetscape and neighbourhood.

The site controls, setbacks, building appearance, car parking and access, fencing, private open space, landscaping, solar access, privacy, drainage, alterations and additions, ancillary structures, and utilities and services controls have been developed to promote a high standard of residential development.

Development applications involving the removal and relocation of a dwelling will need to submit proposed external finishes of the relocated dwelling, including those for any proposed additions or alterations.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B - Local and Aboriginal Heritage

For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

5A.1 Site Requirements

The size of a lot and the density of built structures affect the amenity of a dwelling house, the adjoining sites and the residential area as a whole. To ensure a high level of amenity, the lot size and the floor space ratio are regulated for single dwelling house development.

5A.1.1 Lot Requirements

In order to achieve appropriate amenity, it is pertinent to identify lots with appropriate lot size. The lot size and battleaxe block controls ensure that land is appropriate for detached single dwelling house development.

5A.1.1.1 Lot Size

Objectives

a) Ensure privacy is maximised for neighbours of the development and those who occupy the single dwelling.

b) Provide space for private recreation purposes.

c) Provide space for landscaping.

Controls

The minimum lot size for the proposed construction of a single dwelling house is 450sqm (access handles are excluded from this site area) within the Residential R2 zone.

Note 1: Any proposal for the construction of a single dwelling house within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained in the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 5A of the Fairfield City Wide DCP 2024.

5A.2 Built Form and Urban Design

The appearance, position and height of a single dwelling house may affect the streetscape and character of the neighbourhood. How a dwelling addresses the street and integrates with its neighbours influences the streetscape. To ensure a high level of residential amenity is maintained various building design elements are regulated.

5A.2.1 Floor Space Ratio (FSR)

Objective

Ensure building bulk, site coverage and open space provisions are compatible with neighbouring development.

Controls

a) The maximum permissible floor space ratio for any development must comply with the floor space ratio standards prescribed on the *Fairfield LEP 2013 Floor Space Ratio Map.* The most common maximum floor space ratio for a single dwelling house development is 0.45:1

b) Calculation of Floor Space Ratio must comply with the Floor Space Ratio provisions defined in *clause 4.5 Calculation of Floor Space Ratio and Site Area of the Fairfield LEP 2013.*

c) Due to site constraints and other requirements of this plan, the maximum FSR may not always be achieved on every development site.

d) A basement is permitted within the footprint of the ground floor of the building, Note - the footprint of the building does not include any outdoor areas such as alfresco or patio. Any basements in excess of the following maximum basement areas will be included in the total FSR calculations.
   i. a site less than 450sqm permits a basement of 75sqm,
   ii. a site more than 450sqm and less than 900sqm permits a basement of 150sqm,
   iii. A site greater than 900sqm, permits a basement of 300sqm.

e) Lift shafts and service shafts cannot be excluded from FSR calculations in this chapter

f) Calculated gross floor area includes:
   i. the area of a mezzanine,
   ii. habitable rooms in a basement or an attic, and
   iii. Basement stairs, lift shafts on all floor levels.

g) Non calculated gross floor areas are:
   i. any basement:
      a. storage, and
      b. vehicular access.
   ii. car parking to meet any requirements of the consent authority (including access to that car parking), and
   iii. terraces and balconies with outer walls less than 1.4 metres high, and
   iv. voids above a floor at the level of a storey or storey above.

Note 1: The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

Note 2: The gross floor area means the sum of the floor area of each storey of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor.

Note 3: A maximum concession of 33sqm will be deducted for the garage area where two or more car parking spaces are proposed when calculating the gross floor area.

Note 4: Refer to the State Environmental Planning Policy (Exempt and Complying Developments Codes) 2008 for the Gross Floor Area definition.

Note 5: Refer to Fairfield Local Environmental Plan 2013 for definition of a basement.

5A.2.2 Building Height

Objectives

a) Ensure new development is consistent and compatible with the established built form and hence results in a physically cohesive neighbourhood.

b) Ensure minimal overshadowing of neighbouring properties.

c) Ensure privacy of neighbouring properties is protected by limiting side and rear views of neighbouring properties.

d) Maintain sunlight in public and private open spaces.

Preamble

The maximum permissible building height for any development must comply with the building height standards prescribed on the *Fairfield LEP Height of Building Map*.

a) Ground level (existing) is defined in Fairfield LEP 2013 *as the existing level of a site at any point.* Note: Such ground level must be natural or lawfully approved.

b) Clause 5.6 of Fairfield LEP 2013 allows the maximum building height to be exceeded where the roof is determined to be a decorative architectural feature. Refer Clause 5.6 of Fairfield LEP 2013 for details.

c) Some dwellings may need to be lowered in height to comply with the DCP's requirements for solar access and privacy (See 5A.5.1 Solar Access and 5A.5.3 Privacy).

d) All two storey dwelling applications must include a sectional diagram that indicates the height of the dwelling from ground level (existing).

Controls

The following controls apply in all cases where the *Fairfield LEP Height of Building Map* indicates a maximum building height of 9 metres is applicable. Such height typically applies in the RU5 Village, R1 Residential and R2 Low Density Residential zones.

a) A maximum of two (2) storeys above ground level (existing) plus an attic or basement is permitted.

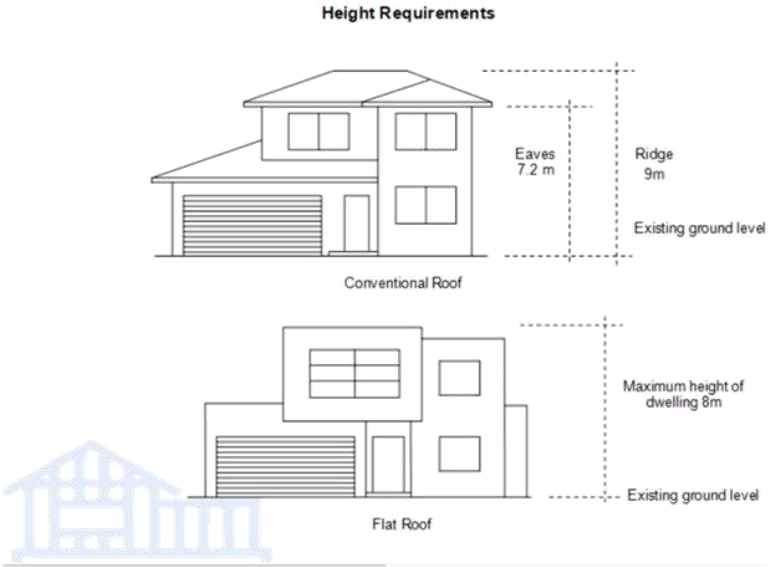
b) The maximum heights of the eave and the ridge from the ground level (existing) must be 7.2 metres and 9 metres respectively.

c) Development proposing parapet walls, flat roofs and high continuous walls shall be limited to 8 metres in height from ground level (existing) and are to provide articulation.

d) Pedestrian access to a roof terrace on flat roofs will not be supported.

e) For battleaxe blocks, the maximum ridge height is 8 metres and 6.5 metres to the underside of the eaves or 8 metres for flat roofed dwellings to allow for sloping blocks.

f) For battleaxe blocks, habitable rooms other than bedrooms or studies will not be supported on the upper floor.



5A.2.3 Setbacks

The distance a single dwelling house is setback from the front street and the appearance of the dwelling's facade influences the streetscape and character of the neighbourhood. The side and rear boundaries affect the privacy and solar access of the neighbouring properties. To ensure a high level of streetscape is preserved the front, rear, and side setbacks are regulated. Furthermore, provisions for road widening to improve the road network are considered.

Objectives

a) Maintain and enhance established streetscape and character of the neighbourhood.

b) Maintain and enhance light, ventilation and outlook for neighbouring properties.

c) Permit flexibility in the siting of the dwelling where no setback has been established or where circumstances might allow for a less rigid approach (eg. corner sites).

d) Ensure the visual focus of the development is the dwelling and not the garage.

e) Lessen the impact of development on battleaxe lots on the neighbouring properties.

f) Protect the privacy and solar access of neighbouring properties.

g) Encourage more efficient use of often wasted land along the perimeter of sites and buildings.

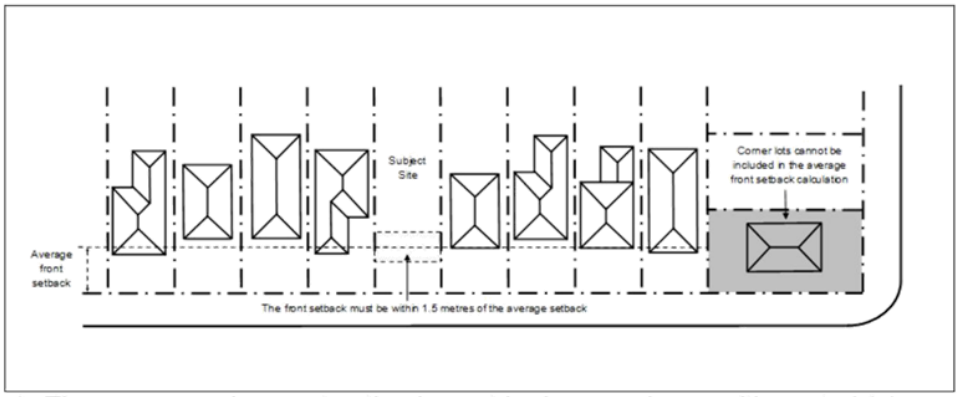
h) Ensure vehicular and pedestrian safety.

i) Encourage on-site parking.

5A.2.3.1 Front Setback Controls

a) Any part of the single dwelling house(except landscaping and retaining walls) must be located within 1.5 metres of the average existing front street setback.

b) For the purpose of determining the average front street setback, this is calculated from the primary road to the building line of the four dwelling houses on each side of the proposed development.



c) The garage and carport setback must be in accordance with control (a).

d) In cases where control (a) equates to a minimum setback less than 5.5 metres, the garage and carport front setback must be a minimum of 5.5 metres.

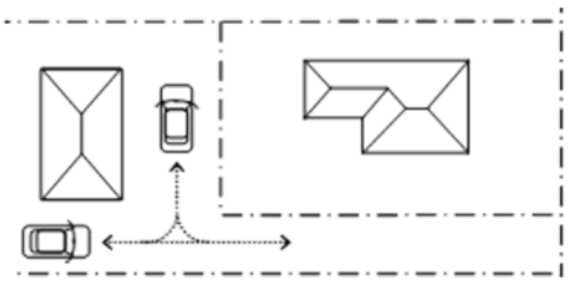
e) For cases where a garage or carport is proposed on the secondary frontage or fronting an access handle, the garage or carport must be setback 5.5 metres from the boundary or the access handle.

f) A single dwelling house front setback must be in accordance with control (a). In cases where control (a) equates to a minimum setback less than 4.5 metres, the dwelling front setback must be a minimum of 4.5 metres.

g) Regardless of control (e), a single dwelling house located on battleaxe lots must be setback a minimum of 1.5 metres from all boundaries.

h) Battleaxe lots do not have an additional front setback requirement. However, vehicles must be able to enter and exit the site in a forward direction.

i) Retaining walls located within the front building line, shall not protrude past natural ground level. Fencing shall not be used to retain fill.



5A.2.3.2 Side and Rear Setback Controls

a) Side and rear setbacks for all ground floor walls must be a minimum of 900mm from the boundary.

b) The upper floor side walls of the southern and western facade require a minimum 1.5 metre setback from the boundary, the upper floor side walls of the Northern and Eastern facade require a minimum of 900 millimetres setback from the boundary to comply with the DCP's requirements for solar access and privacy (See 5A.5.1 Solar Access and 5A.5.3 Privacy which provides deemed to comply setback distances).

c) The upper floor rear walls require a minimum 4 metre setback from rear boundaries where they adjoin residential properties.

d) The rear wall of a single dwelling house located on a battle axe block is deemed to be the wall on the opposite side of the dwellings' front façade.

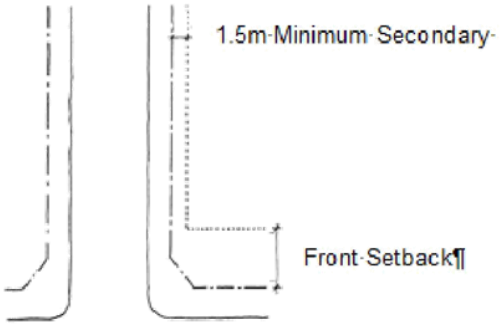
e) For a proposal with a combined area above a staircase and void space greater than 20sqm, the upper floor side setback must be a minimum of 4 metres from the southern and western boundaries of the property.

f) A basement development requires a minimum of 900 milliemetres setback from the boundary, and must be within the footprint of the building.

5A.2.3.3 Corner Lot Setback Controls

a) Corner sites require a minimum secondary setback of 1.5 metres.

b) Corner sites must have a front setback behind the Splay Corner as indicated at 5A.3.6.



5A.2.4 Building Appearance

The appearances, position and height of the detached single dwelling may affect the streetscape and character of the neighbourhood. How the dwelling addresses the street and integrates with its neighbours influences the streetscape. To ensure the building appearance is maintained in a uniform manner the dwelling position, dwelling height and cut and fill are regulated.

Objectives

a) Avoid a blank/plain facade along the most publicly visible part of the development.

b) Visually integrate the development into established streetscapes.

c) Provide visual interest through the incorporation of features traditionally associated with those facades facing the street.

d) Ensure the dwelling is oriented toward the street frontage to achieve unobtrusive natural surveillance.

Controls

a) A single dwelling house which fronts onto a street and is immediately visible to observers must be designed to address the street.

b) The front door should be visible or at least partially visible from the street and from the driveway.

c) Recessed doorways should be avoided as they restrict opportunities for casual surveillance of the door from outside of the dwelling.

d) On corner sites one elevation must address the street. The other must incorporate architectural features including articulation to the dwelling and to the roof form.

e) Front verandas and windows are to be situated to maximise observation of pedestrian and vehicle movement outside of the dwelling.

5A.2.5 Size of Rooms

Objective

a) To maintain a high quality of amenity within each dwelling.

b) To ensure room sizes are functional, are of sufficient size and cater for intended purpose.

Controls

a) Bedrooms shall be a minimum of 9sqm in size with a minimum 3 metre dimension.

b) Dining rooms shall be a minimum of 10sqm in size with a minimum 3 metre dimension.

c) A living room shall have a minimum 4 metre dimension.

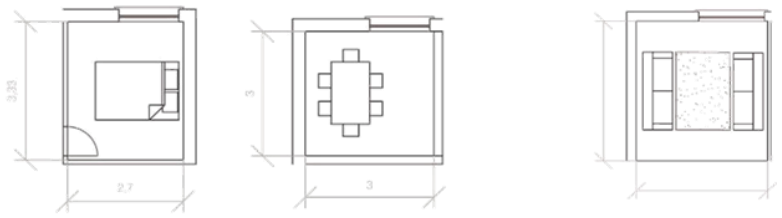
d) Where an open plan combined lounge / dining is proposed, a minimum area of 27sqm and a minimum dimension of 4 metres is required.

e) A furniture plan must be shown on plans in order for alternative minimum areas to be considered.

Minimum bedroom size
9sqm – 3 metre dimension

Stand alone dining room minimum size
10sqm– 3 metre dimension

Stand alone living room a minimum size of 18sqm
4 metres dimension



Minimum size for bedrooms, dining rooms & living rooms

Note 1: All architectural floor plans shall show full dimensions of internal floor layout to demonstrate that the above controls have been achieved.

5A.2.6 Building Design First Floor Balconies

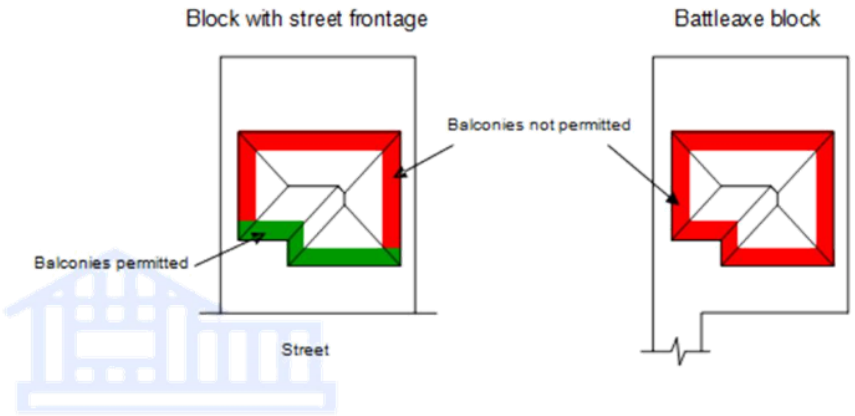
Objectives

Reduce overlooking or intrusion into the privacy of the private open space or windows of the neighbouring dwellings, from the rear and side elevations of the single dwelling house.

Controls

a) **First floor balconies to the side and rear elevations of a single dwelling houses are prohibited** except where a side or rear balcony looks onto a public reserve, public space or a secondary street and there is no likelihood of overlooking or intrusion into the privacy of the private open space or windows of the neighbouring dwellings

b) **Battleaxe shape allotments -** First floor balconies are prohibited to all elevations of dwelling houses which are proposed to be sited on battleaxe shape allotments, except where a balcony would look onto a public reserve or public space and there is no likelihood of overlooking or intrusion into the privacy of the private open space or windows of the neighbouring dwellings.



5A.2.7 Additions to a Single Dwelling House

Additions to a single dwelling house contribute to the streetscape and character of the neighbourhood and the amenity of the adjoining properties. Council sets out the following controls to minimise the impacts of additions and to manage the design and construction of additions so that the amenity of neighbouring properties and streetscape is protected.

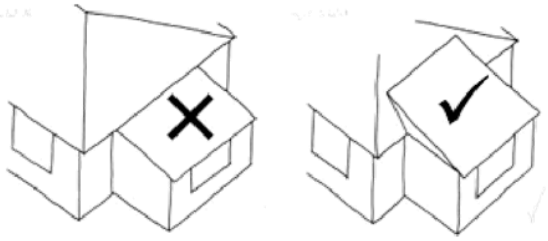
Objective

Ensure additions to a single dwelling house are complimentary and integrated into the existing dwelling.

Controls

a) Dwelling additions are to be internally integrated with the existing dwelling. For example, living rooms are to be connected via openings, and not separated by bedrooms, kitchens, bathrooms or laundries. No internal windows or glass sliding doors will be permitted.

b) The roof of the dwelling addition shall be integrated to complement the existing dwelling's roof form by:



i. adopting the existing roof form when seen from a public place or street; or
ii. adopting the existing roof form or a skillion roof where the addition cannot be seen from a public place or street provided that the skillion roof is not more than 25% of the total roof area.

c) Dwelling additions shall be constructed of materials which complement the existing dwelling, e.g. brick veneer dwelling requires a brick veneer addition.

d) Dwelling additions shall not be capable of being easily adapted to create a dual occupancy.

e) Accredited materials should be used only for their intended purposes. Accreditation by the approved accreditation bodies includes CSIRO, NATA, etc. The manufacturing specifications should be checked to ensure its intended use is appropriate.

f) Dwelling additions will be considered on the relevant requirements in this document. Relevant requirements may include Floor Space Ratio (Section 5A.2.1), Setbacks (Section 5A.2.3), and Private Open Space (Section 5A.4.1.1).

5A.2.8 Ancillary Structures

Ancillary structures include outbuildings whether attached and detached (such as a secondary dwelling, a detached garage, a detached carport, a detached shed, alfresco area or awning, a gazebo, a pergola) swimming pools and satellite dishes. See Chapter 5B for secondary dwelling controls.

Objectives

a) Ensure outbuildings are established in conjunction with the single dwelling house and visually incorporated into the development.

b) Ensure outbuildings do not restrict the flow and drainage of ground water and generate excessive overshadowing onto private open space and neighbouring properties.

5A.2.9 Detached Outbuildings

A detached outbuilding includes any of the following

- balcony, alfresco, deck, patio, pergola, terrace or verandah that is detached from a dwelling house;
- cabana, cubby house, fernery, garden shed, gazebo or greenhouse;
- carport that is detached from a dwelling house;
- garage that is detached from a dwelling house;
- rainwater tank (above ground) that is detached from a dwelling house;
- shade structure that is detached from a dwelling house; or
- shed.

Controls

a) Outbuildings, except a secondary dwelling, proposing a habitable use such as a studio, entertainment room, games room, gym and the like will not be supported.

b) One enclosed outbuilding such as a shed, detached garage, secondary dwelling or the like is permitted per dwelling.

c) The maximum size for a detached outbuilding is 50sqm, other than a secondary dwelling (Chapter 5B) and a carport (Section 5A.3.5). .

d) The maximum height of a detached outbuilding is not to exceed 4.5 metres, as measured from natural ground level to the topmost point of the detached outbuilding.

e) Setbacks for outbuildings, except a secondary dwelling, are to be a minimum of 500 millimetres, unless the Building Code of Australia requires a greater setback.

f) Outbuildings proposing the storage of a vehicle will only be permitted where stormwater can be gravity fed to either a street gutter or drainage easement.

g) A maximum size for a detached carport is 40sqm.

5A.2.10 Attached Outbuildings

An Attached building including any of the following

- alfresco,
- deck,
- carport,
- patio,
- pergola,
- terrace or verandah that is attached to the dwelling house;

Controls

a) Attached Outbuildings cannot exceed a maximum combined total floor area of 50sqm, other than a secondary dwelling and a carport

b) The minimum setback shall be 900 millimetres from the boundary.

c) The maximum ceiling height of an attached outbuilding shall not exceed 4.5 metres when measured from natural ground level.

d) The finished floor level of an attached outbuilding shall not exceed 500mm when measured from natural ground level

e) A maximum size for a detached carport is 40sqm (Section 5A.3.5)..

Note 1: For Secondary Dwelling controls, refer to Chapter 5B of the City Wide DCP.

5A.2.11 Swimming Pools

Objectives

a) Ensure swimming pool safety.

b) Minimise noise levels.

Controls

a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act.

b) Swimming pools must be located in the rear yard.

c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

5A.3 Car Parking and Access

Access for vehicles to safely enter and exit a single dwelling house lot is essential. For general design information on car parking, refer to Chapter 12 of this DCP. In the event of an inconsistency between the provisions contained within this chapter and those contained in Chapter 12, the provisions of Chapter 12 apply to the extent of the inconsistency.

To ensure that garages and carports area appropriately designed and integrated into development, off-street parking, vehicular access design, driveway location, and driveway materials are regulated.

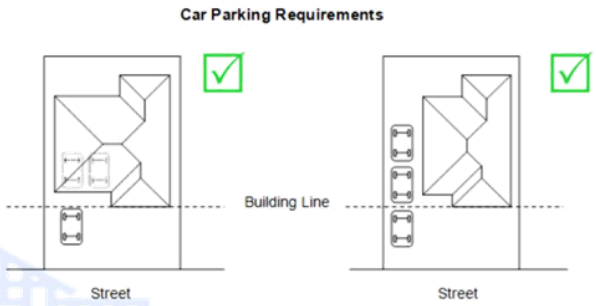
5A.3.1 Car Parking Rate

Objective

Minimise the visual impact of off-street parking on the streetscape.

Controls

a) Three car spaces must be provided onsite and two of the three car spaces must be located behind the building line.



b) Driveways must be designed to ensure than one (1) on street carparking spot is provided in front of the proposed development. The car parking spot must be a minimum of 5.5 metres when measured from the driveway splay.

5A.3.2 Vehicular Access Design

Objectives

Ensure that vehicle access is provided in a location that minimises hard paved surface and maintains opportunities for roadside planting, paths and other uses.

Controls

a) Dimensions for parking spaces and turning areas should be in accordance with Australian Standard 2890 Part 1 and should also achieve the following:
   i. Driveway widths should be minimised to increase landscaped areas while providing adequate space for vehicles to maneuver and pass at slow speeds, and
   ii. The entry point to the driveway should be 1 metre clear of power poles, telephone poles, street trees, and meter boxes.

b) The grades of the driveway, including transitions, shall comply with Australian Standard 2890.1 (2004) – "Off-Street Car Parking" to prevent the underside of the vehicles scraping.

c) The driveway shall comply with Figure 3.3 of AS/NZS 2890.1:2004 (sight distance requirements at access driveways). Adequate sight distance shall be provided at the boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians on the frontage road footpath.

d) Refer to Council's Vehicular Crossing Policy for further information regarding driveway and layback design controls.

e) Vehicles must be able to enter and exit the site in a forward direction for all Battle axe lots.

f) Where a basement with garage is proposed all vehicles must be able to enter and exit the site in a forward direction, the grades of the driveway shall include a level

transition at the boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians on the frontage road footpath.

Note 1: The development is to be designed having regard to existing constraints such as street trees, power poles, gully pits etc.

5A.3.3 Driveway Materials and Design

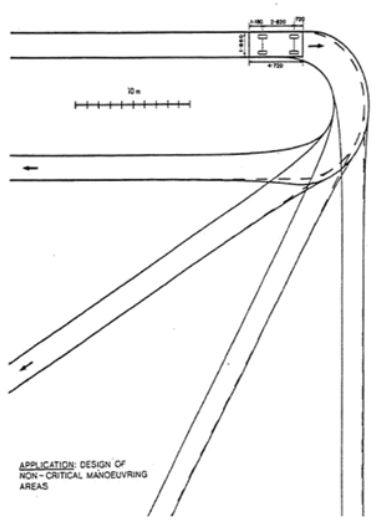
Objectives

a) To provide for driveways which appear as courtyards into which vehicles intrude rather than spaces designed primarily for cars.

b) To ensure a high standard of surface finish.

c) To minimise the visual impact of expansive driveway surfaces.

d) To provide for driveways that will, as far as possible, retain their original condition and appearance and resist the wear and marking from car movement.



Vehicle Turning Template – 85% design car turning path. Minimum turning circle is 11.0 metres.

Controls

a) Coloured concrete that is textured or patterned must be used and finished with a non-slip surface or coating

b) All driveways are to be set a minimum of 0.5 metres from any side boundary and incorporate a soft soil zone for turf/landscaping.

5A.3.4 Driveway Location

Objectives

a) Improve traffic safety by providing vehicle access to properties in a location that avoids possible traffic congestion, high speed traffic and bus-only roads.

b) Ensure that vehicle access is kept clear of proposed permanent road closures for other means

Controls

a) Vehicle access and driveways to properties should be in the location that allows for the shortest and most direct access over the nature strip from the road.

b) Vehicle access and driveways from a physically closed road will only be permitted where there is no alternative access opportunity and with the approval of Council's Traffic Branch.

c) Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with a Classified State and Regional Road or Unclassified Regional Roads (Refer to appendix G).

d) Vehicular access on a corner lot requires a minimum of a 6 metres setback from corner tangent on a local road.

e) Vehicular access should be designed to avoid existing traffic calming devises, round-a-bouts, gully pits, etc.

f) Multiple driveways will only be considered for properties where access and egress is difficult. These applications will be assessed based on merit and must be designed in consultation with Council and the Roads and Maritime Services.

5A.3.5 Garages and Carports

Objectives

a) Maintain an integrated façade of the dwelling that is not dominated by the garage or carport.

b) Soften the appearance of blank garage door(s) and large expanses of concrete driveways.

c) Ensure the visual focus of the development is the dwelling, not the garage or carport.

d) Reduce the amount of filling required beneath the driveway.

Controls

a) Garages and carports should not be a dominant feature of the building façade. These structures should be subservient in scale to the dwelling, and integrated and compatible with the overall design of the dwelling in terms of height, form, materials, detailing and colour.

b) Garages and carports shall not occupy more than 50% of the dwelling façade that fronts the street.

c) Carports shall have a maximum roof area of 40sqm.

d) Carports must integrate with the dwelling by the use of complementary colours and decorative work.

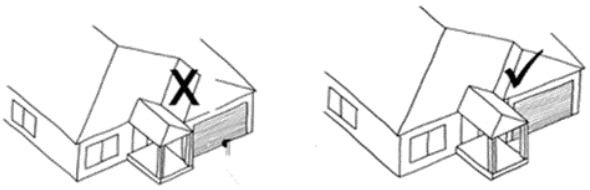
e) Garages must complement the roof form and construction types of the dwelling house.

f) All carports and garages must not be located more than 600 millimetres in front of external face of the foremost part of the dwelling living areas.

g) Attached Garages will only be considered where the garage is integrated within the building and does not detract from the streetscape or create a bulky building.

h) Landscaping is to be maximised at the property boundary and in between two or more garages in order to soften the appearance of blank garage doors and large expanses of concrete driveways.

i) The floor level (finished) of the garage shall be no greater than 300mm above ground level (existing) at the entrance of the garage.



j) Vehicle access and driveways from a physically closed road will only be permitted where there is no alternative access opportunity and with the approval of Council's Traffic Branch.

k) Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with a Classified State and Regional Road or Unclassified Regional Roads (Refer to appendix G).

l) Vehicular access should be located 6 metres from the corner for a local road.

m) Vehicular access should be designed to avoid existing traffic calming devises, round-a-bouts, gully pits, etc.

5A.3.6 Splay Corner Setbacks and Road Widening

Objectives

a) Restrict building and landscaping within close proximity to road intersections.

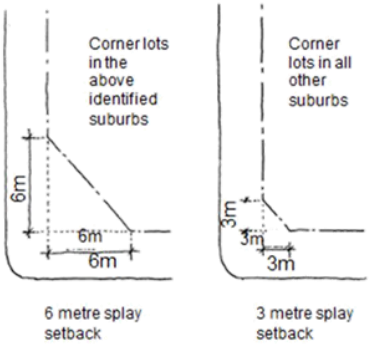
b) Improve traffic safety by increasing site distances for drivers at intersections.

c) Provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Controls

a) Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centreline of the road. Council may seek to acquire up to 3 metres width of land for road widening.

b) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve sight distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.



Note 1: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

These restrictions are updated from time to time based on advice from the Service NSW and investigations carried out by Council and need to be considered as part of new development. Up-to-date information is relation to the above can be obtained from Council by requesting a Section 10.7 Planning Certificate.

5A.4 Open Space and Landscaping

5A.4.1 Open Space

Open space provides a number of amenities to the property, for example space for children to play and for drying clothes. To ensure access to useable private open space is achieved, the amount of private open space and the access to it, is regulated.

5A.4.1.1 Private Open Space

Objectives

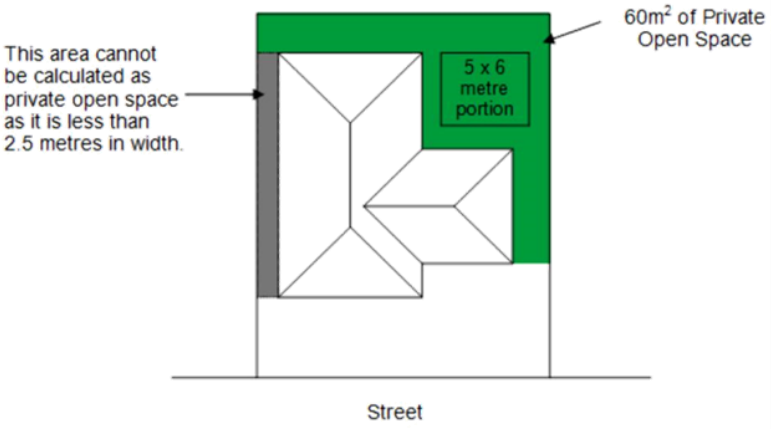
a) Ensure the private open space is usable, functional and easily accessible for residents.

b) Ensure private open space includes landscaping and soft soil zones.

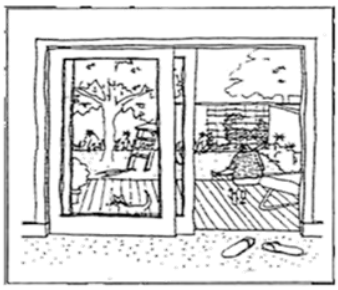
c) Ensure direct access and a relationship between indoor and outdoor living areas.

Controls

Private Open Space Requirements



a) A dwelling house must have a minimum private open space area of 60sqm, with at least one 5 metre by 6 metre level ground area of soft soil zone in the rear yard. In the calculation of private open space:
   i. must not have a gradient more than 1:50,
   ii. no area less than 2.5 metres in width will be included as part of private open space;
   iii. outdoor clothes drying areas are included as private open space;
   iv. car parking spaces are not included in private open space;
   v. The private open space must have direct and level access from the dwelling's living and alfresco areas, such as a lounge room, a family room, a dining room, kitchen or outdoor living area.
   vi. Private open space is not permitted within the front setback.
   vii. Private open space must be located behind a 1.8 metre height fencing.



b) Fencing located on secondary road boundary, a maximum of 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a 1.8 metre height fencing.

c) A garage or gate must provide access between the private open space and the driveway. This will allow items stored in backyards (eg, garbage bins, garden tools) to be moved to the street without needing to pass through the dwelling house.

5A.4.2 Landscaping

There are many advantages to having soft soil zones surrounding a dwelling house. Soft soil zones include landscaping that enhance the streetscape through softening the impact of hard surfaces, i.e. buildings, driveways, walls, parked cars, fences and the like. Landscaping provides shade and minimises glare from road, footpaths, buildings, and cars. Landscaping also improves air quality as trees use carbon dioxide and give off oxygen. To ensure these contributions are considered, controls governing landscaping, existing trees, and new plantings are provided.

Control

A detailed landscape plan is required to be submitted with development applications.

For single dwelling house development, applicants are encouraged to liaise with a horticulturalist at local nurseries and can prepare their own plans using the controls as a guide. Council's Landscape Assessment Officers can provide more information. Landscaping principles, landscaping planning controls and templates are provided in the Landscape planning appendix to this DCP.

Significant trees as those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally, trees with a girth greater than 500 millimetre and a canopy spread of a 6 metre radius are trees of significance.

Objectives

a) To require landscape plans to respond to natural features, soften the appearance of developments and improve the living quality of the neighbourhood.

b) To encourage landscaping areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 30% of the site is to be dedicated for a soft soil zone.

b) A minimum of 50% of the soft soil zone is to be located in the rear yard.

c) A minimum of 50% of the front yard is to be a soft soil zone.

d) When calculating your Soft Soil zone, any area less than 1.5 metres wide will not be included . To be included in a soft soil zone. This area must be clear of any structure and overhang above.

e) A landscape plan must be prepared for the site. Refer to Landscaping Appendix F for landscaping principles when preparing a landscape plan.

5A.4.3 Fencing

Fencing is an important element in creating a pleasant streetscape. To enhance the character of the City's neighbourhoods, fencing design, height and materials are regulated.

Objectives

a) To provide design requirements for side, rear, and corner lot fencing that create a unified streetscape.

b) To allow for fencing that acts as a noise attenuation measure along Classified State and Regional Roads.

c) To allow for security fencing that minimises visual impact on the streetscape.

Controls

5A.4.3.1 Fencing Design

a) Fencing must be designed to highlight entrances and be compatible with the materials used in the dwelling's facade, incorporate a letterbox and garbage storage area and provide a clearly identifiable street number.

b) Fences visible from a public place or within common area property must be divided into segments no longer than 5 metres. (In the fencing design there must a change in the façade plan or an expressed column to avoid flat featureless fence.) Details of a fence must be submitted with the Development Application.

c) Fencing design must provide opportunities for natural surveillance into public spaces.

d) Fencing construction must meet the following criteria:
   i. have adequate footings, be self-supporting and able to withstand loads, and
   ii. not include barbed wire, chain wire, razor wire, broken glass, be electrified, or the like, and
   iii. not stop or redirect surface waters so as to cause a nuisance and be open style fencing where the property is affected by flooding or by an overland flow, and
   iv. be constructed wholly within the property boundary.

5A.4.3.2 Front Boundary Fencing

a) Fencing in front of the building line shall be a maximum height of 1.5 metres above ground level (existing) and be of masonry and decorative panel construction. The maximum height of the masonry wall portion in front of the building line is 900 millimetres above ground level (existing), with the exception of the masonry piers.

Figure 1

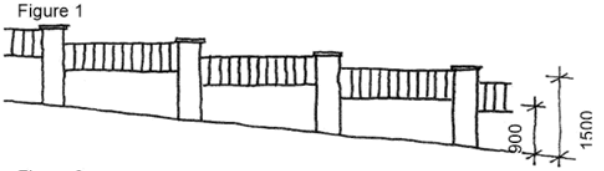
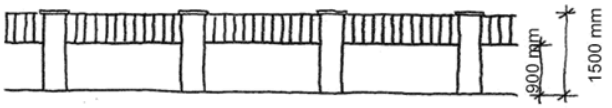


Figure 2



↑ The front fence must follow the natural contours of the site as illustrated in

b) Infill panels and decorative inclusions must not be made out of non reflective materials and must be open to permit views into the front yard and the façade of the dwelling.

c) Gates located in front of the building line should be consistent with the infill panels and not open onto a roadway or public space.

5A.4.3.3 Side, Rear and Corner Lot Fencing

a) Fencing behind the front building line shall be a maximum height of 1.8 metres above ground level (existing).

b) Fencing located on secondary road boundary, a maximum 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a maximum 1.8 metre height fence.

c) Private open space must be located behind a 1.8 metre height fence.

5A.4.3.4 Front boundary fencing along Classified State and Regional Roads

a) Solid front fences with a maximum height of 1.8 metres are permitted provided that the fence incorporates corners and planting beds every 5 metres.

b) Refer to appendix G for full list of Classified and Regional Roads.

Note 1: For exempt and complying fencing controls State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 should be consulted.

5A.5 Amenity

5A.5.1 Solar Access

Dwelling design should minimise the need for heating and cooling through appropriate window size, shape and location. To achieve a high level of solar access for both the dwelling and surrounding properties, the development must be carefully designed to minimise overshadowing.

Objectives

a) Encourage the benefits of winter sun and minimise the intrusion of summer heat in design.

b) Ensure internal living spaces and private open space has adequate access to sunlight.

c) Maintain direct sunlight to adjacent dwellings.

d) Ensure development on lots orientated east west maximise access to sunlight for internal living areas such as living rooms, dining rooms and kitchens.

Controls

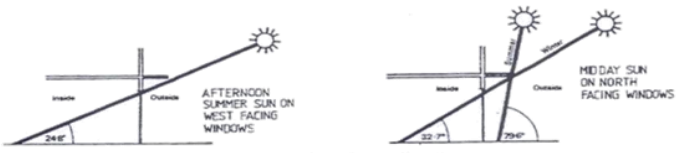
a) All dwellings must be designed to ensure:
   i. living areas are orientated towards north where possible
   ii. all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.
   iii. the potential for sunlight to penetrate the development through windows and atriums for dwellings on east-west orientated lots is maximised, limiting the use of skylights for bathrooms and utility rooms only.

b) The windows to at least one living area of a dwelling on the neighbouring/adjoining dwelling/s and more than two-thirds of their private open space must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement is already not achieved prior to the single dwelling development, the development must not result in additional overshadowing on the affected living area and private open space of the neighbouring dwelling.

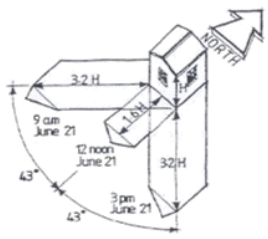
c) A development should maintain solar access to a solar hot water system, photovoltaic panel, or other solar collector on an allotment or adjoining allotment.

d) Garages, bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades.

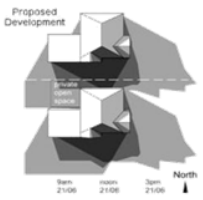
e) Council may require the preparation of shadow diagrams showing the impact of a proposal on the adjacent residential buildings and their private open space. Such diagrams shall be based on a survey of the site and adjoining development. The shadow diagrams shall include:
   i. all openings and windows of adjoining buildings



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

ii. shall demonstrate likely shadow impact on the 21 June for 9 am, 12 pm, and 3pm.

5A.5.2 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

5A.5.3 Privacy

The privacy for neighbours and for residents must be maximised in single dwelling house development. To ensure windows and balconies are regulated.

Objectives

a) Ensure privacy is maximised for neighbours of the dwelling house and those who will occupy the dwelling.

b) Avoid overlooking of private open spaces and windows of neighbouring dwellings.

c) Limit noise transmission to neighbouring dwellings.

Controls

a) Upper floor voids, stairways, hallways and living area windows (not including bedrooms, laundry, bathrooms or studies), which overlook neighbouring premises, must be provided with:
   i. A sill height of no less than 1.5 metres from the upper floor finished floor level, or translucent glass that is fixed and not able to be opened.
   ii. A stairway window that overlooks the neighboring premises is to be translucent glass that is fixed and not able to be opened.

b) Any rooftop, upper floor, rear and side balconies will not be supported, including battleaxe blocks.

c) For battleaxe blocks, habitable rooms other than bedrooms or studies will not be supported in the upper floor.

5A.6 Stormwater

Proper drainage and reuse of rainwater is important to reduce flooding, stormwater damage, and overland flow. To achieve this concept plans and rainwater tanks are regulated.

5A.6.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Control

a) All development applications must comply with Council's Stormwater Management Policy 2017

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy.

5A.6.3 Cut and Fill

Objectives

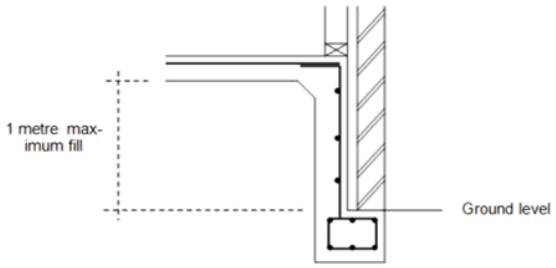
a) Reduce the necessity for retaining walls.

b) Reduce stormwater problems associated with changing the natural contours of the land.

c) Reduce the necessity to import fill onto the premises

d) Reduce stormwater problems associated with changing the natural contours of the land.

Cut and Fill Requirements



Controls

a) All proposed and existing ground levels are to be shown to Australian height datum.

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Filling of land outside of the building envelope is not permitted.

d) Any cut proposed is required to be appropriately retained.

e) Proposed retaining walls must be included in the description of works in the development application.

f) The height of retaining walls are to be shown along with a suggested minimum setback of 500 millimetres from the boundary, or a distance in accordance with an engineer's design, to provide adequate subsoil drainage within the boundaries.

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5A.6.4 Rainwater Tanks

Objectives

a) Satisfy the requirement of the Building Code of Australia.

b) Position rainwater tank(s) to maximise rear yard space.

Controls

a) Above ground rainwater tanks are to be located a minimum of 450mm from the boundary.

b) Only underground water tanks are permitted in the front yard and are encouraged to be placed under the driveway. All underground water tanks require structural certification from a qualified structural engineer.

c) Pumps and pipe system are to be provided for water recycling.

d) Pumps must comply with the noise requirements of the New South Wales Protection of the Environment Operations Act, 1997.

5A.7 Site Servicing

Objectives

a) Ensure that developments are serviced and provide for facilities.

b) Ensure front façades are free of utility services and structures.

c) Ensure dwellings are able to be identified by street number.

Controls

5A.7.1 Water and Sewerage

a) Water and sewerage connections must meet the requirements of Sydney Water.

b) Rainwater tanks, collecting rainwater from all site roof areas (including separate garages/sheds etc) and used for toilet flushing, laundry, and garden irrigation are encouraged.

5A.7.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services must satisfy the requirements of electricity distribution authority.

c) Meter boxes are to be placed in positions acceptable to the electricity distribution authority but may not face the street.

5A.7.3 Telephone and Internet

Telephone line installation must be in accordance with the requirements of Telstra.

5A.7.4 Dwelling Street Number

a) Contact Council to request the allocation of house number if required .

b) Position and secure clearly visible street numbers near property entrances such as the front fence, wall or letterbox.

c) Street numbers should be positioned at a minimum height at 500 millimetres above ground level (existing).

5A.7.5 Postal Services

a) The size of a letterbox must meet the Australia Post approved size. Australia Post recommends a separate box or tube to accommodate newspaper and non-mail articles.

b) A letterbox must clearly mark the street number of the dwelling that it serves.

c) A letterbox must be located on the boundary of the property with the footpath or road or at the junction of the driveway with the road. The opening of the mailbox must face the footpath or road.

5A.7.6 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Dwelling Houses are defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) Waste and Recycling storage and collection infrastructure configurations are outlined in - *Appendix H Model Waste Infrastructure, section 1*.
d) A designated waste and recycling hard stand storage area to be provided for each dwelling and large enough to accommodate Councils residential waste and recycling streams. The area to be:
    i. Of sufficient size with minimum dimensions of 2,200mm width by 1,000mm depth
    ii. Located within each dwelling's private open space
    iii. Behind the building line
    iv. Located free from windows or doors
    v. Support an enhanced amenity outcome
    vi. Integrated wholly within the built form
e) To support the provision of a safe and efficient waste collection service, a designated hard stand kerbside waste collection area to be:
    i. Provided for each dwelling
    ii. Large enough to accommodate Councils residential waste and recycling streams with a minimum width of 3,300mm
    iii. Located wholly within the lot's frontage
    iv. Clearly displayed on architectural plans
    v. Free from driveways, on-street parking, footpaths, streets trees and service utilities
f) The path of travel from the waste and recycling storage area to the nominated kerbside waste collection area to:
    i. Not pass through the residential dwelling, garage or through adjacent lots
    ii. Be clearly displayed on architectural plans
    iii. Provide a 900mm unobstructed width throughout all manoeuvres
    iv. Not permit the movement of Councils bins over stairs, obstructions, uneven, and vegetated areas
g) Specifications of Councils standard 10,800mm heavy rigid waste collection vehicle are outlined in - *Appendix H Model Waste Infrastructure, sections 1.7 – 1.9*. All infrastructure is to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams.

5A.7.7 TV Antennas

The antenna must be located at the rear of the site to reduce visibility from the street.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 5B
Secondary Dwelling

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5B.0 Introduction

5B.0.1 Development to which this Chapter applies

This Chapter applies to Secondary Dwelling development where it is permitted with consent in a zone under Fairfield Local Environmental Plan (LEP) 2013.

Note 1: Any proposal for the construction of a secondary dwelling within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained on page 147 of the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 5B of the Fairfield City Wide DCP 2024.

5B.0.2 Objectives of this Chapter

The general objectives of the Chapter are:

a) To provide for the housing needs of the community within a low density residential environment, that meets the needs of extended families, single households and creates greater availability of affordable accommodation.

b) To ensure that new development provides a desired standard of amenity for occupants

c) To protect neighbouring land and the wider environment from the impact of new development.

d) To ensure the development makes a positive contribution to the streetscape and neighbourhood.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

Note 1: Prefabricated housing is not permitted as they do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

5B.1 Site Requirements

The size of a lot and the density of built structures affect the amenity of the people living on the site as well as those on the neighbouring sites and the residential area as a whole. The floor space ratio and balanced building form controls are provided.

The appearances, position and height of the dwellings may affect the streetscape and character of the neighbourhood. To ensure the building appearance is maintained in a uniform manner, the dwelling position, development façade, building height, sizes of rooms, access for all residents, safety and security are regulated.

5B.1.1 Lot Requirements

In order to achieve appropriate amenity, it is pertinent to identify lots with appropriate lot size. The lot size and battle-axe block controls ensure that land is appropriate for secondary dwelling house development.

5B.1.1.1 Lot Size

Objectives

a) Ensure the occupants are provided with an acceptable standard of independent living.

b) Ensure privacy is maximised for neighbours of the development and those who will occupy the secondary dwelling.

c) Ensure the site coverage and open space provisions per lot are compatible with a secondary dwelling.

d) Provide adequate space for landscaped area to promote the healthy growth of trees and vegetation.

e) Ensure adequate permeable surfaces are allocated to reduce soil erosion and to increase sustainable management of stormwater.

f) Ensure site is an appropriate size to accommodate a high level of amenity for residents of the site including neighbouring sites

Controls

a) The allotment subject of a secondary dwelling application must have a minimum site area of 450sqm. On battle-axe allotments this does not include the area of the access handle.

b) In the case of a development application for a new dwelling house which includes a secondary dwelling, the design of the secondary dwelling needs to conform with the definition of a secondary dwelling in the Fairfield LEP.

c) Subdivision of secondary dwelling development is not permitted. This includes Strata, Torrens and Community title forms of subdivision.

d) A minimum lot width of 12 metres is required, measured at the building line.

5B.2 Built Form and Urban Design

The design and location of a secondary dwelling influences the amenity provided by the dwelling to its occupants as well as the amenity of those living on the same and or neighbouring sites. To ensure a high level of residential amenity is maintained various building design elements are regulated.

5B.2.1 Floor Space Ratio (FSR)

Objective

Ensure building bulk, site coverage and open space provisions are compatible with neighbouring development.

Controls

a) The maximum permissible floor space ratio for both the principal dwelling and secondary dwelling combined, must comply with the floor space ratio standards prescribed on the *Fairfield LEP 2013 Floor Space Ratio Map*. The most common maximum floor space ratio for secondary dwelling development in conjunction with a detached single dwelling house development is 0.45:1.

b) Calculation of Floor Space Ratio must comply with the Floor Space Ratio provisions defined in *clause 4.5 Calculation of Floor Space Ratio and Site Area of the Fairfield LEP 2013.*

c) Due to site constraints and other requirements of this plan, the maximum FSR will not always be achieved on every development site.

d) A secondary dwelling is permitted a maximum GFA (Gross Floor Area) of 60sqm or 10% of the total floor area of the principal dwelling whichever is the greater, subject to the secondary dwelling definition in *Fairfield LEP 2013*.

5B.2.2 Building Height

Objectives

a) Ensure new development is consistent and compatible with established built form and hence results in a physically cohesive neighbourhood.

b) Ensure minimal overshadowing of neighbours' property.

c) Ensure privacy and limited side and rear views of neighbours' property are maintained.

d) Maintain sunlight in public and private open spaces.

Controls

a) The height of a detached secondary dwelling is not to exceed 4.5 metres, as measured from natural ground level to the topmost point of the secondary dwelling. Greater heights will be considered where the contour of the land requires an increased height.

b) A secondary dwelling proposed above or below the principal dwelling will not be supported.

5B.2.3 Setbacks

The side and rear boundaries affect the privacy and solar access of neighbouring properties and allow access to the secondary dwelling from the street. To ensure solar access of neighbouring properties is preserved and sufficient access is provided, the rear and side boundaries setbacks are regulated.

Objectives

a) To protect the privacy and solar access of neighbouring properties.

b) To maintain and enhance established streetscape and character of the neighbourhood.

c) To ensure privacy is maximised for neighbours of the development and those who will occupy the secondary dwelling.

d) To provide pedestrian access to the secondary dwelling from the street.

5B.2.3.1 Setback Controls

a) A secondary dwelling requires a minimum side and rear setbacks of 900 millimetres.

b) A secondary dwelling must have a setback of at least 1.8 metres to the principal dwelling, otherwise the secondary dwelling must be attached to the principal dwelling.

c) Where a secondary dwelling is proposed on a corner lot, a minimum secondary street setback of 1.5 metres is required.

d) An access path from the street to the secondary dwelling must be provided that does not rely on passing through the other dwelling on the site. The access path may pass through a carport/driveway or a path beside the principal dwelling. The path must demonstrate a clear path to the secondary dwelling from the street and the path must have a minimum width of 900 millimetres and be a suitable material for all weather access.

e) Regardless of control (a), a secondary dwelling house located on a battleaxe lot must be setback a minimum of 1.5 metres from all boundaries.

5B.2.4 Building Appearance

The appearance, position and height of the secondary dwelling may affect the amenity of the site and the character of the neighbourhood. To ensure the building appearance of a secondary dwelling is of a high standard, the design and materials used, are regulated.

Objectives

a) Secondary dwelling development is consistent with the character of the single dwelling zone.

b) Ensure that secondary dwelling development minimises impact on the amenity of neighbourhoods and is suitably integrated with existing development on a site.

c) The building appearance should preserve the visual amenity and residential quality that neighbouring residents can enjoy.

Controls

a) Building bulk, height, scale, massing, roof form and materials should be sympathetic to existing built forms and complement rather than detract from the existing development.

b) Building design should be of a high quality and of architectural merit.

c) Architects/designers should avoid a monolithic appearance created by large expanses of blank walls through the use of architectural design features, articulation and fenestration.

d) An attached secondary dwelling must feature a physical/structural attachment with the principal dwelling on a site and include sympathetic integration with the roof structure of the principal dwelling.

e) A secondary dwelling located alongside the existing dwelling and must be:
   i. attached to the principal dwelling; and
   ii. The front door of the secondary dwelling must be obscured from the street, to achieve the appearance of one dwelling.

5B.2.5 Building Materials

Objectives

a) Ensure building materials used for a secondary dwelling are sympathetic to the principal dwelling.

b) Ensure that secondary dwelling development minimises impact on the amenity of neighbourhood and is suitably integrated with existing development on a site.

c) Construction should aim at maximum energy efficiency.

Controls

a) Any new development, should be compatible with the character of buildings in the site's visible locality by using similar shaped windows and similar building materials.

b) A secondary dwelling shall not be a prefabricated building or kit home.

c) External building materials and their colours should be compatible with the character of the locality. For example, use bricks and tiled roofs where these predominate.

d) Where a garage, carport or outbuilding is proposed to be converted to a secondary dwelling, this must be in the form of brick veneer construction.
   i. Variations may be considered by Council where it can be demonstrated that the materials used meet construction standards relevant under the Building Code of Australia and will result in a building appearance which is compatible with existing development on the subject site and neighbouring area.
   ii. Variations may be considered in the case of heritage items where the design and materials utilised for construction are sympathetic with the heritage item and satisfy other heritage requirements specified by Council.

e) The materials used in secondary dwelling housing must achieve the following outcomes:
   i. Durable and robust construction, and
   ii. Achieve adequate acoustic amenity, natural ventilation and access to sunlight for the occupants of the secondary dwelling.

5B.2.6 Internal Design

The internal design of a secondary dwelling should facilitate a functional and enriched environment for the occupants. To ensure the internal design is of a high standard it is regulated.

Objectives

a) Maintain a high quality of amenity within the secondary dwelling.

b) Ensure room sizes are functional, are of sufficient size and cater for intended use.

c) Furnish a secondary dwelling with basic amenities to ensure the occupants are provided with an acceptable standard of independent living.

d) Ensure private open space is easily accessible.

e) Ensure controls prevent over intensification of the development

Controls

a) The following minimum size requirements apply to secondary dwellings:
   i. Any rooms, including bedrooms must have a minimum floor area of 11sqm.
   ii. A combined living room, dining room and kitchen must have a minimum floor area of 23sqm.

b) Dwelling entrances should create a sense of individuality and act as a transitional space between communal and private areas.

c) Dwelling construction should minimise noise penetration between dwellings.

d) Living areas should connect to private outdoor areas.

e) A minimum width of 850millimetres is required for entries, doors and passageways and should be wide enough to allow furniture movement and wheelchair access.

f) The secondary dwelling must contain a kitchenette/bar, bathroom, living room and bedroom(s).

g) A common laundry may be provided only where external access for the occupants of each dwelling is possible. Where external access to the principal dwelling laundry is not possible, a laundry must be located in the secondary dwelling in a laundry/bathroom combination

5B.2.7 Alterations and Additions

Alterations and/or additions to the main dwelling may be required to ensure the proposed secondary dwelling is integrated with the overall appearance of the dwelling. To ensure the alternations and additions are of a high standard they are regulated.

Objective

Ensure that the alterations and additions proposed to create a secondary dwelling are integrated with the overall appearance of the original building and streetscape.

Controls

a) Alterations and additions to the existing dwelling should not detract from the architectural form and style of the original dwelling and neighbouring buildings.

b) New roof lines and materials should match the existing building to ensure the additions/alterations are integrated with the overall appearance of the building and streetscape.

5B.2.8 Ancillary Structures

Ancillary structures include outbuildings (such as a secondary dwelling, detached garages, detached carports, detached sheds, alfresco areas or awnings whether attached and detached, gazebos, pergolas) swimming pools and satellite dishes.

Objectives

a) Ensure outbuildings are established in conjunction with the principal dwelling and visually incorporated into a development.

b) Ensure outbuildings do not restrict the flow and drainage of ground water and generate excessive overshadowing onto private open space and neighbouring properties.

Controls

a) One enclosed outbuilding such as a shed, detached garage or the like is permitted per principal dwelling.

5B.2.8.2 Attached Outbuildings

An attached outbuilding including any of the following attached to a secondary dwelling:

- alfresco,
- deck,
- carport,
- patio,
- pergola,
- terrace or verandah, or
- any combination of the above.

Controls

a)

b) Attached outbuildings onto a secondary dwelling must not exceed a maximum combined total floor area of 12sqm for a roof covered area such as an alfresco, deck or patio.

c) An attached carport onto a secondary dwelling must not exceed a maximum floor area of 18sqm.

d) A minimum setback shall be a minimum of 900 millimetres from the boundary.

e) The maximum height of an attached outbuilding shall not exceed 4.5 metres when measured from natural ground level.

f) The finished floor level of an attached outbuilding shall not exceed 500 millimetres when measured from natural ground level

g) Attached Outbuildings must not function as a self-contained dwelling.

5B.3 Car Parking and Access

Access for vehicles to safely enter and exit a dwelling house lot is essential. To ensure this, car parking and access are regulated. Note for general design information on car parking, refer to Chapter 12 of this DCP. In the event of inconsistency between the provisions contained within this clause and those of Chapter 12, the provisions of Chapter 12 apply to the extent of the inconsistency.

5B.3.1 Car Parking Rate

Objectives

a) Ensure that vehicle access is provided in a location that minimise hard paved surface and maintains opportunities for roadside planting, paths or other uses.

b) Location of vehicle access and driveways to properties should allow the shortest and most direct access over the nature strip from the road.

Controls

a) There is no additional car parking requirement for a secondary dwelling. However, the minimum car parking requirement for the principal dwelling, as set out in Section 5A.3 and Chapter 12 of this DCP must be maintained.

b) When a carport is attached to the secondary dwelling for the use of the secondary dwelling occupant, a maximum area of 18sqm for the carport will be permitted.

c) The carport shall be designed such that it is sympathetic to and would complement the architectural style and form of the secondary dwelling and the principal dwelling.

d) Carports are to be completely open on three sides.

e) Attached garages to the secondary dwelling will not be supported.

f) Driveways must be designed to ensure one (1) on street carparking spot is provided in front of the proposed development. The car parking spot must be a minimum length of 5.5 metres when measured from the driveway splay.

g) Council will approve one vehicular crossing per property (Lot) to balance streetscape, on-street parking and to limit vehicle/pedestrian conflicts. Unless a Lot is subdivided there is no exception for a secondary dwelling i.e. Granny Flats.

5B.4 Open Space and Landscaping

5B.4.1 Open Space

To ensure that all residents have access to private open space to meet their needs, for example clothes drying, gardening and pet care areas, it is necessary to require a separate private open space for the secondary dwelling.

5B.4.1.1 Private Open Space

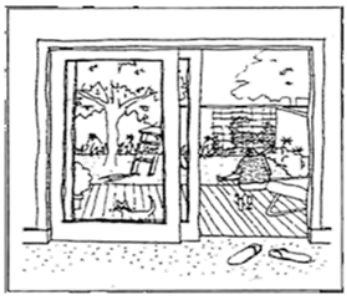
Objectives

a) Ensure the private open space is usable, functional and easily accessible for residents.

b) Ensure private open space includes soft soil zones.

c) Ensure direct access and a relationship between indoor and outdoor living areas.

Controls



a) The principal and secondary dwelling must have its own separate private open space, with access point shown from the dwelling.

b) The secondary dwelling must have 24sqm of private open space.

c) The private open space area must have a 4 metre by 4 metre level ground area of soft soil zone in the rear yard.

d) The private open space should be appropriately located to ensure occupants of either dwelling do not pass through the private open space of the other dwelling.

e) In the calculation of the 24sqm of private open space:
   i. no area less than 2.5 metres in width will be included;
   ii. outdoor clothes drying areas are included as private open space; and
   iii. car parking spaces are not included in open space calculations.

f) The private open space must adjoin an alfresco area and/or living areas, such as a lounge room, a family room, a dining room or a kitchen, with access point shown from the dwelling.

g) Alfresco areas are to be completely open on two or more sides.

h) The garage or a gate must provide access between the private open space and the driveway. This will allow items stored in backyards (e.g., garbage bins, garden tools) to be moved to the street without needing to pass through the house.

i) Fencing located on secondary road boundary, a maximum of 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a maximum of 1.8 meters high fencing.

j) Private open space must be located behind a 1.8 metre high fencing.

5B.4.2 Landscaping

For secondary dwellings, applicants are encouraged to liaise with a horticulturalist at local nurseries and can prepare their own plans. Council's Landscape Assessment Officers can provide more information.

Chapter 5B – Secondary Dwelling

Significant trees as those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally, trees with a girth greater than 500 millimetres and a canopy spread of a 6 metre radius are trees of significance.

Objectives

a) To require landscape plans to respond to natural features, to soften the appearance of developments and improve the living quality of the neighbourhood.

b) To encourage soft soil zones which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 30% of the site is to be dedicated for soft soil zones.

b) A minimum of 50% of the front yard of the principal dwelling is to be a soft soil zone.

c) A minimum of 50% of the soft soil zone is to be located in the rear yard.

d) When calculating your landscaping and soft soil zone, any area less than 1.5 metres wide will not be included and will not count towards landscaping. To be counted towards landscaping and soft soil zone this area must be clear of any structure and overhang above.

5B.4.3 Fencing

For fencing provisions, any relevant requirements specified in Chapter 5A must be met.

5B.4.4 Cut and Fill

Objectives

a) Reduce the necessity for retaining walls.

b) Reduce stormwater problems associated with changing the natural contours of the land.

c) Reduce the necessity to import fill onto the premises

d) Reduce stormwater problems associated with changing the natural contours of the land.

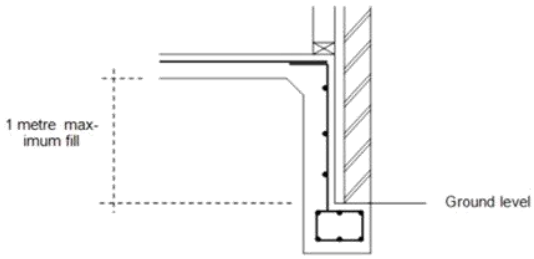
Controls

a) All proposed and existing ground levels are to be shown to Australian height datum

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Filling of land outside of the building envelope is not permitted.

Cut and Fill Requirements



d) Any cut proposed is required to be appropriately retained.

e) Proposed retaining walls must be included in the description of works in the development application.

f) The height of retaining walls are to be shown along with a suggested minimum setback of 500 millimeters from the boundary, or a distance in accordance with an engineer's design, to provide adequate subsoil drainage within the boundaries.

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5B.5 Amenity

5B.5.1 Solar Access

A secondary dwelling should appropriately respond to the orientation of the site so as to achieve maximum solar access and shall be designed to minimise reliance on mechanical ventilation for heating and cooling purposes. To achieve a high level of solar access for the secondary dwelling, the principal dwelling and neighbouring properties, the development must be designed having regard to potential internal and external overshadowing impacts.

Objectives

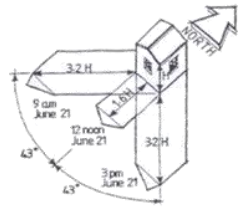
a) Encourage the benefits of winter sun and minimise the intrusion of harsh summer heat in design

b) Ensure internal living spaces and private open space has adequate access to sunlight

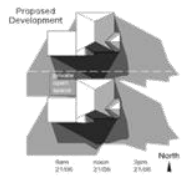
c) Maintain direct sunlight to neighbouring dwellings.



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

Controls

a) A secondary dwelling must be designed to ensure that the living areas are orientated towards north, where possible, and that all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

b) New secondary dwelling design must take into consideration the location of existing solar panels on neighbouring properties. Design of a new secondary dwelling must ensure solar access to the existing solar panels during day light.

c) Bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades.

d) A secondary dwelling must be designed to ensure that the windows of neighbouring housing and more than two-thirds of their private open space receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

e) Council may require, where the situation warrants it, the preparation of shadow diagrams showing the impact of a proposal on the neighbouring residential buildings and their private open space. Such diagrams shall be based on a survey of the site and neighbouring development. The shadow diagrams shall include all openings and windows of neighbouring buildings and shall demonstrate likely shadow impact on the 21 June for 9am, 12pm, and 3pm.

5B.5.2 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

5B.5.3 Privacy

The privacy for neighbours and for residents must be maximised in single dwelling development. To ensure this windows and balconies are regulated.

Objectives

a) Avoid overlooking of private open spaces and windows of nearby dwellings.

b) Limit noise transmission to nearby dwellings.

Controls

a) The living area windows of both the principal dwelling and the secondary dwelling must be designed to avoid unsatisfactory direct overlooking of the living areas and private open space of each other, as well as of neighbouring properties. Living areas do not include bedrooms, laundry and bathrooms.

b) Where there is a direct overlooking between living area windows of the secondary dwelling and the living area windows and private open space of the principal dwelling and neighbouring properties, consideration should be given to providing privacy screens including landscaping in the design

5B.6 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on neighbouring or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Control

a) All development applications must comply with Council's Stormwater Management Policy 2017.

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

5B.7 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.

b) Secondary Dwellings are defined in accordance with *Fairfield Local Environmental Plan 2013*.

c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.

5B.8 Site Servicing

For utilities and services provisions, any relevant requirements specified in Chapter 5 Part A must be met.

Fairfield City
Celebrating diversity

Fairfield CityWide DCP

Chapter 5C

Dwelling Houses on Narrow Lots

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5C.0 Introduction

5C.0.2 Objectives

5C.0.1 Zones

This Chapter generally applies to development permitted within the following residential zones under *Fairfield Local Environmental Plan (LEP) 2013*:

a) R1 General Residential

b) R2 Low Density Residential

c) R3 Medium Density Residential

d) R4 High Density Residential

5C.0.2 Objectives of this Chapter

This chapter applies to all development applications for the purposes of dwelling houses on narrow lots.

The general objectives of narrow lot housing are:

a) To provide for the housing needs of families and households that require smaller dwelling units and more affordable housing choices

b) To ensure that new development provides a desired standard of amenity for occupants

c) To protect neighbouring land and the wider environment from the impact of new development

d) To ensure the development makes a positive contribution to the streetscape and neighbourhood.

To ensure the amenity of dwelling housing on narrow lots and the character of the neighbourhood are of high quality, the determination of a narrow lot, floor space ratio, setbacks, building appearance, car parking and access, fencing, private open space, landscaping, solar access, privacy, drainage, utilities and services, and heritage are regulated.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

Note 1: Prefabricated housing is not permitted as they do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

Note 2: Any proposal for the construction of dwelling houses on narrow lots within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained on page 147 of the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 5C of the Fairfield City Wide DCP 2024.

5C.1 Site Requirements

This Chapter provides development controls for a single dwelling that is located on a pre-existing narrow lot. Typically, these lots have a minimum frontage of approximately seven (7) metres and because of this reduced width of frontage these lots are called narrow lots. The provisions of this chapter also apply to new narrow lot type development in areas located within the R2 Low Density Residential zone identified as "Area 1" on the Lot Size Map of the Fairfield LEP 2013.

The number of narrow lots in a row determines the type of development on each of the lots. Narrow lot development can either be a single dwelling on a single narrow lot, or a semi detached dwellings on two or more narrow lots. This chapter provides guidelines for each of these development types.

To ensure the amenity of narrow lots and the character of the neighbourhood are of high quality, the determination of a narrow lot, floor space ratio, setbacks, building appearance, car parking and access, fencing, private open space, landscaping, solar assess, privacy, drainage, utilities and services, and heritage are regulated.

The provisions of this Chapter may also apply to areas within the R3 Medium Density Residential zone where the resulting built form results in the creation of new narrow lots. This built form within the R3 Medium Density Residential zone is generally discouraged and will only be considered where it has been demonstrated that amalgamation with neighbouring lots to facilitate 'Multi Dwelling Housing' cannot be achieved and the resulting built form will not limit future potential for amalgamation of neighbouring sites.

5C.1.1 Lot Requirements

Subdivision patterns in the past resulted in narrow parcels in the low and medium density zoned areas of Fairfield City. The narrow lot rules and guidelines apply to properties under one address, comprising 1 to 3 lots each with a site area of less than 300sqm. Typically, these lots have a frontage that ranges from 6.7 metres to 7 metres.

In land zone Residential R3 and R4, amalgamation is encouraged to meet the objectives of the medium and high-density zones. However, in cases where amalgamation is not achievable, the narrow lot objectives and controls in this chapter apply.

Individual lots in narrow lot properties generally have a lot width between 6.7 metres and 7 metres. Where an existing lot has a width outside this range any proposal to construct a narrow lot will be considered on merit.

5C.2 Built Form and Urban Design

5C.2.1 Floor Space Ratio (FSR)

The density of built structures on a lot affects the amenity of the residents living on the site as well as those living on the neighbouring sites and the residential area as a whole.

Objective

Ensure building bulk, site coverage and open space provisions are compatible with neighbouring development.

Controls

a) The maximum permissible floor space ratio for any development must comply with the floor space ratio standards prescribed on the *Fairfield LEP 2013 Floor Space Ratio Map*. The most common maximum floor space ratio for a narrow lot dwelling house development is 0.45:1.

b) Calculation of Floor Space Ratio must comply with the Floor Space Ratio defined in *clause 4.5 Calculation of Floor Space Ratio and Site Area of the Fairfield LEP 2013.*

c) Due to site constraints and other requirements of this plan, the maximum FSR will not always be achieved on every development site.

d) A void space over the stairs of 8sqm can be excluded from the gross floor area calculations. Any additional void area will be included in the gross floor area calculations.

e) Lift shafts and service shafts cannot be excluded from FSR calculations.

5C.2.2 Building Height

Objectives

a) Ensure new development is consistent and compatible with the established built form and creates a physically cohesive neighbourhood.

b) Ensure minimal overshadowing of neighbouring properties.

c) Ensure privacy of neighbouring properties is protected by limiting side and rear views of neighbouring properties.

Preamble

a) The maximum permissible building height for any development must comply with the building height standards prescribed on the *Fairfield LEP Height of Building Map*.

b) Ground level (existing) is defined in Fairfield LEP 2013 *as the existing level of a site at any point.* Note: Such ground level must be natural or lawfully approved.

c) Clause 5.6 of Fairfield LEP 2011 allows the maximum building height to be exceeded where the roof is determined to be a decorative architectural feature. Refer Clause 5.6 of Fairfield LEP 2013 for details.

d) Some dwellings may need to be lowered in height to comply with the DCP's requirements for solar access and privacy (See 5C.5.1 Solar Access and 5C.5.3 Privacy).

e) All two storey dwelling applications must include a sectional diagram that indicates the height of the dwelling from ground level (existing).

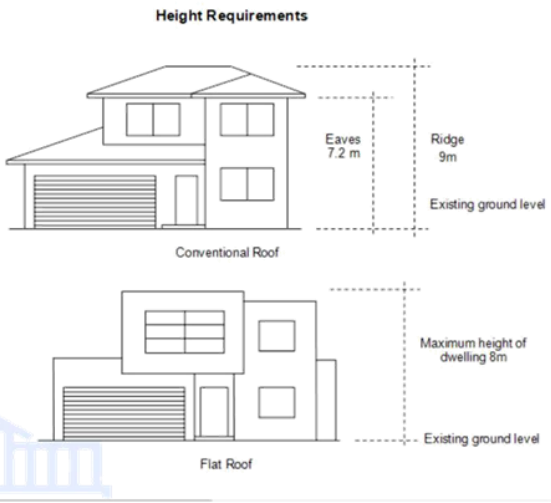
Controls

The following controls apply in all cases where the *Fairfield LEP Height of Building Map* indicates a maximum building height of 9 metres is applicable. Such height typically applies in the R1 Residential and R2 Low Density Residential zones.

a) A maximum of 2 storeys above natural ground level (existing) is permitted.

b) The maximum heights to the eave and the ridge from the natural ground level (existing) are 7.2 metres and 9 metres respectively.

c) Dwellings proposing parapet walls, flat roofs and high continuous walls shall be limited to 8 metres in height from natural ground level (existing) and are to provide articulation.



5C.2.3 Setbacks

The distance a dwelling is setback from the street(s) and the visual impact of a dwelling facade influences the streetscape and character of the neighbourhood. The side and rear boundaries affect the amenity of neighbouring properties including visual/acoustic privacy and solar access. To ensure a high level of streetscape is preserved the front, side, and rear boundaries are regulated. Furthermore, provisions for road widening to improve the road network are considered.

Objectives

a) Maintain and enhance established streetscape and character of the neighbourhood.

b) Protect the visual/acoustic privacy and solar access of neighbouring properties.

c) Achieve a staggered and articulated built form and ensure the visual focus of the development is the dwelling, not the garage.

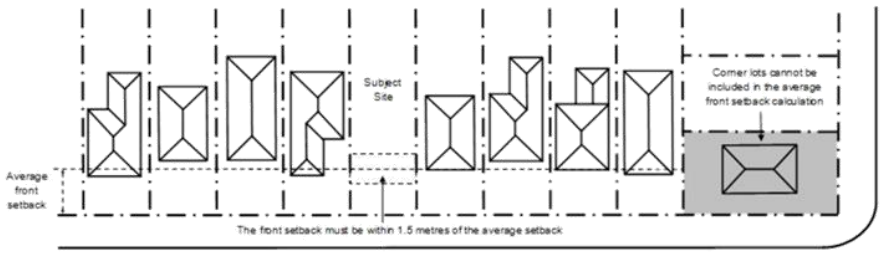
d) Ensure vehicular and pedestrian safety and provide the opportunity for Council to acquire land for local road widening which will improve the road network.

Controls

5C.2.3.1 Front Setback

a) The minimum front setback of dwellings is 5.5 metres, measured from the front property boundary to the front of the dwellings including articulation area such as porticos and verandas.

b) Garage(s) must be setback a minimum of 6 metres from the front boundary and be located within 1.5 metres of the street average.



c) Carport(s) must be setback a minimum of 5.5 metres from the front boundary will be assessed on merit.

d) Private courtyard and/or private open space is not permissible in the front setback area.

5C.2.3.2 Side Setback Controls

a) One side of each dwelling must be setback a minimum of 900mm from the side boundary, excluding the garage, for drainage and overland flow purposes.

b) First floor may be built to the side boundary but only within the first 10 metres of the building line and if the following are satisfied:
   i. The roof drainage is designed so that it is easily accessed and designed to drain roof stormwater to the front or back such as a front to back gable with a parapet on the boundary;
   ii. Walls located on the boundary must comply with the requirements of the Building Code of Australia in terms of fire separation; and
   iii. All boundary walls must extend at least 300mm above the roof line of the dwelling to ensure that roof drainage is contained within the site.

Note 1: The middle dwelling may be built to the boundary as long as the solar and privacy standards are met.

5C.2.3.3 Rear Setback Control

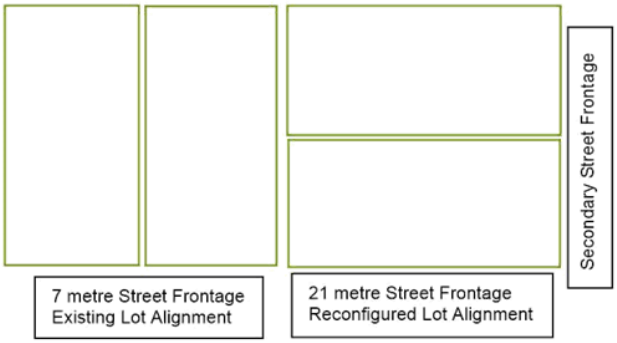
Controls

a) Ground floor walls must be a minimum of 900 millimeters from the boundary.

b) First floor walls must be set back a minimum of 6 metres from the rear boundary where the lot adjoins residential properties.

5C.2.3.4 Corner Lot Secondary Setback Controls

a) The reconfiguration of corner lots will only be considered where a better urban outcome is achieved and a quality design is proposed. Where boundaries are realigned, a reduced setback of 5.5 metres will be considered.



b) Dwellings shall be appropriately articulated along the primary and secondary setbacks to ensure that the dwellings address both streets.

c) All corner lots at the intersection of public roads will be required to provide a splay corner setback to improve sight distances at intersections. Splay corners setbacks of 3 metres by 3 metres are generally required to be provided. This setback shall be kept free of buildings and other structures and be used for landscaping purposes only. Refer also to Clause 5C.3.3 Splay Corners and road Widening.

5C.2.4 Building Appearance

The appearances, position and height of a dwelling may affect the streetscape and character of the neighbourhood. How a dwelling addresses the street and integrates with its neighbours influences the streetscape. To ensure the building appearance is maintained in a uniform manner the dwellings position and dwelling height is regulated.

Objectives

a) Ensure that new development is visually integrated into the established streetscape.

b) Ensure the dwelling is oriented toward the street frontage to achieve unobtrusive natural surveillance.

Controls

a) The design of the entrance (i.e. portico, patio or elevation treatment) shall be a dominant element of the dwelling to provide a clear indication of the entrance.

b) The front door or a window must be visible from the street and from the driveway to provide surveillance.

c) Front verandas and windows are to be situated to maximise observation of pedestrian and vehicle movement outside of the dwelling.

d) On corner sites the dwelling must address both streets by incorporating appropriate architectural features, articulation to the dwelling and roof form.

5C.2.5 Building Façade

Objective

a) Ensure that new development visually integrates into the established streetscape.

b) Provide visual interest through the incorporation of features traditionally associated with those facades facing the street.

Controls

a) Roof form should be articulated to provide interesting and varied elevations. This can be achieved through the use of gables or skillion roofs which assists the channeling of roof drainage.

b) Pedestrian access to a roof terrace on flat roofs will not be supported.

c) Switchboards for gas, electricity, etc. must not be attached to the front elevation of dwellings.

d) The maximum garage opening width for each dwelling is 2.7 metres.

e) Carports must be designed to integrate into the design of the dwelling.

5C.2.6 Size of Rooms

Objectives

a) Maintain a high quality of amenity within each dwelling.

b) Ensure room sizes are functional, are of sufficient size and cater for intended purpose.

Controls

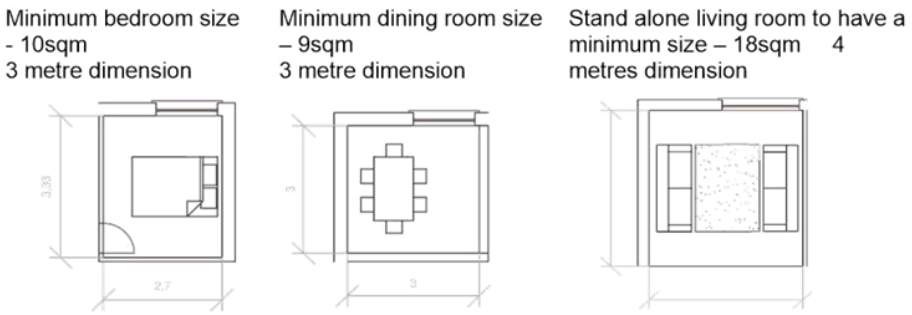
a) Bedrooms shall be a minimum of 10sqm in size with a minimum 3 metre dimension.

b) Dining rooms shall be a minimum of 9sqm in size with a minimum 3 metre dimension.

c) A living room shall be a minimum of 18sqm in size with a minimum 4 metre dimension.

d) Where an open plan combined living / dining is proposed, a minimum area of 27sqm and a minimum dimension of 4 metres are acceptable.

e) In addition to storage in the kitchen and bedrooms, the following storage is required:
   i. a minimum of 6sqm is required within each dwelling, including a minimum width dimension of 500 millimeters.
   ii. if located within the garage the storage space can be excluded from the FSR calculations.



Minimum size for bedrooms, dining rooms & living rooms

f) A furniture plan must be shown on plans in order for alternative minimum areas to be considered.

Note 1: All architectural floor plans shall show full dimensions of internal floor layout to demonstrate that the above controls have been achieved.

5C.2.7 Access for all Residents

Objective

To ensure the needs of elderly and disabled persons are accommodated in narrow lot developments.

Control

For developments where two or more dwellings are proposed, within one of the dwellings at least one room shall be capable of being adapted for use as a bedroom located on the ground floor, and a shower and toilet shall also be located on the ground floor.

5C.2.8 Swimming Pools

Objectives

a) Ensure swimming pool safety.

b) Minimise noise levels.

Controls

a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act.

b) Swimming pools must be located in the rear yard.

c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

5C.3 Car Parking and Access

The access for vehicles to safely enter a dwelling house lot is essential. For general design information on car parking, refer to Chapter 12 of this DCP. In the event of an inconsistency between the provisions contained within this clause and those of Chapter 12, the provisions of chapter 12 apply to the extent of the inconsistency.

5C.3.1 Car Parking

Objectives

a) Ensure that vehicle access is provided in a location that minimise hard paved surface and maintains opportunities for onsite landscaping, roadside planting, on street parking, paths and other uses.

b) Maintain an integrated façade to ensure that the dwellings are not dominated by the garages or carport.

c) Ensure the visual focus of the development is the dwellings, not the garage(s) or carport(s).

Controls

a) Two car parking spaces shall be provided per dwelling.

b) A maximum of one undercover car parking space in the form of a garage or carport is to be provided for narrow lots that have access to one street only.

c) For narrow lots that are located on a corner lot with two street access, a double garage may be permitted if the dwelling complies with all other controls such as Private Open Space, Landscaping, Solar Access and Drainage.

d) Garages must be designed in a manner that prevents a garage dominant street environment.

e) Garages must be recessed or 'flush' with the 6 metre building line.

f) Dimensions for parking spaces and turning areas should be in accordance with Australian Standard 2890 Part 1 and should also achieve the following:

g) Driveway widths should be minimised to increase landscaped areas while providing adequate space for vehicles to manoeuvre, and

h) The entry point to the driveway should be 1 metre clear of power poles, telephone poles, street trees, metre boxes, and storm water pits.

i) Within the development, driveways are required to be a minimum of 5.5 metres of distance apart.

j) For corner lots, driveways, garages or carports must be located 6 metres from the tangent.

k) For sites affected by overland flow, at least one carport must be provided for one of the dwellings when two or more dwellings are proposed to allow the flows to travel through the site. Alternatives (including another garage) can be considered where they address these drainage concerns to the satisfaction of Council. (Note: Refer to Section 5.C.12 Drainage for details of further requirements).

l) Dimensions for parking spaces and turning areas should be in accordance with Chapter 12 of the City-Wide DCP.

Note 1: It is recommended that the development be designed with regard to existing constraints of street trees, power poles, gully pits etc.

Note 2: The design of carports need to ensure compliance with the Building Code of Australia (BCA) and may require the provision of fire resisting walls neighbouring any openings. To comply with the BCA, the location of windows near carports needs careful consideration."

5C.3.2 Driveway Materials

Objectives

a) Provide for driveways which appear as courtyards into which vehicles intrude rather than spaces designed primarily for cars

b) Ensure a high standard of surface finish.

c) Minimise the visual impact of expansive driveway surfaces.

d) Provide for driveways that will, as far as possible, retain their original condition and appearance and resist the wear and marking from car movement.

Controls

a) Driveway material must be clay/concrete pavers, cobblestones or coloured concrete.

b) Stencilled concrete must be sealed and be non-slip.

c) Plain concrete driveways are not permitted.

5C.3.3 Splay Corner Setbacks and Road Widening

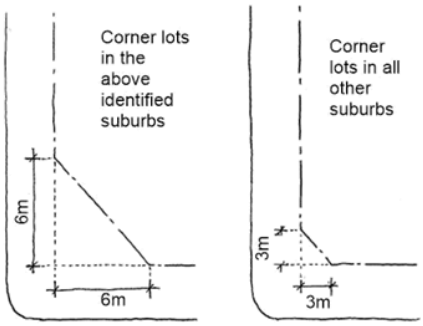
Objectives

a) Restrict building and landscaping within close proximity to road intersections.

b) Improve traffic safety by increasing site distances for drivers at intersections.

c) Provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Controls



a) Development on properties neighbouring Boundary Lane, Cabramatta should be set back at least 9 metres from the centreline of the road. Council may seek to acquire up to 3 metres width of land for road widening.

b) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.

Note 1: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

These restrictions are updated from time to time based on advice from Service NSW and investigations carried out by Council and need to be considered as part of new development.

Note 2: Up-to-date information is relation to the above can be obtained from Council by requesting a Section 10.7 Planning Certificate.

5C.3.4 Rights of Carriageway

Where a lot does not have access to a public road a right of carriageway (ROW) having a minimum width of 4 metres is to be created on title of the front lot, with frontage to a public road, in favour of the rear lot. The ROW shall have a minimum constructed pavement width of 3 metres, and a 1 metre wide strip devoted to landscaping and services. The ROW is to be created prior to release of the construction certificate.

Note 1: Complying Development under the General Housing Code - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 only applies to lots having frontage to a public road.

5C.4 Open Space and Landscaping

5C.4.1 Open Space

Open space provides a number of amenities to the property, for example space for children to play, drying clothes and gardening. To ensure a sufficient amount of private open space is easily accessible, private open space is regulated.

5C.4.1.1 Private Open Space

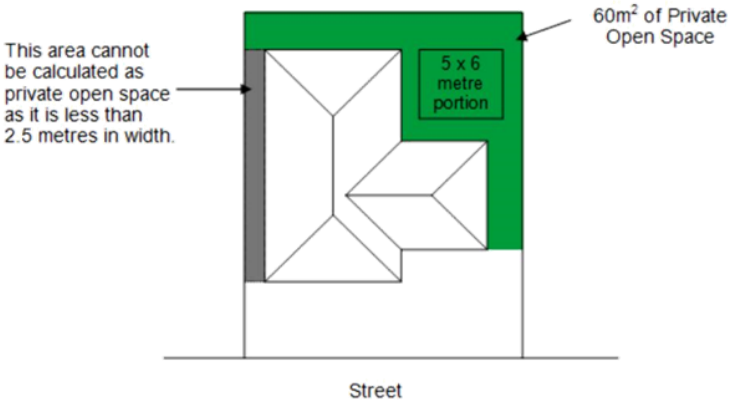
Objectives

a) Ensure the private open space is usable, functional and easily accessible for residents.

b) Ensure private open space includes landscaping and soft soil zone.

c) Ensure direct access and a relationship between indoor and outdoor living areas.

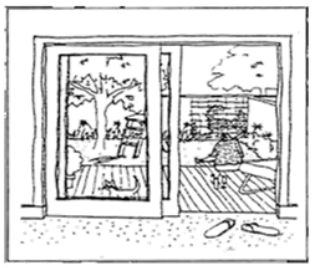
Private Open Space Requirements



Controls

a) The dwelling must have private open space.

b) A minimum area of 60sqm, with at least one 5 metre by 6 metre level ground area of soft soil zone in the rear yard. In the calculation of private open space:
   i. must not have a gradient more than 1:50,
   ii. no area is less than 2.5 metres in width will be included as part of private open space;
   iii. outdoor clothes drying areas are included as private open space;
   iv. car parking spaces are not included in open space calculations;
   v. The private open space must have direct and level access from the dwelling's living and alfresco areas, such as a lounge room, a family room, a dining room, kitchen or outdoor living.
   vi. Private open space is not permitted within the front setback.
   vii. Private open space must be located behind a 1.8 metre height fencing.



c) Fencing located on secondary road boundary, a maximum of 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a 1.8 metre height fencing.

d) A garage or gate must provide access between the private open space and the driveway. This will allow items stored in backyards (eg, garbage bins, garden tools) to be moved to the street without needing to pass through the house.

5C.4.2 Landscaping

For narrow lot development, applicants are encouraged to liaise with a horticulturalist at local nurseries and can prepare their own plans using the controls as a guide or alternatively engage the services of a landscape architect or other accredited professional with demonstrated experience. Council's Landscape Assessment Officers can provide more information.

Landscaping principles, landscaping planning controls and templates are provided in Appendix F Landscape planning.

Significant trees as those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally trees with a girth greater than 500millimetres and a canopy spread of a 6 metre radius are trees of significance.

Objectives

a) To require landscape plans to respond to natural features, soften the appearance of developments, improve the living quality of the neighbourhood.

b) To encourage landscaping areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 30% of the site is to be dedicated for soft soil zone.

b) A minimum of 50% of the front yard is to be landscaped.

c) When calculating your landscaping and soft soil area, any area less than 1.5 metres wide will not be included and count towards landscaping.

d) A detailed landscape plan is required to be submitted with development applications. Refer to Landscaping Appendix F for principles when seeking to prepare a landscape plan.

5C.4.3 Fencing

Fencing is an important element in creating a pleasant streetscape. To enhance the character of the City's neighbourhoods, fencing design, height and materials are regulated.

Objectives

a) To provide design requirements for side, rear, and corner lot fencing that create a unified streetscape.

b) To allow for fencing that acts as a noise attenuation measure along Classified State and Regional Roads.

c) To allow for security fencing that minimises visual impact on the streetscape.

Controls

a) A front fence is not supported for narrow lot developments.

b) Fencing behind the front building line shall be a maximum height of 1.8 metres above ground level (existing).

c) Fencing located on secondary road boundary, a maximum 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a maximum 1.8-metre-high fence.

Fencing design

a) Walls and fences visible from a public place or within common area property must be divided into segments no longer than 5 metres. (In the fencing design there must be some change in the façade plan or an expressed column to avoid flat featureless walls.) Details of wall and fence treatment must be submitted with the Development Application.

b) Fencing design must provide opportunities for natural surveillance into public spaces.

c) Fencing construction must meet the following criteria:
   i. have adequate footings, be self-supporting and able to withstand loads, and
   ii. not include barbed wire, chain wire, razor wire, broken glass, be electrified, or the like, and
   iii. not stop or redirect surface waters so as to cause a nuisance and be open style fencing where the property is affected by flooding or by an overland flow.
   iv. be constructed wholly within the property boundary.

Note 1: For exempt and complying fencing controls see State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5C.5 Amenity

5C.5.1 Solar Access

Dwelling design should minimise the need for heating and cooling through appropriate window size, shape and location. To achieve a high level of solar access for both the dwelling and neighbouring properties, the development must be carefully designed to minimise overshadowing.

Objectives

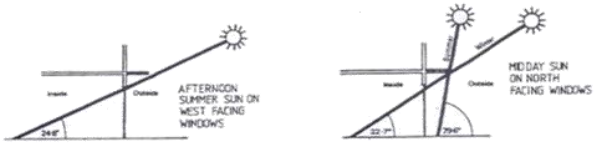
a) Encourage the benefits of winter sun and minimise the intrusion of summer heat in design.

b) Ensure internal living spaces and private open space has adequate access to sunlight.

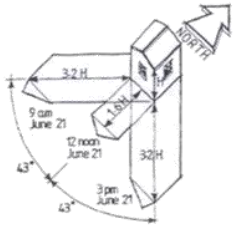
c) Maintain direct sunlight to neighbouring dwellings.

Controls

a) All dwellings must be designed to ensure:
   i. living areas are orientated towards north where possible
   ii. all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June
   iii. the potential for sunlight to penetrate the development through windows and atriums for dwellings on east-west orientated lots is maximised, limiting the use of skylights for bathrooms and utility rooms only.



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

b) The windows to at least one living area of a dwelling on an neighbouring dwelling/s must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement is already not achieved prior to the single dwelling development, the development must not result in additional overshadowing on the affected living area of the dwelling.

c) A development should maintain solar access to a solar hot water system, photovoltaic panel, or other solar collector on an allotment or neighbouring allotment.

d) Garages, bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades

e) Council may require the preparation of shadow diagrams showing the impact of a proposal on the neighbouring residential buildings and their private open space. Such diagrams shall be based on a survey of the site and neighbouring development. The shadow diagrams shall include:
   i. all openings and windows of neighbouring buildings
   ii. shall demonstrate likely shadow impact on the 21 June for 9 am, 12 pm, and 3 pm.

5C.5.2 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

5C.5.3 Privacy

The privacy of neighbours and other residents must be maximised to ensure this windows and balconies are to be regulated.

Objectives

a) Ensure privacy is maximised for neighbours of the dwelling house and those who will occupy the dwelling.

b) Avoid overlooking of private open spaces and windows of nearby dwellings.

c) Limit noise transmission to nearby dwellings.

Controls

a) Any rooftop floor area and/or first floor balconies will not be supported.

b) Noise reduction between common walls and floors is to comply with the provisions of the Building Code of Australia

c) Upper floor voids, stairways, hallways and living area windows (not including bedrooms, laundry, bathrooms or studies), which overlook neighbouring premises, must be provided with:
   i. A sill height of no less than 1.5 metres from the upper floor finished floor level, or translucent glass that is fixed and not able to be opened.
   ii. A stairway window that overlooks the neighboring premises is to be translucent glass that is fixed and not able to be opened.

5C.6 Stormwater

Proper drainage and reuse of rainwater is important to reduce flooding, stormwater damage, and overland flow. To achieve this, concept plans, rainwater tanks, overland flow, and cut and fill are regulated.

5C.6.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on neighbouring or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage

Control

a) All development applications must comply with Council's Stormwater Management Policy 2017.

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

5C.6.2 Concept Plans

Objectives

a) Control flooding and prevent stormwater damage.

b) Ensure that proposed drainage of the site does not have an adverse impact on neighbouring and downstream properties.

Controls

a) One side setback of the development site must be a minimum of 900mm from the boundary for drainage and overland flow purposes.

b) Where the development land slopes away from the street kerb and there is no alternate provision for stormwater to connect to the street to the satisfaction of Councils drainage engineer, inter allotment drainage is required to be provided. In this instance an easement to drain water shall be created over neighbouring properties to connect storm water from the development site to Council's drainage system prior to issue of a development. This requirement will only be waived where the applicant is able to demonstrate that the proposal can drain to the street in a satisfactory manner.

c) A drainage concept plan prepared by a suitably qualified person shall be submitted with the Development Application showing all down pipes, proposed levels, pipe details etc.

5C.6.3 Rainwater Tanks

Objectives

a) Satisfy the requirements of the Building Code of Australia.

b) Position rainwater tank to maximise rear yard space.

c) Harvest and re use stormwater.

d) Ensure that rainwater tanks are located in areas where they do not impinge on the general operation and function of the dwelling as a whole.

Controls

a) Above ground rainwater tanks are to be located no less than 450mm from the side and rear boundary and shall not extend above the height of the fence line.

b) Only underground water tanks are permitted in the front setback area and they are encouraged to be placed under the driveway where possible. All underground water tanks require structural certification from a qualified structural engineer.

c) Pumps and pipe system are to be provided for water recycling.

d) Pumps must comply with the noise requirements of the New South Wales Protection of the Environment Operations Act, 1997.

5C.6.4 Overland Flow

Objectives

a) Ensure overland flow path is conveyed through the site in a satisfactory manner.

b) Minimise flooding affects within the development and on to the neighbouring properties.

Control

a) Any major overland flow path from neighbouring properties shall be conveyed through the site in a satisfactory and safe manner. The flow paths shall not be directed under the buildings. For details refer to Chapter 11.

b) For sites affected by overland flow, at least one carport must be provided for one of the dwellings when two or more dwellings are proposed to allow flow to travel through the site. Alternatives (including another garage) can be considered where the design addresses these drainage concerns to the satisfaction of Council. (Note: Refer to Section 5.C.12 Drainage for details of further requirements).

5C.6.5 Cut and Fill

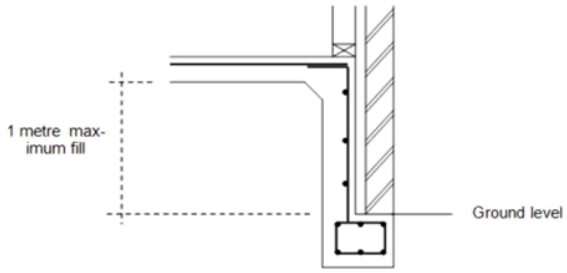
Objectives

a) Reduce the necessity for retaining walls.

b) Reduce stormwater problems associated with changing the natural contours of the land.

c) Reduce the necessity to import fill onto the premises.

Cut and Fill Requirements



d) Reduce stormwater problems associated with changing the natural contours of the land.

e) Reduce the necessity to import fill onto the premises.

Controls

a) The height of the retaining wall must be shown from natural ground level.

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Any cut proposed over 400 millimetres is required to be appropriately retained immediately.

d) Filling of land outside of the building envelope is not permitted.

e) Where retaining walls require development consent, the development application must include a description of the proposed retaining walls in the development application.

f) Retaining walls are to be shown with a suggested setback of 500 millimetres from the boundary or a distance in accordance with an engineer's design, to provide adequate subsoil drainage within the boundaries.

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5C.7 Site Servicing

Utilities and services include the day-to-day facets that every single dwelling uses. To ensure utilities and services are considered, guidelines and controls are provided.

Objectives

a) Ensure that developments are serviced and provide for facilities.

b) Ensure front façades are free of utility services and structures.

c) Ensure dwellings are able to be identified by street number.

Controls

5C.7.1 Water and Sewerage

a) Water and sewerage connections must meet the requirements of Sydney Water.

b) Rainwater tanks, collecting rainwater from all site roof areas (including separate garages/sheds etc) and used for toilet flushing, laundry, and garden irrigation are encouraged.

5C.7.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services, and alternative energy systems, must satisfy the requirements of Endeavour Energy.

c) Meter boxes are to be placed in positions acceptable to the energy provider, but may not face the street.

5C.7.3 Telephone and Internet

Telephone lines installation must be in accordance with the requirements of Telstra.

5C.7.4 Dwelling Street Number

a) Contact Council to request the allocation of house number if required.

b) Position and secure clearly visible street numbers near property entrances such as the front fence, wall or letterbox.

c) Street numbers should be positioned at a minimum height at 500 millimetres above ground level (existing).

5C.7.5 Postal Services

a) The size of a letterbox must meet the Australia Post approved size. Australia Post recommends a separate box or tube to accommodate newspaper and non-mail articles.

b) A letterbox must clearly mark the street number of the dwelling that it serves.

c) A letterbox must be located on the boundary of the property with the footpath or road or at the junction of the driveway with the road. The opening of the mailbox must face the footpath or road.

5C.7.6 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Dwelling Houses are defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.

5C.7.7 TV Antennas

The antenna must be located at the rear of the site to reduce visibility from the street.

FairfieldCity
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Fairfield CityWide DCP

Chapter 6A
Multi-Dwelling Housing

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6A.0 Local Context

6A.0.1 Zones and development to which this Chapter applies

This Chapter generally applies to multi dwelling housing development permitted within the following residential zones under *Fairfield Local Environmental Plan (LEP) 2013*:

a) R1 General Residential

b) R3 Medium Density Residential

c) R4 High Density Residential

6A.0.2 Purpose of this Chapter

This chapter applies to all development applications for the purposes of multi dwelling housing development. Multi dwelling means three or more dwellings (whether attached or detached) on one lot of land where each dwelling has ground floor access to private open space.

The site controls, development controls, setbacks, building appearance, car parking and access, fencing, private open space, landscaping, overshadowing, privacy, drainage, utilities and services are regulated to establish a high standard of residential development.

The general objectives of the Chapter are to:

a) provide for the housing needs of the community within a medium density residential environment, meeting the needs of families and households that require smaller dwelling units and more affordable housing choices.

b) ensure that new development provides a desired standard of amenity for occupants.

c) protect adjacent land and the wider environment from the impact of new development.

d) ensure the development makes a positive contribution to the streetscape and neighbourhood.

For multi dwelling housing proposals with, next to or near heritage items, contact Council to access the advice of Council's Heritage Advisor. For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage

Note 1: Prefabricated housing is not permitted as they do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

Note 2: Any proposal for the construction of multi dwelling housing within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained on page 147 of the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 6A of the Fairfield City Wide DCP 2024.

6A.0.3 Strategies, Studies and Policies

Refer to:

a) Fairfield Local Housing Strategy 2022

b) Draft Carramar Urban Design Study for the planning framework for multi dwelling housing in Carramar permitted in the R3 Medium Density Residential and R4 High Density Residential.

c) Bonnyrigg Living Communities Masterplan 2008 for development permitted in the R1 General Residential and Bonnyrigg Town Centre Development Control Plan 2019 for development permitted in the R4 High Density Residential zone.

6A.1 Site Requirements

The size of a lot and the density of built structures affects the amenity of residents and neighbours, as well as the character of the neighbourhood. The appearances, position and height of the dwellings may affect the streetscape and character of the neighbourhood. In this regard, floor space ratio, balanced building form, mix of units, and unit per site area controls are provided.

To ensure the building appearance is maintained in a uniform manner, the dwelling position, development façade, building height, sizes of rooms and storage, access for all residents, safety and security are regulated.

6A.1.1 Lot Requirements

The lot width, lot depth and battle-axe block development controls ensure that site dimensions are appropriate for multi dwelling housing.

6A.1.1.2 Lot Width and Depth

Objectives

a) To ensure the development site is an appropriate size to accommodate a high level of amenity for residents and neighbours surrounding the site.

b) To promote orderly patterns of development that encourage efficient use of land.

c) To ensure that an orderly development of the immediate and surrounding locality is achieved and can be achieved in the future.

d) To improve pedestrian and vehicle safety by ensuring amalgamation pattern minimises access points onto classified and regional roads (Refer to Appendix G for a full list of Classified and Regional Roads).

Controls

a) A minimum average lot width and depth of 20 metres is required for all multi dwelling housing.

b) The average lot width for measuring frontage for sites located on a cul-de-sac head is to be measured 6 metres from the front boundary.

c) R2 Low Density Residential land identified as "Area 1" in Fairfield Local Environmental Plan allow attached or semi-attached dwelling on each lot resulting from subdivision to each lot equal or greater to 200sqm.

Note: Refer to Clause 4.1C Exceptions to minimum lot sizes for certain residential development of the Fairfield LEP 2013.

6A.1.1.3 Battle-axe Blocks

Objectives

To exclude multi dwelling housing development sites that negatively impact upon future residents and neighbours on adjoining properties.

Control

Multi dwelling housing will not be supported on existing battle-axe lots.

6A.1.2 Splay Corner Setbacks and Road Widening

Objectives

a) To restrict building and landscaping within close proximity to road intersections.

b) To improve traffic safety by increasing site distances for drivers at intersections.

c) To provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Controls

a) All corner lots at the intersections of public roads will be required to maintain a setback with no buildings, fences, structures or vegetation higher than 0.5 metres permitted.

b) Splay corner setbacks will generally be required to be 6 metres by 6 metres will be required in the following suburbs: Abbotsbury, Bonnyrigg Heights. Bossley Park, Edensor Park, Greenfield Park, Prairiewood, St Johns Park, Wakeley and Wetherill Park.

c) Splay corner setbacks 3 metres by 3 metres will be required in all other suburbs generally in the east of the city and the rural area.

d) Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centreline of the road. Council may seek to acquire up to 3 metres width of land for road widening.

Note: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

These restrictions are updated from time to time based on advice from the Transport for NSW and investigations carried out by Council and need to be considered as part of new development.

Note: Updated information is relation to the above can be obtained from Council by requesting a Section 10.7 Planning Certificate.

6A.2 Built Form and Urban Design

6A.2.1 Floor Space Ratio (FSR)

Objective

a) To ensure building bulk, site coverage and open space provisions are compatible with neighbourhood character.

b) To ensure new built form is compatible with a medium density built environment.

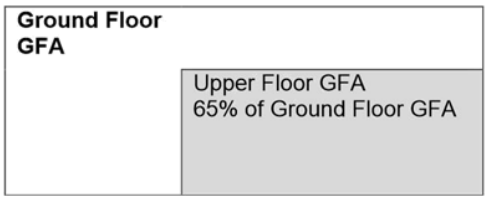
Controls

a) Maximum permissible floor space ratio for any multi dwelling housing development must comply with the floor space ratio development standards prescribed on the *Fairfield LEP 2013 Floor Space Ratio Map* noting the following exceptions:
   i. For land in Zone R3 Medium Density Residential (shown as Area B on the floor space ratio map):
      i. if the site has a street frontage of less than 22 metres— 0.5:1, or
      ii. if the site has a street frontage of at least 22 metres— 0.65:1, and
   ii. A floor space ratio bonus of up to 0.15:1 may be permitted if all car parking for the development is provided in a basement; and
   iii. Clause 4.6 Exceptions to Development Standards of the Fairfield LEP 2013 allows Council to consider variations to development standards (e.g. floor space ratio) where justified to the satisfaction of Council.

b) Clause 4.4 Floor Space Ratio of the Fairfield Local Environment Plan 2013, identifies the objectives for maximum FSR

c) Calculation of Floor Space Ratio must comply with the Floor Space Ratio provisions defined in *clause 4.5 Calculation of Floor Space Ratio and Site Area of the Fairfield LEP 2013.*

d) The overall gross floor area (GFA) of the upper floors shall be a maximum of 65% of the total GFA at ground level. This only applies to R3 Medium Density Residential properties outside of the Area B precinct within the Fairfield LEP FSR Map



Note: Due to site constraints and other requirements of this plan, the maximum FSR will not always be achieved on every development site.

6A.2.2 Building Height

Objectives

a) To ensure building height is compatible with neighbourhood character.

b) To minimise overshadowing of neighbouring properties.

c) To maintain privacy and limit side and rear views of neighbouring properties.

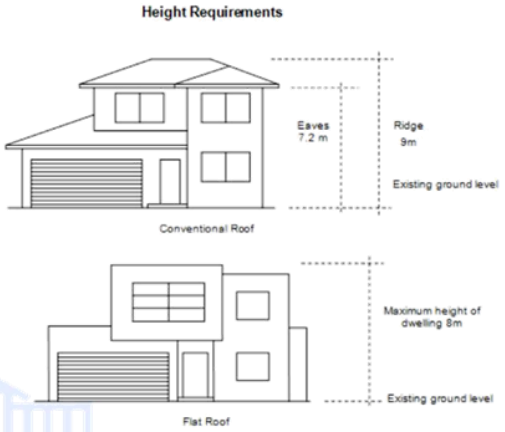
d) To maintain sunlight in public and private open spaces.

Controls

a) Maximum height of building for any multi dwelling housing development must comply with height of building development standard prescribed on the *Fairfield LEP 2013 Height of Building Map* noting the following exceptions:

i. For land in Zone R3 Medium Density Residential (shown as Area A on the height of building map) the maximum height of building is 10 metres (3 storeys) if—
   1. the building is located on a corner site that consists of at least 2 street frontages; and
   2. the primary and secondary street frontages for the site are at least 22 metres; and
   3. all car parking for the development is provided in a basement.

ii. Clause 4.6 Exceptions to Development Standards of the Fairfield LEP 2013 allows Council to consider variations to development standards (e.g. height of building) where justified to the satisfaction of Council; and



iii. Clause 5.6 Architectural Roof Features of Fairfield LEP 2013 allows Council to consider variations to development standards (e.g. height of building) for decorative roof elements that enhance a building's appearance;

iv. Where solar access and privacy requirements (see Sections 6A.5.1 Solar Access and 6A.5.3 Privacy) cannot be met, some dwellings may need to be lowered in height to comply; and

v. Clause 4.3 Height of Building of the Fairfield Local Environment Plan 2013, identifies the objectives for maximum height of buildings.

b) For multi dwelling housing development with a maximum height of buildings of 9 metres (2 storeys):
   i. For buildings with pitched roofs, the maximum heights of the eave line and the ridgeline from ground level (existing) shall not exceed 7.2 metres and 9 metres respectively.
   ii. For buildings with parapet walls and skillion (flat) roofs, the maximum height of building shall be limited to 8 metres from ground level (existing) and walls are to be articulated.

c) All two storey and three storey multi dwelling housing applications must include a sectional diagram that indicates the height of the development from ground level (existing).

6A.2.3 Setbacks

Setbacks serve to create consistent streetscapes and neighbourhood character and maintain privacy and solar access for surrounding properties. Setback controls are set for development to meet these aims, as well as for road widening where identified to improve the road network. Components of streetscape and character of the neighbourhood include building setback, landscaping, fencing, lighting, pathways and street trees.

Objectives

a) To maintain and enhance established streetscape and character of the neighbourhood.

b) To protect the privacy and solar access of adjacent properties.

c) To achieve a staggered and articulated built form along side elevations.

d) To ensure vehicular and pedestrian safety by accommodating vehicles on site behind the front boundary.

6A.2.3.1 Front Setback Controls

a) The minimum front setback of multi dwelling housing is 4.5 metres, measured from the front property boundary to the front of the dwellings.

b) Garages are to be set back from the street boundary by 5.5 metres.

c) The front setback area of townhouse and villa developments shall not be used for any purposes other than landscaping only. In this regard, private courtyards, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the front setback area.

6A.2.3.2 Secondary Setback Controls on Corner lots

a) The secondary building setback shall be a minimum of 3 metres, when measured from the lot boundary.

b) The secondary frontage must orient the dwellings to the street in such a manner that the dwellings have a direct relationship with the street. In this regard, private courtyards, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the secondary setback area.

6A.2.3.3 Side and Rear Setback Controls Ground Floor

Side and rear walls should be at least 900 mm from the boundary.

6A.2.3.4 Side and Rear Setback Controls Upper Floor

a) Beyond the first 20 metres of the site, the upper floor walls must be setback a minimum of 4 metres from side and rear boundaries and further where necessary in order to satisfy solar access and privacy requirements of Sections 6A.5.1 Solar Access and 6A.5.3 Privacy of this chapter.

b) For the first 20 metres of a site, the upper floor side walls must be setback by a minimum of 900mm from boundaries. A further distance may be necessary in order to satisfy solar access and privacy requirements of Sections 6A.5.1 Solar Access and 6A.5.3 Privacy of this chapter.

6A.2.3.5 Side and Rear Setback Controls Built to Boundary

a) Side and rear walls may be built to the boundary if the following are satisfied:
   i. Located on the ground floor only;
   ii. Continuous length of wall does not exceed 10 metres;
   iii. Walls are not more than 50% of a boundary's length;
   iv. Walls comply with requirements of the Building Code of Australia in terms of fire separation; and
   v. Walls and fences are of the same material being brick/masonry.

6A.2.4 Building Separation

Objectives

a) To ensure there is sufficient spatial separation between dwellings to accommodate access (i.e. both vehicular and pedestrian access) and landscaping needs.

b) To ensure there is adequate spacing of dwellings to protect resident privacy and amenity and to reduce overshadowing and overlooking within the development.

Controls

a) The distance between any two habitable rooms of separate dwellings on the same property shall be no less than 9 metres.

b) The distance between any window and door opening of a habitable room and non-habitable room on the same property shall be no less than 6 metres.

c) The windows of the non-habitable shall either:
   i. Have a sill level above 1.8 metre above internal finished floor level, or
   ii. Have a permanent privacy screen, or
   iii. Have glazing that is non-operable and is of a translucent material.

6A.2.5 Mix of Dwellings

Objectives

a) To ensure housing supply responds to the needs of the local population.

b) To ensure a mix of dwellings is available which provides for different family sizes and people at different stages of their life cycle.

Control

a) The table below outlines the minimum mix of dwellings to be provided in multi dwelling housing.

b) A mix of dwelling sizes should be located on the ground floor, where accessibility is easily achieved for disabled and elderly people or families.

Total number of dwellings proposed	Minimum required number of "dwellings -type" – i.e. 1 bedroom, 2 bedroom etc.
3 – 6 dwellings	One - 2 bedroom dwellings
7 – 10 dwellings	One - 1 bedroom dwellings or 2 bedroom dwellings
11 or more dwellings	10% - 2 bedroom dwellings, and 10% - 1 bedroom dwellings

6A.2.6 Size of Rooms and Storage

Objectives

a) To maintain a high quality of amenity within each dwelling.

b) To ensure room sizes are functional, are of sufficient size and cater for intended use.

c) To ensure bulky storage provisions are provided within each dwelling to avoid storage items reducing the effective use of the garage as a vehicle storage area and sheds in the open space.

Controls

a) Combined living and dining rooms are to have a minimum length and width of 4 metres in any direction and a minimum area of:
   i. 1 and 2 bed – 24sqm
   ii. 3+ bed – 28sqm

b) Main bedroom has a minimum area of 12sqm and a minimum length and width of 3 metres in any direction, excluding space for a wardrobe.

c) Other bedrooms shall be a minimum of 10sqm and a minimum length and width of 3 metres in any direction, excluding space for a wardrobe.

d) Bathrooms are to have a minimum floor area of 5sqm.

e) A furniture plan must be shown on plans in order for alternative minimum areas to be considered.

f) In addition to storage in kitchens and bedrooms, the following storage is required:
   i. a minimum dimension of 500mm is provided:
      a. 1 bed 6 cubic metre
      b. 2 bed 8 cubic metre
      c. 3+ bed 10 cubic metre
   ii. At least 50% of the required storage is located inside the dwelling.
   iii. Storage not located in dwellings is secure and clearly allocated to specific dwellings if in a common area.

Note: All architectural floor plans shall show full dimensions of internal floor layout to demonstrate that the above controls have been achieved.

6A.2.7 Access for all Residents

The Disability Discrimination Act 1992 (DDA) makes it unlawful to discriminate against a person, in any areas of public life, including renting or buying a house or unit, and accessing public places, because of their disability.

Objectives

a) To provide easy access for all, including people with prams, wheelchairs, walking difficulties, sight, hearing or intellectual impairments.

b) To ensure a single storey component is incorporated into all development sites to account for the needs of individuals with disabilities and the elderly.

Controls

a) All applications must include a statement detailing how the development will comply with the provisions of the Disability Discrimination Act 1992. The following specific elements are required:
   i. Townhouse/villa development must have night lighting along all driveways and footpaths throughout the site.
   ii. Any signage on the site (e.g. parking) must be clear and simple to understand.
   iii. Ramps should have gradients not exceeding 1 in 14, and have an even, non-slip surface.
   iv. Unnecessary barriers to direct access must be avoided.

b) The table below provides the type of single storey component required based on the number of dwellings in the development.

Total Number of Dwellings Units	Requirement
0 – 5 dwellings	At least one bedroom on the ground floor for one dwelling.
6 – 10 dwellings	One single storey accessible villa
10 or more dwellings	One single storey accessible villa per 10 units or part there of

c) The number of accessible units specified above must meet any relevant Australian Standard and Building Code of Australia requirements relating to wheelchair accessibility, with the following minimum controls incorporated within the dwellings designed to be able to accommodate wheelchairs:
   i. Access to front door and private open space
   ii. Internal door and passageways
   iii. Ground level toilet and shower.

d) For developments with basement car parking, separate pedestrian access from the street must be provided to each dwelling.

e) For townhouse/villa developments with basement car parking one of the following must be achieved:
   ii. Installation of a mechanical assistance device i.e. lift or "stair lift" that provides access to the ground level; or
   iii. Disabled parking on ground level with potential concessions on parking in the front setback for accessible spaces (spaces need to be allocated to the accessible unit provided on the site in any strata plan).

6A.2.8 Dwelling Position / Orientation

Objectives

a) To ensure the dwellings are oriented toward the street.

b) To ensure development provides opportunities for street surveillance and connectivity.

Controls

a) For dwellings along the front or side street boundary, the front door of each dwelling is directly visible from the public street.

b) Where the development site has a street frontage of more than 30 metres and more than six dwellings are proposed, the front doors of at least two dwellings located to the rear of the property are to be visible from the street.

c) Windows fronting a road from habitable rooms are to overlook the public domain.

d) On corner sites the dwellings must address both streets by incorporating appropriate architectural features, articulation to the dwelling and roof form.

6A.2.9 Development Façade

Objectives

a) To promote well designed buildings of high architectural quality that contribute to the local character.

b) To ensure multi dwelling housing is articulated along the primary road and secondary (side street) setbacks.

Controls

a) Building elevations fronting the street or internal driveways must be divided into segments or bays no longer than 5 metres.

b) A change in the façade plane, ridge line and eaves line will be required after a 5 metre distance.

c) Switchboards for gas, electricity, etc. must not be attached to the front elevations of the buildings.

d) The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road. The following elements can be located in the articulation zone:
   i. An entry feature or portico.
   ii. A balcony, deck, pergola, terrace or verandah.
   iii. A window box treatment.
   iv. A bay window or similar feature.
   v. An awning or other feature over a window.
   vi. A sun shading feature.
   vii. An eave.

6A.2.10 Swimming Pools

Objectives

a) Ensure swimming pool safety.

b) Minimise noise levels.

Controls

a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act.

b) Swimming pools must be located in the rear yard.

c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

6A.3 Car Parking and Access

Safe access for vehicles to enter and exit a development is essential along with maintaining onsite parking spaces. The driveway is a highly visible part of the development area thus the design and location needs to be considered to ensure the best outcome. To ensure traffic safety and streetscape, the car parking rate, driveways, driveway materials, landscaping along driveways, vehicle access design, and access location are regulated.

For general design information on car parking, refer to Chapter 12 of this DCP. In the event of inconsistency between the provisions contained within this clause and those of Chapter 12, the provisions of Chapter 12 apply to the extent of the inconsistency.

6A.3.1 Car Parking Rate

Objectives

a) To ensure adequate off-street car parking spaces are available on site.

b) To ensure off-street car parking is appropriately located on site, is accessible, and available at all time to residents and visitors.

Controls

a) Off-street parking spaces must be provided as set out below. The number of parking spaces required will be determined according to the table below. The greater of the rate will be applied.

Dwelling Location		
A – Less than 400 metres from railway station or major bus station.		
B – Greater than 400 metres from railway station or major bus station.		
Dwelling Size or Number of Bedrooms	**Car Spaces per Dwelling**	
	A	**B**
1 - 2 bedroom dwelling or less than 110sqm	1.00	1.00
3 or more bedroom dwelling and/or greater than 110sqm	1.50	2.00
Add for Visitors per Dwelling	0.25	0.25

Note 1: Car parking requirement must be provided by using the larger of the two calculations. For example, a 108sqm 3 bedroom dwelling located 500 metres from a railway or major bus station requires 2 car spaces. Any dwelling with an area greater than 110sqm will be regarded as a 3 bedroom unit, for parking calculation purposes.

Note 2: In cases where the calculation for required visitor spaces results in a proportion of a space being required (i.e. 0.25, 0.50, or 0.75 of a visitor space) the following calculation method will apply:

i. For developments where 1 - 8 dwellings are proposed, the number of visitor spaces will always be rounded up to the nearest whole number.
ii. For developments where more than 8 dwellings are proposed, the required number of spaces will be rounded to the nearest whole number. That is for where only "0.25" of a visitor space is required, the number of visitor spaces required can be rounded down to the nearest whole number. Conversely, where "0.50" or "0.75" of a visitor space is required, the number of visitor spaces will be rounded up to the nearest whole number.

Note 3: Area of the dwellings is based on Gross Leasable Area. Refer DCP - Appendix A for definition.

b) For developments with basement car parking provision, any additional onsite car parking in addition to the required car parking provision is to be provided below ground.

c) All resident car parking at ground floor level must be provided within the building footprint. Visitor spaces must be accessible and made available at all times. If a proposed visitor parking space is located within an enclosed basement an intercom system allowing residents to grant visitors access to the visitor spaces in the basement must be provided.

d) Any room, or space within a room at first floor level capable of being enclosed as a room, will be regarded as a bedroom for the purposes of calculating car parking if:
   i. It has an area of 9sqm or greater; or
   ii. It has an area less than 9sqm, but Council Officers can demonstrate that it is capable of being used as a bedroom because the space accommodates a standard single bed, a wardrobe 1 metre by 1.5 metre in dimension and suitable circulation space. Refer to Section 6A.2.8 Size of Rooms and Storage.

6A.3.2 Driveways

Objectives

a) To retain the maximum number of on-street parking spaces.

b) To avoid gaps in the streetscape created by open driveways.

c) To maintain onsite parking spaces.

d) To maximise traffic and road safety on roads where access and egress is difficult.

Controls

a) Driveway entrances limited to one for every 15 metres of street frontage

b) The maximum width of carriageway crossings is 5.5 metres.

c) Regardless of frontage, for lots that front onto classified and regional roads, only one vehicle access driveway will be supported with a combined entry/exit separated by minimum 1.0 metre median.

d) Driveways for dwellings with street frontage must be located where the maximum number of on-street parking spaces is retained.

6A.3.3 Driveway Materials

Objectives

a) To provide for driveways which appear as courtyards into which vehicles intrude rather than spaces designed primarily for cars.

b) To ensure a high standard of surface finish.

c) To minimise the visual impact of expansive driveway surfaces.

d) To provide for driveways that will, as far as possible, retain their original condition and appearance and resist the wear and marking from car movement.

Controls

Coloured concrete that is textured or patterned must be used and finished with a non-slip surface or coating

6A.3.4 Landscaping along Driveway

Objectives

a) To soften the visual impact of the dwellings, overall built form, fencing, parked cars and driveways.

b) To protect the amenity of neighbouring properties.

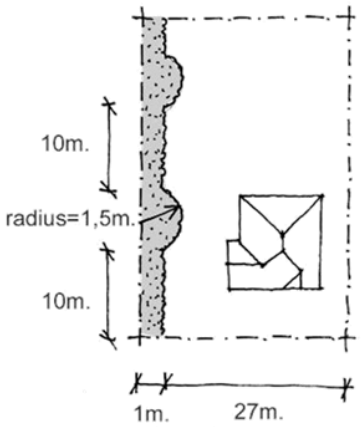
Single Loaded Driveway Controls

a) Driveways serving more than 2 dwellings are to be bordered by a densely landscaped area at least 1 metre wide along the common boundary. None of the landscape area may be turfed, but must be mulched.

b) At 10 metre intervals along the driveway, the landscape bed must be enlarged to create a node with a radius of 1.5 metres (when measured from the boundary).

c) Larger scale planting must be placed in the enlarged nodes.

d) Kerbs are required along the edge of the driveway and landscape bed.

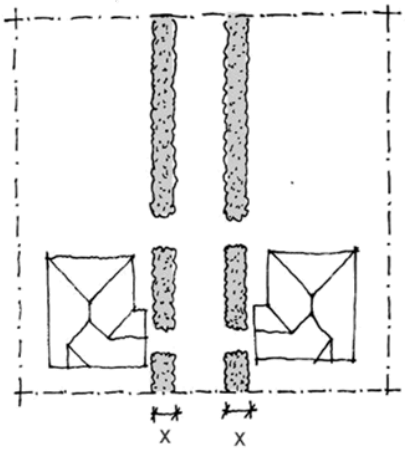


Landscaping - Single Loaded Driveway

Double Loaded Driveway Controls

a) A minimum 1 metre width of landscaped area on each side of the driveway must be provided as a buffer between the driveway and dwellings for the length of the driveway except for where garage and dwelling entrances are located.

b) Kerbs are not permitted along the edge of the driveway and landscape bed.



Landscaping - Double Loaded Driveway

6A.3.5 Vehicular Access Design

Objectives

a) To ensure that vehicle access is provided in a location that minimises hard paved surface and maintains opportunities for roadside planting, paths or other uses.

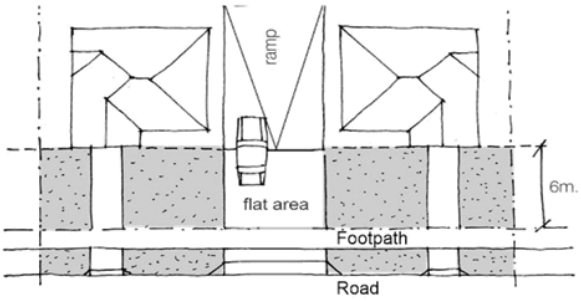
b) To ensure that vehicles leaving sites with basement car parking have a safe stopping place to see pedestrians, cyclists, vehicles, etc before entering into the road reservation.

Controls

a) Long straight driveways shall be avoided and broken into bays through the use of landscape nodes in order to avoid 'gun barrelled' driveways.

b) For sites with basement car parking the following basement design must be achieved:-

i. The driveway gradient of the first 6 metres from the boundary in towards the car park shall not exceed 1 in 20 (5%).
ii. Residential driveways up to 20 metres long shall have a maximum grade of 1 in 4 (25%).
iii. The change of grade within the driveway shall not exceed 12.5% algebraically for summit changes and 15% algebraically for sag changes.
iv. For more information refer to Australian Standard 2890.1:2004 : Parking facilities - Off-street car parking



c) In cases where driveways serve more than 1 dwelling the following criteria must be achieved:
   i. Vehicle access must be designed so that all vehicles enter and exit the site in a forward direction.
   ii. A minimum width of 6 metres for a length of 6 metres is required at the entrance of the development on Classified State and Regional Roads and Unclassified Regional Roads included at the end of this chapter. In respect to other roads this requirement will be considered on an individual basis depending on local traffic conditions (Refer to appendix G for full list of Classified and Regional Roads).

d) Dimensions for parking spaces and turning areas must be in accordance with Australian Standard 2890.1:2004 : Parking facilities - Off-street car parking Part 1 and should also achieve the following:
   i. Driveway widths should be minimised to increase landscaped areas while providing adequate space for vehicles to manoeuvre and pass at slow speeds, and
   ii. The driveway should be 1 metre clear of power poles, telephone poles, stormwater pits, street trees, and metre boxes.

Note: It is recommended that the development be designed with regard to existing constraints of street trees, power poles, gully pits etc.

6A.3.6 Access Location

Objectives

a) To ensure that vehicle access and driveways to properties are located at the shortest, most direct access over the nature strip from the road.

b) To improve traffic and road safety by providing vehicle access to properties in a location that avoids possible traffic congestion, high speed traffic and bus-only roads.

c) To ensure that there is adequate sight distance to traffic on the frontage road and sight distance to pedestrians walking along the footpath.

Controls

a) Vehicle access and driveways from a physically closed road will only be permitted where there is no alternative access opportunity and with the approval of Council's Traffic Branch.

b) Vehicle access and driveways from Classified State and Regional Roads and Unclassified Regional Roads will only be permitted via a slip lane where it is beneficial to the development and has the approval of Council's Traffic Branch or where there is no alternative access opportunity (Refer to appendix G for full list of Classified and Regional Roads).

c) Vehicle access and driveways from the Bus Transitway corridor will not be permitted, except on the following streets where there is no alternative access opportunity: Canley Vale Road (north of the Horsley Drive), Victoria Street and eastern side of Walter Street.

d) Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with a Classified State and/or Regional Road.

e) Vehicular access should be designed to avoid existing traffic calming devices, round-a-bouts, gully pits etc.

f) If a laneway separates commercial and residential zones, a pedestrian footpath must be provided, as part of the new development to encourage safe pedestrian access.

6A.4 Landscaping and Open Space

6A.4.1 Open Space

Open space provides a number of amenities to the residents of the property, for example space for children to play and for drying clothes. To ensure a sufficient amount and the access to private open space is achieved the private open space and the common open space are regulated.

6A.4.1.1 Private Open Space

Objectives

a) To ensure the private open space is usable, functional and easily accessible for residents.

b) To ensure private open space includes landscaping and soft soil zone.

c) To ensure direct access and a relationship between indoor and outdoor living areas.

Controls

a) Each dwelling shall have a minimum of 35sqm of private open space at ground level with a minimum dimension of 4 metres.

b) In the calculation of private open space:
   i. no area is less than 2.5 metres in width
   ii. outdoor clothes drying areas are included as private open space
   iii. car parking spaces are not included in open space calculations

c) The private open space must have direct and level access to the dwelling's living areas, such as a lounge room, a family room, a dining room or a kitchen.

d) A garage or gate must provide access between the private open space and the driveway. This will allow items stored in backyards (eg, garbage bins, garden tools) to be moved to the street without needing to come through the house.

6A.4.1.2 Common Open Space

Objective

To ensure adequate open space is provided for large development sites, that is accessible, functional, and practical to all residents of the development.

Controls

a) No communal space is required for developments that have less than 12 dwellings.

b) Developments with 12 or more dwellings, a minimum of 10sqm per dwelling is required for communal open space.

c) Communal open space must have a minimum dimension of 6 metres and be co-located with deep soil zones.

d) Clothes drying areas, driveways and parking areas are not included as common open space.

e) Common open space must include features such as seating, shade structures, child play equipment or barbeques to satisfy the recreation needs of all residents.

f) Common open space must be accessible from all dwellings within the development. It should be possible for residents of at least 2 dwellings to visually monitor this space.

g) Common open spaces may be used for detention basins with particular attention paid to the issues listed below. The incorporation of these will reduce the basin capacity and should be recognised when preparing OSD calculations:
   i. The height difference between natural ground level and the lowest level of the basin is not more than 0.5 metres;
   ii. It is not located in the front yards of the development (unless it is a visual feature);
   iii. It incorporates a variety of plant species (details of appropriate plants are available from Council); and

Note: It provides recreation features such as a barbeque, seat or similar.

6A.4.2 Landscaping

For multi- dwelling housing, a landscape plan must be prepared by a suitable qualified landscape architect and submitted as part of the Development Application. illustrating that no more than 40% of the site area is covered with impervious material (including paving)

Significant trees are those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally trees with a girth greater than 500mm and a canopy spread of a 6 metre radius are trees of significance.

Objectives

a) To require landscape plans to respond to natural features, soften the appearance of developments and improve the living quality of the neighbourhood.

b) To encourage landscaping areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 30% of the site is to be dedicated for soft soil zone.

b) A minimum of 20% of the site is to be dedicates for deep soil.

c) A landscape plan must be prepared for the site by a suitably qualified landscape architect or other accredited professional with demonstrated experience. Refer to Appendix F for Landscaping principles when seeking to prepare a landscape plan.

6A.4.3 Fencing

Fencing is an important element in creating a pleasant streetscape. To enhance the character of the City's neighbourhoods, fencing design, height and materials are regulated.

Objectives

a) To provide design requirements for side, rear, and corner lot fencing that create a unified streetscape.

b) To allow for fencing that acts as a noise attenuation measure along Classified State and Regional Roads (Refer to appendix G for full list of Classified and Regional Roads).

c) To allow for security fencing that minimises visual impact on the streetscape.

Controls

Fencing design

a) Fencing must be designed to highlight entrances and be compatible with the materials used in the dwelling's facade, incorporate a letterbox and garbage storage area and provide a clearly identifiable street number.

b) Walls and fences visible from a public place or within common area property must be divided into segments no longer than 5 metres. (In the fencing design there must be some change in the façade plan or an expressed column to avoid flat featureless walls.) Details of wall and fence treatment must be submitted with the Development Application.

c) Masonry walls, brushwood, lapped and capped timber and Colourbond fences will be permitted in townhouse/villa developments. Colourbond fences are not permitted to be erected along the front boundary or on any boundary that is visible from the public domain.

d) Fencing design must provide opportunities for natural surveillance into public spaces.

e) Fencing construction must meet the following criteria:
   i. have adequate footings, be self-supporting and able to withstand loads;
   ii. not include barbed wire, chain wire, razor wire, broken glass, be electrified, or the like;
   iii. where the property is affected by flooding or by an overland flow be open style fencing so as not to stop or redirect surface waters so as to cause a nuisance; and
   iv. be constructed wholly within the property boundary.

Front boundary fencing

a) Fencing in front of the building line shall be a maximum height of 1.5 metres above ground level (existing) and be of masonry and decorative panel construction. The maximum height of the masonry wall portion in front of the building line is 900mm above ground level (existing), with the exception of the masonry piers.

Figure 1

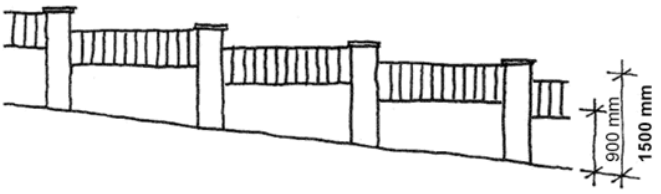
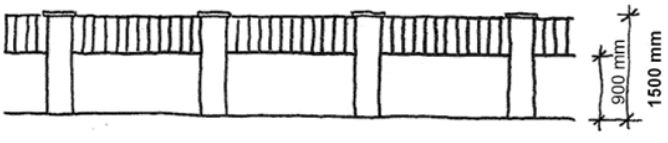


Figure 2



↑ The front fence must follow the natural contours of the site as illustrated in Figure 1 and 2.

b) Infill panels and decorative inclusions must not be made out of reflective materials and must be open to permit views into the front yard and the façade of the dwelling.

c) Gates located in front of the building line should be consistent with the infill panels and not open onto a roadway or public space.

Side, rear and corner lot fencing

a) Fencing behind the front building line shall be a maximum height of 1.8 metres above ground level (existing).

b) For corner lots, a fence of masonry construction up to a height of 1.8 metres is required along the secondary street frontage.

Front boundary fencing along Classified State Roads and Regional Roads

Solid front fences with a maximum height of 1.8 metres are permitted provided that the fence incorporates corners and planting beds every 5 metres.

Front boundary fencing for security

a) Fencing with a maximum height of 1.8 metres are permitted where a safety risk is established.

b) Side and rear boundary fences may be a maximum height of 2.0 metres, where it can be demonstrated that significant security risk is evident.

c) Side and rear boundary fences of a maximum height of up to 2.2 metres will be considered if the site is sloping and the fence incorporates a retaining wall.

Internal Fencing

a) Screen walls or fences which enclose open space areas should be at least 1.8 metres high to maximise privacy. Enclosing walls must be a timber, brushwood or masonry construction and be in segments or bays not longer than 5 metres.

b) The tops of masonry walls, timber and brushwood fencing used on the site must be decoratively treated such as lapped and capped.

c) Open style fencing is required where the property is affected by flooding or by an overland flow.

Note: For exempt and complying fencing controls see Chapter 2 Exempt and Complying Development of the Fairfield City Wide Development Control Plan and/or, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 whichever is in effect at the date of application.

6A.5 Amenity

6A.5.1 Solar Access

Objectives

a) To encourage the benefits of winter sun and minimise the intrusion of summer heat in design.

b) To ensure internal living spaces and private open space has adequate access to sunlight.

c) To maintain direct sunlight to adjacent dwellings.

Controls

a) All dwellings must be designed to ensure:
   i. Living areas are orientated towards north where possible
   ii. all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.
   iii. the potential for sunlight to penetrate the development through windows and atriums for dwellings on east-west orientated lots is maximised, limiting the use of skylights for bathrooms and utility rooms only.

b) The windows to at least one living area of a dwelling on a neighbouring/adjoining dwelling/s must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement is already not achieved prior to a multi dwelling housing development, the development must not result in additional overshadowing on the affected living area of the dwelling.

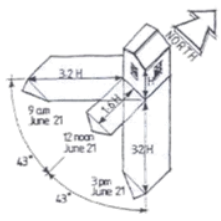
c) A development should maintain solar access to a solar hot water system, photovoltaic panel, or other solar collector on an allotment or adjoining allotment.

d) Garages, bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades.

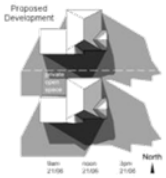
e) Council may require the preparation of shadow diagrams showing the impact of a proposal on the adjacent residential buildings and their private open space. Such diagrams shall be based on a survey of the site and adjoining development. The shadow diagrams shall include:
   i. all openings and windows of adjoining buildings; and
   ii. shall demonstrate likely shadow impact on the 21 June for 9 am, 12 pm, 3 pm.



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

Note: Habitable rooms include kitchens, living, dining rooms and the like.

6A.5.2 Energy Efficiency Measures

Objectives

To minimise greenhouse gas emissions in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

6A.5.3 Privacy

The privacy for neighbours and for residents must be maximised in multi dwelling housing development. To ensure this, windows and balconies are regulated.

Objectives

a) To ensure privacy is maximised for neighbours of the development and those who will occupy the townhouse/villas.

b) To avoid overlooking of private open spaces and windows of nearby dwellings.

c) To limit noise transmission to nearby dwellings.

Controls

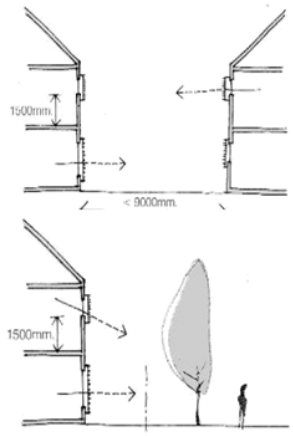
a) Townhouse/villas should be designed so that the number of windows directly overlooking adjacent dwellings is kept to a minimum.

b) Where upper floor windows result in unreasonable or unavoidable privacy issues, Council is likely to require:

   i. A sill height of no less than 1.5 metres from the upper floor finished floor level,
   ii. Frosted glazing,
   iii. Screening, or
   iv. The use of some other method to maximise privacy.

c) Facing windows closer than 9 metres will require additional appropriate privacy measures.

d) Upper floor balconies or roof terraces are not permitted unless they are on the elevation facing the street.



Examples of appropriate window measures to ensure privacy are maximised.

e) Recreational facilities such as swimming pools, tennis courts or play equipment must be located away from bedrooms of dwellings.

f) Noise reduction between common walls and floors is to comply with the provisions of the Building Code of Australia.

6A.5.4 Safety and Security

Objective

To create an environment which is safe and secure from theft, personal threat and accidents.

Controls

a) All areas in a development should be clearly recognisable as private, common or public space. Responsibility for supervision and maintenance of these areas should be understood at the design stage and explained in the application. (Reference: Safe as Houses, Wendy Sarkissian, 1984).

b) Surveillance from dwellings is important for the safety of residents and passing pedestrians. Accordingly, a dwelling with street frontage should have a clear view of the footpath.

c) Barriers to prevent movement between roof spaces of adjoining dwelling will be required.

d) Dwellings must have a child-proof storage space for poisons or other dangerous substances.

6A.6 Stormwater

6A.6.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

6A.6.2 On Site Detention

Objective

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

6A.6.3 Drainage within Basement Car Parks

Objectives

a) To ensure that clean water is discharged into the stormwater system.

b) To ensure appropriate drainage and water quality measures are implemented in cases where basement car parking is permitted.

Controls

a) Any runoff collected within the basement car park area shall be isolated from the stormwater system and removed from the site.

b) Runoff from the access driveway shall be collected before entering the car park and drained into the stormwater system.

6A.6.4 Overland Flow

Objectives

a) To ensure overland flow path is conveyed through the site in a satisfactory manner.

b) To minimise flooding affects within the development and on to the adjoining properties.

Control

Any major overland flow path from adjoining properties shall be conveyed through the site in a satisfactory and safe manner. The flow paths shall not be directed under the buildings. For details refer to Chapter 11 of this DCP.

6A.6.5 Cut and Fill

Objectives

a) To reduce the necessity for retaining walls.

b) To reduce stormwater problems associated with changing the natural contours of the land.

c) To reduce the necessity to import fill onto the premises.

d) To minimise overshadowing, privacy, and amenity issues to adjoining neighbours by providing maximum finished floor level for proposed development.

Control

The height of floor level above the natural ground levels shall be limited to 600mm except where it is required to be raised to achieve a suitable freeboard above the flood level or the 100 year ARI water level of an on-site detention basin. This 600mm height includes the fill, bedding and the slab thickness. Any variation from this floor height shall not cause adverse amenity impacts to the adjoining properties and shall be justified to the Council.

6A.6.6 Rainwater Tanks

Objectives

a) To satisfy the requirements of the Building Code of Australia.

b) To position rainwater tank to maximise rear yard space.

c) To harvest and re use stormwater.

d) To ensure that rainwater tanks are located in areas where they do not impinge on the general operation and function of the dwelling as a whole.

Controls

a) Above ground rainwater tanks are to be located no less than 600mm from the side and rear boundary and shall not extend above the height of the fence line.

b) Only underground water tanks are permitted in the front setback area and they are encouraged to be placed under the driveway where possible. All underground water tanks require structural certification from a qualified structural engineer.

c) Pumps and pipe system are to be provided for water recycling.

6A.7 Site Servicing

Utilities and services include the day-to-day facets that every single dwelling uses. To ensure utilities and services are considered the following guidelines and controls are provided.

Objectives

a) To ensure that developments are serviced and provide for facilities.

b) To ensure front façades are free of utility services and structures.

c) To ensure dwellings are able to be identified by street number.

d) To have all services and servicing spaces must be properly integrated into the façade design, internalised and screened from the public view where possible

Controls

6A.7.1 Water and Sewerage

a) Water and sewerage connections must meet the requirements of Sydney Water.

b) Rainwater tanks, collecting rainwater from all site roof areas (including separate garages/sheds etc) and used for toilet flushing, laundry, and garden irrigation are encouraged.

6A.7.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services must satisfy the requirements of the energy provider. Noting:
   i. Pre DA consultation with Endeavour Energy is helpful in identifying any existing network assets impacted by the proposed development. Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase.
   ii. Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation.
   iii. Space required to be allocated for any proposed indoor and pad mounted substations can be incorporated within final architecture plans submitted to Council as part of the DA approvals process.

c) Meter boxes are to be placed in positions acceptable to the energy provider, but must not face the street.

d) Alternative energy systems which generates electricity on the land using an energy source other than the electricity supply grid, and includes a photovoltaic power system, must meet relevant requirements.

e) Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view.

f) At grade electrical substations visible from the street frontage must be incorporated into the details of the landscape plan and be appropriately screened.

6A.7.3 Telephone and Internet

Telephone lines installation must be in accordance with the requirements of the telecommunications provider.

6A.7.4 Dwelling Street Number

a) Contact Council to request the allocation of house number if required.

b) Position and secure clearly visible street numbers near property entrances such as the front fence, wall or letterbox.

c) Street numbers should be positioned at a minimum height at 500mm above ground level (existing).

6A.7.5 Postal Services

a) The size of a letterbox must meet the Australia Post approved size. Australia Post recommends a separate box or tube to accommodate newspaper and non-mail articles.

b) A letterbox must clearly mark the street number of the dwelling that it serves.

c) A letterbox must be located on the boundary of the property with the footpath or road or at the junction of the driveway with the road. The opening of the mailbox must face the footpath or road.

6A.7.6 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Multi Dwelling Housing are defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) Multi Dwelling Housing to provide communal Waste and Recycling storage and collection infrastructure integrated wholly within the built form.
d) Waste and Recycling storage and collection infrastructure configurations are outlined in *Appendix H Model Waste Infrastructure, section 2*.
e) Councils waste and recycling streams to be allocated in accordance with Councils waste generation rates:
    i. Garbage = 120L per dwelling/week (collected weekly)
    ii. Recycling = 80L per dwelling/week (collected fortnightly)
    iii. Organics = 40L per dwelling/week (collected alternate fortnightly)
    **The bin allocation for each individual stream to be rounded up to the next whole number*
f) Councils waste and recycling streams utilise 240L bin infrastructure with minimum dimensions of 600mm width by 740mm depth
g) Specifications of Councils standard 10,800mm heavy rigid waste collection vehicle are outlined in *Appendix H Model Waste Infrastructure, sections 2.9 – 2.11*. All infrastructure is to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams.
h) A detailed Waste Management Plan to be submitted to Council. The plan must:
    i. Demonstrate Councils waste and recycling streams can be provided and are accessible to all residential dwellings
    ii. Identify the waste streams and anticipated volumes expected to be generated throughout construction and in perpetuity when occupied by residents
    iii. Demonstrate integrated waste collection and supporting infrastructure is provided to permit safe and efficient scheduled waste collections by Council
    iv. Outline how the waste generated on-site will be managed within the development
    v. Identify the path of travel from:
        1) Each residential dwelling to the communal Waste and Recycling storage room
        2) Waste and Recycling storage room to the presentation/collection area

vi. Outline how and where Councils waste streams will be stored, transported and collected for each component of the development
vii. Provide detailed architectural plans to demonstrate compliance with sections i-vi outline above
viii. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams

6A.7.6.1 Waste and Recycling Storage and Collection Infrastructure

a) The communal Waste and Recycling storage room to accommodate the following infrastructure and design principles:
   i. Be of sufficient size to accommodate the developments residential bin allocation with minimum unobstructed internal dimensions using one of the following calculations:
      1) Single Sided = 2,200mm width by (Bin Allocation x 600mm) depth
      2) Double Sided = 3,200mm width by (Bin Allocation x 300mm) depth
   ii. Minimum 1,200mm wide doorway opening
   iii. Located within 20,000mm from the kerbside
   iv. Integrated wholly within the developments-built form to support an enhanced urban design outcome
   v. Enclosed, walled, and not permit through access to other on-site infrastructure
   vi. Unobstructed service path to be a minimum 1,200mm wide, concrete, parallel to contours with a maximum 1:24 grade
   vii. Rooms to be free of pylons, obstructions and other external services
   viii. Permit safe, efficient, and unobstructed work practices for assigned users and waste collection staff
   ix. Mechanical ventilation
   x. Automated lighting
   xi. Hot and cold-water taps
   xii. Drainage connected to the sewer
   xiii. Minimum unobstructed internal height clearance of 2,700mm
   xiv. Water proofing throughout all intersections and extend 1,200mm high on walls
   xv. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request
   xvi. Provide infrastructure to minimise opportunities for vermin
   xvii. Enhance Councils Crime Prevention through Environmental Design (CPTED) principles
   xviii. Permit accessible and unobstructed resident access to Councils waste streams
b) To permit scheduled kerbside collections by Councils standard 10,800mm heavy rigid waste collection vehicle, an unobstructed presentation area to be provided and incorporate the following:
   i. Large enough to accommodate the developments residential bin allocation with a 500mm clearance between each bin using the following calculation:
      1) Presentation area (mm) = Bin Allocation x 1,100
   ii. Located wholly within the lot's frontage
   iii. Free from driveways, on-street parking, footpaths, streets trees and service utilities

iv. Presentation arrangement clearly displayed on architectural plans submitted to Council
v. Presentation areas that exceed 50% of the lots unobstructed frontage are to provide Waste and Recycling storage and collection infrastructure in in accordance with section 6A.7.6.2 of the *Fairfield City Council Development Control Plan 2013*

c) To permit scheduled kerbside Bulky Waste Collections by Councils standard 10,800mm heavy rigid collection vehicle, an unobstructed presentation area to be provided. The area to provide minimum dimensions of 2,000mm width by 1,500mm depth clearly displayed on architectural plans submitted to Council

6A.7.6.2 Site Restricted Developments

There may be lots where the developments residential bin allocation cannot be accommodated wholly within the lot's frontage. A wheel out – wheel in service may be explored to service the development at Councils discretion. Should the site be deemed as viable by Council, the following Waste and Recycling Storage and Collection Infrastructure to be provided to support the provision of a safe and efficient waste collection service:

a) A communal Waste and Recycling storage room is to be provided in accordance with section 6A.7.6.1 of the *Fairfield City Council Development Control Plan 2013* and located within a maximum of 10,000mm from the kerbside.
b) A communal bulky waste collection room to accommodate the following infrastructure and design principles:
   i. Minimum unobstructed internal area in accordance with the following calculation:
      1) Bulky waste area (m^2) = total dwellings x 0.25m^2
      **Minimum area of 10m^2 to be provided to accommodate Councils waste stream*
   ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
   iii. Minimum unobstructed internal width of 1,800mm
   iv. In accordance with section 6A.7.6.1, subsections a) iii – xvii of the *Fairfield City Council Development Control Plan 2013*

6A.7.6.3 Integrated On-site Waste Collections

a) Where Councils standard 10,800mm heavy rigid waste collection vehicle is required to enter the site to perform scheduled collections as deemed viable by Council, a detailed swept path analysis, supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to:
   i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a Heavy Rigid waste collection vehicle
   ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
   iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities
   iv. Councils standard heavy vehicle waste collection vehicle to:
      1) Enter and exit the site ins a forward direction

2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety
3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections
4) A minimum 500mm clearance is to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections

b) Specifications of Councils standard 10,800mm heavy rigid waste collection vehicle are outlined in *Appendix H Model Waste Infrastructure, sections 2.9 – 2.11*. All infrastructure is to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams.

6A.7.7 TV Antennas

a) The antenna must be located at the rear of the site to reduce visibility from the street.

b) Master TV antennas are to be provided where there is more than one dwelling in any development.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 6B
Dual Occupancy

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6B.0 Introduction

6B.0.1 Zones and development to which this Chapter applies

This Chapter generally applies to development permitted within the following residential zones under Fairfield Local Environmental Plan (LEP) 2013:

a) R1 General Residential

b) R2 Low Density Residential

c) R3 Medium Density Residential

For dual occupancy development within the rural zones, refer to *Chapter 4 – Development Principles for Rural Lands*. It should be noted that dual occupancies in the rural area are only permissible where the lots are equal to or greater than 2 hectares, thus allowing for the existing minimum subdivision size of 1 hectare per dwelling.

6B.0.2 Objectives of this Chapter

This chapter applies to development applications for the purposes of dual occupancy development.

The general objectives of the chapter are:

a) To provide for the housing needs of the community.

b) To ensure new development provides a desired standard of amenity for occupants.

c) To protect adjacent land and the wider environment from the impact of new development.

d) To ensure the development makes a positive contribution to the streetscape and neighbourhood.

For dual occupancies proposals next to or near heritage items, contact Council to access the advice of Council's Heritage Advisor. For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage.

6B.0.3 Strategies, Studies and Policies and Policies

The following Strategies and Studies informed the controls within this document for dual occupancy development.

a) Fairfield Local Housing Strategy

b) Draft Carramar Urban Design Study (components relating to the planning framework for dual occupancies)

c) Bonnyrigg Living Communities Masterplan 2008 for development permitted in the R1 General Residential and

d) Council's Medium Density Residential Housing Study

Note 1: Prefabricated housing is not permitted as they do not comply with BASIX requirements and are not yet at a standard that contribute positively to the streetscape.

Note 2: Any proposal for the construction of dual occupancy within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained on page 147 of the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 6B of the Fairfield City Wide DCP 2024.

Note 3: Any proposal for the erection or alteration of, or an addition to, a dual occupancy (attached) where part of a dwelling is located above or part of another dwelling must comply with the Division 3 Development Standards as set out in Part 3B Low Rise Medium Density Housing Code and State Environmental Planning Policy (Exempt and Complying Developments Codes) 2008.

6B.1 Site Requirements

The size of a lot and its width and depth affect the amenity of the lot, the amenity of the adjoining sites and the residential area as a whole. To ensure a high level of amenity the lot size and width are regulated for dual occupancy development.

6B.1.1 Lot Requirements

Objectives

a) Encourage development which will address the street along publicly visible boundaries.

b) Encourage development on sites where dwellings will be able to maximise the benefits of winter sun and minimise the intrusion of summer heat.

c) Ensure privacy is maximised for neighbours of the development and those who will occupy the new dwellings.

d) Encourage development which maximise space devoted to the dwellings' landscaping and open space.

e) Provide space for private recreation purposes and landscaping.

f) Integrate open space with internal space so that residents can maximise the use of both, while ensuring open space is sufficient for the needs of the residents.

Controls

6B.1.1.1 Lot Size – R1 General Residential

Dual occupancy development within the R1 General Residential zone shall take into consideration the *Bonnyrigg Living Communities Master Plan 2008*.

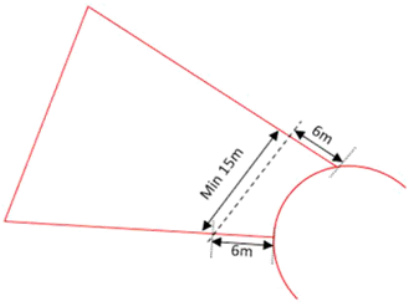
6B.1.1.2 Lot Size – R2 Low Density Residential

The minimum lot size for dual occupancy must be consistent with the lot sizes prescribed on the *Fairfield LEP 2013 – Minimum Lot Size for Dual Occupancy Map*. A minimum lot size of either 600sqm or 900sqm is applicable.

6B.1.1.3 Lot Width – R2 Low Density Residential

a) A minimum lot width of 15 metres when measured from the front building line is required for dual occupancy development in the R2 Low Density Residential zone.

b) The average lot width for measuring frontage for sites located on a cul-de-sac head is to be measured six metres from the front boundary.



6B.1.1.4 Lot Size – R3 Medium Density Residential

No minimum lot size applies to development for the purposes of dual occupancy in the R3 Medium Density Residential zone.

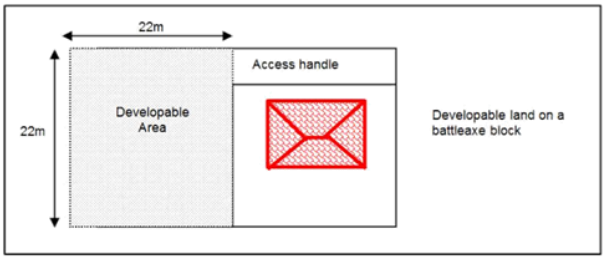
6B.1.1.5 Lot Width – R3 Medium Density Residential

a) A minimum lot width of 15 metres when measured from the front building line is required for dual occupancy development in the R3 Medium Density Residential zone.

b) The average lot width for measuring frontage for sites located on a cul-de-sac head is to be measured six metres from the front boundary.

6B.1.1.6 Dual Occupancy on Battle-axe Blocks

a) In the case of a dual occupancy on a battle axe allotment, the developable area must have a minimum width and depth of 22 metres as shown in this figure.



6B.1.1.7 Subdivision of Dual Occupancy – R2 Low Density Residential

a) **Minimum Lot Size** - For subdivision of dual occupancy requirements in the R2 Low Density Residential refer to Clause 4.1A Minimum Lot Size for Dual Occupancy Development of the Fairfield Local Environmental Plan 2013.

b) **Future Lot areas created** – In the design of either an attached or detached dual occupancy development, consideration must be given to future subdivision arrangements so that future lot sizes are equal or similar in size.

6B.2 Built Form and Urban Design

6B.2.1 Floor Space Ratio (FSR)

Objectives

a) To ensure the Minimum Lot Size for dual occupancy development provides for desired internal and external amenity.

b) To ensure future lot areas created in dual occupancy development provide for equitable amenity for the occupants of both dwellings.

c) To ensure site widths of dual occupancy development provide for amenity and good design.

Controls

a) The FSR for dual occupancy must be consistent with the FSR prescribed on the *Fairfield LEP* 2013 – Floor Space Ratio Map.

b) Floor Space Ratio must comply with the Floor Space Ratio provisions defined in clause 4.4 Floor Space Ratio of the Fairfield LEP 2013.

c) Depending on site constraints and other requirements of this DCP, the maximum FSR may not always be achieved.

d) A void space over the stairs of 8sqm can be excluded from the gross floor area calculations. Any additional void area will be included in the gross floor area calculations.

e) The Floor Space Ratio will be calculated on the future or proposed lot size.

f) Maximum permissible floor space ratio for any dual occupancy development must comply with the floor space ratio development standards prescribed on the *Fairfield LEP 2013 Floor Space Ratio Map.* The following exceptions for the R3 medium Density Residential zone are outlined in the Fairfield LEP 2013:
   i. For land in Zone R3 Medium Density Residential (shown as Area B on the floor space ratio map):
      a. if the site has a street frontage of less than 22 metres— 0.5:1, or
      b. if the site has a street frontage of at least 22 metres— 0.65:1, and
   ii. A floor space ratio bonus of up to 0.15:1 may be permitted if all car parking for the development is provided in a basement; and
   iii. Clause 4.6 Exceptions to Development Standards of the Fairfield LEP 2013 allows Council to consider variations to development standards (e.g., floor space ratio) where justified to the satisfaction of Council.

6B.2.2 Building Height

Objectives

a) Ensure new development is consistent and compatible with the established built form and hence results in a physically cohesive neighbourhood.

b) Ensure minimal overshadowing of neighbouring properties.

c) Ensure privacy of neighbouring properties is protected by limiting side and rear views of neighbouring properties.

d) Maintain sunlight in public and private open spaces.

Preamble

The maximum permissible building height for any development must comply with the building height standards prescribed on the *Fairfield LEP Height of Building Map*.

a) Ground level (existing) is defined in Fairfield LEP 2013 *as the existing level of a site at any point.* Note: Such ground level must be natural or lawfully approved.

b) Clause 5.6 of Fairfield LEP 2013 allows the maximum building height to be exceeded where the roof is determined to be a decorative architectural feature. Refer Clause 5.6 of Fairfield LEP 2013 for details.

c) Some dwellings may need to be lowered in height to comply with the DCP's requirements for solar access and privacy (See 5A.5.1 Solar Access and 5A.5.3 Privacy).

d) All two storey dwelling applications must include a sectional diagram that indicates the height of the dwelling from ground level (existing).

Controls

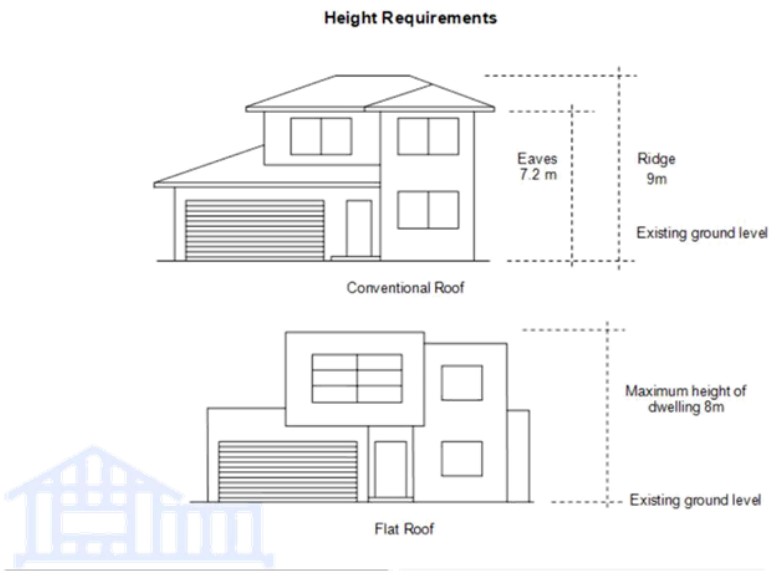
The following controls apply in all cases where the *Fairfield LEP Height of Building Map* indicates a maximum building height of 9 metres is applicable. Such height typically applies in the RU5 Village, R1 Residential and R2 Low Density Residential zones.

a) A maximum of two (2) storeys above ground level (existing) plus an attic or basement is permitted.

b) The maximum heights of the eave and the ridge from the ground level (existing) must be 7.2 metres and 9 metres respectively.

c) Dwellings proposing parapet walls, flat roofs and high continuous walls shall be limited to 8 metres in height from ground level (existing) and are to provide articulation.

d) Pedestrian access to a roof terrace on flat roofs will not be supported.



e) For battleaxe blocks, the maximum ridge height is 8 metres and 6.5 metres to the underside of the eaves or 8 metres for flat roofed dwellings to allow for sloping blocks.

f) For battleaxe blocks, habitable rooms other than bedrooms or studies will not be supported on the upper floor.

6B.2.3 Setbacks

The distance a dwelling is setback from the street(s) and the visual impact of a dwelling facade influences the streetscape and character of the neighbourhood. The side and rear boundaries affect the amenity of adjoining properties including visual/acoustic privacy and solar access. To ensure a high level of streetscape is preserved the front, side, and rear boundaries are regulated.

Objectives

a) To maintain and enhance established streetscape and character of the neighbourhood. Components of streetscape and character of the neighbourhood include building setback, landscaping, fencing, lighting, pathways, and street trees.

b) To protect the visual/acoustic privacy and solar access of adjacent properties.

c) To achieve a staggered and articulated built form.

d) To ensure vehicular and pedestrian safety.

e) To ensure the visual focus of the development is the dwelling, not the garage.

f) Visually recess garage so that observer's attention is drawn to the dwelling rather than the garage.

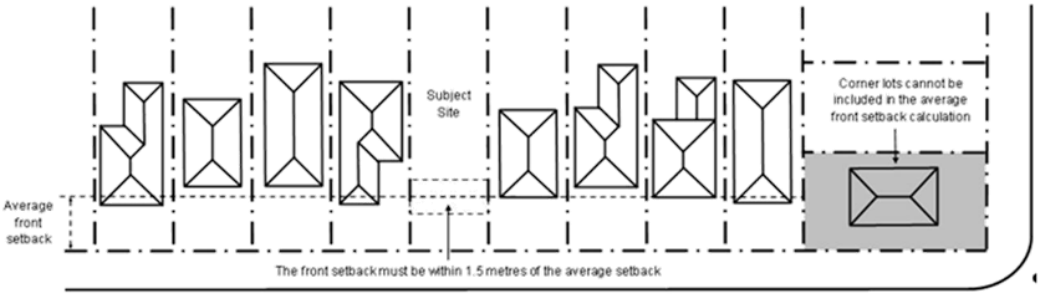
g) To provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

h) To improve traffic safety by increasing site distances for drivers at intersections.

Control

6B.2.3.1 Front Setback

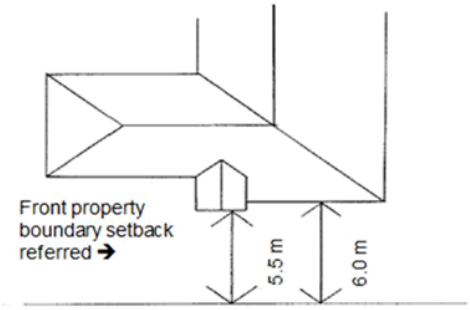
a) Any part of the dual occupancy development in the R2 Low Density Residential zone (except landscaping and retaining walls) must be located within 1.5 metres of the average existing front street setback.



b) In cases where control (a) equates to a minimum setback less than 6 metres, the dwelling, garage and carport front setback must be a minimum of 6 metres. However, porticos and verandas may encroach onto the 6 metre setback area by 500 millimetres.

c) Garages must be behind the façade of the dwelling.

d) The 6 metre front setback area of dual occupancy developments shall not be used for any purposes other than landscaping only. In this regard, private courtyards, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the front setback area.



6B.2.3.2 Side Setback Controls

a) Side and rear walls may be built to the boundary if the following are satisfied:
   i. Located on the ground floor only;
   ii. Continuous length of wall does not exceed 10 metres;
   iii. Walls are not more than 50% of a boundary's length;
   iv. Walls comply with requirements of the Building Code of Australia in terms of fire separation; and
   v. Walls and fences are of the same material being brick/masonry.

b) Side and rear walls not built to the boundary should be at least 0.9 metre from the boundary.

6B.2.3.3 Rear Setback

First floor walls must be set back a minimum of 6 metres from the rear boundary where the lot adjoins residential properties.

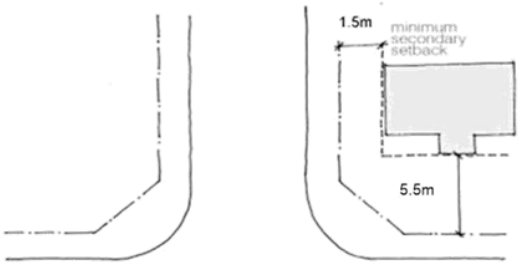
6B.2.3.4 Corner Lot Secondary Setback

a) Dwellings shall be appropriately articulated along the primary and secondary setbacks to ensure that the dwellings address both streets.

b) The secondary setback for a dual occupancy development must be setback the average of the existing secondary setback of the dwellings immediately adjoining. The minimum secondary setback is 1.5 metres.

c) The secondary frontage must orient the dwellings to the street in such a manner that the dwellings have a direct relationship with the street.

d) Garages forming part of a detached dual occupancy which fronts a secondary street shall be setback a minimum of 5.5 metres from the street.



e) Corner sites must have a front setback behind the Splay Corner as indicated at 6B.3.3 Splay Corner Setbacks and Road Widening.

f) The front door of the dwelling must face the primary frontage.

6B.2.4 Building Appearance

Objectives

a) To avoid blank/plain facades along the most publicly visible part of the development;

b) To visually integrate the new development into established streetscapes.

c) To provide visual interest through the incorporation of features traditionally associated with those facades facing the street.

Controls

a) Dwellings which front onto a street and are immediately visible to observers must be designed to address the street.

b) The front door of those dwellings must face the street, as should any feature windows or roof treatment.

c) Presentation of long sidewalls to the street will not be accepted.

d) For dwellings along the front or secondary street boundary, the front door of each dwelling is directly visible from the public street.

e) A window fronting the road from habitable rooms must be provided and are to overlook the public domain.

f) On corner sites the dwellings must address both streets by incorporating appropriate architectural features, articulation to the dwelling and roof form.

6B.2.5 Size of Room

Objective

a) To maintain a high quality of amenity within each dwelling.

b) To ensure room sizes are functional, are of sufficient size and cater for intended purpose.

c) Maintain a high quality of amenity within each dwelling.

Controls

a) Bedrooms shall be a minimum of 10sqm in size with a minimum 3 metre dimension.

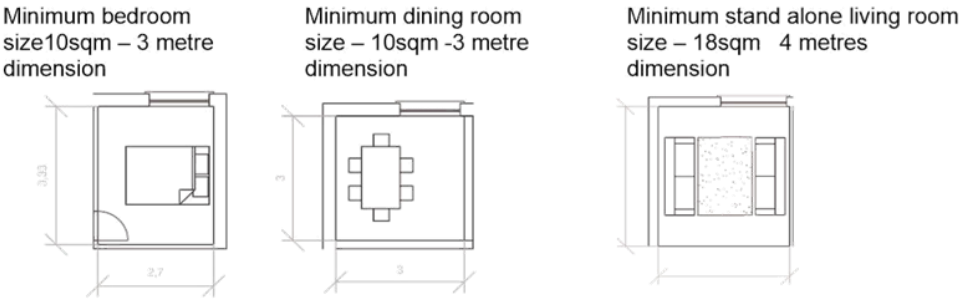
b) Dining rooms shall be a minimum of 10sqm in size with a minimum 3 metre dimension.

c) Living rooms shall be a minimum of 18sqm in size with a minimum 4 metre dimension.

d) Where an open plan combined lounge / dining is proposed, a minimum area of 27sqm and a minimum dimension of 4 metres are acceptable.

e) In addition to storage in the kitchen and bedrooms, the following storage is required:
   i. a minimum of 6sqm is required within each dwelling, including a minimum dimension of 500 millimeters.
   ii. if located within the garage the storage space can be excluded from the FSR calculations.

f) A furniture plan must be shown on plans in order for alternative minimum areas to be considered.



Minimum size for bedrooms, dining rooms & living rooms

Note 1: All architectural floor plans shall show full dimensions of internal floor layout to demonstrate that the above controls have been achieved.

6B.2.6 Dual Occupancies Proposed in Conjunction with an Existing Dwelling

Dual occupancy development where the proposal seeks to retain the existing dwelling can have adverse impacts on the amenity of residents if they are not managed appropriately. To ensure the orderly development of the site and to minimise the potential amenity issues associated with developing a new dwelling adjoining or adjacent an existing dwelling on the same lot of land, consideration shall be given to the improvement or rectification of the existing dwelling and managing the amenity impacts associated with the development.

Objectives

a) To ensure the development makes a positive contribution to the streetscape and neighbourhood.

b) To encourage the renewal of old housing stock as part of any dual occupancy development seeking to retain an existing dwelling.

c) To ensure the orderly development of dual occupancy sites.

Controls

a) Where an existing dwelling is proposed to be retained, it must be demonstrated that the existing dwelling can still address relevant development controls identified in this chapter.
b) Where development of the new dwelling affects the existing dwelling's ability to comply with the relevant controls in the DCP or does not comply with relevant BCA requirements, Council may require the existing dwelling to be:
   i. Upgraded to the meet the relevant development controls identified in this DCP and or BCA requirements or,
   ii. The applicant should consider rebuilding in accordance with the controls identified in the DCP.

c) Where an existing dwelling is proposed to be retained, the external materials, finishes and architectural features shall be modified to compliment the proposed dwelling.

6A.2.7 Swimming Pools

Objectives

a) Ensure swimming pool safety.

b) Minimise noise levels.

Controls

a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act.

b) Swimming pools must be located in the rear yard.

c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

6B.3 Car Parking and Access

Safe access for vehicles to enter and exit a development is essential along with maintaining onsite parking spaces. The driveway is a highly visible part of the

development area thus the design and location needs to be considered to ensure the best outcome. To ensure traffic safety and streetscape, the car parking rate, driveways, driveway materials, landscaping along driveways, vehicle access design, and access location are regulated. For general design information on car parking, refer to Chapter 12 of this DCP. In the event of inconsistency between the provisions contained within this clause and those of Chapter 12, the provisions of Chapter 12 apply to the extent of the inconsistency.

6B.3.1 Car Parking

Objectives

a) To ensure that vehicle access is provided in a location that minimises hard paved surface and maintains opportunities for onsite landscaping, roadside planting, on street parking, paths and other uses.

b) To maintain an integrated façade so as to ensure that the dwellings are not dominated by the garages or carport.

c) To ensure the visual focus of the development is the dwellings, not the garage(s) or carport(s).

Controls

a) Two car parking spaces shall be provided per dwelling, one (1) of which must be behind the building line.

b) For dwellings located on a proposed Lot greater than 450sqm, with a width of 11 metres or greater, three (3) car parking spaces shall be provided per dwelling, two (2) of which must be behind the building line.

c) Garages must be designed in a manner that prevents a garage dominant street environment.

d) Garages must be behind the façade of the dwelling.

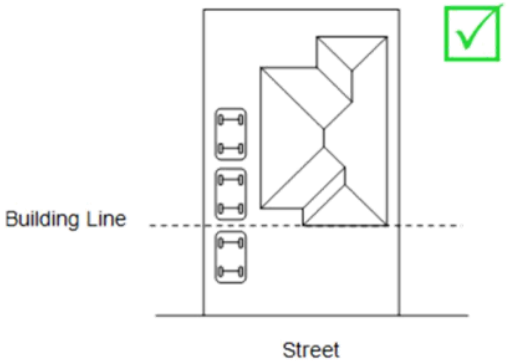
e) Driveways must be designed to ensure one (1) on street carparking spot is provided in front of the proposed development. The car parking spot must be a minimum width of 5.5 metres when measured from the driveway splay.

f) Dimensions for parking spaces and turning areas should be in accordance with Australian Standard 2890.1:2004 : Parking facilities – Off-street car parking and should also achieve the following:
   i. Driveway widths should be minimised to increase landscaped areas while providing adequate space for vehicles to manoeuvre; and
   ii. The entry point to the driveway should be 1 metre clear of power poles, telephone poles, street trees, metre boxes, and storm water pits.

g) For corner lots, the garages or carports must be located furthest from the corner.

h) Dimensions for parking spaces and turning areas should be in accordance with Chapter 12 of this DCP.

i) If a laneway separates commercial and residential zones, a pedestrian footpath must be provided, as part of the new development to encourage safe pedestrian access.



Note 1: It is recommended that the development be designed with regard to existing constraints of street trees, power poles, gully pits etc.

Note 2: The design of carports need to ensure compliance with the Building Code of Australia (BCA) and may require the provision of fire resisting walls adjoining any openings. To comply with the BCA, the location of windows near carports needs careful consideration.

6B.3.2 Driveway Materials

Objectives

a) To provide for driveways which appear as courtyards into which vehicles intrude rather than spaces designed primarily for cars.

b) To ensure a high standard of surface finish.

c) To minimise the visual impact of expansive driveway surfaces.

d) To provide for driveways that will, as far as possible, retain their original condition and appearance and resist the wear and marking from car movement.

Controls

Coloured concrete that is textured or patterned must be used and finished with a non-slip surface or coating.

6B.3.3 Splay Corner Setbacks and Road Widening

Objectives

a) To restrict building and landscaping within close proximity to road intersections.

b) To improve traffic safety by increasing site distances for drivers at intersections.

c) To provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Controls

a) Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centreline of the road. Council may seek to acquire up to 3 metres width of land for road widening on some sites where it is deemed necessary.

b) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.

6B.4 Open Space and Landscaping

Open space provides a number of amenities to the property, for example space for children to play, drying clothes and gardening. To ensure a sufficient amount of private open space is easily accessible, private open space is regulated.

6B.4.1 Private Open Space

a) Ensure the private open space is usable, functional and easily accessible for residents.

b) Ensure private open space includes landscaping and soft soil zone.

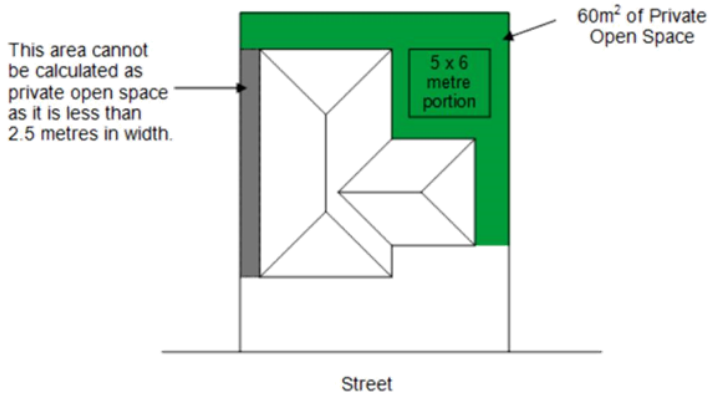
c) Ensure direct access and a relationship between indoor and outdoor living areas.

Controls

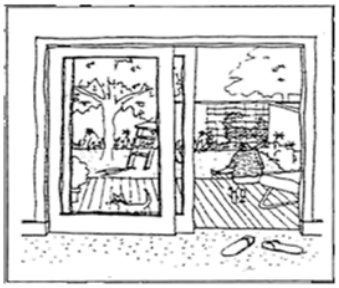
a) Each dwelling must have a minimum private open space.

b) A minimum area of 60sqm, with at least one 5 metre by 6 metre level ground area of soft soil zone in the rear yard. In the calculation of private open space:
   i. must not have a gradient more than 1:50,
   ii. no area is less than 2.5 metres in width will be included as part of private open space;
   iii. outdoor clothes drying areas are included as private open space;
   iv. car parking spaces are not included in open space calculations;
   v. The private open space must have direct and level access from the dwelling's living and alfresco areas, such as a lounge room, a family room, a dining room, kitchen or outdoor living.
   vi. Private open space is not permitted within the front setback.
   vii. Private open space must be located behind a 1.8 metre height fencing.

Private Open Space Requirements



c) Fencing located on secondary road boundary, a maximum of 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a 1.8 metre height fencing.



d) A garage or gate must provide access between the private open space and the driveway. This will allow items stored in backyards (eg, garbage bins, garden tools) to be moved to the street without needing to pass through the house.

6B.4.2 Landscaping

For dual occupancy development, applicants are encouraged to liaise with a horticulturalist at local nurseries and can prepare their own plans using the controls as a guide. Council's Landscape Assessment Officers can provide more information. Landscaping principles, landscaping planning controls and templates are provided in Appendix F – Landscaping Planning of this DCP.

Significant trees are those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally trees with a girth greater than 500 millimetres and a canopy spread of a 6 metre radius are trees of significance.

Objectives

a) To require landscape plans to respond to natural features, soften the appearance of developments, improve the living quality of the neighbourhood; and

b) To encourage landscaping areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change.

Controls

a) A minimum of 30% of the site is to be dedicated for soft soil zone.

b) A minimum of 50% of the soft soil zone is to be located in the rear yard.

c) A minimum of 50% of the front yard is to be a soft soil zone.

d) When calculating your landscaping and soft soil zone, any area less than 1.5 metres wide will not be included and will not count towards landscaping. To be counted towards landscaping this area must be clear of any structure and overhang above.

e) A landscape plan must be prepared for the site. Refer to Landscaping Appendix F for landscaping principles when preparing a landscape plan.

6B.4.3 Fencing

Fencing is an important element in creating a pleasant streetscape. To enhance the character of the City's neighbourhoods, fencing design, height and materials are regulated.

Objectives

a) To provide design requirements for side, rear, and corner lot fencing that create a unified streetscape.

b) To allow for fencing that acts as a noise attenuation measure along Classified State and Regional Roads and Unclassified Regional Roads (refer to Appendix G).

c) To allow for security fencing that minimises visual impact on the streetscape.

Controls

a) A front fence is not supported for dual occupancy developments except in respect to sites that have a primary frontage to a Classified or Regional Road.

b) Fencing behind the front building line shall be a maximum height of 1.8 metres above ground level (existing).

Fencing located on secondary road boundary, a maximum 1.5 metre height applies to 50% of the length of all contiguous secondary road boundaries, a maximum of 50% of the secondary road boundary may have a maximum 1.8-metre-high fence.

Fencing design

a) Walls and fences visible from a public place or within common area property must be divided into segments no longer than 5 metres. (In the fencing design there must be some change in the façade plane or an expressed column to avoid flat featureless walls.) Details of wall and fence treatment must be submitted with the Development Application.

b) Front fencing design must provide opportunities for natural surveillance into public spaces.

c) Fencing construction must meet the following criteria:
   i. have adequate footings, be self-supporting and able to withstand loads, and
   ii. not include barbed wire, chain wire, razor wire, broken glass, be electrified, or the like, and
   iii. not stop or redirect surface waters so as to cause a nuisance and be open style fencing where the property is affected by flooding or by an overland flow.
   iv. be constructed wholly within the property boundary.

Note 1: For exempt and complying fencing controls, see State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

6B.4.4 Swimming Pools

Objectives

c) Ensure swimming pool safety.

d) Minimise noise levels.

Controls

f) Swimming pools are to be separated from the main dwelling and outdoor entertainment areas by a child resistant barrier, in accordance with the Swimming Pools Act.

g) Swimming pools must be located in the rear yard.

h) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary.

i) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground.

j) All private open space and landscaping requirements must be met.

Note 1: To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.

6B.5 Amenity

6B.5.1 Solar Access

Dwelling design should minimise the need for heating and cooling through appropriate window size, shape and location. To achieve a high level of solar access for both the dwelling and surrounding properties, the development must be carefully designed to minimise overshadowing.

Objectives

a) To encourage the benefits of winter sun and minimise the intrusion of summer heat in design.

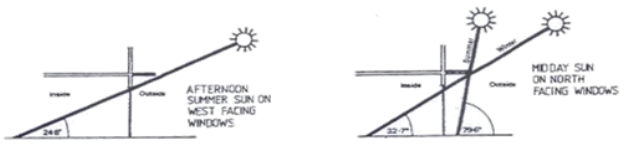
b) To ensure internal living spaces and private open space have adequate access to sunlight.

c) To maintain direct sunlight to adjacent dwellings.

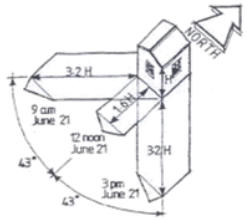
d) To ensure development on lots orientated east west maximise access to sunlight for internal living areas such as living rooms, dining rooms and kitchens.

Controls

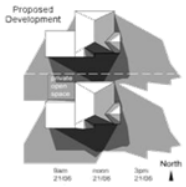
a) All dwellings must be designed to ensure:
   i. living areas are orientated towards north where possible
   ii. all north facing living area windows and more than two-thirds of the private open space receives at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.
   iii. the potential for sunlight to penetrate the development through windows and atriums for dwellings on east-west orientated lots is maximised, limiting the use of skylights for bathrooms and utility rooms only.



Sun Penetration through Windows
Exclude hot afternoon summer sun by shading west & southwest facing windows



Winter shadows in Fairfield
Guide to shadow length on level sites



Shadow diagram required for proposed development

b) The windows to at least one living area of a dwelling on a neighbouring/adjoining dwelling/s must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement is already not achieved prior to the dual occupancy development, the development must not result in additional overshadowing on the affected living area of the dwelling.

c) A development should maintain solar access to a solar hot water system, photovoltaic panel, or other solar collector on an allotment or adjoining allotment.

d) Garages, bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades.
   i. Council may require the preparation of shadow diagrams showing the impact of a proposal on the adjacent residential buildings and their private open space. Such diagrams shall be based on a survey of the site and adjoining development. The shadow diagrams shall include:
   ii. all openings and windows of adjoining buildings
   iii. shall demonstrate likely shadow impact on the 21 June for 9 am, 12 pm, and 3 pm.

6B.5.2 Energy Efficiency Measures

Energy efficiency measures include facilitating energy conservation and minimising energy needs to reduce greenhouse gas emissions.

Objectives

To maximise greenhouse gas emission reduction in new development.

Controls

a) Where the solar panel will be visible from the street, the associated tank must be either within the roof or the dwelling.

b) Correct use of glazing, mass and insulation to ensure dwellings are constructed in an energy efficient manner, referring to standards contained within State Environmental Planning Policy (Sustainable Buildings) 2022.

c) All new dwellings and renovated dwellings in NSW are required to meet minimum water and energy rating requirements specified by State Legislation – BASIX (Building Sustainability Index). Further details regarding BASIX can be viewed at the Department of Planning, Housing and Infrastructure BASIX Website.

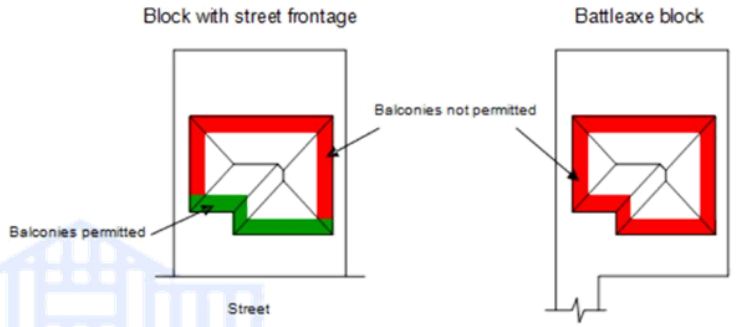
6B.5.3 Privacy

The privacy of neighbours and other residents must be maximised. To ensure this, windows and balconies are regulated.

Objectives

a) To ensure privacy is maximised for neighbours of the dwelling house and those who will occupy the dwelling.

b) To avoid overlooking of private open spaces and windows of nearby dwellings.



c) To limit noise transmission to nearby dwellings.

Controls

a) Upper floor voids, stairways, hallways and living area windows (not including bedrooms, laundry, bathrooms or studies), which overlook neighbouring premises, must be provided with:
   i. A sill height of no less than 1.5 metres from the upper floor finished floor level, or translucent glass that is fixed and not able to be opened.
   ii. A stairway window that overlooks the neighboring premises is to be translucent glass that is fixed and not able to be opened.

b) Any rooftop, upper floor, rear and side balconies will not be supported, including battleaxe blocks.

c) Noise reduction between common walls and floors is to comply with the provisions of the Building Code of Australia.

6B.6 Stormwater

6B.6.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Controls

a) All development applications must comply with Council's Stormwater Management Policy 2017.

b) Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

6B.6.2 On Site Detention

Objectives

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

6B.6.3 Rainwater Tanks

Objectives

a) To satisfy the requirements of the Building Code of Australia;

b) To position rainwater tank to maximise rear yard space;

c) To harvest and reuse stormwater; and

d) To ensure that rainwater tanks are located in areas where they do not impinge on the general operation and function of the dwelling as a whole.

Controls

a) Above ground rainwater tanks are to be located no less than 450mm from the side and rear boundary and shall not extend above the height of the fence line.

b) Only underground water tanks are permitted in the front setback area and they are encouraged to be placed under the driveway where possible. All underground water tanks require structural certification from a qualified structural engineer.

c) Pumps and pipe system are to be provided for water recycling.

d) Pumps must comply with the noise requirements of the New South Wales Protection of the Environment Operations Act, 1997.

6B.6.4 Overland Flow

Objectives

a) To ensure overland flow path is conveyed through the site in a satisfactory manner.

b) To minimise flooding affects within the development and on to the adjoining properties.

Control

Any major overland flow path from adjoining properties shall be conveyed through the site in a satisfactory and safe manner. The flow paths shall not be directed under the buildings. For details refer to Chapter 11 Flood Risk Management of this DCP.

6B.6.5 Cut and Fill

Objectives

a) Reduce the necessity for retaining walls.

b) Reduce stormwater problems associated with changing the natural contours of the land.

c) Reduce the necessity to import fill onto the premises.

d) Reduce stormwater problems associated with changing the natural contours of the land.

e) Reduce the necessity to import fill onto the premises.

Control

The height of floor level above the natural ground levels shall be limited to 600 millimetres except where it is required to be raised to achieve a suitable freeboard above the flood level. This 600 millimetres height includes the fill, bedding and the slab thickness. Any variation from this floor height shall not cause adverse amenity impacts to the adjoining properties and shall be justified to the Council.

a) The height of the retaining wall must be shown from natural ground level.

b) A maximum fill level of 1 metre will be permitted where the filling is contained within the building envelope by a drop edge beam.

c) Any cut proposed over 400 millimetres is required to be appropriately retained immediately.

d) Filling of land outside of the building envelope is not permitted.

e) Where retaining walls require development consent, the development application must include a description of the proposed retaining walls in the development application.

f) Retaining walls are to be shown with a suggested setback of 500 millimetres from the boundary or a distance in accordance with an engineer's design, to provide adequate subsoil drainage within the boundaries

Note 1 - Where retaining walls are required as a result of cut for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted. Development consent shall be obtained for any proposed retaining wall not defined as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

6B.7 Site Servicing

Utilities and services include the day-to-day facets that every single dwelling uses. To ensure utilities and services are considered guidelines and controls are provided.

Objectives

a) To ensure that developments are serviced and provide for facilities;

b) To ensure front façades are free of utility services and structures; and

c) To ensure dwellings are able to be identified by street number.

Controls

6B.7.1 Water and Sewerage

a) Water and sewerage connections must meet the requirements of Sydney Water.

b) Rainwater tanks, collecting rainwater from all site roof areas (including separate garages/sheds etc) and used for toilet flushing, laundry, and garden irrigation are encouraged.

6B.7.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services must satisfy the requirements of energy supply authority.

c) Meter boxes are to be placed in positions acceptable to energy supply authority, but may not face the street.

d) Alternative energy systems which generates electricity on the land using an energy source other than the electricity supply grid, and includes a photovoltaic power system, must meet relevant requirements.

6B.7.3 Telephone and Internet

Telephone lines installation must be in accordance with the requirements of the Telecommunications provider.

6B.7.4 Dwelling Street Number

a) Contact Council to request the allocation of house number if required.

b) Position and secure clearly visible street numbers near property entrances such as the front fence, wall or letterbox.

c) Street numbers should be positioned at a minimum height at 500 millimetres above ground level (existing).

6B.7.5 Postal Services

a) The size of a letterbox must meet the Australia Post approved size. Australia Post recommends a separate box or tube to accommodate newspaper and non-mail articles.

b) A letterbox must clearly mark the street number of the dwelling that it serves.

c) A letterbox must be located on the boundary of the property with the footpath or road or at the junction of the driveway with the road. The opening of the mailbox must face the footpath or road.

6B.7.6 Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Dual Occupancy is defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.

6B.7.7 TV Antennas

a) The antenna must be located at the rear of the site to reduce visibility from the street.

b) Master TV antennas are to be provided where there is more than one dwelling in any development.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 7
Residential Flat Buildings

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7.0 Local Context

This chapter applies to all development applications submitted to Council for residential flat buildings (apartments) and the residential component of shop top housing located in employment zones.

This chapter provides controls for residential flat buildings (apartments) and shop top housing. The general objectives for developments under this chapter are to:

a) visually integrate new development with neighbouring housing via compatible dwelling form

b) maximise privacy between dwellings from overlooking

c) maximise access to sunlight for dwellings in and around the development

d) maximise the effective use of the site including front and side setbacks.

e) Give effect to the controls within the Carramar Urban Design Study.

The controls for each section contain standards with which new development must comply. In general, developments must satisfy the relevant standards. Variation will not be permitted unless the proposal will achieve a standard equal to or higher than the required.

7.1 Introduction

7.1.1 Development

This chapter applies to residential flat buildings and shop top housing.

Definitions for residential flat buildings and shop top housing are provided in Fairfield Local Environmental Plan (LEP) 2013.

Residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Shop top housing means one or more dwellings located above (or otherwise attached to) ground floor commercial premises (business, office, or retail premises).

7.1.2 Zones

Residential flat buildings are permitted under Fairfield LEP 2013 in the following zones:

a) R1 General Residential Zone – Refer to the Bonnyrigg Living Communities MasterPlan for residential flat building controls

b) R4 High Density Residential Zone.

Note: Any proposal for the construction of a residential flat building within the area covered by the Bonnyrigg Living Communities Masterplan 2008, as contained on page 147 of the Bonnyrigg Masterplan, shall also have regard to the requirements of Chapter 7 of the Fairfield City Wide DCP 2024.

Shop top housing is permitted under Fairfield LEP 2013 in the following zones:

a) E1 Local Centre Zone

b) MU1 Mixed Use Zone

c) E3 Productivity Support.

Note: Apartment building/shop top housing controls for developments in:

a) The Fairfield, Cabramatta, Canley Vale, Canley Heights, Prairiewood Southern Precinct, and Bonnyrigg town centres are contained within their respective Town Centre Development Control Plans

b) The E3 Productivity Support sites within Cabramatta are contained with the Cabramatta Town Centre DCP.

c) Employment zones only apply to the residential component of the development. Refer to the Local Centres Chapter for controls relating to the business component of the development.

7.1.3 Site requirements

7.1.3.1 Regular Lots

Regular lots are defined as rectangular lots.

Minimum lot area – there is no minimum lot size requirement for residential flat buildings and shop top housing. Development standards and other requirements will determine viable lot areas.

Minimum lot width- there is no minimum lot width requirement for residential flat buildings housing. Any proposed Residential Flat Buildings will be required to address the development standards identified within the FLEP 2013 relating to building heights and FSRs as well as other controls contained within this Chapter.

Minimum lot depth - there is no minimum requirement for residential flat buildings and shop top housing. Development standards and other requirements will determine the minimum viable lot depth.

Carramar Town Centre – In the R4 High Density Residential zoning in Carramar Town Centre proposed amalgamated sites should not result in isolated sites less than 1,500sqm. Additionally, for a Residential Flat Building (RFB) a minimum street frontage of 30metres is needed unless it is a low rise RFB of 3 storeys or less.

Note: Lot width and depth will impact on the Floor Space Ratio that is able to be achieved. For more information, refer to Clause 7.3.1 Floor Space Ratio

7.1.3.1 Site requirements for residential flat building development on irregular lots

A residential flat building development proposed on irregular lots will be assessed on its merits and maximum FSR and height controls may not be achieved. The appropriate FSR and height will be assessed taking into consideration the objectives and controls that apply to similar sized regular lots and the opportunities and constraints of the site and the ability of the design to comply with all other existing relevant controls.

An irregular lot is defined as a lot that is not rectangular in shape.

7.1.4 Strategies and policies

a) Refer to the Fairfield Residential Development Strategy for Council's planning framework for residential flat development throughout the eastern part of the City.

7.2 Special considerations

7.2.1 Heritage

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

7.2.2 Carramar Urban Design Study

The Carramar Urban Design Study (UDS) was part of the preparation of the Accelerated Stage 2 LEP and the Local Strategic Planning Statement (LSPS). Properties within the Carramar UDS precinct had recommended changes to development standards to enhance the potential for the town centre and its surrounding residential areas to take advantage of the transport offered by the Carramar Train Station. The amendments proposed by the UDS have generally been included within this Chapter of the City Wide DCP.

7.2.3 Accessible and family friendly units

Access for all potential residents and those that visit the residence must be considered in residential flat building developments and shop top housing. The number of accessible and adaptable apartments to cater for a wide range of occupants should be optimised. Flexible flat design ensures that buildings can accommodate a wide range of inhabitants and their changing lifestyle needs.

Objective

a) To provide easy access for all including people with prams and people that use wheelchairs or have walking difficulties or sight, hearing or intellectual impairment.

b) To provide opportunities for apartment design that accommodates family friendly elements and amenity.

s

Controls

Accessible and family friendly units

a) All applications must include a statement on how the development will comply with the provisions of the Disability Discrimination Act, and follow the accessibility standard set out in Australian Standard AS 1428 (parts 1 and 2), as a minimum.

b) One accessible unit per ten units or part thereof must be provided and meet any relevant Australian Standard and Building Code of Australia requirements relating to wheelchair accessibility, with the following minimum controls incorporated within the dwellings designed to be able to accommodate wheelchairs:
   i. Access to front door and private open space,
   ii. Internal door and passageways,
   iii. Toilet and shower,

c) Ramps should have gradients not exceeding 1 in 14, and have an even, non-slip surface,

d) Developments must provide barrier free access to at least 20 percent of dwellings in the development,

e) Pedestrians must be able to identify the access points from the street or car parking area to the apartment entrance,

f) Pathways and corridors must be well illuminated and directional signs/notices be easily read,

g) A mix of one and three-bedroom apartments on the ground level where accessibility is more easily achieved for the disabled, elderly people or families with children is to be provided,

h) Provide a minimum of 25% of two-, three- and four-bedroom apartments as 'family-friendly apartments' to accommodate the needs of families with children, with a higher ratio of two and three bedrooms.

i) Locate 'family-friendly apartments' on ground level, with direct access to outdoor space to allow visibility of communal outdoor space for passive supervision of playing children.

j) Grouping family-friendly apartments together to encourage social interaction and a sense of community between families with children.

k) Locate 'family friendly' apartment closest to the car parking provided on site.

l) Ground floor apartments must be provided with separate entries and access to private open space, preferably as a terrace or garden, wherever possible. Development proposals are encouraged to investigate the possibility of flexible apartment configurations, which support change in the future. Design solutions may include the minimisation of internal structural walls and higher floor to floor dimensions on the ground floor.

m) Living rooms should consider floor area for play (2m x 3m flexible play space) with visibility to the kitchen for passive supervision.

n) Developments to consider an additional 10% of storage on top of the minimum ADG requirements within each family-friendly unit. Consider walk-in storage closets to accommodate the storage of larger items Increased hallway widths in family friendly units to 1.5m to allow for manoeuvring prams throughout the apartment.

7.2.4 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3A of the Stormwater Management Policy – September 2017.

7.2.5 On Site Detention

Objectives

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

7.2.6 Lifts

Passenger lift access is required for any residential flat building either 4 levels above ground with no basement parking or 3 levels above ground and including basement parking.

7.3 Public Domain

7.3.1 Active Street Frontages

Active street frontages are critical to the viability and vitality of local and neighbourhood centres as direct, easy access from the footpath draws people from the street into the shop. Active street frontages also add to the safety and security of a street by enabling passive / casual surveillance.

Objectives

a) To retain and reinforce activities along the street;

b) To enhance the retail and commercial viability of the local centre;

c) To allow access to other uses whilst retaining the continuity of the retail frontage;

d) To promote community safety and crime prevention.

Controls

a) **Active Retail / Commercial street frontages** - The façade treatment and design of ground floors in all buildings must ensure an active frontage is provided. The design/treatment of the ground floor facades must:
   i. Avoid blank or solid walls and the use of dark or obscured glass on street frontages;
   ii. Maximise glazing for retail uses, with the glazing being broken into sections to avoid large expanses of glass;
   iii. Provide direct access from the footpath to the shop;
   iv. Wrap shop fronts around any street corner;
   v. Have manual inward opening or automatic sliding doors oriented towards the street;
   vi. Ensure all commercial uses are oriented to the street to maximise opportunities for casual surveillance;
   vii. Ensure all under awning areas are well lit;
   viii. Ensure access to building meets BCA accessibility requirements.

b) **Ground floor entrances and foyers in local town centres** - On ground floor elevations fronting primary streets the width of the building facade used for entrances / foyers (including service areas for mail, intercom systems or service cupboards and the like) must be between 2 and 3.5 metres wide;

c) Building elevations on corner sites shall address both the primary and secondary street frontages.

7.3.2 Commercial Awnings and Pedestrian Amenity

Awnings provide a pleasant pedestrian environment and protection from the weather. To maintain the visual and pedestrian amenity, new buildings must incorporate awnings along the facades fronting roadways. Buildings must maintain their awnings to ensure structural integrity and visual amenity.

Objectives

a) Provide awnings that allow safety and security to pedestrians;

b) Ensure safe and secure environment for pedestrians through the provision of awnings that are structurally sound;

c) To ensure the visual amenity of the structure is maintained through the proper maintenance of existing awnings;

d) To ensure the maintenance and upgrade of awnings on Heritage Listed Properties maintains the Heritage significance of the site.

Controls

a) All awnings should not exceed 3.5m in height above the footpath.

b) The awning is required to cover as much of the footpath as possible and may not be closer than 600mm to the kerb line.

c) Awnings should be complementary to other awnings within the development and surrounding sites.

d) Awnings shall be parallel to the pavement and be of metal construction as glazed awnings transmit heat and glare to pedestrians.

e) Ensure all awnings are structurally sound and safe and comply with relevant BCA requirements.

f) Carry out regular maintenance or repair work to awnings and their stormwater disposal systems e.g. painting, repairing any leaks, etc.

g) All awnings associated with Heritage Items are specified in Schedule 5 of the Fairfield Local Environmental Plan 2013 must comply with 5.10 – Heritage Conservation of the Fairfield LEP 2013.

h) An Awnings Maintenance Plan is required to be submitted with all Development Applications for the construction of a building proposing an awning or occupation of a building that already contains an awning:
   i. The Maintenance Plan for development including the construction of new building will include maintenance details that cover the life of the awnings;
   ii. The Maintenance Plan for awnings that are on existing buildings will provide details of repair that will be carried out.
   iii. To ensure the visual amenity of the structure is maintained through the proper maintenance of existing awnings;
   iv. To ensure the maintenance and upgrade of awnings on Heritage Listed Properties maintains the Heritage significance of the site.

7.3.3 Advertising Signage

Advertising signage is an important part of retail and commercial developments. Advertising signage identifies the business as well as being designed to attract attention to the premises and to identify products sold or services offered. However, signage needs to be erected so that it is sympathetic to the overall development and does not negatively impact on the streetscape of the centre.

Controls

a) A limit of 0.6sqm of advertising (not including under awning and fascia signs) will be allowed per lineal metre of street frontage. For example, commercial premises with a frontage of 15 metres will be allowed to have up to 9sqmof advertising space. This advertising could be in the form of flush wall signs, top hamper signs, painted wall signs or projecting wall signs where appropriate.

b) The amount of advertising space can also be increased by 0.1sqmfor each lineal metre of street frontage, for every storey above two storeys.

c) The advertising must also relate to the business being carried out on the property.

d) Where multiple occupancy of a building occurs, only one sign (other than an under awning sign or fascia sign) per occupant will be permitted with Council approval.

For information about signage controls in Local and Neighbourhood Centres, refer to Appendix C – Advice for Designing Advertising Signs of this DCP.

7.3.4 Outdoor Dining

Refer to Council's Outdoor Dining Policy 2019

7.3.5 Display of Goods on Footpath

Refer to Council's Policy for Display of Goods on Council Owned Footpaths 2019

7.3.6 Ground Floor Building Use

Retail or commercial uses with an active frontage should be located on the ground floor on the primary street frontage. Residential development is not permitted at ground level.

7.4 Built Form

7.4.1 Floor Space Ratio (FSR)

The density of built structures affects the amenity of the lot, adjoining sites and the residential area as a whole. To ensure a high level of amenity the floor space ratio is regulated for residential flat building developments. Clause 4.4A Floor Space Ratio - Zone R4 High Density Residential of Fairfield LEP 2013 prescribes the maximum permitted Floor Space Ratio for residential flat buildings.

Objectives

a) To promote residential amenity for the development, adjoining sites and neighbourhood; and

b) To assist with preliminary yield calculation.

Controls

For residential flat buildings within the R4 High Density Residential Zone excluding those identified as Area A on the FSR map of the Fairfield LEP 2013, the maximum floor space ratio for residential flat buildings is contained within the following table:

Column 1	Column 2
Site with a street frontage up to 30 metres	0.8:1
Site with a street frontage of 30 metres and less than 45 metres, and site depth of less than 40 metres.	1.25:1
Site with a street frontage of 30 metres and less than 45 metres, and site depth of 40 metres or more.	1.5:1
Site with a street frontage of 45 metres or more, and a site depth of less than 40 metres.	1.5:1
Site with a street frontage of 45 metres or more, and site depth of 40 metres or more.	2:1

Note: The Floor Space Ratios indicated above are the maximum permitted. The maximum will not be achieved in all cases due to site constraints and the need to comply with the other DCP requirements.

7.4.2 Building Heights

Building height is an important control because it has a major impact on the physical and visual amenity of a place. It can also reinforce an area's existing character or relate to an area's desired character.

Objective

a) To allow reasonable daylight access to all developments and the public domain.

b) To ensure future development responds to the desired scale and character of the street and local area

Controls

a) **Building height in metres** – Maximum permissible building height for any development must be consistent with the building height standards prescribed on the Fairfield LEP 2013 Building Height Map

b) **Building height in storeys** – The maximum height of building within the R4 high Density Residential zone varies across Fairfield City, depending on the sites location. This clause seeks to remove any uncertainty regarding the maximum height in storeys. The maximum building height in storeys compared to its respective height in metres is listed below:

- 9 metres (3 storeys),
- 13 metres (4 storeys),
- 16 metres (5 storeys), and
- 20 metres (6 storeys).

Note: In cases where there is overshadowing or other impacts, the maximum height may not be achieved on a site or parts of a site. Car parking that is located on the ground floor is regarded as a storey and is included in the height limit.

Carramar Town Centre Building Heights

Objective

a) Encourage variations in building heights to improve levels of passive surveillance and increase flexibility of built form throughout the town centre,

b) Allow generous floor to ceiling heights to result in an improved outcome for future residents.

Control

a) Building heights are to align with the maximum height of building within Fairfield LEP 2013 and number of storeys outlined in figure below.



7.4.3 Building Setbacks

Street setbacks establish the front building line. Street setbacks are measured from the street boundary to the outside edge of the building. In general, no part of a building or above ground structure may encroach into a setback zone.

Controls over street setbacks create the proportions of the street and can contribute to the public domain by enhancing streetscape character and the continuity of street facades.

Side setbacks are important tools to ensure that the building height and distance of the building from its boundaries maintain the amenity of neighbouring sites and within the new development.

Rear setbacks can be used to create useable common open space and deep soil zones.

Objectives

a) To establish a desired consistent street setback;

b) To provide for building separation to promote visual and acoustic privacy between apartments;

c) To provide for road improvements required at specified intersections and local roads;

d) To allow for landscaping to the street and between buildings and maximise the opportunity to retain and promote mature vegetation; and

e) To maintain deep soil zones to maximise natural site drainage and protect the water table.

Controls

a) The 6 metre front setback area of a Residential Flat Building developments shall not be used for any purpose other than landscaping only. In this regard, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the front setback area.

b) **Street setbacks** – buildings, including balconies, generally shall be set back from the street in accordance with the following tables:

R4 High Density Residential Housing Zone – Areas zoned before making of LEP 2013

Street setbacks	Minimum
Primary Street – shorter length	6 metres
Secondary street/lane – longer length	6 metres

R4 High Density Residential Housing Zone – Areas zoned after making of LEP 2013

Street setbacks	Minimum
Primary Street – shorter length	Any part of the development (except landscaping and retaining walls) must be located within 1.5 metres of the average existing front street setback.
Secondary street/lane – longer length	6 metres

c) **Secondary Street Setbacks** – A minor encroachment allowing a reduced setback may be considered where the:
   i. Development does not result in any part of the building being closer than 3 metres to the secondary street boundary and for no more than 25% of the secondary street frontage only.
   ii. Development on a corner lot can encroach onto the primary frontage, as well as, the secondary boundary to 3 metres for 25%, however, the 3 metre setback should only be intense landscaping.

iii. Reduction in setback does not unreasonably impact the internal residential amenity of the proposed development.
iv. Development provides a feature on the corner of the development that results in a good urban design outcome and enhances the streetscape.
v. Reduction in setback does not result in the development being inconsistent with any other development control in this DCP.

d) Side and rear setbacks

Up to four storeys/ 12 metres	12 metres between habitable rooms/balconies
	9 metres between habitable/balconies and non-habitable rooms
	6 metres between non-habitable rooms
Five to six storeys/ up to 20 metres	18 metres between habitable rooms/balconies
	13 metres between habitable rooms/balconies and non-habitable rooms
	9 metres between non-habitable rooms

Exceptions to the above are walls containing no windows or balconies. In such cases walls may be have a zero side boundary setback subject to:
i. Compliance with solar access controls contained with Section 7.4.3;
ii. Adjoining properties having similar zero boundary setback potential i.e. they have redevelopment potential in accordance with this DCP;

e) **Land Required for Road Improvements**

i. All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback, no buildings, fences or other structures will be permitted and landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres x 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.
ii. Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centre line of the road. Council may seek to acquire up to 3 metres width of land for road widening.

Carramar Neighbourhood Precinct Setbacks

Objective

a) Maintain and increase open and green character throughout the Carramar Neighbourhood Precinct.

b) Allow for a continuous walkway along the riparian corridor

c) To improve street legibility by providing line of sight within the Town Centre.

d) Ensure significant trees on the periphery of the property be retained to maintain the green character of the neighbourhood, while providing shade and reducing the impact of the heat island effect.

Control

a) A 0 metre setback for E1 Local Centre zoned frontages with a one storey street wall, buildings above podium level are to be setback by 3 metres.

b) Properties along Nash Lane Carramar require a 3 metre setback to allow for a widen pedestrian link from Sandal Crescent to Prospect Creek.

c) All other areas must maintain a minimum of 4.5 metre boundary setback to ensure a green street character is maintained.

7.4.4 Building Articulation

Providing articulation of building features such as windows and balconies, using a combination of colours and finishes, and the use of sunshade structures and awnings help to create buildings of architectural quality. Variation of balcony proportions and orientation within a coherent theme also helps to achieve articulation of the building form.

Objectives

a) To promote high architectural quality in residential flat buildings

b) To ensure that new developments have facades which define and enhance the public domain

c) To ensure that building elements are integrated into the overall building form and facade design.

Controls

a) **Building facades** shall:
   i. define a base, middle and top related to the overall proportion of the building by using cornices, a change in materials or building setback;
   ii. reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation;
   iii. express the internal layout of the building, for example, vertical bays or its structure, such as party wall-divisions and the variation in floor to floor height, particularly at the lower levels;
   iv. articulate building entries with awnings, porticos, recesses, blade walls and projecting bays
   v. use recessed balconies and deep windows to create articulation and define shadows thereby adding visual depth to the façade;
   vi. express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height;

vii. co-ordinate and integrate building services and utility items, such as drainage pipes; and security grills/screens, ventilation louvers and car park entry doors with overall facade and balcony design.

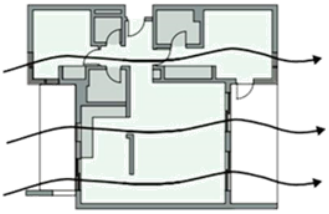
7.5 Amenity

Amenity is an important aspect of any development containing residential or adjacent to residential dwellings. Ventilation, visual and acoustic privacy, solar access and access to private open space all contribute to the overall liveability of dwellings within and adjacent to the development.

7.5.1 Ventilation

Objectives

The intention of ventilation or cross ventilation is to keep a dwelling as cool as naturally possible in summer and reduce the reliance on electric fans and air conditioners. By positioning windows across from each other, good airflow can be maintained within the dwelling.



Controls

Buildings should be designed in accordance with the provisions of Part 4B –Natural Ventilation of the Apartment Design Guide.

7.5.1.1 Air Conditioning Units

Objective

To ensure air conditioning units are concealed and do not detract from of clutter the building's visual quality, and do not contribute to adverse streetscape or amenity impacts.

Controls

Air conditioning units/condensers are to be located within the basement, or on the upper most roof, within the building, or similar areas that allow for concealment of the air conditioning units. Air conditioning units are not to permitted to be located on:

a) The building façade,

b) Terraces,

c) Private or communal open spaces,

d) Balconies, or

Any other similar location that is not appropriately concealed or integrated into the built form.

7.5.2 Visual Amenity and Acoustic Privacy

When managing the impacts of a new development, the ability to maintain adequate visual and acoustic privacy is a critical contribution to the quality of life of future residents.

Objectives

a) To minimise the direct overlooking of internal and external living areas,

b) To ensure acoustic privacy within and between bedrooms and internal living areas for dwelling occupants and adjoining neighbours, and

c) To ensure the acoustic design of new development takes into account surrounding existing development and implements appropriate sounds attenuation measures to mitigate any conflict between the existing development and the proposed new residential development.

7.5.2.1 Visual Amenity

Controls

Buildings should be designed in accordance with the provisions of Part 3F – Visual Privacy of the Apartment Design Guide.

7.5.2.2 Acoustic Amenity

a) **Noise transmission BCA requirements** - development must comply with the noise transmission requirements of the Building Code of Australia 2004. Noise transmission must be minimised through the design of internal layouts of apartments and the location of courtyards, terraces / balconies, and openings.

b) **Noise impact** assessments may be required. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment.

c) **Noise attenuation** measures must be incorporated in all new developments along Classified State and Regional Roads and Unclassified Regional Roads and properties in proximity to the railway line. Developments adjacent to rail corridors, shall take into consideration the provisions within *SEPP (Infrastructure) 2007* relating to impact of rail noise or vibration on non-rail development.

d) **Land uses/activities noise conflicts minimised** - In mixed-use developments, the design must minimise the transfer of noise between business and commercial activities and residential development by using measures that will address noise associated with:
   i. Goods and service deliveries as well as waste and garbage disposal and collections, particularly if this is occurring early in the morning or late at night;
   ii. Restaurants and cafes particularly those operating at night or those with outdoor seating; and
   iii. Extraction fans and air conditioning units.

e) **Land use conflicts between existing and new development** – Noise attenuation measures must be incorporated into all new residential development proposed near an existing retail/commercial property that generates noise at times or levels not compatible with residential living. An acoustic assessment and proposed acoustic attenuation measures are to be detailed in an Acoustic Report prepared by an Acoustic Engineer or suitably qualified individual.

f) **Air conditioning units** proposed are to be detailed in the acoustic assessment.

g) New residential development within a **Special Entertainment Precinct** shall have regard to indicative measures shown in the table below. These materials are currently available for residential development to mitigate the intrusion of external sound. The table below has regard to performance-based measures currently available in the market that would comply with the National Construction Code.

Sound Category ID	Indicative facade glazing requirement to achieve internal sound levels per Table 4-3		
SC2.5	Openable single glazing: 12.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing: 8mm monolithic glass, 16mm gap, 10.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing with wide air gap: 6mm monolithic glass, 100mm gap, 4mm monolithic glass, full perimeter acoustic seals
SC3 / SC3.5	Openable 10.38mm laminated glass with full perimeter acoustic seals		
SC4 / SC4.5	Openable 8.38mm monolithic glass with full perimeter acoustic seals		
SC5	Openable 6.38mm monolithic glass with full perimeter acoustic seals		
SC6	Openable 4mm monolithic glass with standard weather seals		

Table 5-1 - Indicative Glazing Facades for residential development
(Source: TP350-01F03 Canley Vale and Canley Heights SEPs Sound Management Criteria)

Note: The indicative façade treatments in table 5-1 are not prescribed by this DCP and have been provided as example materials currently available in the Australian market.

7.5.3 Solar Access

Objectives

a) To encourage the layout and construction of buildings so that adequate thermal comfort, lighting and ventilation can be achieved with minimum energy consumption,

b) To minimise greenhouse gas emissions that are an indirect result of new development, and

c) To ensure internal living spaces and open space have adequate sunlight and direct sunlight is maintained to adjacent dwellings.

Controls

Buildings should be designed in accordance with the provisions of Part 4A – Solar and Daylight Access of the Apartment Design Guide.

7.5.4 Private Open Space

Buildings should be designed in accordance with the provisions of Part 4E – Private open space and balconies of the Apartment Design Guide.

7.5.5 Common Open Space

The area of open space should generally be between 25 – 30% of the site.

Objectives

a) To provide communal open space designed to be useable and attractive.

b) To provide for a natural environment within developments with a pleasant outlook.

Controls

Common open space:

a) should incorporate a minimum 25% of deep soil zone.

b) be located within a north, north-east orientation.

c) must be accessible from all dwellings within the development.

d) should only be accessible from within the site.

e) should be overlooked by living areas.

f) should ideally be centrally located rather than at the rear or front of a development site.

g) should include features such as seating, shade structures, child play equipment or barbeques to satisfy the recreation needs of all residents.

h) Is not to include in its area calculation clothes drying areas, driveways and parking areas.

i) may only be used for detention basins if the height difference between natural ground level and the lowest level of the basin is not more than 0.5 metres.

j) Is to be provided, part on ground level, as per the ADG requirements.

7.5.6 Safety and Security

Objective

To create an environment which is safe and secure from theft, personal threat and accidents.

Controls

a) All areas in a development should be clearly recognisable as either private, common or public space.

b) A dwelling with street frontage should have a clear view of the footpath.

c) Wall mounted night lighting in internal and external common area including along all driveways and footpaths must be provided throughout the site. As part of the Development Application a lighting plan may be required to be submitted that incorporates the following elements:
   i. Use of energy efficient diffused lights and/or movement sensitive lights;
   ii. Lights directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points;
   iii. Lighting with a wide beam of illumination reaching the beam of the next light, or the perimeter of the site or area being traversed.

d) Barriers to prevent movement between roof spaces of adjoining dwellings will be required.

e) Dwellings must have a child-proof storage place for poisons or other dangerous substances.

7.5.7 Carramar Town Centre Through Links

Objective

a) To improve permeability for pedestrians and cyclists

b) Provide assess to deep urban blocks

c) Ensure new development has public street address

d) Ensure a provision is made for stormwater flow to allow for natural drainage.

Control

a) Vehicular access to be provided to deep urban blocks

b) Pedestrian/cycle links, a minimum of 6 metres – 9 metres wide and constructed to Council's standards and dedicated back to Council on completion.



7.6 Car parking, Loading and Vehicle Access

7.6.1 Car parking

Objective

To provide adequate car parking for residents and visitors

Controls

a) Off-street parking spaces must be provided as set out below:
   i. 1 space per dwelling, and
   ii. 1 visitor space per 4 dwellings where a development has more than 2 proposed dwellings.

b) Dimensions for parking spaces and turning areas must be in accordance with AS/NZS 2890.1;2004 Parking Facilities – Off-Street Car Parking and the Car Parking Chapter of the City Wide DCP.

c) Council gives preference to total or partial underground car parking wherever possible by:
   i. Retaining deep soil zones,
   ii. Providing natural ventilation to sub-basement parking areas, and
   iii. Integrating ventilation grills into building design.

d) In cases of inconsistency between the controls contained within Part 7.5 and controls contained within Chapter 12 – Car Parking, Vehicle and Access Management, then the provisions of Chapter 12 will prevail to the extent of the inconsistency.

7.6.2 Vehicle Access Controls

Objective

a) To provide safe and efficient vehicle access to the development site.

b) To encourage discrete vehicular access to each site;

c) To maximise pedestrian safety and bicycle safety;

d) To maximise the extent of active frontage along any street.

Controls

a) **Driveway design** must be in accordance with AS/NZS 2890.1;2004 Parking Facilities – Off-Street Car Parking and the Car Parking Chapter of the City Wide DCP, noting the need to accommodate regular garbage truck movements and delivery/removalist vans.

b) **Driveway location** and vehicle access to properties should be at least 30 metres or as far as possible from an intersection with a State or regional road.

c) **Vehicle entries** must be located away from main pedestrian entries and on secondary frontages and not be obstructed by power/telephone poles, meter boxes etc.

d) **Driveway width** is generally limited to a maximum of 6 metres and should be minimised to increase landscaped area while providing adequate space for vehicles to manoeuvre and pass at slow speeds.

e) **Driveway length** should be minimised where possible by being broken into bays through the use of landscape nodes.

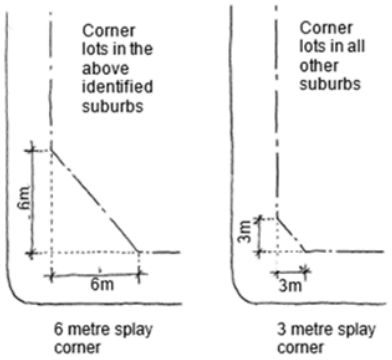
7.6.3 Splay Corner Setbacks and Road Widening

Objectives

a) Restrict building and landscaping within close proximity to road intersections.

b) Improve traffic safety by increasing site distances for drivers at intersections.

c) Provide the opportunity for Council to acquire land for local road widening, which will improve the road network.



Controls

a) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.

Note 1: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

Note 2: These restrictions are updated from time to time based on advice from the Service NSW and investigations carried out by Council and need to be considered as part of new development.

Up-to-date information is relation to the above can be obtained from Council by requesting a Planning Certificate (section 10.7).

7.7 Site Servicing and Loading

Development should make adequate and appropriate provisions for site facilities and waste storage and collection. Their location and their design should minimise impact to the streetscape and minimise opportunities for criminal and anti-social behaviour.

Objectives

a) Ensure that developments are serviced in a timely, coordinated and efficient manner.

b) Ensure front facades visible from the street are free of utility structures.

c) Minimise the impact of service access on pedestrians and the retail frontage.

d) Ensure the sufficient provision is made for the following services in commercial and mixed use developments:
   i. Separate garbage storage and collection areas for residential and commercial waste;
   ii. Allocated storage area for residential bulky waste
   iii. Loading and unloading areas;
   iv. Temporary storage facility;
   v. Ventilation stacks from shops and basements;
   vi. Laundries;
   vii. Telecommunication;
   viii. Electricity sub-stations;
   ix. Fire-flighting equipment.

e) Ensure the streetscape retains active frontages and the building enhances the visual amenity of the town centre by ensuring the location and provision of services considers the presentation of development to the street.

f) Provide a sufficient space for a temporary storage facility of bulky items, this is to be provided for communal use. This storage facility should be located in an easily accessible location. The access and travel path are to be included on the site plan.

g) Provide a sufficient space for a communal loading and unloading area. This loading area should be located in an easily accessible location (such as adjacent to the lift core) with access and travel paths to be included on the site plan. This loading area should allow servicing vehicles to enter and exit safely in a forward direction.

7.7.1 Integrated Onsite Waste and Recycling Service

a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Residential Flat Buildings are defined in accordance with *Fairfield Local Environmental Plan 2013*.
c) Model Waste and Recycling storage and collection infrastructure configurations are outlined in *Appendix H Model Waste Infrastructure section 3*.
d) Developments to be designed to permit integrated on-site waste collection by Councils standard 10,800mm heavy rigid waste collection vehicle. A detailed swept path analysis supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to:
   i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a heavy rigid waste collection vehicle
   ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
   iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities
   iv. Councils standard heavy vehicle waste collection vehicle to:
      1) Enter and exit the site ins a forward direction
      2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety
      3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational

clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections
4) A minimum 500mm clearance to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections

e) Specifications of Councils standard 10,800mm heavy rigid waste collection vehicle are outlined in *Appendix H Model Waste Infrastructure section 3.14 – 3.17*.
f) To support the provision of safe and efficient waste collection service, the integrated on-site multi use loading area to:
   i. Be fully enclosed, walled and accessed via a restricted opening to provide physical separation from vehicles, pedestrian, cyclists, and other users
   ii. Mechanically ventilated
   iii. Incorporate acoustic attenuation and supporting infrastructure detailed within a report prepared by an acoustic consultant to support use of a heavy rigid collection vehicle at high revs
   iv. Provide a 2,000mm unobstructed clearance at the rear of the vehicle to support the collection of Councils waste streams
g) Multi use loading areas outlined in section f) above that propose the use of turn tables are, to incorporate the following infrastructure and specifications:
   i. Hydraulic override or similar assisted override system to permit the turn table to rotate in the event of a power outage or systems failure
   ii. Control panel locked and keyed to Councils bi-lock key system
h) The kerbside presentation of Councils waste and recycling streams is not an acceptable solution, including pull-in bays for Councils standard waste collection vehicles.
i) A detailed waste management plan to be submitted to Council. The plan must:
   i. Demonstrate Councils waste and recycling streams can be provided and are accessible to all residential dwellings
   ii. Identify the waste streams and anticipated volumes expected to be generated throughout construction and in perpetuity when occupied by residents
   iii. Demonstrate integrated on-site loading and supporting infrastructure is provided to permit safe and efficient schedule collections by Councils standard 10,800mm heavy rigid collection vehicle
   iv. Outline how the waste generated on-site will be managed within the development
   v. Identify the path of travel from individual units to:
      1) The waste chute system inlet on each level
      2) The communal organics waste storage room
      3) The bulky waste collection room
   vi. Identify the path of travel from the multi-use loading area to:
      1) The waste collection room
      2) The bulky waste collection room
   vii. Identify the path of travel from waste chute room/s in the basement to:
      1) The waste collection room
   viii. Outline how and where Councils waste streams will be stored, transported and collected for each component of the development
   ix. Provide detailed architectural plans to demonstrate compliance with sections i-viii outline above

x. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams

7.7.1.1 Waste and Recycling Storage and Collection Infrastructure

a) Councils waste and recycling streams to be allocated to the site in accordance with Councils waste generation rates:
   i. Garbage = 120L per dwelling/week (collected weekly)
   ii. Recycling = 80L per dwelling/week (collected fortnightly)
   iii. Organics = 40L per dwelling/week (collected alternate fortnightly)
   **The bin allocation for each individual stream to be rounded up to the next whole number*
b) Councils standard bin infrastructure to be accommodated within the development using the following minimum dimensions:
   i. 240L bins = 600mm width, 740mm depth and 1,100mm height
   ii. 660L bins = 1,260mm width, 800mm depth and 1,400mm height
c) A waste chute system to be provided, accessible and available to all residential dwellings on each level. Detailed architectural plans to be submitted that demonstrate:
   i. A separate waste chute is to be provided for Councils assigned waste stream
   ii. Inlets are located within a chute cupboard, accessed via 180-degree, outwards opening, self-closing sealed doors
   iii. Cupboard to have a maximum depth of 200mm from the door to the chute inlet
   iv. Cupboard is mechanically ventilated
   v. Located within close proximity to the central elevator core
   vi. The infrastructure to provide safe, efficient, and accessible access for all users
   vii. The path of travel from individual dwellings to the chute inlet to not exceed a maximum distance of 20,000mm, accessed directly from the residential corridor, and not require residents to travel to other levels
   viii. Acoustic attenuation to adjacent dwellings on each residential level and a report detailing the infrastructure to be compiled by a qualified acoustic consultant
   ix. Doors to be unlocked to permit unobstructed resident access
d) A designated bin cupboard to be provided adjacent to the chute cupboard/s on each residential level. To accommodate Councils assigned waste and recycling streams the bin cupboard to incorporate the following infrastructure:
   i. Minimum internal dimensions of 1,000mm width by 1,000mm depth per 240L bin proposed or dimensioned as prescribed by Council
   ii. Accessed via 180-degree, outwards opening, self-closing, sealed doors
   iii. Bin path of travel from the cupboard to the central elevator core to be tiled to permit scheduled cleaning
   iv. Doors to be unlocked to permit unobstructed resident access
e) A communal organics waste storage room to be provided adjacent to the bin cupboard on ground floor within each building. To accommodate Councils organics waste stream the room to incorporate the following infrastructure:
   i. Minimum unobstructed internal dimensions to be provided using one of the following calculations:
      1) Single Sided = (2,200mm) width by (Bin Allocation x 600mm) depth
      2) Double Sided = (3,200mm) width by (Bin Allocation x 300mm) depth
   ii. Accommodate the buildings anticipated waste volumes

iii. Minimum 1,200mm wide doorway opening
iv. Bin path of travel from the room to central elevator core to be tiled to permit scheduled cleaning

f) A chute room to be provided within the basement to accommodate Councils assigned bin infrastructure below each of the respective chute outlet/s. The room to accommodate the following infrastructure:
   i. A circular carousel system under each of the chute outlets large enough to accommodate 4x 660L bins or 2 days worths of anticipated waste volumes, whichever is the greater
   ii. A chute offset and dampener to be provided prior to material discharging into Councils bin infrastructure
   iii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
   iv. Room enclosed, walled, and not permit through access to other on-site infrastructure
   v. Adequate lock infrastructure to restrict resident access
g) A waste collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure:
   i. Room large enough to accommodate the entire bin allocation with 200mm clearance between each bin for manoeuvrability
   ii. Bunded bin wash bay to permit scheduled cleaning of Councils assigned bin infrastructure
   iii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
   iv. Room enclosed, walled, and not permit through access to other on-site infrastructure
   v. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request
   vi. Path of travel from the room to the multi-use loading bay to not pass through an active vehicle carriageway
   vii. Located within 10000mm of the integrated on-site multi use loading area
h) A bulky waste collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure:
   i. Minimum unobstructed internal area in accordance with the following calculation:
      1) Bulky waste area (m^2) = total dwellings x 0.25m^2
      **Minimum area of 10m^2 to be provided to accommodate Councils waste stream*
   ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
   iii. Minimum unobstructed internal width of 1,800mm
   iv. Room enclosed, walled, and not permit through access to other on-site infrastructure
   v. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request
   vi. Path of travel from the room to the multi-use loading bay to not pass through an active vehicle carriageway
   vii. Located within 10000mm of the integrated on-site multi use loading area
i) A bin tug device and trailer to be provided to facilitate the safe and efficient transport of Councils bin infrastructure within the development. The room to accommodate the following infrastructure:

i. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
ii. Sufficient size to accommodate the tug device and trailer responsive to the sites anticipated waste volumes
iii. Room enclosed, walled, and not permit through access to other on-site infrastructure
iv. Electrical charge capabilities to permit scheduled charging
v. Adequate lock infrastructure to restrict resident access

j) All integrated on-site waste and recycling storage/collection infrastructure outlined in section 7.7.1.1, subsections c) - h) above to incorporate the following infrastructure, including but not limited to:
i. Integrated wholly within the developments-built form to support an enhanced urban design outcome
ii. Rooms to be free of pylons, obstructions and other external services
iii. Permit safe, efficient, and unobstructed work practices for assigned users and waste collection staff
iv. Mechanical ventilation
v. Automated lighting
vi. Hot and cold-water taps
vii. Drainage connected to the sewer
viii. Minimum unobstructed internal height clearance of 2,700mm
ix. Water proofing throughout all intersections and extend 1,200mm high on walls
x. Accessed by a 1,800mm wide unobstructed access corridor

k) Separate, enclosed, and designated waste and recycling storage and collection rooms to be provided from non-residential tenancies proposed within the development in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*
i. The co-location of residential and commercial waste streams is not permitted

l) For developments of five or more storeys, a designated caretaker room to be provided on ground floor and integrated wholly within the developments-built form. The room to accommodate the following infrastructure:
i. Small seating area proportional to the anticipated building managers required to manage the site
ii. Kitchenette facilities
iii. Access to wash facilities and toilets
iv. Adequate storage for cleaning chemicals, infrastructure and supporting items to complete their daily roles

7.7.1.2 Shop Top Housing

a) Separate, designated, and enclosed Waste and Recycling storage and collection infrastructure to be provided to commercial tenancies in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*.
i. The co-location of residential and commercial waste streams is not permitted

7.7.1.3 Site Restricted Developments

There may be lot characteristics or constraints that restrict the opportunity for the development to accommodate an integrated on-site loading arrangement for Councils standard vehicle. To explore alternative solutions for site restricted lots determined by Council, the onus is on the applicant to demonstrate that:

a) The adjacent lot/s cannot be acquired to support an integrated on-site site waste outcome
b) An improved operational waste outcome can be achieved for Council, the residents and the wider community that:
    i. Does not compromise safety
    ii. Supports an enhanced outcome for:
        1) Urban Design
        2) Streetscape
        3) Deep Soil
        4) Tree Canopies
    iii. Maintains existing on-street parking allocations
c) A heightened amenity outcome is achieved for the development and the surrounding community
d) The arrangement inhibits the permeation of odour and the opportunity for vermin
e) Permits collections in accordance with Councils waste and recycling collection contract provisions

Alternative solutions may be proposed to Council at pre-development application meetings, support by:

i. Scaled architectural plans
ii. Swept path models
iii. Other relevant documentation to support items outline in a) – e) above

7.7.2 Electricity

a) Internal/on-site power poles must be located at the intersection of the front and side boundaries. They must be black or grey in colour.

b) Electrical services must satisfy the requirements of Endeavour Energy.

c) Meter boxes are to be placed in positions acceptable to Endeavour Energy, but not face the street.

Pre DA consultation with Endeavour Energy is helpful in identifying any existing network assets impacted by the proposed development. Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase.

Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation.

Space required to be allocated for any proposed indoor and pad mounted substations can be incorporated within final architecture plans submitted to Council as part of the DA approvals process.

7.7.3 Water and Sewerage

Water and sewerage connections must meet the requirements of Sydney Water.

7.7.4 TV Antennas

a) Master TV antennas are to be provided to avoid having many individual antennas.

b) The antenna must be located at the rear of the site to reduce visibility from the street.

7.7.5 Satellite Dishes

Satellite dishes in residential areas, either for domestic or international broadcasts, must meet the following requirements:

Satellite dishes attached to the development must be:

i. less than 900mm in diameter,
ii. of a height that does not exceed the ridge line, and
iii. located on the rear elevation of the development.

Larger satellite dishes that are freestanding and visible from a public place, road or adjoining residents must:

i. be no greater than 2.5 metre in diameter.
ii. have a pole height no greater than 1.8 metres above natural ground level.
iii. be adequately screened so as to not reflect, cast glare or impact upon surrounding residences.
iv. located 3 metres from any boundary.
v. be of a dark colour.

7.7.6 Telephone

Telephone lines installation must be in accordance with the requirements of Telstra.

7.7.7 Mail Delivery

A letterbox must be provided in accordance with the requirements of Australia Post.

7.8 Landscaping

A landscape design should improve the amenity of open space, contribute to the streetscape character, improve the energy efficiency and solar efficiency of the public domain, contribute to the sites characteristics, contribute to water and stormwater efficiency, provide a sufficient depth of soil for planting and minimise maintenance. Landscape reinforces the architectural character of the street and softens the impact of buildings and car parking areas as well as providing screening.

7.8.1 Landscape Design

7.8.1.1 Landscaping for Residential Flat Buildings

Objectives

a) To add value to residents' quality of life within the development in the forms of privacy, outlook and views.

b) To provide habitat for native indigenous plants and animals.

c) To improve stormwater quality and reduce quantity and to improve urban air quality.

d) To improve the microclimate and solar performance within the development.

Controls

a) Landscaping is to:
   i. be prepared for the site by a landscape architect or other accredited professional with demonstrated experience. Refer to Landscape Planning Appendix for Landscaping Principles when seeking to prepare a landscape plan.
   ii. provide a deep soil zone of no less than 25% of the required open space area which adjoins deep soil zones of neighbouring properties where possible.

7.8.1.2 Landscaping for Shop Top Housing

Objectives

a) To create attractive buildings, public spaces and walkways;

b) To improve visual quality and contribute to positive presentation to public domain;

c) To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the centre;

d) To provide a buffer between existing residential dwellings;

Controls

a) Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.

b) Street trees are to be planted away from commercial awnings to minimise future maintenance issues.

c) Car parking areas, shall be landscaped in accordance with the controls in Chapter 12 – Car Parking, Vehicle and Access Management.

7.8.2 Fencing and Walls

7.8.2.1 Fences and Walls for Residential Flat Buildings

Fences and walls should be designed to define the boundaries between the development, provide privacy and security and contribute positively to the public domain. They also provide privacy by screening views and security by restricting access. Fences and walls can contribute to the image and identity of the place.

Objectives

a) To define the edges between public and private land.

b) To define the boundaries between areas within the development having different functions or owners.

c) To provide privacy and security.

d) To contribute positively to the public domain.

e) Ensure developments avoid blank canvas walls that attract graffiti.

f) Characterize a place within the built environment by marking the change in landscape.

Controls

a) **Fence design** - Fences adjoining streets are to reflect the materials of the buildings that they front, highlight entrances and incorporate letterboxes, provide people with views to and from street activity, avoid continuous lengths of blank walls, and be softened with landscaping.

b) **Front fence height** - Front fences to a maximum height of 1.2 metre are desirable, however, front fences may be permitted to a maximum height of 1.8 metre where noise attenuation or safety require a higher fence.

c) **Fences in floodways** - Fences should not be constructed in floodways. Where this is unavoidable fences are to be constructed of flood compatible and open type materials that will not restrict the flow of flood waters and be resistant to blockage.

7.8.2.2 Fences and Walls for Shop Top Housing

Controls

a) Open grill style fencing to be used along rear boundaries adjoining public open space areas and parks.

b) Fence and wall design is required to respond to the architectural character of the street and area.

c) The maximum height of fences between properties along the side and a rear boundary is 1.8 metre high.

d) Where development adjoins residential dwellings, fence heights may be required to be higher to maintain acoustic and visual privacy.

e) Fences should not be constructed in floodways. Where this is unavoidable, fences are to be constructed of flood compatible and open type materials that will not restrict the flow of flood waters and be resistant to blockage.

f) Avoid the use of continuous blank walls.

g) Minimise the length and height of retaining walls along the street frontages.

h) The design of the walls and fences should relate to and be integrated into the design of the building.

i) Select durable materials, which are easily cleaned and graffiti resistant.

j) Incorporate other uses within fences and walls in communal and private open spaces such as:
   i. Benches and seats;
   ii. Planter boxes;
   iii. Barbeques etc.

7.9 Miscellaneous

Residential Flat Building and Mixed-use developments are required to submit and Urban Design Report, which forms part of the development application. This report addresses the principles in SEPP 65 and the criteria in the Apartment Design Guide. For further information on the report, refer to Chapter 2.5.8 – SEPP 65 Statement - Residential Flat Building and Mixed- Use Developments.

7.9.1 SEPP 65 - Design Quality of Apartment Development

The State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if:

a) the development consists of any of the following:
   i. the erection of a new building,
   ii. the substantial redevelopment or the substantial refurbishment of an existing building,
   iii. the conversion of an existing building, and

b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and

c) The building concerned contains at least 4 or more dwellings.

7.9.2 Compliance with SEPP 65 Residential Apartment Design Guide

Under clause 50 of EP&A Regulation 1994, a development application that relates to

Residential apartment development is made on or after the commencement of the

Environmental Planning and Assessment Amendment (Residential Apartment

Development) Regulation 2015, the application must be accompanied by a statement by a qualified designer that:

a) Addresses how the design quality principles are achieved, and

b) Demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of that guide have been achieved.

Note: Refer to the Apartment Design Guide for most up to date provisions.

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Fairfield CityWide DCP

Chapter 8
Neighbourhood and Local Centres

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8.0 Local Context

The Fairfield City Centres Study 2015 was adopted by Council in February 2016 and provides the strategic planning framework by which Council manages the hierarchy of commercial centres within the Fairfield Local Government Area. The Study identifies a system of centres which are arranged in hierarchical order as follows:

- Major Centre – Fairfield City Centre (zoned E2 Commercial Centre)
- Sub-Regional Centres – Prairiewood Town Centre and Bonnyrigg Town Centre
- Specialist Centre – Cabramatta Town Centre
- Local Centre – numerous
- Neighbourhood Centres – numerous

8.0.1 Zones and development to which this Chapter applies

This Chapter applies to development permitted within the following zones under Fairfield Local Environmental Plan 2013 (FLEP) E1 Local Centre

The controls outlined in this Chapter apply to development that does not include any residential component (i.e. Business Use Only). They apply to local and neighbourhood centres that do not have a site specific development control plan.

Local Centres (Zone E1) - Local Centres provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area. Larger Local Centres generally provide retail services to one or more suburbs and generally contain a medium full-line supermarket which provides for the major weekly food shopping and convenience retail needs to the surrounding population. The following larger Local Centres are covered by the provisions of this DCP. Controls for other larger Local Centres such as Fairfield Heights and Canley Heights are included within the specific Town Centre DCP applying to those centres.

1 - Edensor Park Local Centre

2 - Fairfield West Local Centre (Corner Hamilton Road & Tasman Parade)

3 - Greenfield Park Local Centre

4 - Smithfield Town Centre

5 - Wakeley Local Centre

6 - Wetherill Park Local Centre (Corner Rossetti Street & The Horsley Drive, Wetherill Park Market Town)

Neighbourhood Centres (Zone E1) - The following centres are generally smaller in scale and provide for the day-to-day needs of the neighbourhood. These centres provide convenience retail services to the residents of the neighbourhood or suburb in which it is located and may contain a small grocery/supermarket of usually less than 500sq.m. A complete list of Neighbourhood Centres and their property addresses can be found in Appendix G of this DCP.

1 - Abbotsbury	14 - Sackville Street	27 - Oliphant Street
2 - Edensor Road	15 - Loscoe Street	28 - Hamel Road
3 - Cabramatta Road West	16 - Tangerine Street	29 - Meadows Road
4 - Brown Road	17 - The Horsley Drive (Fairfield East)	30 - Broughton Street
5 - Mimosa Road	18 - Fairfield Street	31 - Dublin Street
6 - Bolivia Street	19 - Corner Hamilton Road & The Boulevarde	32 - Brenan Street
7 - Coventry Road	20 - Corner Hamilton Road & Nangar Street	33 - The Horsley Drive (Granville St)
8 - Cooks Hill (Lord Street)	21 - Rawson Street	34 - Hassall Street
9 - John Street	22 - Thorney Road	35 - Canberra Road
10 - Avoca Road	23 - Lansvale (Lansvale Centre)	36 - Daniel Street
11 - St Johns Road	24 - Ferry Road	37 - Orchardleigh Street
12 - Denison Street (The Horsley Dr)	25 - Elizabeth Drive (Elizabeth Centre)	
13 – Carramar (Carramar Ave, Wattle Ave and The Horsley Drive)	26 - Town View Road	

Productivity Support Areas (Zone E3) – There are three areas within the Fairfield LGA that are zoned E3 Productivity Support and these are adjacent to the town centres of Bonnyrigg, Fairfield and Cabramatta. The objectives of the zone aim to ensure new development provides diverse and active street frontages and encourages a mix of compatible land uses supporting the adjoining town centres.

8.0.2 Purpose of this Chapter

The purpose of this Chapter is to support development that:

a) Promotes revitalised, vibrant, attractive and sustainable centres;

b) Ensures local centres provide a range of retail, business, entertainment and community uses which serve the needs of the people who work, live and visit the local area;

c) Ensures Productivity Support areas provide a mix of compatible uses that support the adjoining town centres;

d) Maintains and improves the economic viability and vitality of local centres in the City;

e) Minimises the impact of development on the environment and adjoining properties;

f) Ensures accessibility of the built environment and inclusion for all members of the community; and

g) Gives effect to the controls within the Draft Carramar Urban Design Study.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

8.0.3 Strategies and Policies

Refer to:

a) Local Housing Strategy Council's planning framework for higher density housing throughout the City.

b) Draft Carramar Urban Design Study for the planning framework for residential flat buildings throughout the precinct.

Note: All applications should consider the Fairfield City Centres Policy 2015. However, only large retail/commercial redevelopments or uses which have the potential to impact on other centres will be assessed against the Strategy and Policy.

8.0.4 Miscellaneous

Mixed-use developments are required to submit an Urban Design Report, which forms part of the development application. This report is to address the principles in SEPP 65 – Design Quality of Residential Apartment Development and the criteria in the Apartment Design Guide. For further information on the report, refer to the Chapter 2.5.8 - SEPP 65 Statement - Residential Flat Building Development.

8.1 Public Domain

8.1.1 Active Street Frontages

Active street frontages are critical to the viability and vitality of local centres as direct, easy access from the footpath draws people from the street into the shop. Active street frontages also add to the safety and security of a street by enabling passive / casual surveillance.

Objectives

a) To retain and reinforce activities along the street

b) To enhance the retail and commercial viability of the local centre

c) To allow access to other uses whilst retaining the continuity of the retail frontage

d) To promote community safety and crime prevention.

Controls

a) **Active Retail / Commercial street frontages** - The façade treatment and design of ground floors in all buildings must ensure an active frontage is provided. The design/treatment of the ground floor facades must:
   i. Avoid blank or solid walls and the use of dark or obscured glass on street frontages;
   ii. Maximise glazing for retail uses, with the glazing being broken into sections to avoid large expanses of glass;

iii. Provide direct non-discriminatory access from the footpath to the shop;
iv. Wrap shop fronts around any street corner;
v. Have manual inward opening or automatic sliding doors oriented towards the street;
vi. Ensure all commercial uses are oriented to the street to maximise opportunities for casual surveillance;
vii. Ensure all under awning areas are well lit;
viii. Ensure access to building meets BCA and Disability (Access to Premise – Building) Standards 2010 accessibility requirements.

b) **Ground floor entrances and foyers in local town centres** - On ground floor elevations fronting primary streets the width of the building facade used for entrances / foyers (including service areas for mail, intercom systems or service cupboards and the like) must be between 2 metres and 3.5 metres wide;

c) Building elevations on corner sites shall address both the primary and secondary street frontages.

8.1.2 Commercial Awnings and Pedestrian Amenity

Awnings provide a pleasant pedestrian environment and protection from the weather. To maintain the visual and pedestrian amenity, new buildings must incorporate awnings along the facades fronting roadways. Buildings must maintain their awnings to ensure good structural integrity and visual amenity.

Objectives

a) Provide awnings that allow safety and security to pedestrians;

b) Ensure safe and secure environment for pedestrians through the provision of awnings that are structurally sound;

c) To ensure the visual amenity of the structure is maintained through the proper maintenance of existing awnings; and

d) To ensure the maintenance and upgrade of awnings on Heritage Listed Properties maintains the Heritage significance of the site.

Controls

a) All awnings should not exceed 3.5 metres in height above the footpath.

b) The awning is required to cover as much of the footpath as possible and may not be closer than 600mm to the kerb line.

c) Awnings should be complementary to other awnings within the development and surrounding sites.

d) Awnings shall be parallel to the pavement and be of metal construction as glazed awnings transmit heat and glare to pedestrians.

e) Ensure all awnings are structurally sound and safe and comply with relevant BCA requirements.

f) Carry out regular maintenance or repair work to awnings and their stormwater disposal systems e.g. painting, repairing any leaks, etc.

g) All awnings associated with Heritage Items are specified in Schedule 5 of the Fairfield Local Environmental Plan 2013 must comply with 5.10 – Heritage Conservation of the Fairfield LEP 2013.

h) An Awnings Maintenance Plan is required to be submitted with all Development Applications for the construction of a building proposing an awning or occupation of a building that already contains an awning:
   i. The Maintenance Plan for development including the construction of new building will include maintenance details that cover the life of the awnings;
   ii. The Maintenance Plan for awnings that are on existing buildings will provide details of repair that will be carried out.

8.1.3 Advertising Signage

Advertising signage is an important part of retail and commercial developments. Advertising signage identifies the business as well as being designed to attract attention to the premises and to identify products sold or services offered. However, signage needs to be erected so that it is sympathetic to the overall development and does not negatively impact on the streetscape of the centre.

Controls

a) A limit of 0.6 square metres of advertising (not including under awning and fascia signs) will be allowed per lineal metre of street frontage. For example, commercial premises with a frontage of 15 metres will be allowed to have up to 9 square metres of advertising space. This advertising could be in the form of flush wall signs, top hamper signs, painted wall signs or projecting wall signs where appropriate.

b) The amount of advertising space can also be increased by 0.1 square metres for each lineal metre of street frontage, for every storey above two storeys.

c) The advertising must also relate to the business being carried out on the property.

d) Where multiple occupancy of a building occurs, only one sign (other than an under awning sign or fascia sign) per occupant will be permitted with Council approval.

For information about signage controls in Local Centres, refer to Appendix C – Advice for Designing Advertising Signs of this DCP.

8.1.4 Outdoor Dining

Refer to Council's Outdoor Dining Policy 2022.

8.1.5 Display of Goods on Footpath

Refer to Council's Policy for Display of Goods on Council Owned Footpaths 2022.

8.1.6 Ground Floor Building Use

Retail or commercial uses with an active frontage should be located on the ground floor on the primary street frontage. Residential development is not permitted at ground level.

8.2 Built Form and Urban Design

8.2.1 Minimising Impacts of Certain Development in Neighbourhood Centres

Within the E1 Local Centres zone there is a two-tier hierarchy of centres which Council has adopted under the Fairfield City Centres Study 2015. Within smaller neighbourhood centres land use mix and scale of development has a major impact on neighbourhood amenity and the prevailing character of an area. For these reasons, additional consideration is required for certain "higher impact" land uses within neighbourhood centres.

In order to support the retention of this hierarchy, certain land uses are restricted in size under the provisions of Clause 6.3 - Maximum gross floor area for certain development in Zone E1 of Fairfield LEP 2013.

Objectives

a) To ensure certain "higher impact" land uses such as function centres, amusement centres and vehicle repair stations are limited in size and scale so as not to impact upon the amenity of surrounding residential areas;

b) To ensure that smaller neighbourhood centres retain and provide for a mix of businesses that serve the day-to-day convenience needs of the surrounding neighbourhood; and

c) To ensure that new development is designed and operated to minimise potential impacts associated with :
   i. Noise;
   ii. Odour;
   iii. Vibration;
   iv. Overshadowing;
   v. Privacy impacts;
   vi. Excessive bulk and scale; and
   vii. Light spill.

Controls

a) For land mapped as Area 1 of the Fairfield LEP 2013 Floor Space Ratio map, the following land uses are restricted to no more than 10% of the total gross floor area of the ground floor of a building:
   i. Amusement centres;
   ii. Function centres;
   iii. Garden centres;
   iv. Hardware and building supplies;
   v. Local distribution centres;
   vi. Markets;

vii. Medical centres;
viii. Specialised retail premises;
ix. Vehicle repair stations; and
x. Vehicle sales or hire premises.

b) Loading areas, driveways, rubbish and storage areas and roof top equipment shall not be located adjacent to residential properties.

c) Development shall be designed to ensure activation of the street frontage at ground floor level.

8.2.2 Building Height

Height is an important control because it has a major impact on the physical and visual amenity of a place. It can also reinforce an area's existing character or relate to an area's desired character.

Objectives

a) To ensure future development responds to the desired scale and character of the street and local area; and

b) To allow reasonable daylight access to all developments and the public domain.

Controls

In the Business zones for the various town centres a range of building heights apply. All development must comply with the Height of Building map standards prescribed in the Fairfield LEP 2013 – Height of Building Map

8.2.2.1 Carramar Neighbourhood Precinct – Height of Building ranges are listed below:

Height of Buildings at E1 Local Centre at:
i Wattle Avenue to range from 1-8 storeys or 1-12 storeys.
ii Carramar Avenue ranges from 1-8 storeys.
iii The Horsley Drive and Laurel Street to range from 4-6 storeys.

8.2.3 Floor Space Ratio

There is no specified floor space ratio for Local Centres. However, the floor space ratio for this type of development is essentially controlled by the maximum height, car parking, open space, solar access requirements and the other development controls within this Chapter.

There are maximum gross floor area requirements specified under Clause 6.3 of Fairfield LEP 2013 for certain development in zone E1 Local Centre. This is to ensure that the scale and function of a centre is appropriate to its location and that development is compatible with the prevailing character and amenity of surrounding land.

8.2.3.1 Carramar Town Centre - Floor Space Ratio

Within the Carramar neighbourhood Precinct, below are specific floor space ratios for the E1 Local Centers as specified in the Fairfield LEP Floor Space Ratio Map.

i. E1 zone on Wattle Avenue - 3:1.
ii. E1 zone on Carramar Avenue – 2:1
iii. E1 zone on Carramar Avenue and The Horsley Drive – 2:1.

8.2.4 Building Setbacks

Building setbacks contribute towards the integration of new development with the local streetscape while ensuring visual, solar and acoustic amenity of adjoining sites.

There are many types of Local Centres within Fairfield City. In some cases a zero setback may be appropriate, and in other cases a setback in line with the existing developments may be more appropriate.

Smaller centres in Fairfield City generally consist of groups of individual properties. Any new development or redevelopment will, unless sites are amalgamated, take place on small lots incrementally. While the impact of development on adjoining areas will be gradual, it will be noticed over time.

Larger centres are often located in close proximity to residential development. This proximity gives rise to special design challenges relating to the manner in which amenity concerns such as noise, privacy, loss of sunlight and traffic impacts are resolved. Building setbacks assist in reducing amenity impacts.

Objectives

a) To permit flexibility in the siting of buildings;

b) To protect the amenity of adjoining sites and reduce the impact of buildings on the public domain;

c) To ensure a consistent built streetscape;

d) To require a continuous built edge adjacent to footpaths that will reinforce the retail activity and commercial uses within the majority of the town centre;

e) To require setbacks which appropriately respond to the building separation requirements;

f) To provide visual and acoustic privacy for existing residents; and

g) To ensure appropriate separation and articulation to minimise overshadowing of other residential areas and the public domain.

Controls

Primary and Secondary Frontages

a) Setbacks for new development shall observe the setbacks for the existing local Centres;

b) Corner sites shall reinforce the street corner, incorporate strong architectural elements and adhere to a nil setback for the lower two storeys.

Side Boundary

a) Nil setback for the ground floor and second storey is permitted;

b) Walls not built to the boundary should be setback at least 0.9 metres from the boundary.

Rear Boundary

a) Nil setback for the ground floor;

b) Second storey walls must be a minimum 4 metres from the rear boundary where they adjoin residential properties;

c) Further setbacks may be required where solar access and privacy are affected.

8.2.4.1 Carramar Town Centre - Building Setbacks

a) Building above podium level will then be required to be setback 3 metres.

b) A 12 metre setback from the railway line is required for street access.

c) A 3 metre setback is required to widen pedestrian access behind the E1 Neighbourhood centre at Wattle Avenue and on Carramar Avenue.

Note: Where building work is in close proximity to underground and overhead powerlines, Council is required to consult with the electricity authority and take their requirements into consideration when determining the DA.

8.2.5 Building Articulation

Objectives

a) To create visual interest in a building while ensuring the bulk, scale and proportions of the building are appropriate for the local area; and

b) To encourage building massing and articulation that creates strong building lines.

Controls

a) Buildings shall incorporate external wall articulation which reduces blank continuous walls;

b) Buildings shall incorporate balanced horizontal and vertical proportions and well spaced and proportioned windows;

c) Buildings shall incorporate architectural features which give human scale at street level, such as entrances and porticos;

d) Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings; and

e) Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.

8.2.6 Accessibility for Medical Centres and Physiotherapists

Objectives

To ensure accessibility of the built environment and inclusion for all members of the Community.

Controls

All medical centres and physiotherapy premises, including multi-tenanted premises, must require adequate access for all people with mobility issues, such as the elderly, those with a disability and those with young children.

8.3 Amenity

Amenity is an important aspect of any development adjacent to residential dwellings. Ventilation, visual and acoustic privacy, solar access and access to private open space all contribute to the overall liveability of dwellings within and adjacent to the development.

8.3.1 Laneways

If a laneway separates commercial and residential zones, a pedestrian footpath must be provided, as part of the new development to encourage safe pedestrian access.

8.3.2 Visual and Acoustic Privacy

When managing the impacts of a new development, the ability to maintain adequate visual and acoustic privacy is a critical contribution to the quality of life of adjoining residents.

Objectives

a) To minimise the direct overlooking of adjoining living areas;

b) To ensure acoustic privacy within and between bedrooms and internal living areas of adjoining neighbours; and

c) To ensure the acoustic design of new development takes into account surrounding existing developments and implements appropriate sounds attenuation measures to mitigate any conflict between the existing development and the proposed new development.

Controls

a) **Visual Amenity (Lighting Impact)** - As part of the Development Application a lighting plan shall be submitted that incorporates the following elements:
   i. Use diffused lights and/or movement sensitive lights;
   ii. Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points;
   iii. Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed;
   iv. Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance;
   v. As a guide, areas should be lit to enable users to identify a face 15 metres away;
   vi. Illuminate possible places for intruders to hide; and
   vii. Use energy efficient lamps/fittings/switches to save energy.

b) **Acoustic Amenity**
   i. **Noise impact** assessments may be required. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment.
   ii. **Noise attenuation** measures must be incorporated in all new development along the Classified State and Regional Roads and Unclassified Regional Roads and properties in proximity to the railway line. Developments adjacent to rail corridors, shall take into consideration the provisions within SEPP (Transport and Infrastructure) 2021 relating to impact of rail noise or vibration on non-rail development.
   iii. **Air conditioning units** proposed are to be detailed in the acoustic assessment.
   iv. New residential development within a **Special Entertainment Precinct** shall have regard to indicative measures shown in the table below. These materials are currently available for residential development to mitigate the intrusion of external sound. The table below has regard to performance-based measures currently available in the market that would comply with the National Construction Code.

Sound Category ID	Indicative facade glazing requirement to achieve internal sound levels per Table 4-3		
SC2.5	Openable single glazing: 12.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing: 8mm monolithic glass, 16mm gap, 10.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing w wide air gap: 6mm monolithic glass, 100mm gap, 4mm monolith glass, full perimeter acousti seals
SC3 / SC3.5	Openable 10.38mm laminated glass with full perimeter acoustic seals		
SC4 / SC4.5	Openable 8.38mm monolithic glass with full perimeter acoustic seals		
SC5	Openable 6.38mm monolithic glass with full perimeter acoustic seals		
SC6	Openable 4mm monolithic glass with standard weather seals		

Table 5-1 - Indicative Glazing Facades for residential development
(Source: TP350-01F03 Canley Vale and Canley Heights SEPs Sound Management Criteria)

Note: The indicative façade treatments in table 5-1 are not prescribed by this DCP and have been provided as example materials currently available in the Australian market.

8.3.3 Solar Access

Objectives

a) To ensure new development will not unduly overshadow public open space and the public domain areas along primary streets;

b) To ensure new development will not unduly impact on solar or natural daylight access to habitable areas and rooms of existing dwellings;

c) To maximise the use of natural light to reduce energy consumption; and

d) To minimise the need for artificial lighting during daylight hours.

Controls

a) The windows to at least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result in additional overshadowing on the affected living area of the dwelling.

b) A development should maintain solar access to a solar hot water system, photovoltaic panel, or other solar collector on an allotment or adjoining allotment.

8.4 Car Parking and Access

8.4.1 Car parking Requirements

Car parking rates shall be provided in accordance with Chapter 12 – Car Parking, Vehicle and Access Management of the Fairfield City Wide DCP.

8.4.2 Vehicle Access

Objectives

a) To encourage discrete non- discriminatory vehicular access to each site;

b) To maximise pedestrian safety and bicycle safety; and

c) To maximise the extent of active frontage along any street.

Controls

Driveway access, design and location must:

a) Be in accordance with Chapter 12 – Car Parking, Vehicle and Access Management.

b) Minimise the visual prominence of the driveway when viewed from the public domain or adjoining sites.

c) Minimise transfer of noise and/or vehicle emissions into residential dwellings on adjoining sites.

8.4.3 Splay Corner Setbacks and Road Widening

Objectives

a) Restrict building and landscaping within close proximity to road intersections;

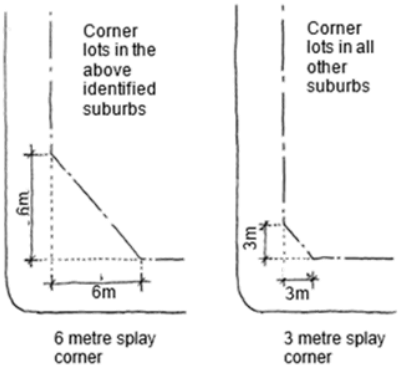
b) Improve traffic safety by increasing site distances for drivers at intersections; and

c) Provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Controls

a) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species.

Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.



Note 1: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

Note 2: These restrictions are updated from time to time based on advice from TfNSW and investigations carried out by Council and need to be considered as part of new development.

Up-to-date information is relation to the above can be obtained from Council by requesting a section 10.7 Planning Certificate.

8.5 Site Servicing and Loading

8.5.1 Site Servicing

Development should make adequate and appropriate provisions for site facilities and waste. Their location and their design should minimise impact to the streetscape and minimises opportunities for criminal and anti-social behaviour.

Objectives

a) To minimise the impact of service access on pedestrians and the retail frontage.

b) To ensure that sufficient provision is made for the following services in commercial developments:
   i. Garbage storage and collection areas;
   ii. Loading and unloading areas;
   iii. Ventilation stacks from shops and basements;
   iv. Telecommunication facilities;
   v. Electricity sub-stations;
   vi. Fire-fighting equipment.

c) To ensure the streetscape retains active frontages and the building enhances the visual amenity of the town centre by ensuring the location and provision of services considers the presentation of the development to the street.

Controls

a) **Garbage storage areas** should not be accessible from locations shown as access denied.

b) **Garbage storage areas** must not be visually prominent from the street. Any storage areas located in proximity to the street must be screened.

c) **Waste Management** - Refer to section 8A.5.3 Waste Management for information on waste storage and collection, and requirements to submit a waste management plan with Development Application.

d) **Ventilation stacks** - Utilise ventilation stacks wherever possible to vent shops and basements. The stacks should be integrated into the overall design and not visible from the roof structure.

e) **Utility availability** - Appropriate conditions will be inserted in any development consents granted requiring certification on the availability of suitable telecommunications, electricity, water and sewer services for the development.

f) **Utility location and screening** - Any service closets, fire hose cupboards, electricity base stations etc required as part of any servicing arrangement or system must not be visible from a primary street.

g) **Safe environment** - Any service or utility area must be well lit and secured for the sole use of building occupiers and be designed using the principles of Crime Prevention through Environmental Design.

Pre DA consultation with Endeavour Energy is helpful in identifying any existing network assets impacted by the proposed development. Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase.

Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation.

Space required to be allocated for any proposed indoor and pad mounted substations can be incorporated within final architecture plans submitted to Council as part of the DA approvals process.

8.5.2 Loading

Adequate loading and unloading arrangements are required so that the activity, pedestrian amenity and traffic are not unduly impacted.

Objectives

To ensure that land in an E1 Local Centre zone can accommodate the servicing and loading provisions of the use, whilst maintaining pedestrian amenity, traffic movement and the activity operation.

Controls

a) To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either be carried out:
   i. via a rear service lane;
   ii. on-site without interfering with the efficient operation of the premises (including car parking);
   iii. via access to an on-street loading zone at the front or side of the premises where the site does not have rear access.

b) Loading / unloading zones must be capable of accommodating at a minimum, a small rigid truck which should enter and leave the site in a forward direction.

8.5.3 Integrated Onsite Waste and Recycling Servicing

a) Model integrated on-site waste and recycling storage & collection infrastructure configurations are outlined in *Appendix H - Model Waste Infrastructure,* section 4.
b) Developments to be designed to permit integrated on-site waste collection by a standard waste collection vehicle. A detailed swept path analysis supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to:
   i. Demonstrate compliance with Australian Standards (AS) 2890.2
   ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
   iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities
   iv. Standard waste collection vehicle to:
      1) Enter and exit the site ins a forward direction
      2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety
      3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections
      4) A minimum 500mm clearance to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections
   v. An industry standard waste collection vehicle is outlined in *Appendix H - Model Waste Infrastructure*, sections 4.5 – 4.8.
c) The kerbside presentation of waste and recycling streams is not an acceptable solution
d) Applicant to demonstrate the proposed service arrangements can meet the waste and recycling volumes anticipated for the development in accordance with the commercial generation rates outline within the *EPA Better practice guide for resource recovery in residential developments*
e) To support the provision of safe and efficient waste collection service, the integrated on-site multi-use loading area to:

i. Be fully enclosed, walled and accessed via a restricted opening to provide physical separation from vehicles, pedestrian, cyclists, and other users
ii. Mechanically ventilated
iii. Incorporate acoustic attenuation and supporting infrastructure detailed within a report prepared by an acoustic consultant to support use of a heavy rigid collection vehicle at high revs
iv. Provide a 2,000mm unobstructed clearance at the rear of the vehicle to support the collection of Councils waste streams
v. The collection of materials to be conducted in accordance with the *NSW Environment Protection Authority, Industrial Noise Policy 2000*

f) A detailed waste management plan to be submitted to Council. The plan must:
i. Demonstrate waste and recycling streams can be provided and accessible to all users
ii. Identify the waste streams and anticipated volumes expected to be generated by the development throughout construction and in perpetuity during operation
iii. Demonstrate integrated on-site loading and supporting infrastructure is provided to permit safe and efficient schedule collections by a standard waste collection vehicle
iv. Outline how the waste generated on-site will be managed to support unobstructed access to each user and full suite of waste and recycling streams
v. Identify the path of travel from disposal point to the designated collection infrastructure to permit scheduled collection/s
vi. Outline how and where waste will be collected, transported, stored and managed for each component of the development
vii. Provide detailed architectural plans to demonstrate compliance with sections i-vi outline above
viii. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams

8.5.3.1 Waste and Recycling Storage and Collection Infrastructure

a) A designated waste storage and collection room to be provided for each tenancy and located within close proximity to the integrated on-site multi-use loading bay. The room/s to accommodate the following infrastructure:
i. Of sufficient size to accommodate the entire bin allocation responsive to the volumes of the anticipated waste and recycling streams
ii. Minimum waste generation rates to be in accordance with the *NSW EPA Better Practice Guide*. The onus is on the applicant to demonstrate anticipated volumes have been provided.
iii. Accommodate the infrastructure and area requirements to support a maximum service frequency of two times weekly
iv. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
v. 200mm clearances to be provided between bins for manoeuvrability
vi. Room enclosed, walled, and not permit through access to other on-site infrastructure
vii. Located within 10,000mm of the integrated on-site multi-use loading area

b) A bulky waste storage and collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure:
   i. Minimum unobstructed internal area based on the following:
      1) $2m^2$ for developments up to $100m^2$
      2) $4m^2$ for developments up to $1000m^2$
      3) $8m^2$ for developments over $1000m^2$
   ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm
   iii. Minimum internal width of 1,800mm
   iv. Room enclosed, walled, and not permit through access to other on-site infrastructure
   v. Located within 10,000mm of the integrated on-site loading area
c) All integrated on-site waste and recycling storage and collection infrastructure outlined in section 8.5.3.1, subsections a) - b) above to incorporate the following infrastructure, including but not limited to:
   i. Integrated wholly within the developments-built form to support an enhanced urban design outcome
   ii. Room to be free from internal pylons, obstructions and other external services
   iii. Permit safe, efficient, and unobstructed work practices for assigned uses and waste collection staff whilst restricting unauthorised access
   iv. Mechanical ventilation
   v. Automated lighting
   vi. Hot and cold-water taps
   vii. Bunded wash bays
   viii. Drainage connected to the sewer
   ix. Minimum unobstructed internal height clearance of 2700mm
   x. Water proofing through all intersections and extend 1200mm high on walls
   xi. Doors locked through a restricted key arrangement
   xii. Accessed by a 1,800mm wide unobstructed access corridor
d) For developments with Gross Floor Areas great than $1,000m^2$ a designated caretaker room to be provided on ground floor and integrated wholly within the developments-built form. The room to accommodate the following infrastructure:
   i. Small seating area proportional to the anticipated building managers needed to manage the site
   ii. Kitchenette facilities
   iii. Access to wash facilities and toilets
   iv. Adequate storage for cleaning chemicals, infrastructure and supporting items to complete their roles
e) Commercial / Retail premises that generate odour from their activity may be required to submit an Odour Impact Assessment to Council conducted in accordance with the *NSW Environment Protection Authority's Draft Policy* "Assessment and Management of Odour from Stationary Sources in NSW" January 2001.
f) Air handling systems in Commercial / Retail premises - Commercial / Retail premises that require an air handling system such as a cooling tower are required to obtain Development Approval from Council. The installation and operation of the cooling tower is to be conducted in accordance with the Public Health Act and Public Health (Microbial) Regulation. An approved air handling system is to be installed to the cooking appliances in accordance with *Australian*

Standard, 1668 – 1991, The Use of Mechanical Ventilation and Air Conditioners in Buildings.

g) New food premises or existing food premises that are requiring a refit are required to obtain development approval from Council prior to commencement of trade. The fit out of a food premises is to be conducted in accordance with Council's Food Premises Code

8.6 Landscaping, Drainage and Stormwater Detention

8.6.1 Landscaping

Landscaping forms an integral part of the overall design concept. Landscape reinforces the architectural character of the street and softens the impact of buildings and car parking areas as well as providing screening.

Objectives

a) To create attractive buildings, public spaces and walkways;

b) To improve visual quality and contribute to positive presentation to public domain;

c) To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the centre;

d) To provide a buffer between existing residential dwellings.

Controls

a) Landscaping is to be prepared for the site by a landscape architect or other accredited professional with demonstrated experience. Refer to *Appendix F Landscape Planning* for Landscaping Principles when seeking to prepare a landscape plan.

b) Street trees are to be planted away from commercial awnings to minimise future maintenance issues.

c) Car parking areas, shall be landscaped in accordance with the controls in Chapter 12 – Car Parking, Vehicle and Access Management.

8.6.2 Fencing and Walls

Fences and walls are used to define spaces. They should be used to define the boundary between properties as well as between public and private land. They also provide privacy by screening views and security by restricting access. Fences and walls can contribute to the image and identity of the place.

Objectives

a) Ensure developments avoid blank canvas walls that attract graffiti;

b) Define boundaries between properties with different owners or functions;

c) Provide privacy by screening views and security by restricting access;

d) Characterize a place within the built environment by marking the change in landscape.

Controls

a) Open grill style fencing to be used along rear boundaries adjoining public open space areas and parks.

b) Fence and wall design is required to respond to the architectural character of the street and area.

c) The maximum height of fences between properties along the side and a rear boundary is 1.8 metre high.

d) Where development adjoins residential dwellings, fence heights may be required to be higher to maintain acoustic and visual privacy.

e) Fences should not be constructed in floodways. Where this is unavoidable, fences are to be constructed of flood compatible and open type materials that will not restrict the flow of flood waters and be resistant to blockage.

f) Avoid the use of continuous blank walls.

g) Minimise the length and height of retaining walls along the street frontages.

h) The design of the walls and fences should relate to and be integrated into the design of the building.

i) Select durable materials, which are easily cleaned and graffiti resistant.

8.6.3 Stormwater

8.6.3.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

8.6.3.2 On Site Detention

Objectives

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in

Chapter 4 of the Stormwater Management Policy – September 2017.

8.6.3.3 Water Conservation

Objectives

a) Reduce water consumption in non-residential properties, consistent with the BASIX scheme requirements in residential properties

b) Enable use of non-potable water for toilet flushing, irrigation and other non-potable uses.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 5 of the Stormwater Management Policy – September 2017.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 9
Industrial Development

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9.0 Local Context

9.0.1 Development to which this Chapter applies

This Chapter generally applies to development permitted within the following zones under *Fairfield Local Environmental Plan (LEP) 2013*:

a) E3 Productivity Support

b) E4 General Industrial

Note: Development in the E3 Productivity Support Zone in Fairfield proposing *shop top housing, business premises and/or office premises* should also refer to specific controls contained in *Chapter 7 Residential Flat Buildings and Chapter 8 Neighbourhood and Local Centres* of this DCP.

9.0.2 Purpose of this Chapter

This chapter applies to all development applications for the purposes of industrial and specialised retail premises (formerly bulky goods development).

Council has a responsibility to ensure industrial development is catered for in Fairfield City in a manner that encourages business investment and promotes local employment opportunities. Appropriate development controls can contribute to these objectives. This chapter of the City Wide DCP encourages industrial uses that are:

a) compatible with its development site;

b) supporting quality design with workforce amenity a priority;

c) environmentally sustainable with minimum impact on air and water quality, reduce noise impacts; and

d) reinforcing recycling and waste management principles.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council to discuss how your proposal must minimise potential impacts.

9.0.3 Strategies and Studies

Refer to the Fairfield Employment Lands Strategy 2008 for Council's planning framework for employment / industrial development.

9.0.4 Consultation Requirements with Electricity Supply Authorities – Wetherill Park

High voltage electricity assets are located within the Wetherill Park industrial estate as shown in Annexure 1. The TransGrid asset located between Cowpasture Road and Davis Road, Wetherill Park is protected by a 30 metre easement. TransGrid has advised Council that it intends to also enter into restrictive covenant agreements with owners for a further 15 metres either side of the existing easement. Before determining a development application (or application for modification of consent) Council must:

a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
b) take into consideration any response to the notice that is received within 21 days after the notice is given.

Applicants should contact the relevant electricity supply authority prior to lodging a development application to ascertain how their application may be impacted by their proximity to these electricity assets. TransGrid may be contacted by telephoning 1800 222 537.

When proposing work near power lines reference should be made to "Workcover Code of Practice 2006: Work Near Overhead Power Lines".

9.1 Site and Built Form

9.1.1 Site Dimensions

The layout of an industrial development is dependent on the allotment size and the capacity for the industrial activity to accommodate in an appropriate form, all functions to ensure that its activities are orderly. For example the site chosen for development is large enough or designed in a way to satisfying the car parking and access requirements.

Objectives

a) To ensure lot sizes are large enough to adequately satisfy car parking and vehicular access.

b) Encourage development form that responds positively to existing streetscape.

c) That sufficient land area is available to ensure the development site can function without compromising other functions required on or adjoining the site.

Controls

9.1.1.1 Consolidation of Allotments

a) Where new development is proposed on two or more existing allotments, a condition of approval will require the consolidation of such allotments into one title and registration with the Land Titles Office before occupation of the building.

b) This subclause applies to development for the purposes of specialised retail premises (previously referred to as bulky goods retailing). In some areas, existing sites are too small to achieve specialised retail premises in an orderly and efficient manner. In such cases, consolidation of allotments will be required to ensure that site access and landscaping requirements are satisfied.

9.1.1.2 Lot frontage

a) The minimum frontage to The Horsley Drive, Victoria Street, Canley Vale Road extension, Walter Road and Bonnyrigg Avenue, Woodville Road, Hume Highway, Cumberland Highway, Old Wallgrove Road and Wallgrove Road is 60m.

b) The minimum frontage to all other roads is to be 30 metres.

c) Development of narrower lots will be subject to conditions on a development consent that will limit the size of trucks, which can use the site.

d) Battleaxe allotments are to have an average width (excluding access way) of 60 metres.

9.1.1.3 Lot size

a) The Torrens Title subdivision of any allotment within the Wetherill Park, Bonnyrigg Precincts must not be less than 930sqm as identified on the *Fairfield LEP 2013 – Minimum Lot Size Map*.

9.1.2 Building Setbacks

Setbacks provide guidelines for managing the overall layout of the site, provide opportunity for landscaping and ensure that new developments keep an even set back with existing developments.

Objectives

a) To ensure sufficient land is set aside for significant landscaping.

b) To ensure a consistent development form is provided which enhances the scale and appearance of the streetscape.

Controls

a) The minimum setback for all industrial development is to be 10 metres of which 5 metres is to be used for landscaping only unless described otherwise in the following table:

Precinct	Control
Yennora Precinct • Larra Street, Whitaker Street, Railway Parade, Antill Street, The Promenade, and Junction Street	5 metres of which 1.5 metres is to be used for landscaping only. The remainder of the setback may be used for car parking purposes.
• North side (No's 2-8) of Orchardleigh Street	5 metres of which 1.5 metres is to be used for landscaping only.
East Fairfield Precinct - Lisbon, Fairfield, Seville, Malta, Mandarin, Scott and Donald Streets.	5 metres, all of which is to be used for landscaping.
Wetherill Park Precinct - The Horsley Drive, Walters Street, Victoria Street between Cowpastures Road and Hassall Street excluding Canley Vale Road	20 metres of which 10 metres is to be used for landscaping only. The remainder of the setback may be used for car parking purposes
Wetherill Park Precinct	The minimum setback for all land within Wetherill Park, other than those roads described immediately above is to be 10 metres, all of which is to be landscaped

b) The minimum building setback on corner allotments is to be 5 metres to the secondary frontage. The entire secondary setback is to be landscaped.

c) This subclause applies to existing buildings which are to be converted to a bulky goods premises. In such a circumstance, the minimum setback to roads is to be 10 metres which is used for landscaping only. However, where this cannot be met Council will examine the existing building setback and how the proposal meets the other requirements within this chapter and will require the upgrading of the existing landscaping.

Note: Building setbacks apply from future road boundaries where a road is proposed to be widened. Council will require dedication of any road widening as a condition of development consent.

9.2 Car Parking, Vehicle and Access Management

9.2.1 Traffic Generating Development

Detailed traffic studies need to be submitted for developments listed in Schedule 3 of *State Environment Planning Policy (Transport and Infrastructure) 2021*.

Note: The Transport and Infrastructure SEPP 2021, under Clause 2.122, requires that certain types of development specified in Schedule 3 must be referred to Transport for New South Wales (TfNSW) for assessment of traffic impacts. Council will take into consideration comments provided by TfNSW before determining a development application. Matters for consideration include the accessibility of the site concerned, including:

a) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

b) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

c) any potential traffic safety, road congestion or parking implications of the development.

Refer to *State Environment Planning Policy (Transport and Infrastructure) 2021* for more information.

There are guidelines for preparing traffic reports in TfNSW *'Guide to Traffic Generating Developments'*. In summary, traffic generation impacts are assessed in terms of floor space, access, safety, pedestrian movements, servicing of the site and the impact that proposed development will have on the road system and which might require intersection upgrades (traffic signals, roundabouts etc). Refer to the TfNSW website for more information.

9.2.2 Car parks

Car parks, through their positioning, operation, landscaping and sheer occupation of space, can have a disproportionately large influence on the quality of our environment. As such, it is important to manage this space appropriately by being aware of its function, the necessity to integrate car parking into the development and preserve the visual integrity of the streetscape.

In addition to the need for car parking spaces, many developments regularly take delivery of goods and thus there is a need to determine appropriate loading arrangements. This servicing arrangement can have a considerable adverse impact on adjoining properties, pedestrian and vehicle traffic flow unless it is conducted via suitable means such as a loading dock on the premises.

Enough space is needed on an industrial site to ensure trucks of different sizes can easily service and access the site in a safe and orderly manner.

Objectives

a) To ensure there are sufficient car parking spaces for customers and staff.

b) To ensure land used for car parking is used efficiently.

c) To improve site distance at intersection and driveways so as to increase safety.

d) To ensure that all customer vehicles and loading trucks and vans have sufficient area to manoeuvre and load.

e) Ensure environmental amenity.

f) Ensure more efficient site operation to allow both pedestrians and vehicles to service and access the site safely and efficiently.

g) Allow larger trucks to have access and service the site.

h) To manage access arrangement according to the road functions, degree of traffic and

i) To ensure safe access arrangement are provided that do not interfere with traffic flow and improve pedestrian amenity.

Controls

9.2.2.1 General

a) Chapter 12 of this DCP outlines general advice and guidelines for the management of car parking, vehicle and access management. This appendix should be read in conjunction with this sub clause to assist in the overall development proposal.

9.2.2.2 Car parking requirements

a) For general design information on car parking requirements, access and vehicle arrangements, refer to Chapter 12 of this DCP.

b) Car parking requirements for land in the Yennora Precinct, that being land in Orchardleigh Street is to be 1 space per 80sqm of gross leasable area, including mezzanine areas.

9.2.3 Loading Facilities

a) To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either be carried out:

i. on-site without interfering with the efficient operation of the premises (including its car park); or

ii. gain access to an on-street loading zone at the front or side of their premises.

b) Loading requirements for selected activities are detailed below.

Type of activity	No. of loading facilities spaces required	Size of loading bay (all truck clearance is 3.6m)
Other industry (including wholesaling) and small warehouse developments (less than 3,000 sqm)	1 space per 700 sqm GLA	Development up to: • 150sqm GLA – Medium Rigid Vehicle (3.5 metres by 8.8 metres) • 150sqm to 700sqm GLA – Heavy Rigid (3.5 metres x 12.5 metres) • 700sqm to 3,000sq.m GLA – Semi trailer (3.5 metres 19 metres)
Large warehouse developments (greater than 3,000 sqm)	Loading facilities for large warehouse developments will be assessed on merit and are to be justified on basis of size, number and frequency of goods vehicles likely to visit premises.	3.5 metres by 19 metres (semi trailer) (Where B-Double vehicles are proposed additional clearances may be required)
Bulky Goods Premises	A minimum of 1 dock for every 4,000sqm GLA of bulky goods floor space or part thereof; plus 1 additional dock for every additional 4,000sqm (or part thereof) provided on site. This could involve a complex of two or more units sharing a common dock area or where there is a stand alone bulky goods unit on a site, it shall be provided with its own loading dock.	Internal loading area of 3.7 metres by 19 metres, signposted and separated from the remainder of the unit or building by bollards or other approved measures. If an internal loading area cannot be provided, an external loading area of the same dimensions is to be provided adjacent or in close proximity to the roller door entrance.
Note: The provision of a loading area is exclusive of the relevant car parking requirements.		

9.2.4 On-Site Manoeuvring

Adequate on-site manoeuvring is to be provided to enable a large rigid truck to enter and leave the site in a forward direction. Where this is not possible because of insufficient lot width then Council will restrict future use of buildings to those uses which do not require servicing by large rigid or articulated vehicles. **AS2890.2** Means the current Australian Standard 2890.2 – Commercial Vehicle Facilities

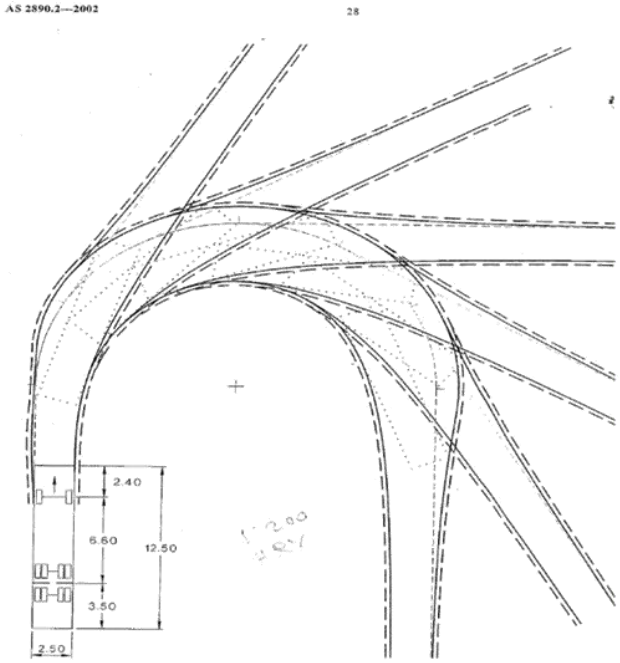


Figure 1 - Vehicle turning movement large rigid truck or bus. Source: Australian Standards

9.2.5 Vehicular Access

Objectives

a) To manage access arrangements according to the road functions, degree of traffic, and

b) To ensure safe access arrangement are provided that do not interfere with traffic flow and improve pedestrian amenity:

i. Vehicle access and driveways from a physically closed road will only be permitted: where there is no alternative access opportunity and with the approval of Council's Traffic Branch.

ii. Vehicle access and driveways from Classified State and Regional Roads (Appendix G), will only be permitted via a slip lane where it is beneficial to the business and has the approval of TfNSW or where there is no alternative access opportunity.

iii. Vehicle access and driveways from Unclassified Regional Roads (Appendix G), will only be permitted via a slip lane where it is beneficial to the business and has the approval of Council's Traffic Branch or where there is no alternative access opportunity.

iv. Access to and from the Bus Transitway will not be permitted, except on the following streets where there is no alternative access opportunity:
- Canley Vale Road (North of The Horsley Drive),
- Victoria Street; and
- Eastern side of Walter Street.

v. Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with a Classified State and Regional Road or Unclassified Regional Roads.

vi. For specialised retail premises, separate vehicular entry and egress points will be required.

9.2.6 Pedestrian Movement

There are many large, heavy and small vehicles that regularly service industrial sites. This sub section provides objectives and controls to ensure these vehicles are catered for in a manner that improves pedestrian movement and safety.

Objective

Ensure pedestrian safety to, from and within the site and car park.

Controls

a) Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by the use of raised and textured surfaces.

b) As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways.

c) Development for the purposes of specialised retail premises will also be required to provide weather protection for pedestrians by way of awnings, colonnades or verandas where footpaths are adjacent to structures.

9.2.7 Splay Corner Setbacks and Road Widening

Objectives

a) Restrict building and landscaping within close proximity to road intersections.

b) Improve traffic safety by increasing site distances for drivers at intersections.

c) Provide the opportunity for Council to acquire land for local road widening, which will improve the road network.

Control

All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres x 6 metres

Note 1: A number of properties in Fairfield City are affected by restrictions covering vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions. These restrictions are updated from time to time based on advice from the TfNSW and investigations carried out by Council and need to be considered as part of new development.

Note 2: Up-to-date information is relation to the above can be obtained from Council by requesting a Planning (section 10.7) Certificate.

9.3 Advertising Signage

Signs are used by many businesses to advertise their products or services. These signs are designed to attract attention to the premises and to identify the products sold or services offered there. Controls need to be in place to prevent "visual clutter", where signs begin to detract significantly from the amenity of their surrounds and compete with other signs for the attention of potential customers.

This sub section serves as a guide for business owners as to what size and types of signs they will be able to have on their property, with the aim to promote an attractive Fairfield City.

Objectives

a) Promote a standard of advertising signs and structures that contribute to or at least will not detract from the existing amenity of an area in terms of their visual impact, size, illumination, overshadowing or for any other reason.

b) Ensure that no advertising sign dominates or obscures other signs and is compatible with the buildings and the streetscape in the area.

c) Make sure that signs do not adversely affect traffic safety on streets.

d) Control the amount of outdoor advertising so it does not lead to visual clutter through an abundance of signs.

Controls

9.3.1 Assessment Criteria

a) Total advertising area of up to 0.5sqm for every metre of lineal street frontage is permitted. On corner allotments, the largest street frontage only can be used to calculate the advertising area allowed.

   This means that for a property with a frontage of 30 metres the total maximum advertising area for signs of any permitted kind will be 15sqm of total advertising area.

b) Despite a) above, no single sign may be permitted to exceed an area of 30sqm.

c) Only one free standing commercial sign that identifies the name of the occupants and/or products manufactured on the site will be allowed. These signs must be contained wholly within the site.

d) For factory units or other multiple occupancy buildings one free standing sign will be permitted and the owners of the building need to make sure that there is adequate provision for identifying all occupiers. For larger complexes more than one free standing commercial sign will be considered.

e) Freestanding commercial signs in Wetherill Park must be setback a minimum distance of one third of the building line setback. For example, if the building line is 20 metres from the road, then the sign must be setback at least 6.6 metres.

f) For information about the type of signs permitted within the Fairfield City and the design specifications for those refer to Appendix "C" of this DCP.

g) Referral to the TfNSW may be required under *SEPP (Industry and Employment) 2021*. In addition, an assessment under Schedule 5 of the SEPP may also be required to be submitted with the Development Application.

9.4 Streetscape and Amenity

All new development should contribute to preserving or enhancing the presentation of the street by ensuring their business activities accommodate all activities on-site without interfering with the visual state and character of their location. The controls in this section manage those aspects of the development that if done well provide a pleasant setting, strong landscaped atmosphere and minimises the impacts on residential amenity.

Objectives

a) To ensure new development provides a better integration of consistent landscape forms.

b) To provide for fencing that creates an open streetscape and maintains visual security.

c) To connect administrative functions and provide strong visual elements which enhance the architectural quality of buildings facing the street.

d) To minimise the impact of industrial activity at night and on weekends on the amenity of surrounding areas.

e) To ensure residue land is well kept for health and safety purposes.

Controls

9.4.1 Landscaping

a) The use of decorative paving treatments such as paving bricks adds interest to large areas of hard paving.

b) Open car parking areas should be landscaped to reduce the impact of hard paving. Established tall trees with wise spreading foliage provide desirable shade reducing the effects of heat.

9.4.2 Fencing

Note: For properties within a flood risk precinct, refer to the Flood Risk Management section of the Citywide DCP for the type of fencing required in these areas.

Controls

a) For fencing along the front boundary or a boundary facing a classified (arterial) road, the requirements are:
   i. a maximum height of 2.4 metres on the boundary line.
   ii. solid construction up to 600 mm above natural ground level.
   iii. be constructed in an open style, such as powder-coated wrought iron pickets and be of dark colour.
   iv. for security fencing, only palisade fencing made from metal is permitted.
b) Fencing requirements along the side or rear boundaries are:
   i. maximum height is 2.4 metres on the boundary line.
   ii. constructed in an open style such as powder-coated wrought iron pickets or chain wire.
c) General requirements applying to all fencing are:
   i. access gates should swing inward.
   ii. any fencing which in the opinion of Council is in a dilapidated condition should be replaced.
   iii. integrating landscaping around the fencing that is easy to maintain and will not act as a security risk when trees are fully mature.
   iv. solid fencing appropriately screened with landscaping is only permitted where required by Council or other legislation as an acoustic treatment.

Note: The TfNSW Guide to Traffic Generating Development require trucks to travel a minimum of 30 metres from the road before being required to stop. Accordingly, any fencing on the site must allow trucks to access the site and ensure that it does not force or encourage drivers to stand their vehicles on a public road.

9.4.3 Building Materials

All development applications for new buildings or extensions or renovations involving the external cladding of existing buildings must be accompanied by details of the building construction and the materials to be used on external facades. This is necessary to ensure that the new buildings are harmonious in form and style with existing and intended development. To minimize discomfort from glare and reflected heat, external glass is not to exceed 20% reflectivity.

9.4.4 Hours of Operation

a) Where industrial properties are within 500 metres of residential properties, industrial operating hours will generally be restricted within the range of 7.00am to 6.00pm Monday to Friday and 7.00am to 12.00 noon on Saturdays with no operations on Sunday.

b) Development for the purposes of specialised retail premises will need to comply with the following maximum hours of operation:
   i. Monday to Friday (7:00am – 9:00pm)
   ii. Saturday (8:00am – 6:00pm)
   iii. Sunday (9:00am – 5:00pm)

c) Hours of operation for the purposes of a Sex Service premises will be considered by Council on merit. This is only relevant to restricted areas of Wetherill Park, see Fairfield LEP 2013 (Schedule 1) for further details.

d) Proposals to operate outside of either of these hours will be considered upon their merits and may be required to be supported by an Acoustic Engineer's Report.

9.4.5 Residue Land

Undeveloped land must be kept in a clean and tidy state.

This Chapter applies to Secondary Dwelling development where permitted with consent in a zone under Fairfield Local Environmental Plan (LEP) 2013.

9.5 Stormwater

9.5.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

9.5.2 On Site Detention

Objectives

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

9.5.3 Water Conservation

Objectives

a) Reduce water consumption in non-residential properties, consistent with the BASIX scheme requirements in residential properties.

b) Enable use of non-potable water for toilet flushing, irrigation and other non-potable uses.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 5 of the Stormwater Management Policy – September 2017.

9.5.4 Water Quality Improvement

Objectives

a) Mitigate the impacts of development on stormwater quality

b) Minimise the potential impacts of development and other associated activities on the aesthetic, recreational and ecological values of our local creeks.

These objectives are only applicable to the Wetherill Park Industrial Area Stormwater management Zone. Relevant controls and performance criteria can be found in Chapter 6 of the Stormwater management Policy – September 2017.

9.6 Development Guidelines for Specific Activities and Uses

There are some industrial activities, which require more specific development controls to ensure they are managed effectively and reinforce the objectives of this chapter. The developments identified are those activities, which are more likely to have a greater impact on the environment. Council has prepared these controls to minimise their impacts and ensure they are integrated more sympathetically into the streetscape.

9.6.1 Storage Premises

Objectives

a) To ensure storage areas are kept in a clean and tidy state.

b) To ensure premises are clutter free and safe.

Controls

a) Temporary and permanent storage premises will in all cases require:
   i. Gutter and footpath crossing to be constructed.
   ii. Suitable site sealing.
   iii. Runoff and silt trap controls.
   iv. Landscaping; and
   v. Truck and car parking facilities.

b) Permanent storage premises are to be screened with decoratively constructed screen walls, using brick or other approved material, having a maximum height of 2.5 metres.

c) The use of unscreened open storage premises is not permitted. A temporary storage premises (one used for less than 5 years) may be screened using colour bond fencing of a height equivalent to the height of material stored. A maximum screen/storage height will be applied.

9.6.2 Vehicle Repair Stations

Objectives

a) To ensure that this activity contributes to opportunities for employment generation.

b) To ensure there is sufficient parking for workers and customers and for storage of customer vehicles that are being repaired.

Controls

a) A single worker establishment must have a minimum gross leasable area of 100 square metres;

b) A minimum gross leasable area of 50sqm is required per additional tradesman employee:

Floor Area sqm	Maximum No. of Tradesman Employees
100	1
150	2
200	3
250	4

c) Vehicle storage and repair areas are to be wholly contained within the factory unit unless an approved open storage premises is available.

9.6.3 Vehicle Body Repair Workshops

Objectives

a) Ensure both customers and employees have sufficient parking.

b) Ensure there is sufficient storage for customer vehicles that are being repaired.

c) Ensure that any environmental hazards are identified, controlled and minimised.

Controls

a) Single worker establishments must have a minimum gross leasable area of 200 square metres.

b) A minimum gross leasable area of 100sqm is required per additional tradesman employee.

c) Vehicle storage facilities are to be provided in conjunction with all vehicle body repair workshops; and

d) All spray painting is to be carried out in a fully enclosed spray booth. The location of the spray booth and associated vehicle storage; areas are to be shown on the floor plan to be submitted with the development application.

e) The site should be designed to accommodate the intended movements of a tow truck.

f) Adequate space should be designated on site to accommodate a car washing facility.

g) All vehicle washing, wet rubbing and engine degreasing shall be conducted within a suitably restricted wash bay connected to the sewers of Sydney Water via an approved pre-treatment device; and

h) To prevent rainwater and surface water from entering the sewerage system, the vehicle wash area must be roofed and include bunding in the form of a speed hump around the wash area.

9.6.4 Sex Services Premises

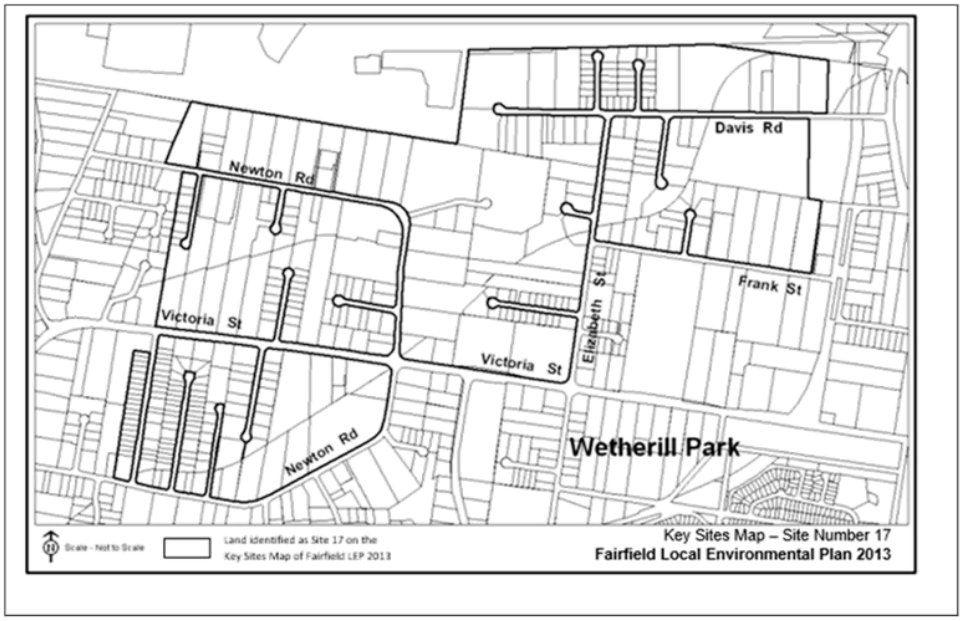
Objectives

a) Provide detailed planning controls to ensure that the location, operation and design of sex services premises do not adversely affect the amenity of the area.

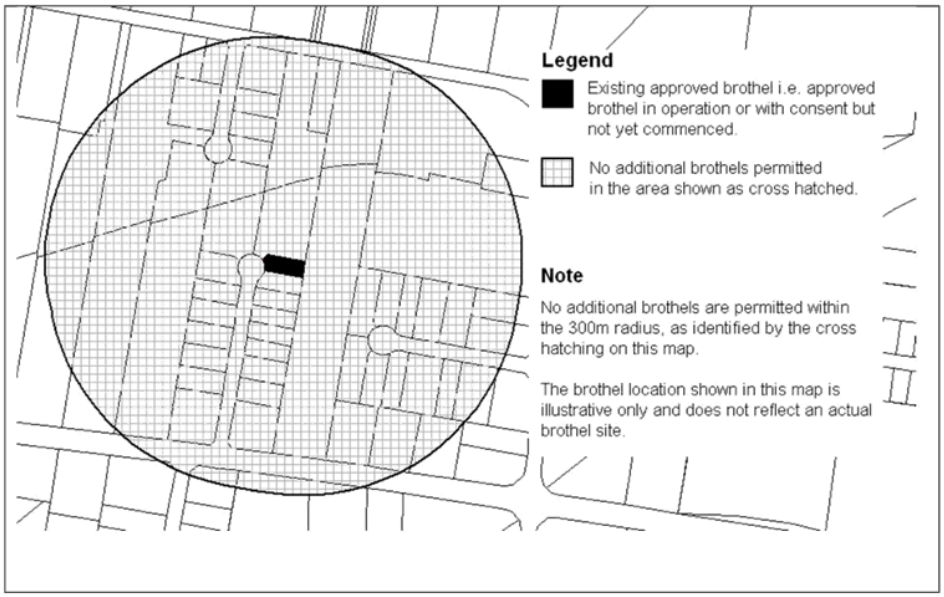
b) Protect community health and welfare.

Controls

a) Sex services premises are permissible, with consent, only within the areas identified on the *Fairfield Local Environmental Plan 2013 – Key Sites Map* as Site 17.



b) No sex services premises is to be located within a radius of 300 metres of any approved sex services premises site (existing or proposed) as shown by the following figure. This provision is to ensure that sex services premises do not concentrate their operations within an area to an extent where they become a noticeable element within the streetscape.



c) A sex services premises shall not contain more than 10 rooms used or capable of being used for the purposes of prostitution.

d) All activities and displays associated with sex services premises must be contained wholly within the building. Window displays will not be permitted and in no circumstances should sex workers display themselves in the windows or doorways of the subject premises. Similarly, no persons are to loiter outside the building or property encouraging entry. A public address system or sound amplifying equipment may not be installed in or on the premises so as to cause or permit the emission of sound onto any public place.

e) Sex services premises must be operated in a discreet manner, so as not to cause disturbance from noise, lighting, advertising or the activities of employees or customers.

f) Adequate security measures are to be in place, so as to ensure the safety and well-being of staff and clients at all times that the sex services premises is in operation. These measures are further described in section 5 of this Plan – "Security".

g) All sex services premises must be fitted with the necessary services and facilities which are currently required for Class 7 or Class 8 buildings under the Building Code of Australia.

h) All sex services premises should comply with the provisions of the Health and Safety Guidelines for Brothels Guide 2001 issued by WorkCover NSW.

i) The premises must be ventilated in accordance with the requirements of the Building Code of Australia and Australian Standard 1668, Parts 1 and 2. The premises must be provided with adequate lighting in accordance with AS 1680.

j) The use of the premises must not give rise to:
   i. Transmission of vibration to any place of different occupancy; or
   ii. A sound level at any point on the boundary of a site greater than the background levels specified in Australian Standard AS1055, "Acoustics – Description and Measurement of Environmental Noise", or an "offensive noise" as defined in the Protection of the Environmental Operations Act 1997

k) All bars and food preparation areas must be constructed, fitted out and finished in compliance with the Food Safety Code contained in the Food Act 2003 and Food Regulations 2010. Applicants are advised to discuss the plans of layout for all bar and food preparation areas with Council's Environmental Health Officers prior to the lodgement of any application.

l) Passageways must be kept clear and accessible to a minimum width of 1 metre or as directed by Council. Fire fighting equipment, emergency lighting and exit signs (essential services) are to be provided to the satisfaction of Council. The correct type of fire extinguishers must be provided (for example, water-based extinguishers for paper and wood fires; dry extinguishers for electrical fires). These must be appropriately identified, accessible and their location(s) made known to all employees.

m) A separate rest room shall be provided for staff. This room shall not be used for the purposes of prostitution at any time. Separate toilet facilities and amenities are to be provided for staff use only, preferably with private access from the rest room.

n) Each room used or capable of being used for the purposes of prostitution should contain its own sanitary facilities in one of the following arrangements:
   i. a separate en-suite bathroom containing a toilet, shower and hand basin; or
   ii. a shower enclosure.

o) Where a spa bath is provided to a room, there is also to be an en-suite as described in "n" above. No variation is permitted from the above options. All required hand basins must be provided with an adequate supply of potable water, at a temperature of at least 40 degrees Celsius, delivered through an approved mixing device which can be adjusted to enable hands to be washed under hot running water. Liquid soap and single use towels must be provided at all hand basins required in the premises.

9.6.5 Kiosks and Take Away Food and Drink Premises in Industrial Areas

Objectives

a) To ensure that the proposed developments are of a scale that will not detrimentally affect the viability of any nearby business centre.

b) To clarify that restaurants are not permitted in the industrial areas. Restaurants fall within the definition of *Food and Drink Premises*. They are a type of *Retail Premises* forming a part of the *commercial premises* group definition within Fairfield LEP 2013. *Food and Drink Premises* other than *Take Away food and Drink Premises* and are prohibited within the E4 General Industrial zone.

c) To provide controls to regulate *take-away food and drink premises* and *kiosks* that serve the daily needs of workers within the industrial area.

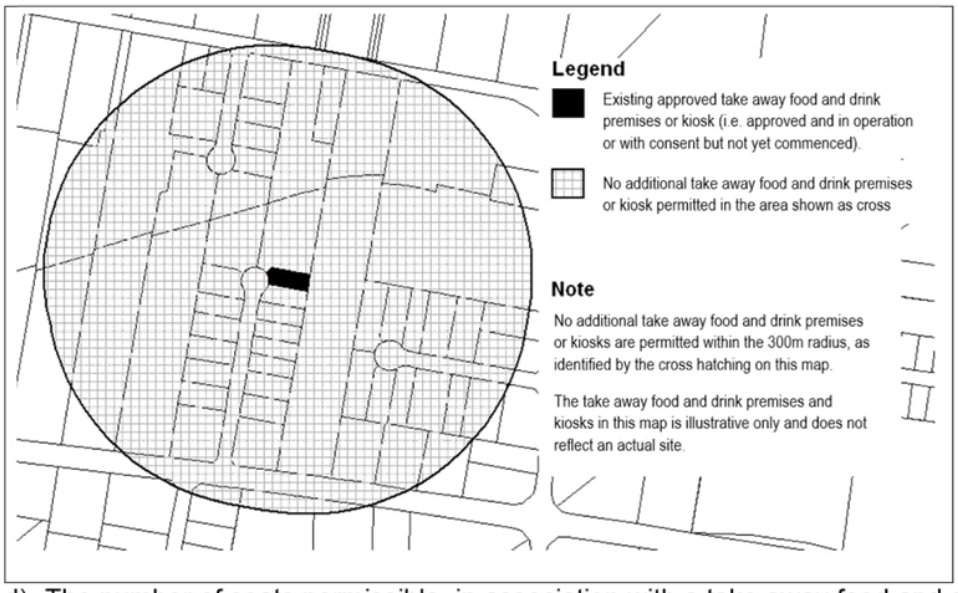
Controls

a) The retail floor area of a Kiosk is not to exceed 40sqm as identified within the *Fairfield Local Environmental Plan 2013 – Clause 5.4 (6)*.

b) No individual take away food and drink premises is to exceed 100sqm in gross leasable area.

c) No more than one (1) take away food and drink premise or kiosk shall be established on an individual lot or industrial unit within an industrial factory unit complex.

A minimum distance of 300 metres shall be maintained between individual take away food and drink premises and or kiosks, as shown in the diagram below.



d) The number of seats permissible, in association with a take away food and drink premises, is to be limited to a maximum of 18 and the seating area (whether indoor or outdoor) is not to exceed 50% of the total floor area of the take away food and drink premises.

e) Development for the purposes of kiosks and or take away food and drink premise will be required to comply with the following hours of operation, unless associated with a bulky goods premises located on the same site, in which case the maximum operating hours nominated in Clause 9.4.4(b) apply:

Monday to Friday	6:00am – 6:00pm
Saturday	6:00am – 12noon

f) Land identified as area "30" on the Fairfield LEP 2013 Key Sites Map and land zoned E3 Productivity Support are exempt from the provisions of Control c) and d) above.

9.6.6 Ancillary Retailing – Industrial Retail Outlets and Artisan Food and Drink Industry

Objectives

a) To ensure industrial land is primarily retained for industrial purposes; and

b) To permit retailing in industrial areas in conjunction with an industry (including a light industry) that is carried out on the same land, but not associated with a warehouse or distribution centre;

c) To permit the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on site.

Controls

a) Industrial Retail Outlet - The area for retail activities as part of a manufacturing development is limited to a maximum of 20% of the gross floor area up to a maximum area of 400sqm as identified within the *Fairfield Local Environmental Plan 2013 – Clause 5.4 (4)*.

b) Artisan Food and Drink Premises - The area for retail sales (not including any café or restaurant area) must not exceed 20% of the gross floor area of the industry or 400sqmwhichever is the lesser.

Note: Refer to Fairfield Local Environmental Plan Dictionary for Industrial Retail Outlet and Artisan Food and Drink Premises definitions.

9.6.6.1 Car Parking and Operating Hour Requirements for Industrial Retail Outlets and Artisan Food and Drink Industry

Objectives

a) To ensure an appropriate amount of car parking is provided on-site to service industrial retail outlets and artisan food and drink industries.

b) Minimise the impact of ancillary retailing on adjoining industrial developments or residential areas.

c) Provide operating hour controls for industrial retail outlets and artisan food and drink premises.

Controls

a) Car parking requirements for industrial retail outlets are 1 space per 50sqm gross leasable area plus the requirement for any associated use such as *Take Away Food* and *Drink Premises.* Refer to Chapter 12 - Car parking, Vehicle and Access Management of this DCP, for full details of car parking requirements applicable to industrial uses.

b) Car parking requirements for artisan food and drink premises are contained within Chapter 12 of this DCP.

c) Development for the purposes of industrial retail outlets and/or artisan food and drink premises will be required to comply with the following maximum hours of operation:

Monday to Friday	7:00am – 9:00pm
Saturday	8:00am – 6pm
Sunday	9:00am – 5:00pm

9.6.6.2 Site Servicing

a) Utility availability - Appropriate conditions will be inserted in any development consents granted requiring certification on the availability of suitable telecommunications, electricity, water and sewer services for the development.

b) Pre DA consultation with Endeavour Energy is helpful in identifying any existing network assets impacted by the proposed development. Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase.

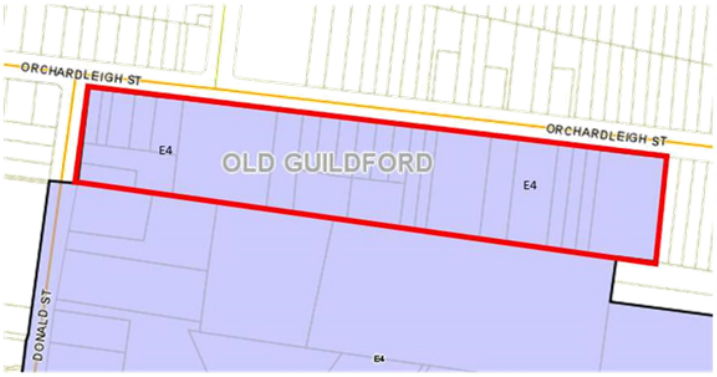
Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation.

Space required to be allocated for any proposed indoor and pad mounted substations can be incorporated within final architecture plans submitted to Council as part of the DA approvals process.

9.7 Development Guidelines for land in Orchardleigh Street

This clause applies to land shown on the map below within the area marked by a thick red line. The controls in this clause supersede any other clauses covering the same issue elsewhere in this chapter.

This area of Orchardleigh Street will remain for light industrial purposes and as an employment area. Specific emphases by virtue of these guidelines encourage warehouse type units or a broad range of warehouse uses at a smaller scale and other ancillary uses. These uses are most compatible to the area given the high concentration of residential development adjoining the zoned area.



Development proposals will need to consider the impact a proposed activity will have on residential development, including design and operational aspects of the development.

Objectives

a) Consolidating allotments to ensure larger sites are developed so that the form of an industrial activity can be accommodated on site without the development activities spilling on to the street and interfering with the visual state and character of the residential streetscape.

b) Encourages development forms whereby potential impacts on amenity of adjoining residents is minimised.

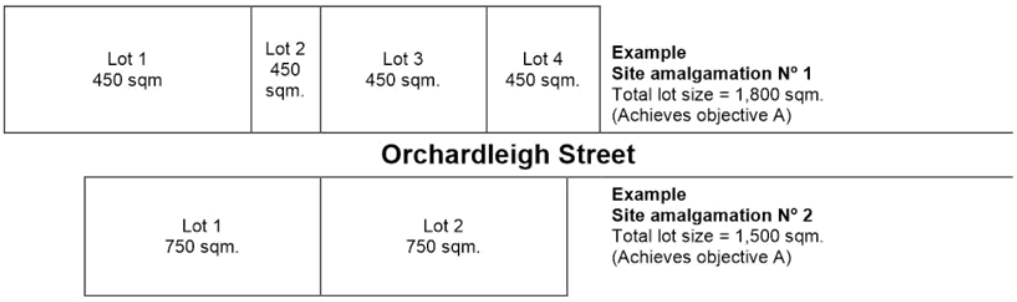
c) Encourage a large but consistent setback from the street designed to create a greater separation between adjoining land uses and to minimise the impact of larger developments on the streetscape.

d) To protect existing vegetation and provide intensely landscaped buffered areas that front Orchardleigh Street to ensure external walls are screened improving the physical appearance from Orchardleigh Street.

Controls

9.7.1 Consolidating Allotments

a) Council will require a minimum lot size of 1,500sqm as identified on the *Fairfield Local Environmental Plan 2013 – Lot Size Map*, for light industrial developments to ensure that developments are able to accommodate access for a variety of truck sizes and landscaping provisions.



9.7.2 Floor Space Ratio

To ensure an adequate imperviously sealed area is set aside for on-site manoeuvring, storage, car parking, general waste, pedestrian access and landscaping, a maximum floor space ratio of 0.33:1 applies as identified on the *Fairfield Local Environmental Plan 2013 – Floor Space Ratio Map*.

9.7.3 Access Arrangements

a) Loading docks and warehouse access should not front the street.

b) Storage areas should be confined within the building. Opportunities to utilise the rear of the site may exist for storage areas provided it does not conflict with other operational components of the development such as truck parking bays, waste disposal points, and car parking does not detract from the amenity of adjoining properties screened from the street and adjoining properties.

9.7.4 Car Parking

Car parking requirements are 1 space per 80sqm of gross leasable area, including mezzanine areas. Refer to Chapter 12 - Car parking, Vehicle and Access Management of this DCP, for full details of car parking requirements applicable to industrial uses.

9.7.5 Built Form

a) The height, bulk, scale and appearance of the development are to be compatible with the streetscape of Orchardleigh Street.

b) A setback of 5 metres with a 1.5 metre landscaping strip is to be provided along Orchardleigh Street for all developments.

c) Where entries and storage areas may be directly visible to residential properties, a minimum 3 metre wide landscaped area is to be provided along affected boundaries (excluding any access ways).

9.7.6 Landscaping

a) The landscape area is to be planted with indigenous vegetation appropriate to the width, with a preference for hardy species with a longer life. Trees and groundcovers provide opportunities to soften industrial environments, while generally allowing interrupted surveillance of front facades.

b) Where entries and storage areas may be directly visible to residential properties, the required 3 metre wide landscaped area is to be planted with indigenous vegetation forming a permanent, hardy and continuous hedge like screen that obtains a mature height of 2.5 metres.

9.8 Development Guidelines for 636-644 Woodville Road Old Guildford (Service Station)

The purpose of this clause is to provide specific detail for the development controls relating to the redevelopment of the Service Station at 636-644 Woodville Road, Old Guildford, so that the interface with the adjoining residential areas does not have significant impacts.

Objectives

a) Ensure that the scale of any development and / or acoustic walls do not have significant impacts on the adjoining residential premises.

b) Ensure the area between the retaining wall and western boundary is suitably landscaped.

Controls

9.8.1 Setbacks

a) Setback of the retaining / acoustic wall to the adjoining residential premises (149 The Promenade, Old Guildford) be a minimum of 2.0 metres from the western boundary.

b) That 1.0 metre of land directly adjacent to the retaining wall be landscaped with an appropriate watering system.

c) That 1.0 metre of land directly adjacent to the western boundary being a pathway with suitable path treatment such as concrete stamping, artificial grass, or the like.

9.8.2 Floor Space Ratio

To ensure the development is of a scale that will limit impacts on the surrounding residential dwellings, a maximum floor space ratio of 0.1:1 applies, as identified on the *Fairfield Local Environmental Plan 2013 – Floor Space Ratio Map*.

9.8.3 Height

To ensure the development is of a scale that will limit impacts on the surrounding residential dwellings, a maximum building height of 8 metres applies, as identified on the *Fairfield Local Environmental Plan 2013 – Height of Building Map*.

9.9 Development Guidelines for 449 and 449A Victoria Street and 96 Newton Road Wetherill Park

The following site specific provisions apply to land to the south-western corner of the intersection of Newton Road and Victoria Street, Wetherill Park. These properties are identified as sites “19” and “20” on the Key Sites Map of Fairfield LEP 2013. Under the provisions of Schedule 1 – Additional Permitted Uses of Fairfield LEP 2013 development for the purposes of hotel or motel accommodation and medical centres is permitted with development consent

The subject sites are known as No. 449 and No.449A Victoria Street and No.96 Newton Road Wetherill Park. The properties are also known as Lots 1 and 2 in DP 1224336 and Lot 4 in DP 851250. (Refer to Figure 1)

These site specific provisions have been prepared to guide and assist development on the land referred to above; in a manner that encourages business development and investment; and promotes local employment opportunities whilst servicing the daily needs of the workforce.

The provisions of other Chapters of this Development Control Plan (DCP), where they are relevant, will also apply but where there are any inconsistencies, the following site specific provisions prevail over those controls prescribed by the other chapters of this DCP.

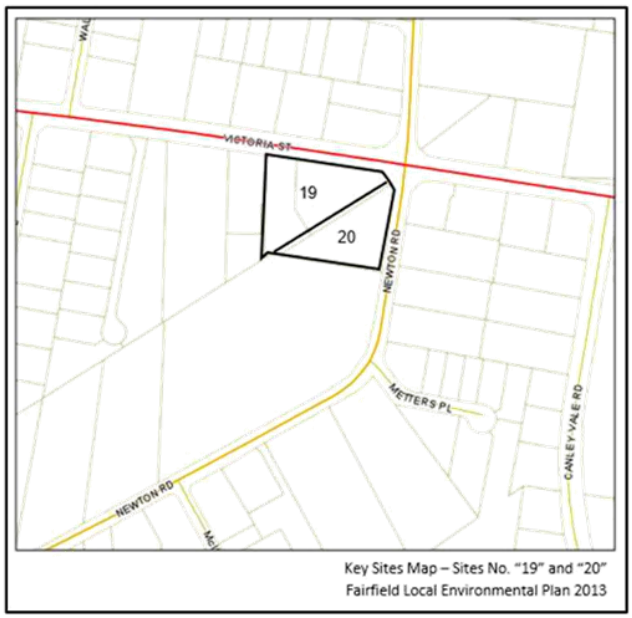


Figure 1 – Subject Site

9.9.1 Layout

The layout of the buildings on the subject site shall be generally in accordance with Figure 2 but an alternate layout will be considered subject to flooding issues being addressed.

On this basis, Figure 2 depicts four (4) pad sites and landscaping on the land adjacent to either side of the drainage channel portion that crosses the North East site corner, to provide a natural setting, whilst re-enforcing the site as a destination and focal point.

The layout referred to in Figure 2 is based on extensive flood risk assessment and flood modelling of the site given possible flow implications within the catchment.

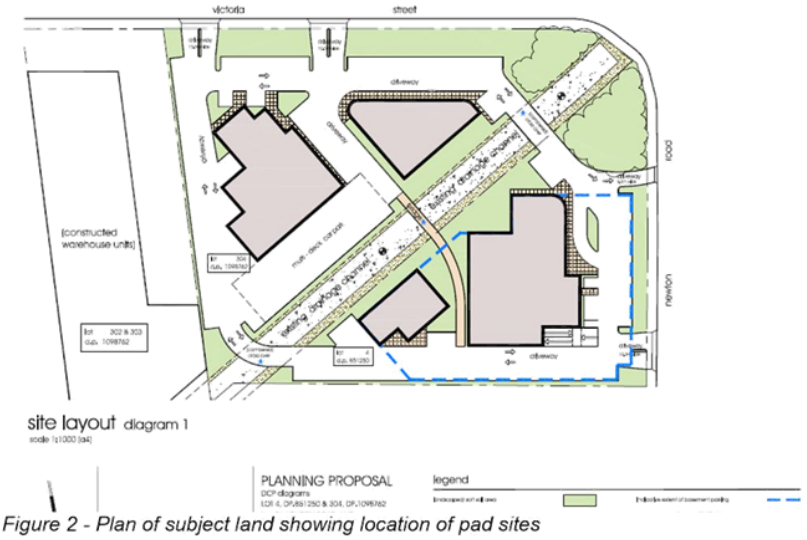


Figure 2 - Plan of subject land showing location of pad sites

9.9.2 Setbacks

Setbacks shall be provided in accordance with **Clause 9.1 Site and Built Form**. Notwithstanding the following is provided:

Controls

a) A minimum setback of 20 metres to the Victoria Street frontage shall be provided, of which 10 metres is to be used for landscaping only.

b) A minimum setback of 20 metres to the Newton road frontage shall be provided, of which 5 metres is to be used for landscaping only.

c) A minimum setback of 13.5 metres to the southern and western boundaries shall be provided, of which 1.5 metres is to be used for landscaping only.

d) A minimum setback of 5 metres to the existing concrete channel shall be provided, of which 2 metres is to be used for landscaping only.

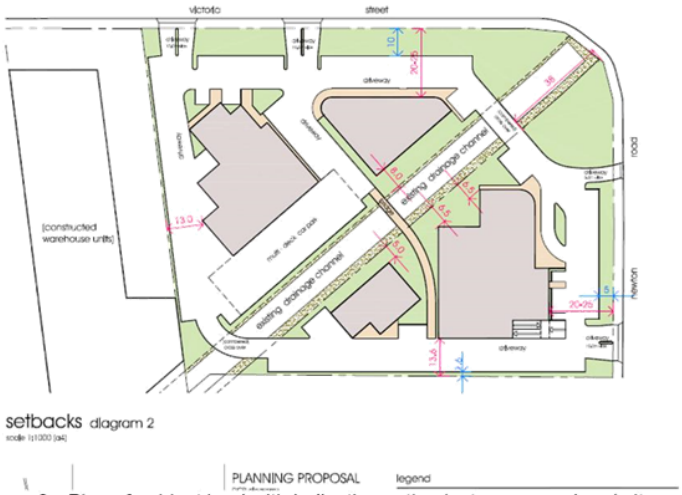


Figure 3 - Plan of subject land with indicative setbacks to proposed pad sites. Note: The written controls takes over precedence over the figure

9.9.3 Car Parking, Vehicle and Access Management

Car parking shall be provided in accordance with **Clause 9.2 Car Parking, Access and Vehicle Management**. Notwithstanding the following is provided:

Controls

a) A maximum of two separate entry and exit points are permitted each to the Victoria Street and Newton Road Frontages.

b) A maximum of three (3) crossings over the existing drainage channel; two being cambered cross over's and one being a pedestrian bridge located in the centre of the site.

Note 1: These crossings are subject to future investigation, provided that Council specifications are satisfied.

Amendments will be required to the Section 88B Instrument, which forms part of the Deposited Plan, to deal with issues relating to the maintenance, repairs, liability, indemnity and access of any future crossings that are proposed over the easement that bisects the subject sites.

Such amendments will also allow for easements for access and the like over the stormwater channel to mutually benefit the two (2) landowners. In addition, as the stormwater channel currently lies along the south eastern boundary of 449 and 449A Victoria Street, Council will also require unrestricted access from both sides of the channel as part of the amendment to the 88B Instrument or alternatively a new 88B prepared accordingly to enable upstream renewal, maintenance and/or rectification works.

c) Loading and unloading areas shall be appropriately screened from public view and are not permitted along street frontages.

d) Driveway widths shall comply with the requirements as specified in AS 2890.2-2002 (Parking Facilities - Off street commercial vehicle facilities). The manoeuvring of vehicles into and out of the property and within the property shall be justified using the relevant turning templates. In deciding the driveway locations, appropriate sight distances shall be taken into account.

9.9.4 Advertising Signs

Signage shall be provided in accordance with **Clause 9.3 Advertising Signage**.

9.9.5 Streetscape and Amenity

Despite the provisions of **Clause 9.4 Streetscape and Amenity**, the built form and appearance of the development shall be reinforced by the roundabout and ability to have varied architectural forms, which reinforce the hub of the Wetherill Park industrial estate.

The concentration of a hub in one mass will ensure that the development has a more legible focus. On this basis, the hub will present as a place of arrival and add to the urban qualities of the area.

Crime Prevention through Environmental Design (CPTED) is an integral component of high quality urban design and must be considered holistically throughout the design and development processes.

Controls

a) The height of the development shall be compatible with the character and amenity of the existing and likely future development in the area.

b) An attractive streetscape shall be provided to both street frontages; in this regard buildings shall be orientated to allow surveillance from the street and adjoining buildings.

9.9.6 Drainage Channel / Flooding

To enhance the appearance of the site, landscaping shall occur adjacent to the channel portion located at the North East corner of the site (as shown in Figure 2) to provide a natural setting, therefore re-enforcing the site as a destination and focal point.

In addition to the provisions and requirements of **Chapter 11 - Flood Risk Management**, Figure 4 of this SSDCP depicts the modelled and agreed finished ground floor building levels proposed for the site, which are 43.90 and 44.00. The driveways and accessways around the site have also adopted minimum finished levels as shown in Figure 4, being in accordance with flood modelling undertaken for the overall development. These levels have been adopted in principle by both Council and the Office of Water to assist with the location of future buildings and stipulate minimum finished floor levels.

Controls

a) Before granting consent to any development the Council shall have regard to the levels of the land as shown in Figure 4, with respect to:
   i. The risk of entry of flood waters.
   ii. Any implications for flood water storage capacity of any filling or the like.

b) The channel shall be left as open form in its current natural state.

c) The modelling and recommendations contained in the Supplementary Flood Risk Assessment for 449 Victoria Street Wetherill Park – Dated 5 July 2011 and Addendum to Flood Risk Assessment for 449 Victoria Street, Wetherill Park – Dated 4 August 2011, and will be provided upon request (quote Objective Reference: A1295652).

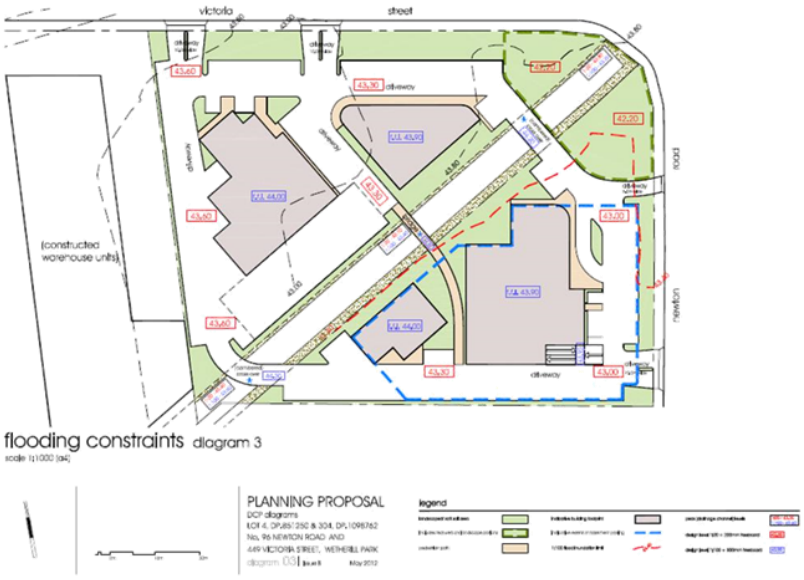


Figure 4 - Plan of subject land with flood levels

9.9.7 Specific Land Use Controls

Council at its May 2010 meeting, subject to the lodgement of a planning proposal and SSDCP, resolved to consider the following additional uses on the subject site:

a) Child care centre accommodating 60 places (now permitted with consent under the E4 General Industrial zone);

b) Hotel or motel accommodation (with ancillary conference rooms) up to 7,000sqm; and

c) Medical Centres up to 300sqm

This SSDCP accompanied a planning proposal which sought to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) to permit the above uses on the subject site with the addition of small retail uses to primarily serve the daily needs of the local industrial workforce. The amendment to the FLEP 2013 was gazetted on the 21 March 2014 which permitted the following uses, with associated size restrictions, on the subject site:

a) Hotel or Motel Accommodation (with ancillary conference rooms) up to 7,000sqm

b) Medical Centres up to 300sqm

c) Neighbourhood Shops up to 80sqm (now permitted with consent under the E4 General Industrial zone)

It is noted that *child care centres* and *neighbourhood shops* are currently permissible uses on the subject site and therefore do not require an amendment to the FLEP 2013. However, special provisions apply which are discussed below.

9.9.8 Special Provisions relating to Child Care Centres and Neighbourhood Shops

Child care centres on the subject site are required to comply with the following controls:

Controls

a) Only one (1) child care centre with a maximum capacity of 60 spaces is permitted on the subject site,

b) Any additional child care centres proposed on the site are required to comply with the maximum capacity of forty (40) places as detailed in **Chapter 13.1.2 Maximum Capacities**, and

c) Any proposal for a child care centre on the site will be required to comply with the requirements for Child care centres as detailed in **Chapter 13 Child Care Centres**.

9.9.9 Neighbourhood Shops

To enable a range of small scale retailing on the subject site to serve the daily needs of the local industrial workforce and to enhance the facilities of the service node, the following controls apply:

a) Neighbourhood Shops are permitted on the subject site providing they can demonstrate they are consistent with the definition in the Fairfield Local Environmental Plan 2013.

b) Neighbourhood Shops are restricted to a retail/business floor area of 80sqm as outlined in Clause 5.4(7) of the FLEP 2013.

Note: Neighbourhood Shop must also comply with Chapter 10.8 Neighbourhood Shops.

9.9.10 Addendum – Flood Advice

Supplementary Flood Risk Assessment for 449 Victoria Street Wetherill Park – Dated 5 July 2011 and Addendum to Flood Risk Assessment for 449 Victoria Street, Wetherill Park – Dated 4 August 2011 form part of this development control plan.

9.10 Industrial/Residential Interface

All new development should contribute to preserving or enhancing the residential amenity of adjoining and/or nearby residential properties. Historical subdivision and development patterns within Fairfield City have created many areas where residential properties immediately adjoin industrial/employment zones. It is critical that land uses permitted in industrial/employment zones at the interface with residential development are located, sited, designed and operated to protect residential amenity. The controls in this section aim to manage the potential issues that can arise at the interface of residential and industrial/employment lands and minimise negative impacts on residential amenity.

Objectives

a) To ensure that development does not adversely impact on the amenity of adjoining and nearby residential development.

b) To ensure that new industrial and/or employment development is located, sited, designed and operated to minimise potential impacts associated with:
   i. Noise;
   ii. Odour;
   iii. Vibration;
   iv. Overshadowing;

v. Privacy impacts; and
vi. Excessive bulk and scale.

c) To ensure that industrial buildings are appropriately sited and set back from nearby residential properties in order to ensure the amenity of adjoining and surrounding residential properties is preserved.

d) To encourage a high standard of aesthetically pleasing and functional industrial developments that sympathetically relate to adjoining and nearby residential land.

e) To ensure that heavy vehicles associated with industrial development do not adversely impact upon residential amenity.

Controls

9.10.1 General Design Requirements

a) Side and rear boundary setbacks to adjoining residential development will be determined taking into account the potential impacts of the proposed development on the privacy and amenity of existing residential development.

b) Loading areas, driveways, waste removal, storage areas and roof top equipment shall not be located adjacent to residential properties.

c) Any odour generating activities (including take-away food and drink premises) shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon adjoining residential properties.

9.10.2 Bulk and Scale

a) The height, bulk, scale and appearance of new development is to be compatible with adjoining residential development.

b) New buildings or additions to existing buildings shall not unnecessarily overshadow adjoining residential development including private open space. In this regard, Council may require the submission of shadow diagrams where it considers the proposed development may create the potential for overshadowing.

c) Buildings should be constructed of high quality, durable, UV stabilised / resistant building materials. Materials utilised shall ensure any reflective materials do not impact on adjoining residential properties.

9.10.3 Vehicular and Pedestrian Access

Secondary access or battle-axe handles from residential streets shall not be utilised for vehicular and/or pedestrian access where the site has alternative primary road frontage for example for properties zoned E4 General Industrial fronting the Hume Highway, Cabramatta and properties zoned E3 Productivity Support fronting Cabramatta Road West, Cabramatta.

9.10.4 Privacy

a) Windows and/or other openings facing residential properties are to be located and designed to minimise the potential for direct overlooking of habitable rooms and private open space or dwellings.

b) Places where people/employees may gather in an outdoor environment, such as a car park, patio, deck or balcony are not to be located directly adjoining residential properties.

9.10.5 Light Spill

External lighting shall be positioned to avoid light spillage to adjoining residential properties. In this regard, Council may require additional information such as Light Spill diagrams where it considers there is potential for negative impacts on residential amenity from any proposed development.

9.10.6 Noise and Vibration

a) Noise and/or vibration generating activities are to be located within buildings or orientated away from residential properties or other sensitive land uses such as child care centres or places of public worship.

b) An Acoustic Engineers Report may be required to be prepared as part of a development application where Council considers that the proposed development has the potential to produce an adverse noise and/or vibration impact.

9.10.7 Landscaping

a) Site boundaries that immediately adjoin residentially zoned land must include a continuous landscaped strip planted with vegetation of sufficient height and dimensions to soften the development as viewed from the adjoining residential properties.

b) The depth and width of the required landscaped area shall allow for growth and maintenance of tree species endemic to the locality. Such landscaping strips are to be suitably maintained so as to provide ongoing benefit to adjoining residences.

9.11 Site Servicing

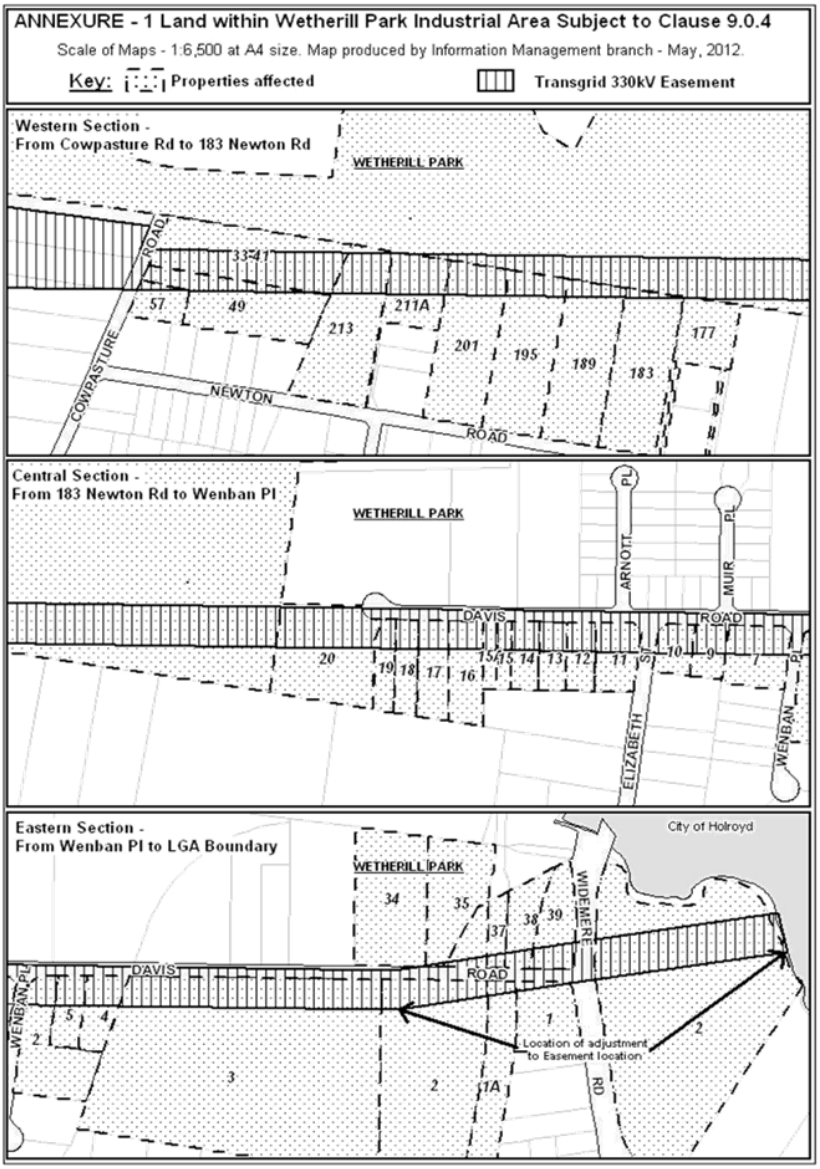
a) Utility availability - Appropriate conditions will be inserted in any development consents granted requiring certification on the availability of suitable telecommunications, electricity, water and sewer services for the development.

b) Pre DA consultation with Endeavour Energy is helpful in identifying any existing network assets impacted by the proposed development. Applicants are advised to submit load applications to Endeavour Energy as early as possible in the design phase.

Upon receiving load applications, Endeavour Energy can work with applicants and their Accredited Services Provider L3 (network designer) with the preferred method of supply to their developments: for example, the installation of an indoor or pad mounted substation.

Space required to be allocated for any proposed indoor and pad mounted substations can be incorporated within final architecture plans submitted to Council as part of the DA approvals process.

Annexure 1- Lots within Wetherill Park Industrial Estate subject to Clause 9.0.4



9.12 Waste and Recycling Collections

a) Waste and Recycling storage and collection infrastructure must be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013.*

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Fairfield City Wide DCP

Chapter 10
Miscellaneous Development

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10.0 Local Context

This Chapter applies primarily to a variety of development types not otherwise covered by other Chapters of this DCP. The major focus of this chapter is non-residential development in residential zones. Additionally this chapter provides a commentary on home occupations which are permitted without consent throughout the residential and rural zones under LEP 2013.

Particular development types may be permitted across many different zones within the local government area, subject to meeting the objectives of that zone. The objectives for the controls for miscellaneous development are:

a) To control the impact of development on adjoining development and neighbourhoods.
b) To ensure development is carried out in an integrated and safe manner.
c) To ensure that activity is conducted according to expectations regarding general amenity.

Certain aspects of this chapter when referencing specific developments will outline controls for car parking and access vehicle management. In the event of an inconsistency in regards to car parking matters, the provisions of Chapter 12 "Car Parking, Access and Vehicle Management" will prevail. For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

10.1 Non-Residential Development in Residential Zones

Overview

Section 10.1 applies to those developments which are permissible in residential zones but are non-residential in nature, for example community facilities, etc.

Under the Fairfield Local Environmental Plan 2013 "Residential Zones" are classified as:

a) R1 General Residential
b) R2 Low Density Residential
c) R3 Medium Density Residential
d) R4 High Density

The purpose of this section is to concentrate on such developments by imposing controls to ensure that such activities are compatible with the predominate residential environment while providing an important service to the community.

10.0.1 Stormwater

10.0.1.1 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

10.0.1.2 On Site Detention

Objectives

To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

10.1.1 Parking Provisions

Overview

This section "Parking Provisions" provides consideration for the provision of car parking for present and future needs of the site and its locality.

Objectives

a) Ensure the type of parking required and the quantity are consistent with use/activity proposed;

b) Encourage development that seeks to address the physical aspects of the car parking area that are safe, efficient and maintain the existing amenity of the locality; and

c) Encourage consistency in the location of car parking facilities within Fairfield City.

Controls

All off-street parking and access and vehicle management should refer to Chapter 12 – Car Parking, Vehicle and Access Management.

10.1.2 Vehicle Access and Road Provisions

Overview

Vehicular access and driveways to properties are important for ensuring that the shortest, most direct access is provided. This section explores the possible access points from different roads and opportunities for road improvements within Fairfield City.

Objectives

a) Provide opportunities for road improvements;

b) Encourage the dedication of land for the provision of intersections on public roads within Fairfield City; and

c) Promote development with safe entry and exit points from driveways.

Controls

a) Vehicle access and driveways to properties should be in the location that allows the shortest, most direct access over the nature strip from the road.

b) Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with a Classified State and Regional Roads or Unclassified Regional Roads. Refer to Schedules 1 and 2 to Chapter 12- Car parking, Vehicle and Access Management, for a list of Classified State and Regional Roads or Unclassified Regional Roads.

Consent will need to be sought from Council or the appropriate responsible authority regarding the provision of vehicle access and driveways from the following:

i. **A physically closed road** will only be where there is no alternative access opportunity and with the approval of Council's Traffic Branch.
ii. **Classified State and Regional Roads and Unclassified Regional Roads:** will only be permitted via a slip lane where it is beneficial to the business and has the approval of the Service NSW or where there is no alternative access opportunity.
iii. **The Bus Transit way Corridor:** will not be permitted, except on the following streets where there is no alternative access opportunity: Canley Vale Road (North of The Horsley Drive), and Victoria Street and eastern side of Walter Street.

c) Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centre line of the road. Council may seek to acquire up to 3 metres width of land for road widening.

d) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.

e) Vehicle movement near intersection driveways on local and collector roads are not permitted within 6 metres of a splay corner. Detached housing sites are exempted from these requirements.

10.1.3 Servicing Provisions

Overview

Servicing arrangements can have considerable impacts on pedestrian and vehicular traffic flow. This section attempts to address such impacts through planning controls relating to servicing provisions affecting a site and the wider locality. The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area.

Objectives

a) Promote safe and efficient servicing of sites, which does not adversely intrude on pedestrian and vehicle amenity; and

b) Ensure the type and scale of the development addresses present and future servicing needs.

Controls

a) Servicing times should occur between the hours of 8.00am and 6.00pm, where practical, all servicing should occur at one time.

b) Servicing by different vehicles at different times during the day should be avoided where possible.

Note: Vans and small trucks can normally satisfy delivery requirements because of the predominantly low key nature of non-residential uses permissible in residential zones. On-site delivery arrangements may be required to be able to cater for large rigid trucks because of the size or nature of the development.

10.1.4 Management of Waste

Overview

Efficient management of waste is crucial for minimising the overall environmental impacts of waste, in line with the principles of Ecologically Sustainable Development.

Objective

To provide for design and location standards, which assist waste and recycling collection and management services, offered by Council and private providers.

Controls

Times when any Waste/Garbage removal will need to be carried out is between 6.00am and 6.00pm, Monday to Friday, preferably within the same hour of service loading activities.

10.1.5 Advertising and Signage

Overview

Advertising and Signage structures are an important element of the built environment of the City of Fairfield although these are not typically associated with residential areas. This section attempts to provide development standards intending to encourage well designed and well positioned signs which contribute to the vitality and legibility of the City of Fairfield and which respects the amenity of the residents within the residential locale.

Objective

a) To establish some parameters for the type and size of advertising signs for non residential development in Residential zones to ensure the signs are sufficient to provide information to passing motorists or pedestrians but at a scale which doesn't dominate a locality.

b) Maintain and encourage advertising and signage subject to provisions outlined in Appendix C – Signage or the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. This will help to ensure that the visual amenity of residents is maintained.

Controls

a) General advertising (i.e. that is not related to the use on site) is not permissible.

b) Window Displays are not permissible in residential zones.

c) In respect to those developments which involve the use of an existing dwelling for a business ancillary to the residential activity, permissible signs in residential zones, include those that identify a Home Occupation or other approved non-residential uses, such as a health consulting room.

d) Illuminated signage is prohibited and signs should be in muted colours. The materials used in the sign should not detract from the architecture and character of the residential building to which it is attached, and to the existing streetscape.

e) Signage should be located flush with the building facade or flush with a front fence/wall and be parallel to the street.

f) A sign for a Home Occupation must not be larger than 0.4sqm in area, with a maximum dimension of 0.8 metres.

g) A maximum of one sign is permitted for a Home Occupation, and the applicant must nominate whether the location of the sign will be on the wall of the house or on the front fence.

h) Fence/wall signs may not be more than 0.8 metres above ground and may not project above the wall/fence.

i) Large-scale development such as shops, churches, service stations or schools, in residential areas will be assessed on their individual merits and the objectives of this development control plan. Consideration will be given to the scale of the development that the sign relates to and the character of the surrounding buildings and environment.

j) Some of these large-scale uses may require pole or pylon signs. Such signs will be restricted to a maximum height of 6000mm and maximum advertising area of 3sqm. This is to make sure that advertising does not dominate the streetscape in residential zones.

k) Should there be an inconsistency between the provisions contained in this clause, and those applicable clauses in Appendix C, the applicable clauses of Appendix C apply to the extent of the inconsistency.

l) Appropriate landscaping around free standing signage is to be provided for all types of development.

10.1.6 Building Design

Overview

Building design is crucial in ensuring that the established character of the residential area is maintained. This section will explore the development standards and principles for creating an attractive public domain.

Objective

a) Encourage new development to be consistent and compatible with established built form resulting in a cohesive neighbourhood;

b) Maintain sunlight in public open spaces such as parks and squares; and

c) Ensure solar access to private open space.

Controls

a) The height of the building is to be limited to two storeys above ground level in order to maintain the established character.

b) Any new building adjoining residential development should be designed:
   i. To allow a daily minimum of 3 hours of direct sunlight to adjoining windows and two – thirds of the private open space, between 9am and 3pm on 21 June.
   ii. To protect adjoining windows and open spaces from overlooking and unreasonable transmissions of noise.

c) Where a structure is situated on a sloping site, consideration will be given to undercroft parking on the low side of the site, provided that the proposed development does not result in overshadowing or overlooking of an adjoining property, or unacceptable visual dominance when viewed from the adjacent property.

10.1.7 Fencing and Screening

Overview

Fencing and screening must be visually acceptable and in character with other development in the locality. The streetscape should not be negatively affected by the fencing of a development.

Objective

a) Reinforce the intrinsic character of a locality;

b) Ensure consistency in the building design by avoiding fencing design that interfere or obstruct resident's vision onto adjoining premises and public spaces;

c) Ensure that the design and materials used are consistent and complement the existing streetscape;

d) Fences must have adequate footings, be self-supporting and able to withstand loads; and

e) Fences must not stop or redirect surface waters so as to cause a nuisance

Controls

a) Boundary fences to public roads are to be visually acceptable and in character with other development in the locality.

b) Where a development has frontage to two or more streets there may be the need to screen rear storage, servicing or parking areas from public view.

c) Timber or masonry materials are to be used in the construction of any boundary fences that are required to adequately screen storage, car parking or service areas and generally complement the building and surrounding environment. Wire mesh fences are not acceptable.

d) Where there is the potential for a development to cause nuisance to adjoining residences such as by traffic movement, parking, headlight glare or security lighting, adequate protective screening must be provided, comprising screen fencing and/or landscaping to Council's satisfaction.

e) The following criteria applies to security fencing:
   i. Must not contain barbed wire, chain wire, razor wire, broken glass or the like
   ii. Must be designed with landscaping and gardens to reduce the visual impact of walls and in keeping with streetscape and neighbourhood character
   iii. Must provide opportunities in fencing design for natural surveillance
   iv. Must be designed to highlight entrances, and be compatible with buildings, letterboxes and garbage storage areas.
   v. Will only be permitted where it can be demonstrated that a security risk exists.

f) The following criteria applies to the construction of fences:
   i. Must be constructed from lightweight materials including those that are "see through" in design such as panels, lattice, timber or metal pickets, which are set into a timber frame or between bricks where any solid base is no taller than 1 metre.
   ii. Must not contain barbed wire, chain wire, razor wire, broken glass or the like

g) The following criteria applies to front boundary fences:
   i. Maximum height is 1.5 metres generally along front boundaries provided that they are a high quality design, and
   ii. Constructed from masonry and decorative panel construction. Decorative panels may consist of lightweight materials such as timber, lattice, metal pickets etc.

h) The following criteria applies for side and rear boundary fences:
   i. Maximum height is 2.0 metres generally.
   ii. Council may consider a height of up to 2.2 metres on sites where it can be demonstrated that a significant security risk exists.
   iii. An overall maximum height of 2.4 metres may be considered if the site is sloping and the fence incorporates a retaining wall.

i) Solid front fences to a maximum height of 1.8 metres are only permitted along:
   i. The Horsley Drive
   ii. The Cumberland Highway
   iii. Cabramatta Road provided that the fence incorporates corners and planting beds every 5 metres.

10.1.8 Landscaping

Overview

Non-residential developments in residential zones are a more intensive use of the site than a simple dwelling. This increased “intensity” takes the form of extra building area, additional parking, signage and staff.

Objectives

Encourage development, which maximises space devoted to the dwellings’ landscaping and open space.

Controls

a) To reduce the visual intrusiveness of non-residential development, the landscaping measures detailed will be required for any new development or for more intensive use of any existing operations/activities.

b) As a general rule, non-residential development in residential zones will be considered on their merits and judged against the requirements of a comparable activity.

10.1.9 Extended Operating Hours

Extended Operating Hours are operating hours within the period of 10pm to 7am

Objectives

a) To consider the relationship and proximity of premises to residential development;

b) To consider the scale and operation of the business; and

c) To consider proposed works to minimise adverse effects of the activity on residential areas; and the history of the subject premises in relation to complaints about noise, nuisance, etc.

Controls

a) An acoustic report may be required, prepared by a suitably qualified person, to be submitted with any application for extended trading hours.

b) Council may issue a time-limited consent or consent subject to reviewable operating hour conditions in order to assess the impact of a proposed change.

c) If the impact cannot be acceptably controlled, Council may refuse the application when extension of the consent is sought.

10.2 Home Occupation – Fairfield LEP 2013

Home Occupations are permitted **without consent** in the following zones under the provisions of Fairfield LEP 2013:

a) Zone RU1 Primary Production
b) Zone RU2 Rural Landscape
c) Zone RU4 Primary Production Small Lots
d) Zone RU5 Village
e) Zone R1 General Residential
f) Zone R2 Low Density Residential
g) Zone R3 Medium Density Residential
h) Zone R4 High Density Residential
i) Zone E1 Local Centre
j) Zone MU1 Mixed Use
k) Zone E3 Productivity Support
l) Zone SP3 Tourist
m) Zone C3 Environmental Management

Refer to the Fairfield LEP for the Home Occupation definition.

Fairfield LEP 2013 does not permit a Home Business or a Home Industry within any residential or rural zone. The main difference between these uses and a Home Occupation is that a Home Occupation does not permit the employment of non-permanent residents of the dwelling, located on the same property, in connection with the occupation.

Where a person has previously obtained consent for a Home Business, under the provisions of the previous Fairfield LEP 1994, then such use may now be covered by the definition of Home Occupation, and if so no consent is required.

Whilst consent is not required for a Home Occupation this does not mean that there are no specific requirements. For example if your occupation involves the production of food then you must comply with the requirements of the Food Act, 2003 and Food Regulation, 2010, you must hold the relevant licences and be registered. If your occupation involves skin penetration such as piercing you must be registered with Council under the provisions of the Public Health (Skin Penetration) Regulation. Legislation relating to noise impact on surrounding residential properties would also apply.

It is advisable that you contact Council's Environmental Health Surveyors to discuss the licensing and environmental impact implications of your home occupation before you commence your occupation.

10.3 Home Businesses, Home Industries and Home Occupations - SEPP (Exempt and Complying Development Codes) 2008.

A current version of the SEPP should be consulted for the applicable provisions relating to Home Businesses, Home Industries and Home Occupations.

10.4 Controls for Exhibition Homes and Exhibition Villages

Overview

This Clause applies to exhibition homes and villages, which are permissible in residential zones with development consent.

Objectives

To ensure that exhibition homes and villages are located ideally and with negligible impact to the surroundings.

Controls

a) **Location** - Exhibition homes and villages should be located in residential subdivisions where little residential development has taken place. Access to exhibition homes and villages will not be permitted on roads designated as arterial roads, sub-arterial roads or collector roads.

Exhibition homes and villages will be permitted in cul-de-sacs only when all allotments in the cul-de-sac, including the corner allotments, are to be used for exhibition homes and associated parking.

b) **Car Parking** - One allotment is to be provided for off-street car parking for every five exhibition homes or part thereof. The exhibition homes and villages are to be fenced to allow pedestrian access only from the off-street parking area. The car parking area is to be suitably signposted, and surfaced in accordance with Chapter 12 of this DCP.

For each exhibition home, Council will permit only one advertising sign.

c) **Approval** - Any approval for an exhibition home or village will be for a period of 2 years from the date of completion of the dwelling house and any extension of consent will require an application to Council.

d) **Site Operation** - No floodlighting, bunting, or security dogs will be permitted.
   i. Exhibition homes and villages may open seven days a week and hours of operation will be restricted to 9:00am to 5:00pm.

   ii. Rubbish disposal facilities are to be placed at the customer entry and exit points to the development.

10.5 Recreational Facilities (indoor) and certain Commercial Premises providing personal services in Town Centres

Overview

This clause applies to indoor recreational facilities, and certain types of commercial premises providing personal services in town centres which are permissible within the following zones:

a) Zone E1 – Local Centre
b) Zone E2 - Commercial Centre
c) Zone MU1 - Mixed Use

The type of uses that provide people with indoor leisure and recreational opportunities as well as specialised services throughout the City covered by the controls in this section include, but are not limited by, the following examples:

a) Amusement centres
b) Internet cafes
c) Tattoo parlours.

To encourage active street shop fronts in town centres, it is desirable to have these type of uses located on the ground floor. Many commercial premises located above the ground floor are also not accessible by lifts and ramps. Locating recreational and personal services on the ground floor helps to address access for a diverse community, as well as increase perceptions of safety.

The types of uses not covered by this section include ***restricted premises,*** meaning those business premises or retail premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises.

Objectives

a) Encourage development that address the personal and recreational needs of people from a wide range of age groups, particularly youth;

b) Promote community safety and accessibility for all members of the community;

c) Make sure the location and internal arrangements of personal and recreational services are of a standard that encourages good management and supervision of customers; and

d) Take into consideration the needs, issues and opinions of the target client group when considering an application for a personal and recreational service as well as the potential impact on the surrounding neighbourhood.

Controls

a) **General**

1. **Site Suitability Considerations -** The suitability of the location will be assessed by considering:
   i. The proximity of residential areas, schools, clubs and hotels.
   ii. The availability of public transport near the site.
   iii. The nature of surrounding businesses and the likelihood of adverse impacts on them.
   iv. Whether the use is readily visible to the general public, or in an area of restricted viewing, resulting in lack of surveillance and possible security issues.
   v. The security of the site's neighbourhood.
   vi. The level of interest of local people of various ages, and
   vii. Where relevant, compliance with Chapter 12 of this DCP.

2. Ground Floor Only – uses covered by this section are only permitted on the ground floor of buildings to meet accessibility requirements under the Disability Discrimination Act 1992 as well as improve opportunities for surveillance of centres directly from the street.

3. **Access** - Access to recreation and personal services centres must follow the guidelines contained in Council's "Access for People of with a Disability".

4. **Noise** - No noise greater than 5db (A) above the normal background noise is allowed to come from the premises. Activities such as spruiking outside the premises to encourage people to come inside, which raise external noise levels, are not permitted

5. **Hours of Operation** - The closing time is to be assessed on the individual merits of the location. Opening times will usually be no earlier than 7.00am. Closing times will usually be no later than 10:00 p.m. Consideration will be given to the closing time of surrounding businesses in the area and the proximity of the nearest residential occupations when making this decision.

6. **Safer by design** – Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that employs four key strategies: territorial re-enforcement, surveillance, access control and space/activity management. Proposals should consult the "Crime Prevention and the Assessment of Development Applications - Guidelines Under Section 4.15 of the Environmental Planning and Assessment Act 1979" available, with other supporting information, through the NSW Police website.

7. **Site Management Plans** - proposed uses need to consider the potential amenity impacts or risks that may arise as a result from their activity. A Site Management Plan will need to be prepared to council's satisfaction as part of the submission requirements detailing how the site is able to be managed without adverse impact on the surrounding locality. Applicants are encouraged to contact council to discuss their proposal before submitting applications.

8. **Fire Safety**

   i. There must be adequate general maintenance of the building in which the use is located. This should cover, for example, electrical safety and maintenance of floors to avoid trip hazards.
   ii. The correct type of fire extinguishers must be provided. For example, water based extinguishers for paper and wood fires or dry chemical extinguishers for electrical fires. These must be appropriately identified and accessible to all employees.
   iii. Emergency evacuation lighting and illuminated exit signs must be provided within the building that complies with Australian Standard 2293.
   iv. The premises must comply fully with all relevant provisions of the Building Code of Australia.

9. **Amusement Centres**

a) **Layout and Interior Design**

   i. **Number of devices/tables** - a limit of one amusement centre/table for every 5sqm of public floor space is permitted. Council reserves the right to require a reduced number of amusement devices/tables where the number of large devices/tables is relatively high.
   ii. **Types of devices/tables** - a range of amusement devices should be provided to cater to the diverse interests and abilities of various age groups.
   iii. **Lighting and ventilation** - The amusement centre must be well lit, with a light intensity that allows the entire playing area to be seen easily from both inside and outside the centre. The amusement centre will also be well ventilated under the requirements of the Building Code of Australia.
   iv. **Layout -** The layout of the centre must be open, with no area where vision is restricted. There should be no separated rooms (apart from toilets and a secured storage room), partitions or divided off areas in the amusement centre. This is to make sure good supervision of customers is possible by the amusement centre attendant.
   v. **Food and drink** - Food and drink vending machines and seating for patrons to use must be provided. In centres where food is prepared, those areas must meet the requirements of the Food Act. Applicants should contact Council's Environmental Health Branch to determine precise requirements.
   vi. **Notice board** - A Notice board in a prominent location must be made available for the use of the police, Council or other approved groups. This is to provide information to the customers of the amusement centre on items such as youth initiatives, activities and health and other related promotions.

b) **Hours of operation** - To make sure that the hours of operation for amusement centres will not interfere with schools or surrounding businesses and residents, amusement centres will only be allowed to open after 9:30 a.m.

   The closing time to be assessed on the individual merits of the location. Closing times will usually be no later than 10:00 p.m. Consideration will be given to the closing time of surrounding businesses and the proximity of the nearest residential developments in the area when making this decision.

c) **Toilet facilities** - Toilet facilities are required for all amusement centres. The toilets need to be easily accessed, with a direct entry from the playing area of the amusement area.

Toilet facilities must be provided at the following rates:	
Male	one toilet, one urinal & one hand basin per 105sqmof public floor area or less.
Female	one toilet & one hand basin per 105sqm of public floor area or less.
Disabled access	one unisex disabled access toilet, designed to Australian Standard AS1428.1 (Disabled Toilet).

d) **Amusement Centre Management**

i. The amusement centre must be attended during all operating hours by at least one person over the age of 18 years, who is clearly identifiable as an attendant for the centre.

ii. The attendant at the amusement centre is to make sure of the following:
   a) No school children are in the centre during school hours, unless they can show that they are absent from school with approval, for example, a letter from their school principal stating that it is a pupil free day at their school on that day, or if they are accompanied by a parent;
   b) A sign clearly displayed at the front entrance of the amusement centre showing the entry requirements detailed above;
   c) No intoxicating liquor, any illegal drugs or people under the influence of liquor or drugs are in the amusement centre;
   d) No gambling is occurring in the centre, with no monetary prizes allowed as a reward for skill for playing any machine; and
   e) Contact with, and information on local youth and community organisations is established and maintained to provide assistance to customers.

10.6 Controls for Stables and the Keeping of Animals

Please refer to Council's Policy for the erection of stables for further information.

10.7 Controls for Boarding Houses and Co-Living (including Student Accommodation and Group Homes)

Overview

This clause applies to boarding houses which are permissible with consent in certain residential and commercial zones under Fairfield Local Environmental Plan 2013. Refer to Fairfield LEP dictionary for the definition of a Boarding House and Co-Living

Registration of Boarding Houses - the Boarding Houses Act 2012. Pursuant to the provisions of the *Boarding Houses Act 2012*, the owner of a boarding house is required to register the boarding house with the Commissioner for Fair Trading, Department of Finance, Services and Innovation. Boarding houses are required to be conducted with regard to the requirements of the Boarding Houses Act, 2012 and the Boarding Houses Regulation 2013. (Refer to www.legislation.nsw.gov.au for details of the Boarding Houses Act 2012 and Boarding Houses Regulation 2013).

Objectives

a) To ensure that the location of boarding houses has due regard for compatibility with neighbourhood character

b) To minimise adverse impacts on neighbourhood amenity

c) To provide controls additional to those contained within State Environmental Planning Policy SEPP (Housing) 2021

d) To ensure an acceptable level of amenity in boarding house premises to meet the needs of residents.

Controls

10.7.1 Neighbourhood Character

a) **Boarding House and co-living development applications must comply with the relevant City Wide DCP 2024 controls**, relating to the predominant housing form within the neighbourhood, where such controls are not in conflict with SEPP (Housing) 2021 provisions. For example, where the neighbourhood character is established by the presence of single detached dwellings then Chapter 5A – Single Dwelling Housing controls apply, where multi dwelling housing predominates then Chapter 6A – Multi Dwelling Housing, or Chapter 6B – Dual Occupancy apply. Similarly in areas dominated by residential flat buildings the applicable DCP controls are contained in Chapter 7- Residential Flat Buildings.

b) **Boarding houses and co-living development applications must be accompanied by a detailed site and neighbourhood analysis** to assist with the determination of neighbourhood character. Neighbourhood character is influenced by many factors such as the type, age and scale of buildings as well as the spaces between buildings and the amount of green space provided.

c) **Boarding houses and co-living shall be designed to have a sympathetic relationship with adjoining development** so as to ensure that they are capable of successfully integrating with neighbouring properties. A site analysis is required to establish the site context and should be reflected in the design, addressing the constraints and opportunities of the site and its context.

d) **A site analysis is to be submitted with all new boarding house development applications.** Guidance for the content of a site analysis for a co-living residential dwelling is contained in Division 2 of State Environmental Planning Policy (Housing) 2021 .

10.7.2 Built Form and Appearance

a) New boarding house and co-living residential developments shall be designed to reflect the predominant built form and design elements of the surrounding locality and streetscape.

b) A boarding house and co-living development must be designed to consist of a single central front entry point that addresses the street and minimises potential privacy impacts on neighbouring properties. A single entry point ensures that access to and from the boarding house and co-living development is controlled and enables the improved visual surveillance to the building.

Note: Multiple entry points, where separate entry is provided to each individual boarding room, has the potential to create adverse visual and acoustic privacy impacts upon neighbouring properties as well as create security issues. This form of boarding house is discouraged.

c) New boarding houses and co-living development shall not adversely impact upon solar access of adjoining properties.

10.7.3 Unsuitable Locations - Cul-de-sac streets

To ensure preservation of neighbourhood character and minimise amenity impacts, boarding houses and co-living development are unlikely to be supported in cul-de-sac and narrow streets.

10.7.4 Maximum Size of Boarding Houses and Co-Living Development

a) R1 General Residential and R2 Low Density Residential zones
   i. A maximum number of 12 bedrooms per boarding house will be permitted in the R1 and R2 zones and the development shall have a maximum capacity for 12 residents.

b) R3 Medium Density Residential zone, R4 High Density Residential zone, E1 Local Centre zone, E2 Commercial Centre zone, and MU1 Mixed Use zone.
   i. The total number of rooms permitted in boarding houses located in the R3, R4, E1, E2 and MU1 zones will be dependent upon the proposals capacity to maintain consistency with the prevailing neighbourhood character. Proposals must also demonstrate that neighbourhood amenity will not be adversely impacted by factors such as noise, privacy, overshadowing, traffic generation and the like.

c) Any shared rooms are to be limited to a maximum of 2 occupants per room.

10.7.5 Subdivision

The subdivision, including strata or community title subdivision, of boarding houses is not permitted.

10.7.6 Communal Open Space Location Requirements

In addition to the Housing SEPP, the following communal open space requirements apply:

a) receive a minimum 3 hours solar access to at least 50% of the area between 9am and 3pm on 21 June, in at least 1 communal living area;

b) be provided at ground level in a courtyard or terrace area, wherever possible;

c) provide partial cover from weather;

d) incorporate soft/porous surfaces for 50% of the area;

e) be connected to communal indoor spaces, such as kitchens or living areas;

f) contain communal facilities such as barbecues, seating and pergolas where appropriate; and

g) be screened from adjoining properties and the public domain with plantings or similar, such as a trellis with climbing vines.

10.7.7 Boarder Amenity, Safety and Privacy

Boarding houses co-living development are to maintain a high level of resident amenity, safety and privacy by ensuring:

a) Living areas and communal kitchen of a boarding house co-living development shall be designed as the focal point of the development. Boarding rooms shall be designed around this centrally located communal facility;

b) communal spaces, including laundry, bathroom, kitchen and living areas are located in safe and accessible locations;

c) bedrooms are located so that they are separated from significant noise sources and incorporate adequate sound insulation to provide reasonable amenity between bedrooms;

d) structural fittings and fixtures for all internal rooms enhance nonchemical pest management of the building, with all cracks and crevices sealed and insect screening provided to all openings;

e) that a minimum of 70% of bedroom windows face north or east;

f) at least 1 in 10 bedrooms is an adaptable bedroom suitable for residents with a disability;

g) Each private room, must include an individual air conditioner unit, as well as natural ventilation that will create a comfortable indoor environment,

h) Boarding houses and co-living development must provide the following facilities within each building:
   i. Bedrooms
   ii. Communal laundry facilities
   iii. Communal kitchen and dining area (one per floor for multi storey boarding houses)
   iv. Individual ensuite and/or communal bathrooms
   v. Communal lounge room (one per floor for multi storey boarding houses)
   vi. Communal garbage storage and recycling facilities
   vii. Communal outdoor open space area
   viii. Car parking (as required by SEPP (Housing 2021)
   ix. On-site manager accommodation (for 20 or more lodgers)

Balcony controls are to be consistent with the existing balcony controls within each zone.

10.7.8 Visual and Acoustic Amenity Impacts

a) **Boarding houses and co-living developments are to be designed to minimise and mitigate any impacts on the visual and acoustic** privacy of neighbouring buildings by locating:

   i. the centralised entry point at the front of the site, away from side boundary areas near adjoining properties;
   ii. communal areas and bedroom windows away from the main living area or bedroom windows of any adjacent buildings;
   iii. screen fencing, plantings, and acoustic barriers in appropriate locations.

b) **Council may require an acoustic report** prepared by a suitably qualified acoustic consultant, if there is the potential for significant impacts from noise emissions. The investigation shall include but is not limited to the following:

   i. the identification of sensitive noise receivers potentially impacted by the proposal;
   ii. the quantification of the existing acoustic environment at the receiver locations;
   iii. the formulation of suitable assessment criteria;
   iv. details of any acoustic control measures that will be incorporated into the proposal;
   v. the identification of all noise that is likely to emanate from the boarding house and the subsequent prediction of resultant noise at the identified sensitive receiver locations; and
   vi. a statement certifying that the development is capable of operating without causing a nuisance or result in an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 at any adjacent developments.

10.7.9 Traffic Report

a) An application for a boarding house incorporating 20 or more bedrooms is to be supported by a Traffic Report, prepared by a suitably qualified person, addressing, as a minimum, the following factors:

i. the prevailing traffic conditions;
ii. the likely impact of the proposed development on existing traffic flows and the surrounding street system;
iii. pedestrian and traffic safety; and
iv. justification for on-site parking provision.

10.7.10 Plan of Management

An operating 'Plan of Management' is to be submitted with each development application for a boarding house (including new and existing boarding houses and co-living developments) to ensure that it operates in a manner that minimises impacts on adjoining occupiers and maintains a high level of amenity for residents. The Plan of Management is to include details of:

a) **boarding house and co-living staffing arrangements**, including the location and/or 24/7 contact details of any on-site manager or resident caretaker, who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises;

b) **house rules**, including details of how they will be publicised to residents, that cover, but need not be limited to, guest behaviour, activities and noise, visitor policy, and the use of alcohol and/or drugs, and location of smoking area;

c) **plans outlining the occupancy rate** for each sleeping room, room furnishings, provisions of communal areas and facilities, and access and facilities for people with disabilities;

d) **measures to minimise unreasonable impact to the habitable areas** of adjoining properties, including the management of communal open spaces, which, for boarding houses and co-living within residential areas or where adjoining sites contain residential activities, should be restricted to 10pm;

e) **waste minimisation**, **recycling and collection arrangements**, including the servicing of any 'sharps' and/or sanitary napkin receptacles;

f) **professional cleaning and vermin control arrangements**, which, at a minimum, should include the weekly professional cleaning of shared facilities such as kitchens and bathrooms;

g) **safety and security measures**, including, but not limited to:
   i. perimeter lighting;
   ii. surveillance or security camera systems;
   iii. fencing and secure gates;
   iv. room and access key arrangements; and
   v. the provision of a landline telephone for residents to ring emergency services in the event of an emergency; and

h) **internal signage arrangements**, including:
   i. the name and contact number of the property caretaker or manager;
   ii. emergency contact numbers for essential services;
   iii. house rules;
   iv. a copy of the annual fire safety statement and current fire safety schedule; and

i) **floor plans** that will be permanently fixed to the inside of the door of each sleeping room to indicate the available emergency egress routes from the respective sleeping room; and

j) **minimum lease period**. Conditions to include:
   i. Resident agreement to comply with the boarding house rules; and
   ii. Minimum lease period of 3 months.

10.7.11 Group Homes

Group homes provide temporary or permanent accommodation for people with a disability or people that are socially disadvantaged. Refer to Fairfield LEP dictionary for the definition of a group home.

Group home applications lodged as a development application with Council will need to comply with the State Environmental Planning Policy (Housing) 2021 Chapter 3 Diverse Housing, Part 2 Group Homes to ensure group home developments are built for purpose.

10.7.12 Waste and Recycling Service

a) Councils waste collection service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) Boarding Houses, Co-living Housing and Group Homes are defined in accordance with *Fairfield Local Environmental Plan 2013*
c) Councils waste and recycling streams to be allocated to the site in accordance with Councils waste generation rates:
   i. Garbage = 75L per room/week (collected weekly)
   ii. Recycling = 50L per room/week (collected fortnightly)
   iii. Organics = 30L per room/week (collected alternate fortnightly)
   - **The bin allocation for each individual stream to be rounded up to the next whole number*
d) To support the provision of a safe and efficient waste collection service, communal waste and recycling storage & collection areas to be provided in accordance with:
   i. Section 6A.7.6 of the *Fairfield City Council Development Control Plan 2013*; or
   ii. Section 7.7.1 of the *Fairfield City Council Development Control Plan 2013* for developments that comprise of three or more storeys
e) In addition to the provisions outlined in d) above, the rooms to accommodate the following:
   i. Unobstructed resident access to be provided form the central residential corridor and incorporate key access for ingress and egress movements
   ii. Unobstructed external access to be provided for Councils waste collection contractors to perform scheduled collections. The external door to incorporate the following:
      1) Keyed to Councils bi-lock system
      2) Internal Panic Bar system to permit unobstructed egress manoeuvres
   iii. Located within 10000mm of the kerbside

10.8 Neighbourhood Shops

Refer to the Fairfield LEP dictionary for the neighbourhood definition.

Under Fairfield LEP2013 the maximum retail floor area for a neighbourhood shop is 80sqm [FLEP 2013 Clause 5.4(7)].

10.8.1 Residential Zones

A neighbourhood shop provides day-to-day shopping needs of residents. This section applies to neighbourhood shops in the:

a) R1 General Residential

b) R3 Medium Density Residential, and

c) R4 High Density Residential zone.

Objectives

a) To maximise convenience for residents while protecting the vitality of town centres.

b) To provide an active frontage and level of surveillance to the street.

c) To ensure an identifiable entrance point to the neighbourhood shop.

d) To ensure the amenity of adjacent properties and the neighbourhood is maintained.

Controls

a) **Maximum Floor Area** - The maximum retail floor area of a neighbourhood shop is 80sqm as per Clause 5.4[7] in the FLEP 2013.

b) **Maximum number per site** - A maximum of one neighbourhood shop per site is permitted. Furthermore a development site that is strata sub-divided or proposed to be strata subdivided will not be permitted to develop a neighbourhood shop per strata as the development site as a whole will be permitted one neighbourhood shop only.

c) **Entries to the neighbourhood shop** should be clearly visible to pedestrians with direct access to the street and large window space facing the street.

d) **Amenity** – conditions will be imposed upon hours of operation to protect the amenity of the neighbourhood.

e) **Car Parking and Access**
   i. A Neighbourhood Shop must also comply with Clause *10.1 Non-residential Development in Residential Zones and Chapter 12 Car Parking, Vehicle and Access Management- Shops.*
   ii. Car Parking must not interfere with pedestrian access into the shop.

iii. Car parking does not visually dominate the streetscape or impact on stormwater management.
iv. A neighbourhood shop must also comply with Clause 10.1 Non-residential Development in Residential Zones and Chapter 12 Car Parking, Vehicle and Access Management – Shops.

f) **Frontages** – Neighbourhood shops are preferred on corner sites.

g) **Loading and Unloading -** All loading and unloading is to be undertaken on-site and shall be serviced by vehicles no larger than small ridged vehicles.

h) **Waste and Recycling Service** - To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*.

10.8.2 Industrial Zones

A neighbourhood shop can serve the daily needs of the local industrial workforce. This section applies to neighbourhood shops in the E4 General Industrial zone.

Objectives

a) To maximise convenience for local workforce while protecting the vitality of town centres.

b) To provide an active frontage and level of surveillance to the street

c) To ensure an identifiable entrance point to the neighbourhood shop

Controls

a) **Maximum Floor Area** - The maximum retail floor area of a neighbourhood shop is 80sqm as per Clause 5.4[7] in the FLEP 2013.

b) **Maximum number per site** - A maximum of one neighbourhood shop per site is permitted. Furthermore a development site that is strata sub-divided or proposed to be strata subdivided will not be permitted to develop a neighbourhood shop per strata as the development site as a whole will be permitted one neighbourhood shop only.

c) **Entries to the neighbourhood shop** should be clearly visible to pedestrians with direct access to the street and large window space facing the street.

d) **Car parking and Access** - Neighbourhood Shops must also comply with *Chapter 12 Car Parking, Vehicle and Access Management- Shops.*

e) **Loading and Unloading -** All loading and unloading is to be undertaken on-site and shall be serviced by vehicles no larger than small ridged vehicles.

f) **Waste and Recycling Service** - To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*.

10.9 Religious buildings used for the storage of cremated remains of deceased persons

The erection or use of a religious building within a residential zone for the storage of cremated remains of deceased persons is prohibited.

The reason for prohibition is that such buildings are not considered to be in character with the amenity of a residential area nor meet the objectives of the residential zones.

10.10 Closed Circuit Television (CCTV)

Overview

This clause applies to applications for new commercial uses as listed below:
a) licensed premises;
b) commercial premises seeking to operate past 12 midnight
c) amusement centres;
d) internet cafes;
e) retail premises were firearms are sold;
f) sex services premises;
g) restricted premises; and
h) tattoo parlours.
i) Activities where the local Police request the installation of CCTV and considered appropriate by the Manager of Development Planning.
j) Other uses or any commercial premises seeking to operate between 10pm – 12 midnight where the Manager of Development Planning consider installation necessary and appropriate.

Objective:

To reduce the potential for crime in the Fairfield Local Government area, enhance community safety and to assist in the management of risk through the surveillance of behaviours and actions of persons for certain land use and public places.

Controls

The applicant and/or the licensee shall submit a plan showing locations of CCTV including specification of the CCTV units within the premises demonstrating that they meet the following minimum requirements:

Location

a) A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable the identity of an individual to be established beyond a reasonable doubt when:
   i. the person represents not less than 100% of screen height, and
   ii. there is an unobstructed view of the person's face.

b) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas: all other public entrances and exits, whether or not in use at the time
   i. staircases in multi-level premises
   ii. all portions of the floor area accessible to the public where facilities are provided,
   iii. toilet external areas
   iv. all general areas accessible by the public
   v. the car park area adjacent or within the premises.

Recording capabilities

a) The CCTV recordings of these cameras must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they may have seen before when:
   i. the person represents not less than 50% of the screen height, and
   ii. there is an unobstructed view of the persons face.

b) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.

c) Recordings must;
   i. be in digital format
   ii. record at a minimum of six frames per second, and
   iii. commence one (1) hour prior to opening, and operate continuously until at least one (1) hour after closure of the venue.

d) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.

e) Recordings should be retained for a period of 30 days before being reused or destroyed. The consent holder or licensee shall ensure that no person is able to delete or alter any recordings within the 30 day period.

f) When the premises is open and trading, at least one person shall be at the premises that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.

g) Immediate access to the CCTV system and the ability to review recordings on the system is to be granted to NSW Police, and other regulatory officers upon request. Upon installation of the CCTV system the NSW Police Local Area Command that cover the site must be notified that the system is operating.

h) The CCTV system shall be able to reproduce a copy of the recordings on compact disk, DVD or USB memory stick and must be provided within one working day to NSW Police, and other regulatory officers upon request.

i) Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the consent holder shall take all reasonable steps to repair the system as soon as practical.

j) Camera recordings must meet the standards set in (a) and (i) at all times, either by way of camera technology and settings, and/or by maintenance of lighting, camera positioning, camera shades and other environmental factors.

10.11 Controls for the Cabravale Diggers site (Hotel or Motel accommodation)

PROPOSED AMENDMENT

Overview

This clause applies to the development of hotel or motel accommodation at the Cabra-Vale Diggers site at 1 Bartley Street, Canley Vale (Lot 51 DP 1120245) subject of amendment no.12 to the Fairfield LEP 2013 (as amended).

Refer to Fairfield LEP dictionary for definitions of *hotel or motel accommodation*.

Note. Hotel or motel accommodation is a type of tourist and visitor accommodation

Objectives

The objectives of these controls are:

a) To ensure that the location and siting of the proposed hotel/motel at the subject site has regard for compatibility with neighbourhood character;

b) To minimise adverse impact on neighbourhood amenity;

c) To ensure the acoustic design of new development takes into account adjoining developments and implements appropriate sound attenuation measures to mitigate any conflict between the existing and the proposed development;

d) That setbacks proposed by the development are appropriate and are in context with the existing adjoining residences;

e) The development be sited in a location that is compatible with surrounding uses through appropriate setback and building envelope controls;

Relationship to Other Planning Documents

This DCP supplements the statutory provisions contained in Fairfield LEP 2013.

Pursuant to Section 3.43(4) of state Environmental Planning and Assessment Act 1979, this DCP substitutes all other Development Control Plans applying to the subject site.

Pursuant to Section 3.43(3) of the Environmental Planning and Assessment Act 1979, this plan adopts by reference, the following provisions of Fairfield City Wide

Development Control Plan 2024 (including and amendments thereto and including amendments made after the adoption of this DCP);

- Chapter 2 Requirements for Development Application Submission;
- Chapter 3A Environmental management and constraints;
- Chapter 3B Heritage and Development
- Chapter 11 Flood Risk Management;
- Chapter 12 Car – Parking, Vehicle and Access Management;
- Appendix A Definitions;
- Appendix B Notifications Policy;
- Appendix C Signage;
- Appendix D Preservation of Trees and Vegetation;
- Appendix E Waste Not Policy;
- Appendix F Landscape Planning;

Controls

a) **Site Layout**

Any hotel/motel development at the subject site should broadly comply with site layout arrangements identified in Figure 1 provided below.



Figure 1 Site Plan

b) **Setbacks**

Development should achieve the following setbacks to adjacent streets:

i. New club expansion area to be built to the eastern (Railway Parade) boundary – 0 metre setback.
ii. Proposed bowling facilities to be built to the southern (Bartley Street) boundary – 0m setback.
iii. A minimum of 42 metre setback from the proposed bowling facility building to the western (Phelps Street) boundary to accommodate the new bowling greens.

Adequate building setback and separation to neighbouring properties shall be achieved through the following setbacks:

i. A minimum of 7.5 metre setback is to be provided up to the podium height from the club building to the common boundary with No.141 Railway Parade.
ii. A minimum of 8.5 metre setback is to be maintained between the existing carpark structure and the common boundary with No.12 Pevensey Street.
iii. A minimum of 18 metre setback is to be provided from the proposed hotel building to the common boundary with No.141 Railway Parade.
iv. Greater separation is to be provided from the hotel building to the common boundary. This should increase to approximately 25 metres at the eastern end and approximately 42 metres at the western end.
v. Development should provide a deep soil buffer zone (minimum 3m wide) with mature screen planting along the common boundary with neighbouring properties.

c) **Building Height**

i. Development should achieve varying building heights to provide visual interest.
ii. A maximum height of buildings of 38 metres is to be provided for the varying tower component.
iii. The proposal shall not exceed the maximum varying building heights from 25 metres to 38 metres for each hotel component.

d) **Design Principles**

i. Improve safety and amenity of the surrounding public domain by activating street edges and maximising passive surveillance to Railway Parade, Bartley Street and Phelps Street.
ii. Reduce the impact of the vehicle access by encapsulating vehicle entry/exit and relocating vehicle access points to less prominent locations.
iii. Create a legible and memorable point of arrival for the club and the proposed hotel.
iv. Replace existing at-grade car park in the south-western portion with new bowling facilities to improve the site's visual amenity from the street.
v. Ensure the appearance of the proposed hotel building contributes positively to the character of the local area.
vi. Ensure the bulk and scale of the new hotel building responds appropriately to its immediate context.

e) **Acoustic and Visual Privacy**

Visual Amenity (Lighting Impact)

External lighting shall be positioned to avoid light spillage to adjoining residential properties. In this regard, Council may require additional information such as light spill diagrams where it considers there is a potential for negative impacts on residential amenity for any proposed development

Acoustic Amenity

i. A noise impact assessment will be required as part of any DA for a hotel/motel. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment.
ii. A Development Application for development on the subject site must demonstrate compliance with the following policies standards and guidelines prior to approval:
    - Building Code of Australia 2016;
    - NSW Dept. of Planning "Development near Rail Corridors and Busy Roads – Interim Guideline, 2008;
    - State Environmental Planning Policy (Transport and Infrastructure) 2021;
    - NSW Industrial Noise Policy (INP) 2000;
    - Bankstown Airport 2024/25 Australian Noise exposure forecast (ANEF) "20 ANEF" criteria;
    - The relevant sections of the Fairfield City Wide Development Control Plan 2024 as outlined in this DCP.

f) **Landscaping**

Site boundaries that immediately adjoin residential zoned land must include a continuous deep soil landscaped strip with dimensions of 3 metres by 3 metres planted with vegetation of

Sufficient height and dimensions to soften the development as viewed from the adjoining residential properties.

g) **Site Servicing**

i. Plant equipment shall be placed in a location designed to minimise acoustic impacts on adjoining residences;
ii. A social impact assessment may be required to address the impact of the developments operational hours on surrounding residential development;
iii. The operation of the service lane at Pevensey Street shall have minimum impact on adjoining residences;
iv. The development must address increases to waste collection services onsite as a result of the proposal;
v. An operational Plan of Management may be required detailing the ongoing management and servicing along the service lane entry and exits to Railway Parade and Pevensey Street respectively.

h) **Flooding**

The proposed development must comply with the relevant provisions of Fairfield City Wide DCP 2024 - Chapter 11 Flood Risk Management.

i) **Traffic Management**

The proposed development must comply with the relevant provisions of Fairfield City Wide DCP 2024 – Chapter 12 Car Parking, Vehicle and Access Management.

j) **Siting**

i. Development on the site is sited so that it does not detract from the heritage significance of Local heritage item I17 “bandstand”.
ii. Development on the site is sited so that it does not impact upon the amenity of residences located at Phelps and Bartley Streets;
iii. Development on the site is sited to conserve and protect amenity of residence located at 141 Railway Parade and 12 Pevensey Street, Canley Vale.

10.12 Controls for 620 Elizabeth Drive, Bonnyrigg Heights (Service Station, Food and Drink Premises including Take Away Food and Drink Premises and Recreation Facilities)

Overview

The site specific provisions contained within this section of the City Wide DCP apply to land known as No. 620 Elizabeth Drive (Lot 1 DP 781418) Bonnyrigg Heights (refer to Figure 1). Under the provisions of Fairfield Local Environmental Plan 2013 the site may be developed for the additional uses of a service station and take-away food and drink premises, subject to Council approval. The following provisions have been prepared in relation to future development of the subject site for these additional uses in conjunction with associated recreation facilities.

For land use definitions relevant to the subject site, please refer to the *Dictionary* contained within Fairfield Local Environmental Plan 2013.



Figure 1 Subject Site

Objectives

These site specific development provisions have been prepared to:

a) Guide and assist development of the subject site in a manner that encourages development and investment, and promotes local employment opportunities; whilst servicing the daily needs of the local community and travelling public.

b) Facilitate the development of indoor recreation facilities to cater for the cultural and sporting needs of the community.

c) Ensure that the design and operation of all development does not adversely impact upon the amenity of the area, or nearby existing residential development.

d) Ensure that development is designed and constructed in a manner that positively contributes to the streetscape.

e) Minimise potential issues that may arise at the interface of the site with adjoining residential development. In this regard, the provisions of Chapter 9.9 Industrial/Residential Interface of this DCP will also apply to future development of the site for a service station, food and drink premises (including take-away food and drink premises) and associated recreation facilities.

The provisions of other Chapters of this Development Control Plan (DCP), where they are relevant, will apply but also where there are any inconsistencies, the following site specific provisions prevail over those controls prescribed by the other chapters of this DCP.

Controls

a) Site Design and Layout

i. The design and construction of development on the subject site shall be in accordance with the requirements outlined in Endeavour Energy's *'General Restrictions for Overhead Power Lines'* and to the satisfaction of Endeavour Energy.
ii. The layout of the buildings on the subject site shall be generally in accordance with Figures 2 & 3. Alternative layouts will be considered subject to final design in order to ensure that future development is designed, constructed and operated in a manner which minimises adverse impacts upon the amenity of the area and adjoining and nearby residences.
iii. On this basis, Figures 2 & 3 depict a proposed service station building, a take-away food & drink premises and gymnasium building and car parking at ground floor level and an elevated indoor basketball court building above proposed car parking.

b) Setbacks

i. The minimum front setback to Elizabeth Drive shall be 10 metres of which 5 metres is to be used for landscaping.
ii. Side boundary setbacks to the Abbotsbury Zone Electrical Substation located at 630 Elizabeth Drive shall be determined in consultation with Endeavour Energy having regard to the location of the existing electricity transmission easement which runs the length of the western boundary of the site.
iii. When proposing work near power lines, reference should be made to "WorkCover Code of Practice 2006: Work Near Overhead Power Lines.
iv. Side and rear boundary setbacks to residential development in Schubert Place will be determined taking into account the potential impacts of proposed development on the privacy and amenity of existing residential development.
v. The only development permissible within setback areas is:
    - Landscaping,
    - accessways, car parking and drainage; and
    - approved signage.

c) Vehicular and Pedestrian Access

i. The appropriate driveway width is dependent upon approval from the Roads and Maritime Services requirements.
ii. Vehicle access from Elizabeth Drive shall be in accordance with the requirements of the Roads and Maritime Service via a deceleration lane (minimum width of 3.5 metres to the face of kerb).
iii. Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by use of raised and textured surfaces.
iv. As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways.
v. Internal vehicular and pedestrian access shall be provided between proposed basketball courts/gymnasium and the existing Bonnyrigg Sports Club facility located at 610-618 Elizabeth Drive. All development must comply with the car-parking, vehicle and access provisions contained within Chapter 12 of this DCP.

vi. Existing on-road cycle paths and pedestrian footpaths along Elizabeth Drive are to be retained and/or re-constructed at the expense of the applicant to the satisfaction of the NSW Roads and Maritime Services.

d) Site Servicing and Loading Facilities

i. Loading and unloading areas shall be appropriately screened from public view and are not permitted along the Elizabeth Drive frontage.
ii. The provisions of Chapter 8A.5 Site Servicing and Loading of this DCP apply in relation to the servicing, loading and waste management requirements for the future construction and operation of development on the subject site.
iii. The applicant may be required to submit a Waste Management Plan with the Development Application which provides detailed information on waste storage and collection under the future operation of the site. In this regard, the following guidelines shall be consulted in relation to any future development application:
   - The Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (EPA December 2012); and
   - The Better Practice for Public Place Recycling (DEC 2005).

e) Bulk, Scale and Built Form

i. Details of samples of external materials and finishes shall be submitted with the Development Application;
ii. Building façades are to incorporate architectural treatments where they front the public domain, and avoid long plain facades which front the street. On lengthy facades, the ratio of 'hard' finishes (e.g. masonry blocks, precast panels, concrete blocks and bricks) to 'soft' finishes (e.g.: glass walls, windows) should be considered in order to mitigate the bulk of the building and provide visual relief.
iii. Building elevations with frontage to Elizabeth Drive must present a building form generally to be varied and interesting to provide attractive streetscapes and urban fabric;
iv. Particular care should also be taken in:
- designing roof elements; and
- locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations

f) Acoustic Amenity

Where it is considered likely that proposed future development may cause an adverse impact on nearby residential areas, a cumulative noise impact assessment from a suitably qualified acoustic engineer will be required to be submitted to Council for consideration. A noise impact assessment will need to demonstrate that the proposed development will not create an unreasonable adverse impact upon existing residential amenity for adjoining and nearby residences.

g) Odour Generating Activities

i. Any odour generating activities (including take-away food and drink premises) shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon adjoining residential properties.

ii. Any application for development which includes odour generating activities will be required to submit an Odour Impact Assessment prepared by a suitably qualified Air Quality Consultant or Environmental Consultant and should be undertaken in accordance with *The Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW (Dec 2006)*.

h) Safety and Security

i. Layout and design of buildings is to comply with *Crime Prevention and the Assessment of Development* Applications, Department of Planning, Housing and Infrastructure. Urban Affairs and Planning, April 2001, and BDCD Part A-5.75 Crime Prevention Through Environmental Design.
ii. Adequate security lighting shall be provided, whilst ensuring there is no adverse impact upon the use and enjoyment of adjoining premises and surrounding areas, particularly residential areas.

i) Lighting

i. An external lighting strategy/plan shall be submitted with any development application and must detail the location and design of lighting and the proposed hours of operation.
ii. A light spill impact assessment prepared by a suitably qualified person is to be submitted with any development application to ensure development proposed adjoining or nearby existing residential properties does not adversely impact upon existing residential amenity.
iii. The design and lux of any external and spot lighting shall be designed to avoid off-site or traffic safety impacts such as reflection and glare and shall comply with Australian Standard AS4282 (1997) – Control of the Obtrusive Effects of Outdoor Lighting.

j) Landscaping

i. Vegetation landscaping must be included in the design of future development to soften the appearance of the development, and assist in contributing to the amenity of the area.
ii. Landscaping should be integrated with the overall building design and be used to:
    - Highlight architectural features, aesthetic qualities and provide a human scale at the street; and
    - Define and identify areas such as site and building entries and car parking areas.
iii. Where possible, existing vegetation should be retained within landscaped areas, road corridors and setbacks.
iv. Side setbacks must be landscaped where visible from the public domain.
v. Plant material in carparks should be used to provide shade, ameliorate views of large expanses of paved areas and cars;
vi. Island planting beds should be interspersed throughout large parking areas. Planting should consist of ground covers, shrubs to 1 metre, shade producing and canopy species;
vii. No storage is permitted in the landscaped setback areas.

viii. Paving, structures and wall materials should complement the architectural style of buildings on the site and be of local origin where possible. Materials should cause minimal detrimental visual impact, and the use of subtle coloured materials and block or brick paving is encouraged

k) Solar Access and Amenity

The private open space area of adjoining residential properties shall receive a minimum of three hours direct sunlight between 9am and 3pm in mid-winter (21 June). Shadow diagrams shall be prepared for the any development adjoining residential properties where it is considered there may be an impact of existing solar access.

Design of car parking areas and buildings adjoining residential properties shall minimise direct overlooking of rooms and private open spaces

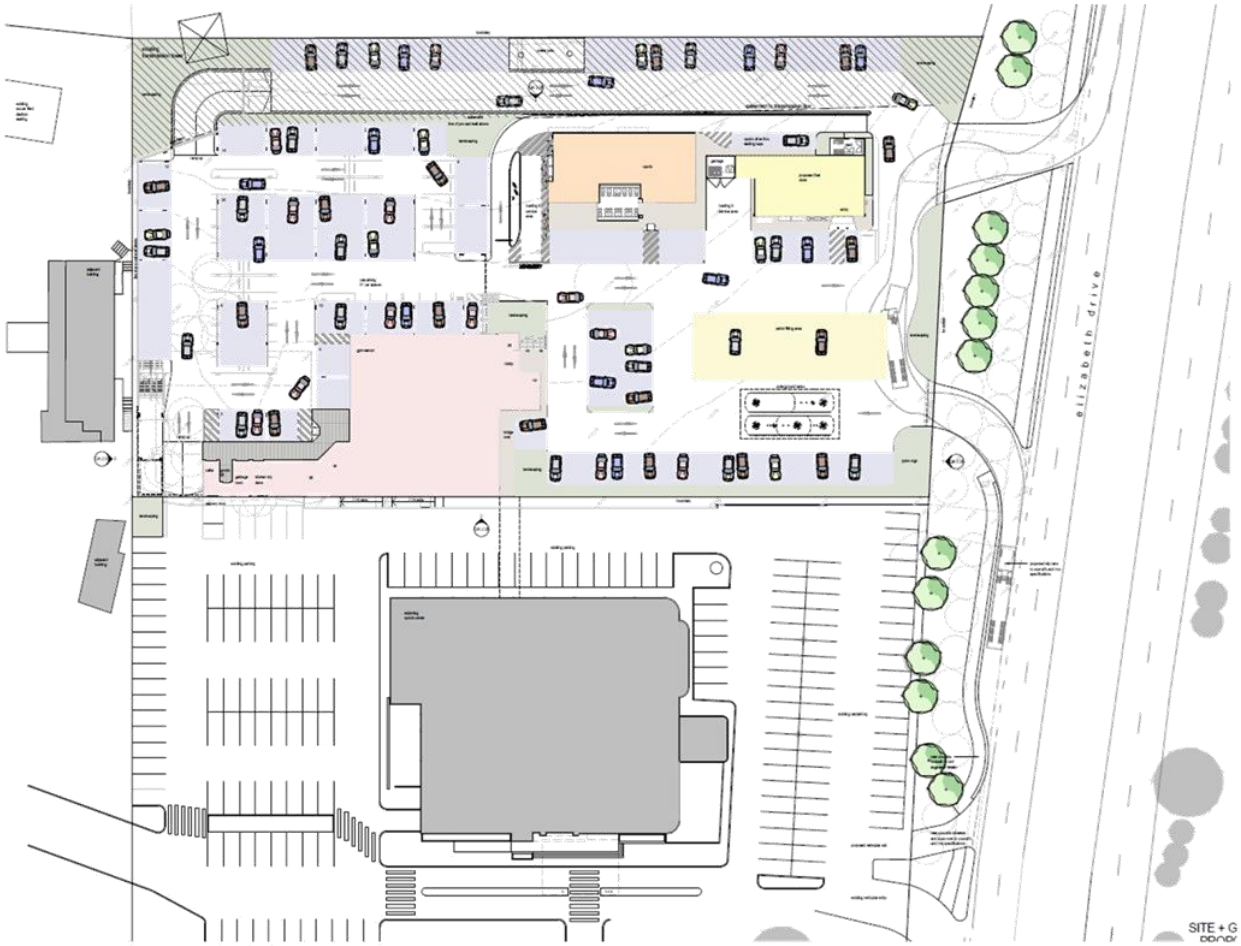

Figure 2 Ground Floor Site Plan for 620 Elizabeth Dr, Bonnyrigg Heights

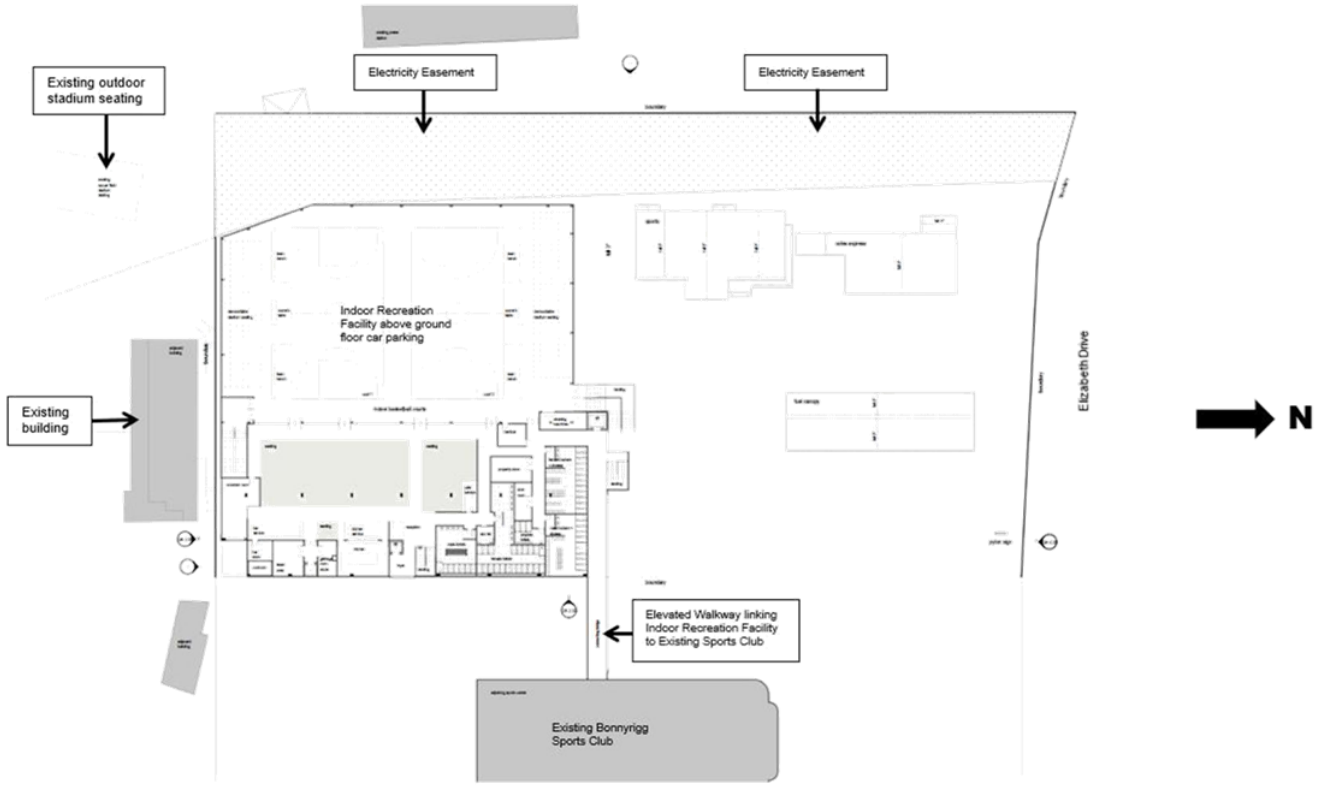

Figure 3 First Floor Site Plan for 620 Elizabeth Dr, Bonnyrigg Heights

10.13 Site Specific Development Controls for 17-23 Longfield Street, Cabramatta

10.13.1 Introduction

Land to which this section applies

This section of the DCP applies to land zoned R4 High Density Residential under the Fairfield Local Environmental Plan 2013, being Lot 34 and 35 DP456221 known as 17-23 Longfield Street, Cabramatta as outlined in red in Figure 1 below.



Figure 1 Aerial View of the Site

Vision and purpose

The vision for the site is to create a multi-generational precinct to be known as "The Circle" that provides mixed housing opportunities and supporting services that caters for the needs of children, families, community groups through to the elderly.

The purpose of this Section of the DCP is to guide the future redevelopment of the land. The development objectives, standards and guidelines communicate the vision for the site.

The following matters are addressed by this Site Specific Development Control Plan:

- Lot consolidation
- Land uses
- Open space
- Access, parking and connectivity
- Built form
- Waste management.

Relationship to sections of the Fairfield City Wide Development Control Plan 2024

This section of the DCP should be read in conjunction with the following provisions of the Fairfield City Wide Development Control Plan 2024:

- Chapter 1 Introduction
- Chapter 2 Development Application Process
- Chapter 3A Environmental Management and Constraints
- Chapter 3B Heritage and Development
- Chapter 7 Residential Flat Buildings
- Chapter 10 Miscellaneous Development
- Chapter 11 Flood Risk Management
- Chapter 12 Car Parking, Vehicle and Access Management
- Chapter 13 Child Care Centres
- Chapter 14 Subdivision
- Appendices
  - A Definitions
  - B Notifications Policy
  - C Advice for Designing Advertising Signs
  - D Preservation of Trees and Vegetation
  - E Waste Not policy to Manage Demolition and Construction Waste
  - F Landscape Planning

All other provisions of Fairfield City Wide Development Control Plan 2024 are not relevant and should not be applied to development at the site.

10.13.2 Site Specific Development Control

Lot consolidation

Objective

To ensure that the site is redeveloped as a single integrated development to achieve the vision for the site.

Control

Prior to, or included as part of the first development applications, the two parcels of land Lot 34 and 35 DP456221 are to be consolidated.

Consolidating the lots allows for staging of the development on the site.

Land uses

Objectives

a) To provide a range of uses across the site including residential apartments, seniors housing (aged care and independent living units), community, lifestyle and health uses, and small-scale neighbourhood shop and / or take away food and drink premises.

b) To facilitate an active and safe street environment and public domain, and creation of a civic plaza.

c) To ensure the small scale local retail uses do not significantly impact on amenity of adjoining residents and future residents of the development or the economic viability of nearby centres.

Controls

a) Land uses will be generally located in accordance with Table 1 and Figure 2.

b) The non-residential uses (except for the child care) are to be located at the southern end of the site to support seniors housing and activate the "civic plaza."

c) A child care centre of over 40 places may be permitted at the site despite Section 13.1.2.1 Childcare Centres in Residential Zones of this DCP.

d) The maximum floor area for local retail (take away food and drink premises and neighbourhood shops) is restricted to a total of 160sqm.

Note: Neighbourhood shop is restricted to 80sqm as per Clause 5.4 (7) of the DCP.

Table 1 Indicative location of uses

Block	Land Use	Plan/description
1	Medical centre and recreation facility indoor (gym)	Within the component of the building facing Longfield Street from the ground floor to level 4. Plan reference (a)
	Neighbourhood shop (s) and takeaway food and drink premises	Ground floor with frontage to the civic plaza. Plan reference (b)
	Building manager office/security	Plan reference (c)
	Independent living units	Plan reference (d)
2	Residential flat building	-
3	Residential flat building	-
4	Residential flat building	-

	Child care centre	Within the component of the building facing Chadderton Street and the new public road. Plan reference (e)
5	Residential flat building	-
6	Residential care facility	Plan reference (f)

Open space

Objectives

a) To ensure areas of open space are provided for communal use by residents, for child care occupants as well as visitors and the local community.

b) To provide open space that is functional, safe, usable, accessible and practical.

c) To provide areas for deep soil and landscaping which will add to the amenity of the site and the public domain.

Controls

a) Open space (communal, public and private) to be provided generally in accordance with Figure 2.

b) A public park 690sqm will be provided off Chadderton Street. This public park will be dedicated to Council who will be responsible for future maintenance.

c) Child care open space is to be adequately fenced on all sides, with a minimum height of 1.8 metres and be designed so that the fence is integrated with the building design and landscaping at Chadderton Street through materials and colours.

d) Basement areas will not be provided under the proposed road or the public park to be dedicated to Council.

Access, parking and connectivity

Objectives

a) To provide for a new internal public road from Chadderton Street to the second roundabout identified in Figures 2-4.

b) To provide for emergency vehicle access from Longfield Street.

c) To allow access into the site from both Chadderton and Longfield Streets.

d) To facilitate safe pedestrian and cycle access through the site and to the surrounds.

e) To ensure that streetscape elements and landscaping support the pedestrian, cyclist and vehicular movement system in and adjacent to the development.

Controls

a) The location and layout of the new public road is to be generally in accordance with Figure 3. The new road including car spaces and footpaths will be dedicated to, and maintained by Council.

b) Vehicle access to underground parking will be provided from five access points, one at each corner of the site and one from the new public road to Block 1 as generally shown in Figure 3.

c) Basement level 1 will be at a minimum height of 4.5 metres to cater for service and waste vehicles.

d) The public plaza will be designed to facilitate access for emergency vehicles from Longfield Street as shown in Figure 3.

e) Emergency vehicle access for the residential care facility (Block 6) is to be provided via the driveway along Longfield Street as shown in Figure 3.

f) The new road and plaza should be clearly distinguished from one another through different pavement or other treatments.

g) Pedestrian and cycle access to the site is to be generally in accordance with Figure 3 and designed to facilitate permeability/connectivity, through site access from Chadderton Street to Longfield Street.

h) Pedestrian pathways and access to buildings and communal open space is to be generally in accordance with Figure 3.

i) Pedestrian crossings, on street parking and loading bays are to be provided along the new road generally in accordance with Figure 3.

j) Required parking and child care centre drop off is to be provided in the basement.

Built form

Objectives

a) To ensure that buildings are modulated in height, form and layout:
   i. Responds to, and integrates with, the scale and form of the existing streetscapes and surrounding commercial/industrial development to the north-east and east,
   ii. Minimises overshadowing and overlooking to existing lower density residential development to the west,
   iii. Promotes passive surveillance to the new open space and the public domain
   iv. Provides amenity (visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook) to apartments, seniors housing, child care, open space and the public domain.

Controls

a) The layout of the buildings, number of storeys and minimum setbacks to boundaries and between buildings are to be provided in generally in accordance with Figure 4.

b) Six storey buildings are to be located adjacent to the commercial/industrial development to the east and in the middle of the site, transitioning to 4-5 storeys buildings to Chadderton and Longfield Street and to 3-4 storeys buildings along the western boundary to adjoining lower density residential development.

Waste Management and Servicing

Objectives

a) To ensure that waste storage and management facilities are appropriately located to minimise any adverse impacts on the streetscape, building entries and amenity.

b) To ensure that the disposal of waste generated by the site's occupants over its lifetime is managed appropriately, efficiently and provides for maximum recovery, recycle or reused.

c) To ensure that waste can be effectively collected and managed.

Controls

a) Service deliveries for non-residential uses and waste collection are to be provided in the basement except for the residential care facility that will be serviced from the ground floor via Longfield Street.

b) Waste is to be collected by a private contractor.



Figure 2 Land Use and Open Space

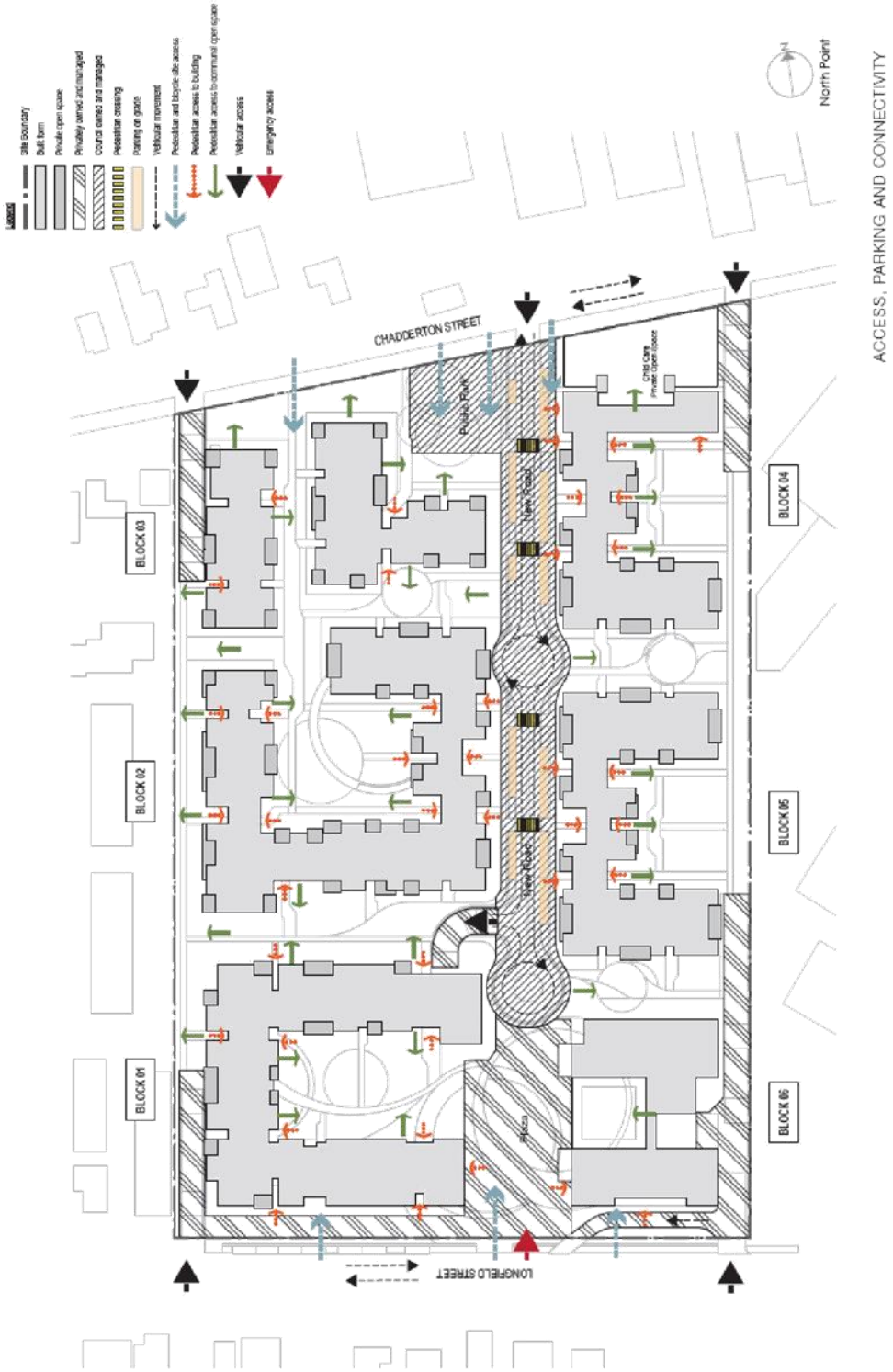

Figure 3 Access, Parking and Connectivity

10.14 Controls for 400-404 Cabramatta Road and 2 Links Avenue, Cabramatta

10.14.1 Overview

The site-specific provisions contained within this section of Fairfield City Wide DCP apply to land known as 400-404 Cabramatta Road West, 2-18 Orange Grove Road and 6 Links Avenue.

The land is legally known as:

Property Address	Title Description
400 Cabramatta Road West, Cabramatta	Lot 1 DP 29449
6 Links Avenue, Cabramatta	Lot 3 DP 30217
404 Cabramatta Road West, Cabramatta	Lot 7 DP 709126
2 Orange Grove Road, Cabramatta	Lot 6 DP 709126
402 Cabramatta Road West, Cabramatta	Lot 1 DP 29449
402A Cabramatta Road West, Cabramatta	Lot 2 DP 503339



Figure 1 Subject Site

Under the provisions of the *Fairfield Local Environmental Plan 2013* the site may be developed for a residential flat building and multi dwelling housing, subject to development approval and consistent with the relevant provisions of FLEP 2013 and this SSDCP. The following provisions have been prepared in relation to future development of the subject site for these uses.

10.14.2 Relationship to other sections of the City Wide DCP

This section forms part of the Fairfield City Wide Development Control Plan 2024 (FCWDCP) (2024). Development within the land to which this plan applies, will need to have regard to this section of the DCP as well as other relevant controls in the broader City Wide DCP 2024. In the event of any inconsistency between this section and other sections of the DCP, this section will prevail to the extent of the inconsistency.

General Objectives

The objectives of this site-specific development control plan are to:

a) Provide a site responsive development control framework;

b) To ensure the orderly use and development of the land (to which this Part applies) for residential purposes;

c) Promote development that is compatible with surrounding development;

d) Ensure the future redevelopment of the site is considerate of adjoining development, and;

e) Ensure appropriate residential amenity of the future development can be achieved

10.14.3 Building and Site Design

Site Design and Layout

Objectives

To ensure that the development site area will have sufficient area for the dwellings, vehicle access, landscaping, private and communal open space, parking, waste storage, collection, and amenity and are consistent with the desired future character of the area.

Controls

a) The layout of the buildings on the subject site shall be generally in accordance with figure 2 of this SSDCP Site Layout and Building Design. Alternative layouts may be considered subject to final design in order to ensure that future development is designed and constructed in a manner that minimises adverse impacts upon the amenity of the nearby residences and the environment.

b) Any variation from Figure 2 initiated by the applicant must be justified by an urban design study and detail description included within the Statement of Environmental Effects.

c) There shall be sufficient space for bulky waste to be presented and collected at the kerbside of the internal road associated with the development site. There should be a dedicated space for other recycling systems beside normal kerbside collection, such as separate bins for clothes and e-waste including household batteries and mobile phones. Waste collection from Links Avenue will not be supported.

d) Any future development application for medium or high-density housing will need to be accompanied by an application for re-subdivision that delineates the boundaries between the R3 Medium Density Residential and R4 High density residential zones consistent with figure 2 of the SSDCP.

Building Height

Objectives

a) The building height is appropriate for the scale and character of the street and provides an acceptable impact on the amenity of adjoining properties.

b) Ensure new development is consistent and compatible with established built form and hence results in a physically cohesive neighbourhood.

c) Ensure appropriate separation between existing dwellings adjoining and dwellings proposed within the site.

d) Ensure minimal overshadowing of neighbours properties.

e) Ensure privacy and limited side and rear views of neighbours properties are maintained.

f) Maintain sunlight in public and private open spaces

Controls

Residential Flat Building Height

The maximum height of any residential flat building in R4 High Density Residential zone is 6 storeys (excluding basements) and 20 metres as outlined on the Fairfield LEP 2013 Height of Buildings Map.

Multi Dwelling Housing Height

The maximum height of the multi dwelling housing for the R3 Medium Density Residential portion of the site is 2 storeys plus attic (excluding basements) and 9 metres as outlined on the Fairfield LEP 2013 Height of Building Maps.

10.14.4 Building Setbacks and Separation

Objectives

a) Maintain and enhance established streetscape and character of the neighbourhood. Components of streetscape and character of the neighbourhood include building setback, landscaping, fencing, lighting, pathways, and street trees.

b) Protect the privacy and solar access of adjacent properties.

c) Avoid blank/plain façades along publicly visible parts of the development.

d) Achieve a staggered and articulated built form.

e) Ensure vehicular and pedestrian safety.

f) Ensure landscaping opportunities, (sufficient deep soil areas) are available along the boundaries in cases where basement car park is proposed.

g) Ensure appropriate space between buildings and boundaries is provided to maintain privacy, allow reasonable solar access and opportunities for landscaping where appropriate.

h) Ensure there is sufficient spatial separation between dwellings to accommodate access (i.e. both vehicular and pedestrian access) and landscaping needs.

i) Ensure that setbacks to Orange Grove Road achieve deep soil planting in order to enhance privacy and mitigate acoustic impacts from the roadway.

Control General

Building setbacks are to be provided generally in accordance with the setbacks dimensioned on Figure 2 - Site Layout and Building Design of this SSDCP.

Residential Flat Building Setbacks

a) The minimum setback distance between the residential flat building and adjoining properties at the eastern boundary shall be 9 metres or in accordance with the Apartment Design Guide, whichever is greater.

b) The minimum building setback to Cabramatta Road West and Orange Grove Road on the land zoned R4 High Density Residential is 6 metres.

c) The minimum setback distance between the residential flat building component and the multi dwelling housing component shall comply with the Apartment Design Guide.

Multi Dwelling Housing Setbacks

a) The minimum building setback to Orange Grove Road on the land zoned R3 Medium Density Residential is 5 metres.

b) The minimum rear-building setback to the adjoining Links Avenue property boundaries is 4.5 metres.

c) The minimum side-building setback to the adjoining property boundaries is 0.9 metres.

d) The minimum separation distance between dwellings sharing private open space to the rear is 7 metres. The private open space for these townhouses shall be designed in a manner that reduces overlooking and promotes privacy.

e) The minimum separation distance between dwellings that face each other across the internal roadway is 8.85 metres for multi dwelling housing addressing the western access road and 8.4 metres for multi dwelling housing addressing the eastern access roads.

a) Residential Flat Building Design

Objectives

Ensure that the residential flat building considers and is consistent with the nine design quality principles within *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development*.

Controls

The residential flat building design is subject to the requirements of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development including Design Quality Principles and the Apartment Design Guide.

b) Building Form Multi Dwelling Housing

Objectives

a) Ensure privacy is maximised for neighbours of the development and those who will occupy the townhouse/villas development.

b) Reduce bulk and achieve a mix of two storey built elements that respond to the opportunities and constraints of the site.

c) Encourage the massing of the dwellings to take into account overshadowing impacts on surrounding properties and private open space within the development.

d) Ensure development is compatible with its surroundings

e) Ensure building bulk, site coverage and open space provisions are compatible with neighbouring development.

f) Ensure that there is sufficient spatial separation between dwellings to accommodate access and landscaping needs.

Controls

a) Maximum permissible floor space ratio for any development must comply with the floor space ratio standards prescribed on the Fairfield LEP 2013 Floor Space Ratio Map. The requirements set out in the 6A.2.1 (FSR) of the Fairfield City Wide DCP 2024 must be complied with.

b) Maximum permissible building height for any development must comply with the building height standards prescribed on the Fairfield LEP building Heights Map. The requirement set out in 6A.2.2 Building Height of the Fairfield City Wide DCP 2024 must be complied with.

c) Ensure that the development complies with the controls set out in Section 6A.2.4 Balanced Building Form within the Fairfield City Wide DCP 2024.

d) The development must comply with the controls outlined within Section 6A.2.5 Building Separation.

e) The development must comply with all other sections within Chapter 6A.2 Built Form and Urban Design of the Fairfield City Wide DCP 2024 including units per site area, size of rooms and storage, Access for all residents, Dwelling position/orientation and Development Façade.

f) The development must comply with the objectives and controls outlined in 6A.5.3 Privacy of the Fairfield City Wide DCP 2024.

10.14.5 Mix of Units

Objectives

c) Ensure that housing supply responds to the needs of the local population.

d) Ensure a mix of units is available which provides for different family sizes and people at different stages of their life cycle.

Controls

There is no minimum requirement for 1, 2 or 3 + bedroom dwellings on the R3 Medium Density Residential land.

10.14.6 Units per Site Area

Objectives

a) Encourage a guide as to the potential yield of a development site.

b) Encourage amalgamation of lots.

c) Provide adequate space for dwellings and their amenities.

Controls

Any multi dwelling housing development must not exceed the maximum FSR limit for the site set out in the relevant Fairfield Local Environmental Plan that applies when any development application is determined. There is no limit on the number of multi dwelling houses or apartments on the site.

10.14.7 Solar Access and Natural Ventilation

Objectives

e) Encourage the benefits of winter sun and minimise the intrusion of summer heat in design.

f) Ensure internal living spaces and private open space has adequate access to sunlight.

g) Maintain direct sunlight to adjacent dwellings.

Controls

a) All dwellings must be designed to ensure compliance with the controls in 6A.5.1 Solar Access of the Fairfield City Wide DCP 2024.

b) Each Dwelling is to be naturally ventilated.

10.14.8 Traffic and Parking

Vehicular and Pedestrian Access

Objectives

a) Internal vehicle and pedestrian circulation should function like a street, minimise the dominance of the driveway, and minimise impact on habitable spaces.

b) Ensure adequate off-street car parking spaces are available within the subject site.

c) Ensure adequate off-street car parking is appropriately located on site, is accessible, and available at all time to residents and visitors.

Controls

a) A two- way internal access road is to be provided in the general format shown on figure 2 and designed in accordance with the relevant Australian Standards.

b) The internal access road is to be designed to ensure Council's waste vehicles and emergency vehicles can access the site.

c) The two-way internal road is to serve as a shared pedestrian and vehicle environment. Appropriate traffic calming mechanisms are to be detailed as part of the relevant development application.

d) The carriageway width of the internal road network curb to curb is to be a minimum of 6 metres.

e) The carriageway width including the curb is to be 8.850 metres.

f) The carriageway width between properties situated adjacent to each other across the internal road network is to be 12.150 metres measured from the building line of the garage.

g) Pedestrian access is to be provided in the general format shown in Figure 2 Site Layout and building setbacks.

h) Traffic control measures are to be considered at the sites entrance to mitigate potential impacts of existing traffic movements along Links Avenue.

i) A pedestrian access and mobility plan is to be developed and prepared by a suitably qualified traffic consultant, including identification of key desire lines. The plan must show the developments impact to the frontage along Cumberland Highway including the impact on the Transport NSW requirements of a strategic cycling corridor and walking corridor in Transport NSW Sydney Cycling Future 2013.

j) Vehicle ingress and egress shall be provided solely from 6 Links Avenue.

k) Stop signs are to be installed at the exit of the development to provide Links Avenue traffic priority.

Parking

Objectives

a) Ensure adequate off-street car parking spaces are available on site for residents and visitors.

b) Ensure off-street car parking is accessible and available at all times to residents and visitors.

c) Encourage the use of public transport.

d) Minimise the portion of the site dedicated to vehicle parking.

Controls

a) Car parking spaces must comply with minimum dimension requirements set out within the relevant Australian Standard.

b) Disabled and emergency vehicle parking must be provided at the rate specified in the relevant Australian Standard.

c) Car parking rates must be provided at the rate specified in Chapter 12 Table 1 Parking rates of the Fairfield City Wide DCP 2024.

Traffic Noise Attenuation

Objectives

a) Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.

b) Ensure appropriate acoustic treatments are incorporated within the development.

c) Ensure varieties of acoustic treatments are used to protect existing neighbouring residents.

Controls

a) Future development applications must demonstrate that dwellings can achieve the relevant internal noise criteria.

b) Any future Development Application located near a major road must address the noise, vibration and air quality impacts of the major road on the development. The requirements of State Environmental Planning Policy Infrastructure (2007) apply.

c) Council may require the applicant prepare an acoustic report prepared by a suitably qualified professional in relation to noise emission issues.

10.14.9 Open Space, Landscaping and Environment

Communal and Private Open Space

Objectives

a) Adequate area for communal open space is provided that enhances residential amenity.

b) Ensure adequate private open space for town house developments.

c) Ensure private open space includes landscaping and soft soil zones.

d) Ensure direct access and a relationship between indoor and outdoor living areas.

e) Ensure that private open space is useable, functional and easily accessible for residents.

f) Ensure passive surveillance of communal open space.

Controls

a) The area of principal private open space provided for each dwelling is at least 25sqm with a minimum dimension of 2.5 metres.

b) The total area of communal open space must be a minimum of 8% of the R3 Medium Density Residential component of the site area illustrated on figure 2.

c) The minimum area of the primary communal open space must not be less than 1020sqm.

d) Common Open Space must include features such as seating, shade structures, child play equipment and barbeques to satisfy the recreation needs of residents

e) The three communal open space parcels onsite, including the communal open space for the residential apartments and the terraces must be embellished to a standard to allow for passive recreation and landscaping.

f) The main parcel of communal open space adjoining the eastern boundary (approximately 1020sqm) shall be stepped or terraced to allow appropriate passive recreation while maintaining reasonable accessibility to people with prams, wheelchairs or a disability.

g) The stepping or terracing of the main parcel of communal open space must be undertaken in such a manner to ensure the long term retention of significant vegetation.

Landscaping

Objectives

a) Ensure appropriate amenity for the development

b) Ensure appropriate amenity for the adjoining existing dwellings.

Controls

a) Landscaping should form part of the overall development, providing separation (visual and acoustic) to adjoining residential dwellings.

b) The access handle to Links Avenue should be appropriately landscaped with mature plants to ensure visual and acoustic separation between the road, car parking and existing dwellings.

c) Units addressing the large communal open space shall have fencing at a scale and design that provides appropriate passive surveillance.

d) Landscaping between the proposed residential flat building and the adjoining existing low- density residential area are to be of mature plantings approved by Council's relevant Natural Resources Officer, or similar.

Tree Protection

Objectives

a) To provide adequate opportunities for the retention of existing mature trees.

b) To provide a tree canopy that will form part of the broader tree canopy for the suburb.

c) Provision of new vegetation that contributes to biodiversity, enhances tree canopy, minimises urban runoff and provides separation between the development and existing residential dwellings adjoining the site.

d) The existing trees identified green on figure 2 of this SSDCP must be retained unless agreed by Council.

Controls

a) Any development application to remove trees must provide an arborist report prepared by a suitably qualified professional.

b) Any development application proposing removal of vegetation of significance must provide an ecological report prepared by a suitably qualified professional.

c) Any works pertaining to the removal or preservation of trees onsite must comply with the requirements set out in Chapter 3A Environmental Management constraints of the Fairfield City Wide DCP 2024.

d) Any future development must comply with relevant provisions of the Biodiversity Conservation Act 2016 (BCA), including biodiversity offset requirements. Relevant technical reports under the BCA including a Biodiversity Assessment Method (BAM). A Biodiversity Assessment Report (BDAR) would be required to be prepared by an accredited assessor.

10.14.10 Drainage

On Site Detention

Objectives

To ensure that by using OSD, storm water discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Controls

e) Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.

f) OSD is to be provided generally in accordance with the location shown on Figure 2 of this SSDCP. The OSD should be designed to accommodate a volume of approximately 340 cubic metre.

Cut and Fill

Objectives

The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimise the impacts of retaining walls.

Controls

Unless the dwelling is over a basement or identified on Figure 3 of this SSDCP as an area requiring fill, the height of ground floor level above the natural ground level shall be limited to 600mm except where it is required to be raised to achieve a suitable freeboard above the flood level or the 100 year ARI water level of an on-site detention basin. This 600mm height includes the fill, bedding and the slab thickness. Any variation from this floor height shall not cause adverse amenity impacts to the adjoining properties and shall be justified to the Council.

10.14.11 Accessibility

Objectives

a) Provide easy access for all, including people with prams, wheelchairs, walking difficulties, and sight, hearing or intellectual impairments.

b) Ensure the development accounts for the needs of individuals with disabilities and the elderly.

Controls

A minimum of 10% of the multi dwelling houses must have a bedroom, bathroom and kitchen on the ground floor.

10.14.12 Boundary Articulation to Orange Grove Road

Objectives

To ensure the boundary fencing to Orange Grove Road is articulated to allow for additional landscaping along the street edge to reduce the visual impact of the boundary fence.

Controls

c) The boundary fence along Orange Grove Road is to be articulated generally in accordance with Figure 2 of this SSDCP.

d) Appropriate landscaping is to be provided in the articulation zones along the street frontage.



Figure 2 – Site Layout and Building Setbacks and Common Open Space

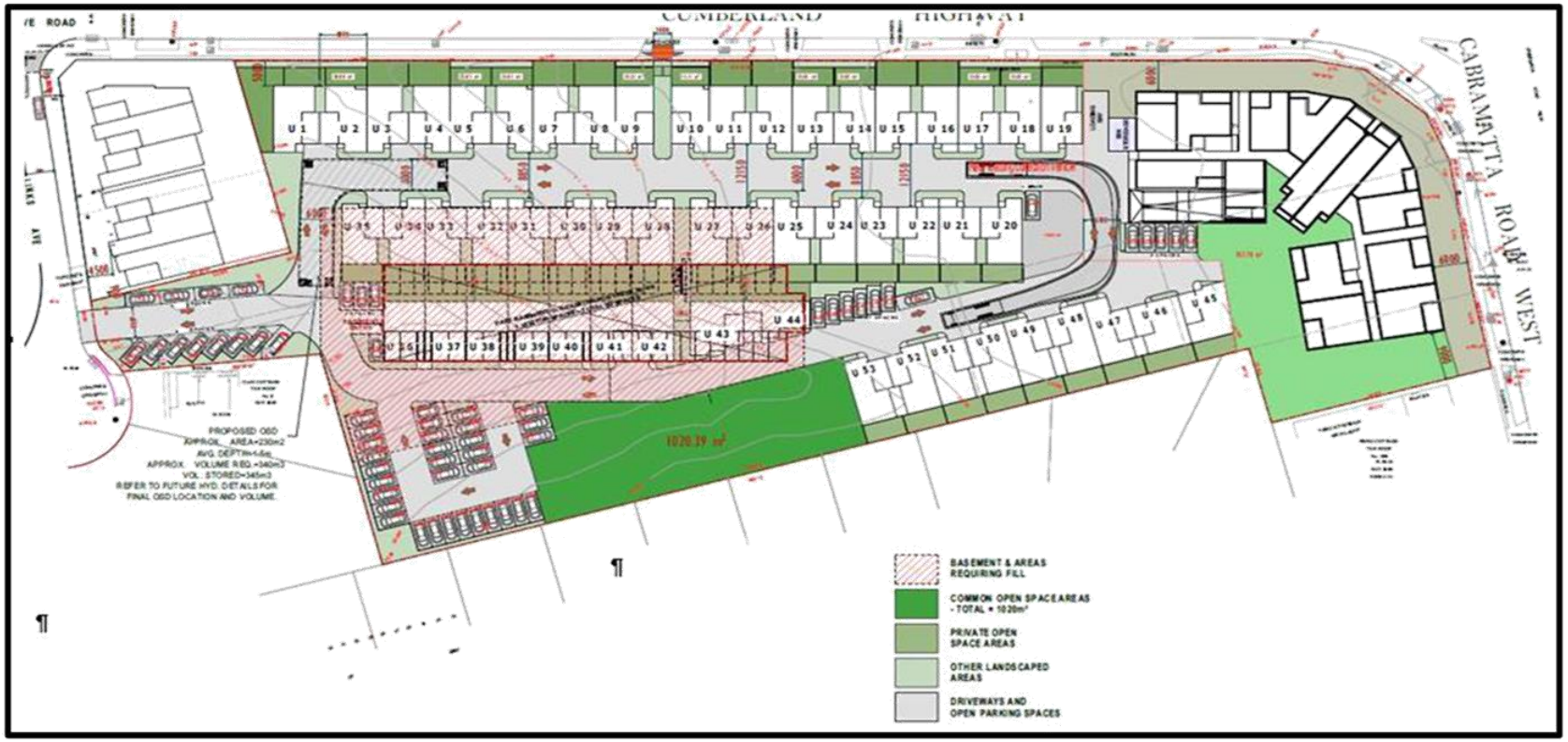

Figure 3 – Basement and Fill Areas

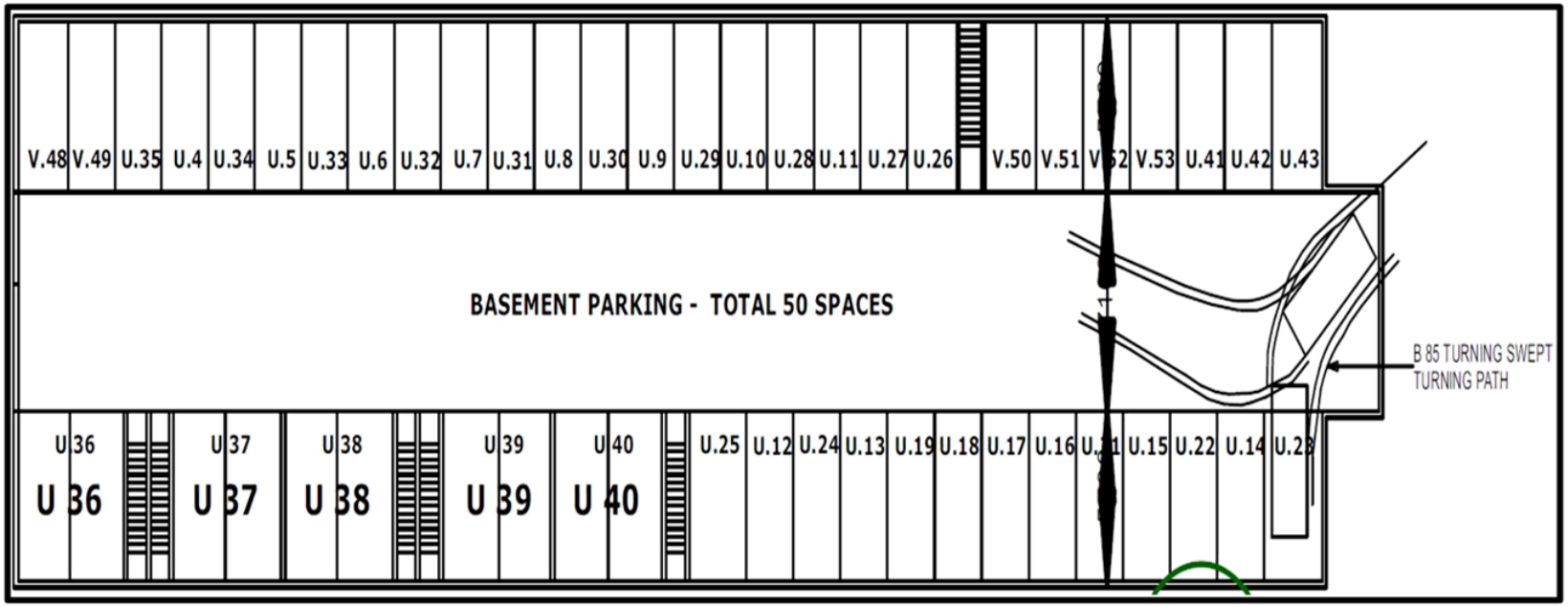

Figure 4 – Basement Parking Plan on R3 Land

10.15 Special Entertainment Precincts

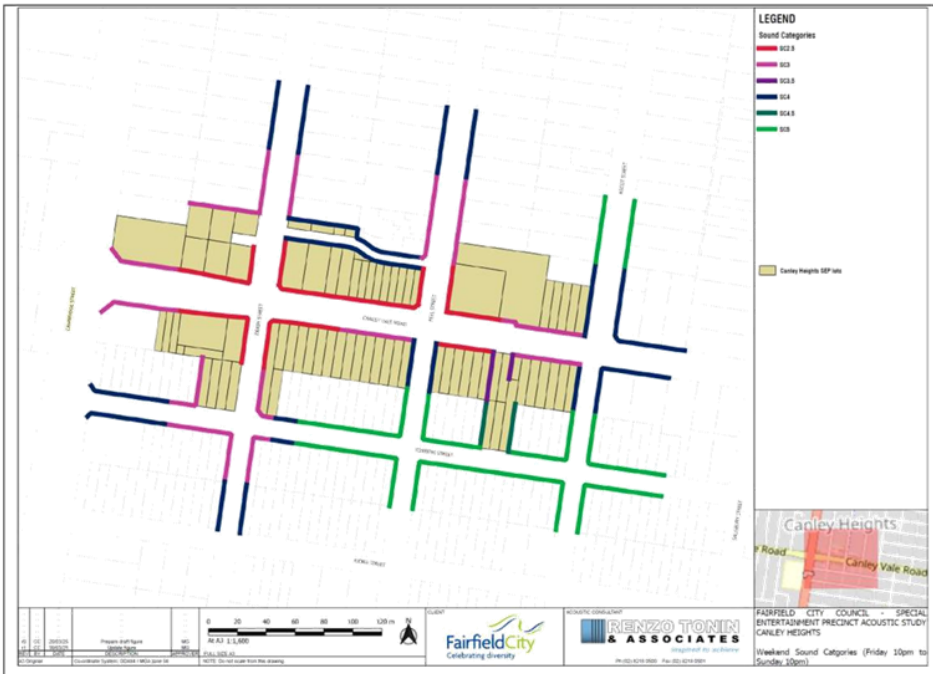

Figure 1. Sound Category Areas for Canley Heights



Figure 2. Sound Category Areas for Canley Vale

Objectives of Special Entertainment Precincts

1. Support the City's nightlife and night-time economy.
2. Encourage businesses to provide more live entertainment opportunities in the city.
3. Attract investment and redevelopment in the town centres by providing greater certainty for local businesses and residents regarding the operation of SEPs.
4. Enhance tourism and economic opportunity of SEPs that promote the scope for unique cultural experiences and activities.
5. Create opportunities for diverse entertainment and dining experiences in SEPs.

10.15.1 Sound Category Area - Sound levels

Objectives

1. To define the maximum external entertainment sound permitted within a Sound Category Area.
2. To future proof new mixed-use development within Special Entertainment Precincts with appropriate noise amelioration measures to minimise noise pollution from entertainment sound.

Control

1. Sound Category Areas applies at the property boundary of a property identified in Figures 1 and 2 at a height of 1.5m above the finished floor level for each floor of a building. Sound levels for each of the Sound Category Areas are detailed in Figure 3 below.

Sound Category ID	7am to 10pm				10pm to midnight				Midnight to 7am			
	Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)		
		31.5	63	125		31.5	63	125		31.5	63	125
SCA 2.5	70	74	73	71	70	74	73	71	65	69	68	66
SCA 3	65	69	68	66	65	69	68	66	60	64	63	61
SCA 3.5	65	69	68	66	60	64	63	61	55	59	58	56
SCA 4	60	64	63	61	60	64	63	61	50	59	58	56
SCA 4.5	60	64	63	61	55	59	58	56	50	59	58	56
SCA 5	55	59	58	56	55	59	55	51	50	54	50	46
SCA 6	50	54	50	46	45	54	50	46	40	54	50	46

Figure 3. External Entertainment sound criteria per Sound Category Area by time of day

10.15.2 Acoustic requirements for Existing Mixed-Use Developments

Objectives

1. To ensure sensitive receivers are designed to attenuate against noise from existing and future entertainment venues.
2. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive receivers.

Controls

1. If a new commercial tenancy or residential dwelling is proposed within an existing mixed use building the criteria set out in table 4 (Entertainment Noise through internal path) must be satisfied.
   - A new entertainment venue – A new entertainment venue moving into the commercial premises of an existing mixed-use building with existing residential occupancies is required to implement sound insulation performance upgrades to the building and operate in a manner such that the transmission of entertainment noise into the residential component of the mixed-use building satisfies the internal noise criteria specified in table 4 below.
   - New residential premises – A new residential premises being developed in a mixed-use building with an existing entertainment venue is required to implement sound insulation performance upgrades to the building such that transmission of entertainment noise from the existing venue operations satisfies the internal noise criteria in the residential premises specified in table 4 below.
   - Noise Impact Assessment - Noise impact assessment must be prepared by a suitably qualified acoustic consultant demonstrating that the proposal is able to comply with the sound levels identified in Figure 4 (below), with any application for a new or modified sensitive receiver located within a Sound Category Area.

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	30	54	47	41
	Early night	30	54	47	41
	Late night	30	54	47	41
Residential accommodation (excluding hotels and hostels) – bedrooms	Day / evening	30	54	47	41
	Early night	25	49	42	36
	Late night	25	49	42	36

Figure 4. Entertainment Noise through contribution through internal path

2. Where noise attenuation measures impact the provision of natural ventilation, alternative ventilation must be provided to ensure the proposal complies with the National Construction Code.
3. Noise impact from other sources, such as road and rail must be assessed separately in accordance with relevant Standards and policies.

10.15.3 Acoustic Requirements for New Mixed-Use Development

Objectives

1. To ensure that new mixed-use developments can achieve compliance with internal sound criteria cumulative entertainment noise.

2. To ensure a balance is achieved between commercial businesses and residential amenity in mixed use development.

Controls

1. Submit a noise impact assessment with an application for mixed use development that demonstrates:
   - New mixed-use buildings will comply with the internal sound criteria specified in figure 5.
   - Demonstrate that proposed noise attenuation measures to be designed into the building can satisfy the internal sound criteria specified in figure 5.
   - The development must ensure compliance with internal criteria set out in the NSW State Environmental Planning Policy (Transport and Infrastructure) for road and rail traffic noise.

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	35	59	52	46
	Early night	35	59	52	46
	Late night	35	59	52	46
Residential accommodation (excluding hotels and hostels) – bedrooms	Day / evening	35	59	52	46
	Early night	30	54	47	41
	Late night	30	54	47	41

Figure 5. Internal Sound Criteria – Cumulative Entertainment Noise Level

10.15.4 Sound and patron management requirements for entertainment venues

Objectives

1. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive land uses.

Controls

1. Submit a noise impact assessment prepared by a suitably qualified acoustic consultant with applications for a new or modified venue. It must:
   - Detail physical noise attenuation measures to demonstrate the venue can operate within the internal sound criteria for entertainment noise as specified in Figure 4 and 5.
   - Demonstrate that the venue can operate without breaching the external entertainment sound for live entertainment venues specified in Figure 3.
2. A Plan of Management must be submitted and include:
   - Details of the use of the site
   - Operational details of the premises

- Hours of Operation
- Noise mitigation and management - The Plan of Management should detail all noise management measures to ensure that the development can achieve the criteria in the sound category area.
- Premises management measures
- Security and safety
- Performance, creative or cultural programming
- Methods employed to implement harm minimisation and the responsible service of alcohol.
- (RSA) requirements

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Chapter 11
Flood Risk Management

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11.0 Local Context and Background

In July 2021 the NSW Government introduced an updated flood-prone land package which included the following documents:

- Revised 9.1 local planning direction on flooding;
- New planning circular on flooding PS21-006;
- New Guideline – Considering Flooding in Land Use Planning;
- New mandatory LEP clause – Flood Planning; and
- New optional LEP clause – Special Flood Considerations;

Then in July 2023 the NSW Government released the new Flood Risk Management Manual and updated NSW Flood Prone Land Policy which replaced the previous Floodplain Development Manual as the NSW Government's manual relating to the management of flood liable land.

An additional Planning Circular PS 24-001 – *Update on addressing flood risk in planning decisions* was also introduced by the NSW Government in March 2024 which supplements PS 21-006 – *Considering flooding in land use planning: guidance and statutory requirements* (above). This circular provides additional information to Council's in relation to addressing flood risk in land use planning and development assessment under the EP&A Act 1979.

NSW Flood Prone Land Policy

The primary objective of the new Policy is to reduce the impacts of flooding and flood liability on communities and individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible. In doing so, community resilience to flooding is improved.

To achieve its primary objective, the policy provides:

- An emphasis on the importance of developing and implementing FRM plans;
- Recognition of the potential implications of climate change on flooding behaviour;
- Recognition of the need to consider ways to maintain and enhance riverine and floodplain ecology in the development of FRM plans;
- A floodway definition based on the consideration of the effect of loss of flow conveyance on flood behaviour, hazard and damages;
- A flexible merit-based approach to be followed by Councils;
- A merit-based approach to the selection of risk-based flood planning levels (FPLs);
- Councils are primarily responsible for the determination of appropriate planning and development controls;

- Explicit recognition that FRM needs to take into account the principles of ecologically sustainable development (ESD); and
- Relief from land tax, council rates and water and sewerage rates where vacant land cannot be developed because of its flood prone nature.

NSW Floodplain Risk Management Manual 2023 - Implementation

The vision for the 2023 Floodplain Risk Management Manual (FRMM) is that floodplains are strategically managed for the sustainable long-term benefit of the community and the environment, and to improve community resilience to floods. To implement the objectives of the FRMM 2023 and Flood Prone Land Policy the following 10 principles for FRM guide council:

1. Establish sustainable governance arrangements
2. Think and plan strategically
3. Be consultative
4. Make flood information available
5. Understand flood behaviour and constraints
6. Understand flood risk and how it may change
7. Consider variability and uncertainty
8. Maintain natural flood functions
9. Manage flood risk effectively
10. Continually improve the management of flood risk

Local Government is the primary authority responsible for both flood risk management and land use planning in New South Wales. The State Government's flood policy provides for a flexible merit based approach to be followed by local government when dealing with planning, development and building matters on flood prone land. For Council to fully carry out its responsibilities for management of flood prone land, it is necessary to prepare a local "Floodplain Risk Management Plan" (FRMP).

The NSW FRMM requires that Councils prepare Floodplain Risk Management Studies (FRMS) as a prelude to the formulation of a FRMP that, among other things, would control development and other activity within the floodplain. The process for preparing a FRMS and FRMP is depicted by Figure 11.1 below.

The following controls within this Chapter of the City Wide DCP are consistent with the State Government's "Flood Prone Land Policy" and the NSW FRMM. The controls in this chapter, represent an application of the State Policy that reflects local circumstances, as identified for some floodplains, through the preparation of FRMS's and FRMP's.



Figure 1 Flood Risk Management Process (FRMM 2023)

11.1 Objectives in relation to Flood Risk Management

a) To minimise the potential impact of development and other activity upon the aesthetic, recreational and ecological value of the waterway corridors.

b) Increase public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 1% Annual Exceedance Probability (AEP) (1 in 100 Year ARI) flood up to the Probable Maximum Flood (PMF) and to ensure essential services and land uses are planned in recognition of all potential floods.

c) Inform the community of Council's controls and policy for the use and development of flood prone land.

d) Reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.

e) Provide detailed controls for the assessment of applications lodged in accordance with the Environmental Planning and Assessment Act 1979 on land affected by potential floods.

f) Provide different guidelines, for the use and development of land subject to all potential floods in the floodplain, which reflect the probability of the flood occurring and the potential hazard within different areas.

g) Apply a "merit-based approach" to all development decisions which takes account of social, economic and ecological considerations.

h) To control development and other activity within each of the individual floodplains within the LGA having regard to the characteristics and level of information available for each of the floodplains, in particular the availability of FRMS's and FRMP's prepared in accordance with the FRMM and its predecessor.

i) Deal equitably and consistently with applications for development on land affected by potential floods, in accordance with the principles contained in the FRMM and NSW Flood Prone Land Policy, issued by the NSW Government.

11.2 How does the plan relate to other legislation and regulations?

This Plan should be read in conjunction with the relevant provisions of the following:

- NSW Government Flood Prone Lands Policy and Flood Risk Management Manual (FRMM 2023);
- the Environmental Planning and Assessment Act, 1979, and Regulations thereto;
- applicable Environmental Planning Instruments (in particular Fairfield Local Environmental Plan (LEP) 2013;
- State Environmental Planning Policy (Biodiversity & Conservation) 2021; and
- other relevant controls of this DCP and policies adopted by Council.

11.3 What do the terms in this chapter mean?

For the purpose of this Plan, the following definitions have been adopted:

Adequate Warning Systems, Signage and Exits is where the following is provided:

(a) an audible and visual alarm system which alerts occupants to the need to evacuate, sufficiently prior to likely inundation to allow for the safe evacuation of pedestrians and vehicles;

(b) signage to identify the appropriate procedure and route to evacuate; and

(c) exits which are located such that pedestrians evacuating any location during any flood do not have to travel through deeper water to reach a place of refuge above the 1% AEP (1 in 100 year ARI) flood away from the enclosed car parking.

Australian Height Datum (AHD) is a common national plain of level corresponding approximately to mean sea level.

Annual Exceedance Probability (AEP) The chance of a flood of a given or larger size occurring in any one year, usually expressed as a Percentage AEP is generally the preferred terminology. ARI is the historical way of describing a flood event, for example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

Average Recurrence Interval (ARI) means the long-term average number of years between the occurrence of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 20 year ARI flood event will occur on average once every 20 years. ARI is another way of expressing the likelihood of occurrence of a flood event.

Boundary of Significant Flow defines that area of the floodplain where a significant discharge of water occurs during floods. Should the area within this boundary be fully or partially blocked, a significant distribution of flood flows or increase in flood levels would occur.

Note: Flood maps prepared by Council for individual floodplains may identify this boundary. This line is intended to identify an area of the floodplain within which any obstruction such as a building, fence or filling is likely to have an unacceptable impact on flood levels or flows. Notwithstanding, unacceptable impacts on other properties in the floodplain may also occur due to development outside of the area, and the need to assess this may be required by Council.

Compensatory Works refers to earthworks where material is excavated (or "cut") from one location in the floodplain and placed (or "filled") at another location in the floodplain, with no net importation of fill material, such that the volume available for storage of flood waters is not altered for all floods.

Conveyance is a direct measure of the flow carrying capacity of a particular cross-section of a stream or stormwater channel. (For example, if the conveyance of a channel cross-section is reduced by half, then the flow carrying capacity of that channel cross-section will also be halved).

Design floor level **or** ***ground level*** means the minimum floor level that applies to the development. If the development is concessional development, this level is determined based on what land use category would apply if it was not categorised a Concessional Development. The floor level standards specified for the relevant land use category (excluding Concessional Development) in the low flood risk precinct are to be applied.

Ecologically sustainable development (ESD) is using, conserving and enhancing natural resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be maintained or increased.

Effective warning time is the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move farm equipment, move stock, raise furniture, evacuate people and transport their possessions.

Enclosed car parking means car parking which is potentially subject to rapid inundation, which consequently increases risk to human life and property (such as basement of bunded car parking areas). The following criteria apply for the purposes of determining what is enclosed car parking:

(a) Flooding of surrounding areas may raise water levels above the perimeter which encloses the car park (normally the entrance), resulting in rapid inundation of the car park to depths greater than 0.8m, and

(b) drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity.

Extreme flood means an estimate of the probable maximum flood, which is the largest flood likely to ever occur.

Flood is a relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage as defined by the FDM before entering a watercourse.

Note: Consistent with the FDM, these controls do not apply in the circumstances of local drainage inundation as defined in the FDM and determined by Council. Local drainage problems can generally be minimised by the adoption of urban building controls requiring a minimum difference between finished floor and ground levels

Flood awareness is an appreciation of the likely effects of flooding and a knowledge of the relevant flood warning and evacuation procedures.

Flood compatible building components means a combination of measures incorporated in the design and/or construction and alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.

Note: A list of typical flood compatible building components is provided in Schedule 1 of this chapter.

Flood compatible materials include those materials used in building which are resistant to damage when inundated.

Note: A list of typical flood compatible materials is provided in Schedule 1 of this chapter.

Flood control lot means those properties that have been identified as being within Council's flood planning area. Certain State Environmental Planning Policies (SEPPs) set out rules relating to complying development on flood control lots, including:

- SEPP (Exempt and Complying Development Codes) 2008 for residential, commercial and industrial, and agritourism development;
- SEPP (Transport and Infrastructure) 2021 (T&I SEPP) for schools, TAFEs and universities; and
- SEPP (Housing) 2021 for secondary dwellings and group homes.

Flood evacuation strategy means the proposed strategy for the evacuation of areas within effective warning time during periods of flood as specified within any policy of Council, the FRMP, the relevant SES Flood Plan, by advices received from the State Emergency Services (SES) or as determined in the assessment of individual proposals.

Flood prone land (being synonymous with ***flood liable*** and ***floodplain***) is the area of land which is subject to inundation by the probable maximum flood (PMF).

Flood Risk Management Manual (FRMM) means the policy and manual for the management of flood liable land.

Floodplain Risk Management Plan (FRMP) means a plan prepared for one or more floodplains in accordance with the requirements of the FRMM or its predecessors.

Note: The predecessors to the FRMM provided similar processes for the preparation and adoption of FRMPs and Floodplain Management Plans, which all have the status of FRMPs for the purposes of this Plan.

Floodplain Risk Management Study (FRMS) means a study prepared for one or more floodplains in accordance with the requirements of the FDM or its predecessors.

Note: The predecessors to the FRMM provided similar processes for the preparation and adoption of FRMSs and Floodplain Management Studies, which all have the status of FRMSs for the purposes of this Plan.

Flood Risk is based on the consideration of the consequences of the full range of flood behaviour on communities and their social settings, and the natural and built environment.

Flood Risk Merit approach is an approach, the principles of which are embodied in the FRMM which weighs social, economic, ecological and cultural impacts of land use options for different flood prone areas together with flood damage, hazard and behaviour implications, and environmental protection and well being of the State's rivers and floodplains.

Freeboard **aims to** provide reasonable certainty that the risk exposure selected in deciding on a specific event for development controls or mitigation works is achieved. Freeboards for development controls and mitigation works will differ. In addition freeboards for development control may vary with the type of flooding and with the type of development Freeboard is included in the flood planning level.

Habitable floor area means:

- in a **residential situation**: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- in an **industrial or commercial situation:** an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

Note: Separate considerations are specified for the car parking area of a development irrespective of the land use with which it is associated.

Hazard is a source of potential harm or conditions that may result in loss of life, injury and economic loss due to flooding In relation to this plan, the hazard is flooding which has the potential to cause harm or loss to the community.

Hydraulic hazard is the hazard as determined by the provisional criteria outlined in the FRMM in a 100 year flood event.

Local drainage means small scale inundation in urban areas outside the definition of major drainage as defined in the Floodplain Risk Management Guidelines. Local drainage problems invariably involve shallow depths (less than 0.3 metre) with generally little danger to personal safety.

Local overland flooding means inundation by local runoff rather than overbank discharge from a stream, river, estuary, lake or dam on its way to a waterway, rather than overbank flow from a waterway.

Outbuilding means a building that is ancillary to a principal residential building and includes sheds, garages, carports and similar buildings but does not include granny flats or secondary dwellings.

Probable maximum flood (PMF) is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation (PMP).

Probable maximum precipitation (PMP) is the greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to the estimation of the probable maximum flood.

Probability is a statistical measure of the expected chance of flooding (see ARI).

Rebuilt dwelling refers to the construction of a new dwelling on an allotment where an existing dwelling is demolished.

Reliable access during a flood means the ability for people to safely evacuate an area subject to flooding, having regard to the depth and velocity of flood waters and the suitability of the evacuation route, without a need to travel through areas where water depths increase.

Site Emergency Response Flood Plan (not being an SES Flood Plan) is a management plan that demonstrates the ability to safely evacuate persons and include a strategy to move goods above the flood level within the available warning time. This Plan must be consistent with any relevant flood evacuation strategy, flood plan or similar plan.

Survey plan is a plan prepared by a registered surveyor which shows the information required for the assessment of an application in accordance with the provisions of this Plan.

11.4 Overview - Criteria for determining applications

The criteria for determining applications for proposals potentially affected by flooding are structured in recognition that different controls are applicable to different land uses and levels of potential flood inundation and hazard.

The procedure to determine what controls apply to proposed development involves:

a) firstly, identifying the land use category of the development (from Schedule 2 at the end of Chapter 11);

b) secondly, determine which floodplain and which part of that floodplain the land is located within (refer to Clause 11.6 and relevant flood risk mapping); and

c) then apply the controls outlined under Clause 11.7.

Clause 11.8 provides specific requirements for fencing in the floodplain, while Clause 11.10 identifies special considerations which will apply only to some development in specific circumstances.

Clauses 11.7 and 11.8 which provide controls for development and fencing in the floodplain contain objectives, performance criteria and prescriptive controls, with the following purpose:

a) ***The objectives*** represent the outcomes that the Council wishes to achieve from each control.

b) ***The performance criteria*** represent a means of assessing whether the desired outcomes will be achieved.

c) ***The prescriptive controls*** are preferred ways of achieving the outcome. While adherence to the prescriptive controls may be important, it is paramount that the objectives and the performance criteria are clearly satisfied.

11.5 Land Use Categories

Eight major land use categories have been adopted. The specific uses, as defined by the applicable Environmental Planning Instruments, which may be included in each category, are listed in **Schedule 2 at the end of Chapter 11.**

11.6 Flood Risk Precincts

Each of the floodplains within the local government area can be divided into precincts based on different levels of potential flood risk. The relevant Flood Risk Precincts (FRP's) for each of the floodplains are outlined below.

- **High Flood Risk Precinct -** This has been defined as the area of land at or below the 100 year flood that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties.

Note: The high flood risk precinct is where high flood damages, potential risk to life or evacuation problems would be anticipated, or development would significantly and adversely affect flood behaviour. Most development should be restricted in this precinct. In this precinct, there would be a significant risk of flood damages without compliance with flood related building and planning controls

- **Medium Flood Risk Precinct -** This has been defined as land at or below the 100 year flood that is not in a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties

Note: In this precinct there would still be a significant risk of flood damage, but these damages can be minimised by the application of appropriate development controls

- **Low Flood Risk Precinct -** This has been defined as all other land within the floodplain (i.e. within the extent of the probable maximum flood) but not identified within either the High Flood Risk or the Medium Flood Risk Precinct.

11.7 Overview - Which Controls Apply to Proposed Developments

The development controls apply to all land within a Flood Risk Precinct described above. The type and stringency of controls have been graded relative to the severity and frequency of potential floods, having regard to categories determined by the relevant Floodplain Risk Management Study and Plan or, if no such study or plan exists, council's interim considerations. The categories applicable to each floodplain are depicted in the planning matrix contained in Schedule 4 at the rear of Chapter 11.

11.7.1 Objectives

a) To ensure the proponents of development and the community in general are fully aware of the potential flood hazard and consequential risk associated with the use and development of land within the floodplain.

b) To require developments with high sensitivity to flood risk (e.g. critical public utilities) to be sited and designed such that they are subject to no or minimal risk from flooding and have reliable access.

c) Allow development with a lower sensitivity to the flood hazard to be located within the floodplain, subject to appropriate design and siting controls, provided that the potential consequences that could still arise from flooding remain acceptable having regard to the State Government's Flood Policy and the likely expectations of the community in general.

d) To restrict any intensification of the use of land within a High Flood Risk Precinct or land within the boundary of significant flow, and wherever appropriate and possible, allow for their conversion to natural waterway corridors.

e) To ensure that design and siting controls required to address the flood hazard do not result in unreasonable impacts upon the amenity or ecology of an area.

f) To minimise the risk to life by ensuring the provision of appropriate access from areas affected by flooding up to extreme events.

g) To minimise the damage to property, including motor vehicles, arising from flooding.

h) To ensure that proposed development does not expose existing development to increased risks associated with flooding.

11.7.2 Performance Criteria

a) The proposed development should not result in any increased risk to human life.

b) The additional economic and social costs which may arise from damage to property from flooding should not be greater than that which can reasonably be managed by the property owner and general community.

c) The proposal should only be permitted where effective warning time and reliable access is available for evacuation from an area potentially affected by floods to an area free of risk from flooding. Evacuation should be consistent with any relevant flood evacuation strategy.

d) Development should not detrimentally increase the potential flood effects on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.

e) Motor vehicles are able to be relocated, undamaged, to an area with substantially less risk from flooding, within effective warning time.

f) Procedures would be in place, if necessary, (such as warning systems, signage or evacuation drills) so that people are aware of the need to evacuate and relocate motor vehicles during a flood and are capable of identifying an appropriate evacuation route.

g) Development should not result in significant impacts upon the amenity of an area by way of unacceptable overshadowing of adjoining properties, privacy impacts (eg. by unsympathetic house-raising) or by being incompatible with the streetscape or character of the locality.

h) Proposed development must be consistent with ESD principles.

i) Development should not prejudice the economic viability of any Voluntary Purchase Scheme.

11.7.3 Prescriptive Controls

Schedule 4 outlines the controls relevant to each of the floodplains to which this Chapter applies.

11.8 Special Requirements for Fencing

11.8.1 Objectives

a) To ensure that fencing does not result in the undesirable obstruction of the free flow of floodwaters.

b) To ensure that fencing does not become unsafe during floods and potentially becomes moving debris which threatens the integrity of structures or the safety of people.

11.8.2 Performance Criteria

a) Fencing is to be constructed in a manner that does not affect the flow of flood waters so as to detrimentally increase flood risk on surrounding land.

b) Ability to be certified by a suitably qualified engineer, that the proposed fencing is adequately constructed so as to withstand the forces of floodwaters, or collapse in a controlled manner to prevent the undesirable impediment of flood waters.

11.8.3 Prescriptive Controls

Fencing within a High FRP or the boundary of significant flow requires a Development Application and needs be designed to minimise the potential for any adverse impacts on human life or property having regard to the degree of flood risk affecting a site. Council may require such fencing to be able to be opened at the bottom with the force of floodwaters. (This requirement may be secured by a Section 88B instrument burdening the title of the land).

Council will require a Development Application for all new solid (non-porous) and continuous fences in the High and Medium FRP's unless otherwise stated by exempt and complying development provisions which may be incorporated into Council's Environmental Planning Instruments from time to time.

An applicant will need to demonstrate that the fence would create no impediment to the flow of floodwaters. Appropriate fences must satisfy the following:

a) An open collapsible hinged fence structure or pool type fence;

b) Other than a brick or other masonry type fence (which will generally not be permitted); or

c) A fence type and siting criteria as prescribed by Council.

Other forms of fencing will be considered by Council on merit.

11.9 Special Considerations

When assessing proposals for development or other activity within the area to which this Plan applies, Council will take into consideration the following specific matters.

a) The proposal should not have a significant direct or cumulative detrimental impact on:
   i. water quality;
   ii. native bushland vegetation;
   iii. riparian vegetation;
   iv. estuaries, wetlands, lakes or other water bodies;
   v. aquatic and terrestrial ecosystems;
   vi. indigenous flora and fauna; or
   vii. fluvial geomorphology.

b) Measures employed to mitigate the potential impact of flooding (eg. house raising) must be undertaken in a manner which minimises the impact upon the amenity and character of the locality.

c) The design of car parking (enclosed or uncovered) and associated driveways should not result in unacceptable environmental or amenity impacts. Unacceptable impacts may include visual intrusion from elevated driveways and parking structures and overshadowing of adjoining residential properties in excess of Council's relevant standards.

d) The proposal must not constrain the orderly and efficient utilisation of the waterways for multiple purposes.

e) The proposal must not adversely impact upon the recreational, ecological, aesthetic or utilitarian use of the waterway corridors, and where possible, should provide for their enhancement, in accordance with ESD principles.

f) Proposals for house raising must provide appropriate documentation including:
   i. a report from a suitably qualified engineer to demonstrate the raised structure will not be at risk of failure from the forces of floodwaters in a 100 year flood; and
   ii. the provision of details such as landscaping and architectural enhancements which ensure that the resultant structure will not result in significant adverse impacts upon the amenity and character of an area.

g) Notwithstanding any other provision where a property is identified within a Voluntary Purchase Scheme Area, Council will only consent to further development being "concessional development" or "recreation or non-urban development"; provided:
   i. the development is for only minor works such as small awnings over existing balconies or in-ground swimming pools; and
   ii. the capital investment intended for the property is, in the opinion of Council, not greater than the minimum required to satisfy acceptable standards.

h) Critical Uses and Facilities (see Schedule 2 at the end of Chapter 11) are identified as 'unsuitable' uses in low, medium or high flood risk precincts. (see Schedule 4 at the end of Chapter 11) However, Council will take into account:
   i. broader community needs and considerations relating to this issue,
   ii. whether the proposal relates to the replacement of existing facilities (e.g. in a town centre), and
   iii. whether the development has been designed in accordance with the prescriptive and performance criteria of Chapter 11.

i) Development within High Flood Risk Precincts – Council will not permit any type of development that would result in an intensification of the use of the land in areas of high flood risk. Specifically, Council will only consider:
   i. Knock down and rebuild of premises within an area not identified as being part of the Voluntary Purchase Scheme. Contact Council for further information;
   ii. Redevelopment of a dwelling where there is no increase in the size of the ground floor area of the existing dwelling;
   iii. Redevelopment of a dwelling house where the new premises improves the flood risk to the site and does not detrimentally impact upon the flood risk of adjoining or adjacent properties; and
   iv. Development of carports in association with an existing dwelling. Garages will not be considered.

Council will not permit any type of development that would be inconsistent with the objective of discouraging further development in areas of high flood risk and with Council's commitment to the Voluntary Purchase Scheme.

11.10 What information is required with an application to address this chapter?

a) Applications must include information that addresses all relevant controls listed above, and the following matters as applicable.

b) Applications for Concessional Development (see Schedule 2) to an existing dwelling on Flood Prone Land shall be accompanied by documentation from a registered surveyor confirming existing floor levels.

c) Development applications affected by this plan shall be accompanied by a survey plan showing:
   i. The position of the existing building/s or proposed building/s;
   ii. The existing ground levels to Australian Height Datum around the perimeter of the building and contours of the site; and
   iii. The existing or proposed floor levels to Australian Height Datum.

d) Applications for earthworks, filling of land and subdivision shall be accompanied by a survey plan (with a contour interval of 0.25 metre) showing relative levels to Australian Height Datum.

e) For large scale developments, or developments in critical situations, particularly where an existing catchment based flood study is not available, a flood study using a fully dynamic one or two dimensional computer model may be required.

f) Where the controls for a particular development proposal require an assessment of structural soundness during potential floods, the following impacts must be addressed:
   i. hydrostatic pressure;
   ii. hydrodynamic pressure;
   iii. impact of debris; and
   iv. buoyancy forces.

Foundations need to be included in the structural analysis.

This information is required for the pre-developed and post-developed scenarios.

For smaller developments the existing flood study may be used if available and suitable (eg it contains sufficient local detail), or otherwise a flood study prepared in a manner consistent with the "Australian Rainfall and Runoff" publication, any relevant Council Drainage Design Code and the Floodplain Development Manual, will be required. From this study, the following information shall be submitted in plan form:
i. water surface contours (including the 100 year flood and PMF extents)
ii. velocity vectors;
iii. velocity and depth product contours;
iv. delineation of flood risk precincts relevant to individual floodplains; and
v. show both existing and proposed flood profiles for the full range of events for total development including all structures and works (such as revegetation/ enhancements).

Schedule 1 - Flood Compatible Materials & Building Components

Building component	Flood compatible material
Flooring and Sub-floor Structure	A. concrete slab-on-ground monolith construction B. suspension reinforced concrete slab.
Floor Covering	A. clay tiles B. concrete, precast or in situ C. concrete tiles D. epoxy, formed-in-place E. mastic flooring, formed-in-place F. rubber sheets or tiles with chemical-set adhesives G. silicone floors formed-in-place H. vinyl sheets or tiles with chemical-set adhesive I. ceramic tiles, fixed with mortar or chemical-set adhesive J. asphalt tiles, fixed with water resistant adhesive
Wall Structure	A. solid brickwork, blockwork, reinforced, concrete or mass concrete
Roofing Structure (for Situations Where the Relevant Flood Level is Above the Ceiling)	A. reinforced concrete construction B. galvanised metal construction
Doors	A. solid panel with water proof adhesives B. flush door with marine ply filled with closed cell foam C. painted metal construction D. aluminium or galvanised steel frame
Wall and Ceiling Linings	A. fibro-cement board B. brick, face or glazed C. clay tile glazed in waterproof mortar D. concrete E. concrete block F. steel with waterproof applications G. stone, natural solid or veneer, waterproof grout H. glass blocks I. glass J. plastic sheeting or wall with waterproof adhesive
Insulation Windows	A. foam (closed cell types) B. aluminium frame with stainless steel rollers or similar corrosion and water resistant material.
Nails, Bolts, Hinges and Fittings	A. brass, nylon or stainless steel B. removable pin hinges C. hot dipped galvanised steel wire, nails or similar.

Schedule 1

Flood Compatible Materials & Building Components continued.

Electrical and Mechanical Equipment - For dwellings constructed on land to which this Plan applies, the electrical and mechanical materials, equipment and installation should conform to the following requirements.

Main power supply - Subject to the approval of the relevant authority the incoming main commercial power service equipment, including all metering equipment, shall be located above the relevant flood level. Means shall be available to easily disconnect the dwelling from the main power supply.

Wiring - All wiring, power outlets, switches, etc., should, to the maximum extent possible, be located above the relevant flood level. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water and should contain no fibrous components. Earth core linkage systems (or safety switches) are to be installed. Only submersible-type splices should be used below the relevant flood level. All conduits located below the relevant designated flood level should be so installed that they will be self-draining if subjected to flooding.

Equipment - All equipment installed below or partially below the relevant flood level should be capable of disconnection by a single plug and socket assembly.

Reconnection -Should any electrical device and/or part of the wiring be flooded it should be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.

Heating and Air Conditioning Systems - Heating and air conditioning systems should, to the maximum extent possible, be installed in areas and spaces of the house above the relevant flood level. When this is not feasible every precaution should be taken to minimise the damage caused by submersion according to the following guidelines.

Fuel - Heating systems using gas or oil as a fuel should have a manually operated valve located in the fuel supply line to enable fuel cut-off.

Installation -The heating equipment and fuel storage tanks should be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. All storage tanks should be vented to an elevation of 600 millimetres above the relevant flood level.

Ducting - All ductwork located below the relevant flood level should be provided with openings for drainage and cleaning. Self draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a water-tight wall or floor below the relevant flood level, the ductwork should be protected by a closure assembly operated from above relevant flood level.

Ancillary Structures (steps, pergolas, etc.) Suitable water tolerant materials should be used such as masonry sealed hardwood and corrosive resistant metals. Copper Chrome Arsenate (CCA) treated timber is not a suitable material

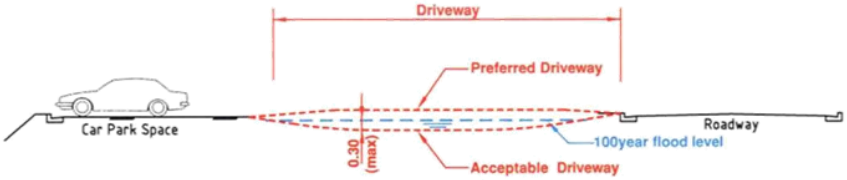
Schedule 2 Land Use Categories

Critical Uses and Facilities	Sensitive and Hazardous Development	Subdivision	Residential
Community facility that may provide an important contribution to the notification or evacuation of the community during flood events (but excluding counselling services, community development centres, libraries, museums, galleries, visitor information centres, and the like); Emergency services facility; Hospitals; Residential care facility, Public utility undertakings which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events.	Communication facility (including tele-communication facilities); and Boarding houses, caravan parks, correctional centres, early education and care facilities, eco-tourist facilities, educational establishments, electricity generating works, emergency service facilities, group homes, hazardous industries, heavy industrial storage establishment, hospitals, hostels, information and education facilities, respite day care centres, seniors housing, sewerage systems, telecommunication facilities, tourist and visitor accommodation, water supply systems.	Subdivision of land that involves the creation of new allotments, with potential for further development.	Camping grounds; Health consulting rooms; Home businesses; Home industries; Home occupations; Home occupations (sex services); Residential accommodation (but excluding boarding houses, group homes, hostels and seniors housing); Farm stay accommodation; and Utility installations (other than critical utilities).

Commercial or Industrial	Tourist Related Development	Recreation or Rural Uses	Concessional Development
Abattoir; Amusement centre; Boat building and repair facilities; Business premises; Commercial premises; Community Facility, Depots; Entertainment facilities; Freight transport facilities; Heliports; Highway service centre; Hotel; Industries; Industrial retail outlet; Industrial training facility; Junk yard; Medical Centre; Mortuaries; Motel; Motor showroom; Passenger transport facilities; Place of public worship; Plant hire; Recreation facility (indoor, major or outdoor); Registered club; Restaurant; Restricted premises; Roadside stall; Rural industry; Sawmill; Service station; Sex services premises; Shop; Specialised retail premises, Storage premises; Transport depot; Truck depots; Vehicle body repair workshop; Vehicle repair station; Veterinary hospital; Warehouse or Distribution centres; Waste or resource management facilities; Wholesale supplies.	Camping ground/ caravan park site – short term sites (1) only;	Air transport facilities; Agriculture; Animal boarding or training establishments; Extractive industry; Farm buildings; Forestry; Helicopter landing site; Mine; Open cut mining; Plant nursery; Recreation areas and minor ancillary structures (e.g. toilet blocks or kiosks); Stock and sales yard; and Turf farming.	(a) **In the case of residential development:** a. An addition or alteration to an existing dwelling of not more than 10% or 30sqm (whichever is the lesser) of the habitable floor area which existed when these provisions were originally implemented by Council being 8 November 2005; b. The construction of an outbuilding with a maximum floor area of 30sqm. Granny flats and secondary dwellings will not be supported; or c. Rebuilt dwellings which substantially reduce the extent of flood risk to the existing building. (b) **In the case of other development:** a. An addition to existing buildings of not more than additional 100sqm or 10% of the floor area which existed when these provisions were originally implemented by Council being 8 November 2005 (whichever is the lesser); b. Rebuilding of a development which substantially reduces the extent of flood effects to the existing development without increasing risk to human life and without intensifying the use of the site; c. A change of use which does not increase flood risk having regard to property damage and personal safety; or d. Subdivision that does not involve the creation of new allotments with potential for further development.

(1) As defined by the Local Government (Caravan Park and Camping Grounds) Transitional Regulation 1993

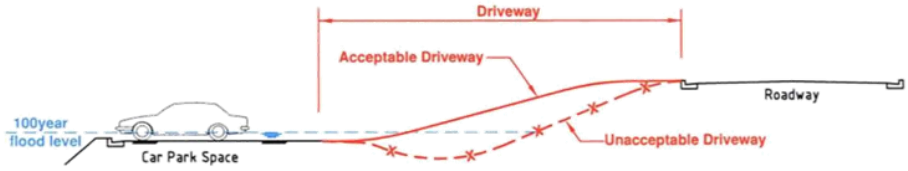
Schedule 3 Diagrams Explaining Main Car Parking Related Controls



HIGH ROADWAY AND CAR PARK SPACE
(No part of driveway more than 0.3m below 100 year flood level)



LOW ROADWAY
(Driveway inundation depth not greater than roadway inundation depth)



LOW CAR PARK SPACE
(Driveway inundation depth not greater than car park inundation depth)



LOW ROADWAY AND CAR PARK SPACE
(Driveway inundation depth not greater than car park or roadway inundation depth)

FLOOD RISK MANAGEMENT CONSULTANTS
BEWSHER CONSULTING PTY LTD
UNIT 6, 28 LANGSTON PLACE
EPPING NSW 2121
P.O.BOX 352
EPPING NSW 1710
A.C.N. 003 137 068
Phone (02) 9868 1966
Facsimile (02) 9868 5759
Email : postmaster@bewsher.com.au
Plot file name : J1428-fig1
Plot scale : 1
Date of plot : 18 July 2005

Schedule 4 – Prescriptive Controls Matrix

Three Tributaries /Canley Corridor /Prospect Creek/Cabramatta Creek /Georges River/Other Floodplains

Flood Risk Category	Land Use Risk Category	Planning Controls							
		Floor Level	Building Components	Structural Soundness	Flood Effects	Car Parking & Driveway Access	Evacuation	Management & Design	Fencing
Low Flood Risk	Critical Uses & Facilities								
	Sensitive and Hazardous Development	3	2	3	2	1, 3, 5, 6, 7	2, 3, 4	4, 5	
	Subdivision				2		5	1	
	Residential	2, 6, 7	1	2	2	1, 3, 5, 6, 7	2, 3		
	Commercial & Industrial	5, 6, 7	1	2	2	1, 3, 5, 6, 7	1 or 2, 3	2, 3, 5	
	Tourist Related Development	2, 6, 7	1	2	2	1, 3, 5, 6, 7	2, 3	2, 3, 5	
	Recreation & Non-Urban	1, 6	1	2	2	2, 3, 4, 6, 7	4, 3	2, 3, 5	
	Concessional Development	4, 7	1	2	2	6, 7, 8	2, 3	2, 3, 5	
Medium Flood Risk	Critical Uses & Facilities								
	Sensitive & Hazardous Development								
	Subdivision				1		5	1	1, 2, 3
	Residential	2, 6, 7	1	2	2	1, 3, 5, 6, 7	2, 3		1, 2, 3
	Commercial & Industrial	5, 6, 7	1	2	2	1, 3, 5, 6, 7	1, 3	2, 3, 5	1, 2, 3
	Tourist Related Development	2, 6, 7	1	2	2	1, 3, 5, 6, 7	2, 3	2, 3, 5	1, 2, 3
	Recreation & Non-Urban	1, 6	1	2	2	2, 3, 4, 6, 7	4, 3	2, 3, 5	1, 2, 3
	Concessional Development	4, 7	1	2	2	6, 7, 8	2, 3	2, 3, 5	1, 2, 3
High Flood Risk	Critical Uses & Facilities								
	Sensitive & Hazardous Development								
	Subdivision								
	Residential								
	Commercial & Industrial								
	Tourist Related Development								
	Recreation & Non-Urban	1, 6	1	1	1	2, 3, 4, 6, 7	4, 3	2, 3, 5	1, 2, 3

Flood Risk Category	Land Use Risk Category	Planning Controls							
		Floor Level	Building Components	Structural Soundness	Flood Effects	Car Parking & Driveway Access	Evacuation	Management & Design	Fencing
	Concessional Development	4, 7	1	1	1	6, 7, 8	2, 3	2, 3, 5	1, 2, 3

Colour Legend Not Relevant Unsuitable Land

Floor Level

1	All floor levels to be no lower than the 20 year flood level unless justified by site specific assessment.
2	*Habitable floor* levels to be no lower than the 100 year flood level plus *freeboard*.
3	*Habitable floor* levels to be no lower than the *PMF* level. *Non-habitable floor* levels to be no lower than the *PMF* level unless justified by a site specific assessment.
4	Floor levels to be no lower than the *design floor level*. Where this is not practical due to compatibility with the height of adjacent buildings, or compatibility with the floor level of existing buildings, or the need for access for persons with disabilities, a lower floor level may be considered. In these circumstances, the floor level is to be as high as practical, and, when undertaking alterations or additions, no lower than the existing floor level.
5	The level of *habitable floor areas* is to be equal to or greater than the 100 year *flood* level plus *freeboard*. If this level is impractical for a development in a E1, E2, MU1 or E3 zone, the floor level should be as high as possible.
6	*Non-habitable floor levels* to be equal to or greater than the 100 year flood level plus *freeboard* where possible, or otherwise no lower than the 20 year flood level unless justified by a site specific assessment.
7	A restriction is to be placed on the title of the land, pursuant to S.88B of the Conveyancing Act, where the lowest *habitable floor area* is elevated more than 1.5 metres above finished ground level, confirming that the under-croft area is not to be enclosed.

Building Components and Method

1	All structures to have *flood compatible building components* below the 100 year flood level plus *freeboard*
2	All structures to have *flood compatible building components* below the *PMF* level.

Structural Soundness

1	Engineer's report to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus *freeboard*, or a *PMF* if required to satisfy evacuation criteria (see below).
2	Applicant to demonstrate that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus *freeboard*, or a *PMF* if required to satisfy evacuation criteria (see below). An engineer's report may be required.
3	Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a *PMF*. An engineer's report may be required.

Flood Effects

1	Engineer's report required to certify that the development will not increase flood effects elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels and velocities caused by alterations to the flood *conveyance*; and (iii) the cumulative impact of multiple potential developments in the floodplain.
2	The flood impact of the development is to be considered to ensure that the development will not increase flood effects elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels and velocities caused by alterations to the flood *conveyance*; and (iii) the cumulative impact of multiple potential developments in the floodplain. An engineer's report may be required.
Note: (1) If a *Boundary of Significant Flow* has been defined for the floodplain, any development inside this area will normally be unacceptable as it will reduce flood conveyance and increase flood effects elsewhere. (2) If a *Flood Storage Area* has been defined for the floodplain, any filling of the floodplain inside this area (except where this occurs by compensatory excavation), will normally be unacceptable as it will reduce the volume of flood storage available on the floodplain and increase flood effects elsewhere. (3) Even where a *Boundary of Significant Flow* and/or a *Flood Storage Area* have been defined, development outside these areas may still increase flood effects elsewhere and therefore be unacceptable.	

Car Parking and Driveway Access

1	The minimum surface level of open car parking spaces or carports shall be as high as practical, and not below: (i) the 20 year flood level; or (ii) the level of the crest of the road at the location where the site has access: (which ever is the lower). In the case of garages, the minimum surface level shall be as high as practical, but no lower than the 20 year flood level.
2	The minimum surface level of open car parking spaces, carports or garages, shall be as high as practical.
3	Garages capable of accommodating more than 3 motor vehicles on land zoned for urban purposes, or *enclosed car parking*, must be protected from inundation by floods equal to or greater than the 100 year flood.
4	The driveway providing access between the road and parking space shall be as high as practical and generally rising in the egress direction.
5	Where the level of the driveway providing access between the road and parking space is lower than 0.3m below the 100 year flood, the following condition must be satisfied: • The depth of inundation on the driveway during a 100 year flood shall not be greater than the larger of: (i) the depth at the road; and (ii) the depth at the car parking space. A lesser standard may be accepted for single detached dwelling houses where it can be demonstrated that the risk to human life would not be compromised.
6	*Enclosed car parking* and car parking areas accommodating more than 3 vehicles (other than on Rural zoned land), with a floor level below the 20 year flood level or more than 0.8m below the 100 year flood level, shall have *adequate warning systems, signage* and *exits*.
7	Restraints or vehicle barriers to be provided to prevent floating vehicles leaving a site during a 100 year flood.
8	Driveway and parking space levels are to be no lower than the *design ground/floor levels*. Where this is not practical, a lower level may be considered. In these circumstances, the level is to be as high as practical, and, when undertaking alterations or additions, no lower than the existing level.
Note: (1) A still water flood depth of 0.3m is sufficient to cause a small vehicle to float. (2) Enclosed car parking is defined in the glossary and typically refers to car parks in basements.	

Evacuation

1	Reliable access for pedestrians or vehicles required during a 100 year flood
2	Other Floodplains (including areas affected by Local Overland Flooding) Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the *PMF* level, or a minimum of 20% of the gross floor area of the building to be above the PMF level.
	Prospect Creek Floodplain only Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the *PMF* level. In the case of property upstream of the Granville Railway Line, this refuge can only be on site provided a minimum of 20% of the gross floor area of the dwelling is above the *PMF* level.
	Georges River (South of Hume Highway) Floodplain only Adequate flood warning is available to allow safe and orderly evacuation without increased reliance upon the SES or other authorised emergency services personnel.
3	The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.
4	The evacuation requirements of the development are to be considered. An engineer's report will be required if circumstances are possible where the evacuation of persons might not be achieved within the effective warning time.
5	Applicant to demonstrate that evacuation in accordance with the requirements of this DCP is available for the potential development flowing from the subdivision proposal.

Management and Design

1	Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this DCP.
2	*Site Emergency Response Flood Plan* is required where floor levels are below the *design floor level* (except for single dwelling houses).
3	Applicant to demonstrate that area is available to store goods above the 100 year flood level plus *freeboard*.
4	Applicant to demonstrate that area is available to store goods above the *PMF* level.
5	No storage of materials below the *design floor level* which may cause pollution or be potentially hazardous during any flood.

Fencing

1	Fencing within a High Flood Risk area, Boundary of Significant Flow or floodway will not be permitted except for permeable open type fences.
2	Fencing is to be constructed in a manner that does not obstruct the flow of floodwaters so as to have an adverse impact on flooding.
3	Fencing shall be constructed to withstand the forces of floodwaters or collapse in a controlled manner so as not to obstruct the flow of water, become unsafe during times of flood or become moving debris.

General Notes

- Freeboard equals an additional height of 500mm.
- The relevant environmental planning instruments (generally the Local Environmental Plan) identify development permissible with consent in various zones in the LGA. Notwithstanding, constraints specific to individual sites may preclude Council granting consent for certain forms of development on all or part of a site. This matrix identifies where flood risks are likely to determine where certain development types will be considered "unsuitable" due to flood related risks.
- Filling on the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- Refer to Section 11.9 of this DCP for special considerations such as for house raising proposals and development of properties identified for voluntary purchase.
- Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the LGA.
- From time to time, Council may adopt mapping showing the *Boundary of Significant Flow* and/or *Flood Storage Areas* for this floodplain. Refer to Council to find out if these areas have been defined and mapped for the floodplain.
- Property identified for voluntary house raising that are located within the *High Flood Risk Precinct* shall be assessed in terms of concessional development.

FairfieldCity
Celebrating diversity

Fairfield CityWide DCP

Chapter 12

Car Parking, Vehicle and Access Management

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12.0 Introduction

12.0.1 Context

Motor vehicles continue to have a significant impact on the design, function and appearance of the Sydney Metropolitan Area. Car Parks, through their positioning, operation, landscaping and sheer occupation of space, can have a disproportionately large influence on the quality of our environment. This impact is particularly noticeable in an area such as Fairfield City, which is relatively poorly served by public transport and as a consequence has a high level of car-dependence.

12.0.2 Purpose/Objectives of this Chapter

The purpose of this Chapter is to provide applicants who require car parking as a part of their development with information and specifications on ways to design their car park so that it is:

a) physically attractive yet visually and functionally subservient to the buildings they serve and the environment in which they are set

b) meets the needs of users, and

c) functions efficiently and safely.

12.0.3 Zones and development to which this Chapter applies

This Chapter applies to development permitted within all zones under the Fairfield LEP 2013.

Note: Should there be an inconsistency between the provisions of this chapter and the car parking, access and vehicle arrangements described in other chapters of this DCP, then this chapter (Chapter 12) applies to the extent of the inconsistency.

12.0.4 Additional Guidelines

Where applicable, in addition to the requirements of this chapter, Council will access certain aspects of applications (where applicable) against the requirements of the following guidelines:

a) Roads and Traffic Authority – Guide to Traffic Generating Developments

b) Australian Standard 2890.1:2004 – Parking facilities - Off-street car parking

c) Australian Standard 2890.2-2002 – Parking facilities - Off-street commercial vehicle facilities

d) Australian Standard 2890:3:1993 – Parking facilities - Bicycle parking facilities

e) Australian Standard 2890:5:1993 – Parking facilities - On-street parking

f) Australian Standard 2890:6:2009 – Parking facilities - Off-street parking for people with disabilities.

12.1 Car Parking

Different types of development have different parking requirements. The following section details the car and truck parking requirements for various land uses. Definitions for the various land uses referenced in this chapter can be found in the Fairfield Local Environmental Plan 2013, additional uses are also defined in Appendix A of this DCP.

To calculate parking requirements for some activities you will need to know how Council defines floor area in Fairfield City. With the exception of residential development all floor area is calculated according to "Gross Leasable Area".

Gross Leasable Area means the total floor area contained within the outer faces of the external walls of a building, excluding stairs, lifts, public arcades, public foyers, public toilets, plant rooms, loading areas and car parking areas.

Gross Floor Area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

a) the area of a mezzanine, and

b) habitable rooms in a basement or an attic, and

c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:

d) any area for common vertical circulation, such as lifts and stairs, and

e) any basement:
   i. storage, and
   ii. vehicular access, loading areas, garbage and services, and

f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

g) car parking to meet any requirements of the consent authority (including access to that car parking), and

h) any space used for the loading or unloading of goods (including access to it), and

i) terraces and balconies with outer walls less than 1.4 metres high, and

j) voids above a floor at the level of a storey or storey above.

12.1.1 Car Parking Rates

Objectives

To ensure that adequate off-street parking is provided to serve the needs of development

Controls

a) The car parking rate for development types are outlined in Table 1.

b) Development types not listed in the Table 1 would be subject to a merit based assessment based on the provisions set out in the Roads and Traffic Authority – Guide to Traffic Generating Developments. Council may require a detailed Parking Study to be prepared for such development types.

c) In calculating your total parking requirement you may find you arrive at a fractional answer, eg, 5.4 spaces. In such a case, the rule used by Council is to "round up" any requirement of 0.5 or more and "round down" any requirement below 0.5. For example, a calculated requirement of 5.49 spaces would be rounded down to a requirement of 5 spaces on-site whereas a calculated requirement of 5.5 spaces would be rounded up to 6 spaces.

It should be noted that the parking spaces required by this DCP are minimum numbers. Some uses, due to the nature of their operation, may warrant additional parking spaces and these may be required by Council.

12.1.2 Car Parking "Credits"

When determining how many car spaces your development may require it is important to remember that you may be eligible for parking "credits".

A parking credit is available when you are developing a site already occupied by a building.

Provided your development retains the structure of the existing building you will be exempted from the parking requirements for the existing floor space.

For example, if you wish to develop an existing 300sqm shop building into a 600sqm shop building, the parking requirement would only be for the additional 300sqm, even if the existing building has no parking whatsoever.

Alternatively, if you are changing the use of the existing building and the new use requires more parking than the old use, your "credit" is for the original use, even though the floor space may not be increasing. For example, converting a warehouse with no parking into a shop, with no increase in floor space would still be required to provide extra parking but this will be for the shop requirement minus the warehouse requirement.

Table 1

Use/Activity		Minimum Number of Car Spaces Required
Seniors Housing, Respite Day Care Centre		1 space for each 10 beds (each space suitable for a driver with a disability) plus 1 space for each 2 employees on site at same time plus 1 space for ambulance
Animal boarding or training establishment		To be determined by a car parking survey of a comparable facility
Amusement Centre		1 bicycle rail per 3 amusement devices plus 1 space per 25sqm devoted to amusement devices
Specialised Retail Premises		1 space per 50sqm gross leasable area plus the requirement for any associated use such as cafe etc.
Caravan Park		1 space per caravan/cabin plus one space for manager
Centre-based Child Care Facility		1 space per employee and 1 space per 10 children in care
Commercial Premises (Excluding Commercial Premises within the Cabramatta Town Centre and Fairfield Town Centre)	**Business Premises, Office Premises** Canley Heights Town Centre, Canley Vale Town Centre	1 space per 40sqm gross leasable area (when provided on-site)
		1 space per 66sqm gross leasable area (if provided by way of s.7.11 contribution to centralized car park – refer parking contribution below).
	Retail Premises Canley Heights Town Centre, Canley Vale Town Centre	1 space per 40sqm gross leasable area (if provided on- site)
		1 space per 40sqm gross leasable area (if provided by way of s.7.11 contribution to centralised car park – refer parking contribution below).
	Retail Premises, Business Premises and Office Premises Elsewhere in the city and not defined elsewhere in this chapter Includes Bonnyrigg Town Centre, Prairiewood Town Centre (Stocklands) and Neighbourhood Shops	1 space per 40sqm gross leasable area
Commercial Premises within the Cabramatta Town Centre.	Refer to the Cabramatta Town Centre Development Control Plan No.5/2000 for applicable Car Parking rates.	
Commercial Premises within the Fairfield Town Centre	Business Premises	Refer to Appendix 5 Parking Requirements of the Fairfield City Centre DCP 2023 for applicable Car Parking rates.
	Office Premises	
	Retail Premises	

Use/Activity		Minimum Number of Car Spaces Required	
Community Facility/ Registered Club		1 space per 5sqm gross leasable area or 1 space per 6 seats (whichever is the greater) of entertainment/recreation area plus 1 space per 5sqm gross leasable area of bar/lounge/gaming area, plus a compilation of the requirements for each of the specific activities the club incorporates (eg restaurant, recreation facility, place of public entertainment).	
Correctional Centre		To be determined by a car parking survey of a comparable facility	
Crematorium		1 Space per employee 1 Space for a delivery vehicle Any associated Chapel will be subject to the following requirements: 1 space per 6 seats or 1 space per 5sqm of gross leasable area (whichever is the greater) Note: The above provisions will be in addition to the requirements of a funeral parlour or mortuary.	
Depot		To be determined by a car parking survey of a comparable facility	
Drive in Liquor Store **Note:** Is a type of **Retail Premises**		1 space per employee plus sufficient area to allow customers to park their cars and browse for liquor.	
Educational Establishment	Schools	1 space per employee plus 1 space per 10 students in Year 12 (where applicable).	
	Tertiary Institutions or Technical Colleges	1 space per employee plus 1 space per 5 students.	
	Note: The above rates do not apply to Tuition Centres, Coaching Colleges and the like that are located within existing **Town Centres.** These uses will be regarded as **Business Premises** for the purposes of calculating car parking requirements. In addition such uses will be required to prepare a Plan of Management which demonstrates adequacy of car parking and student drop off and pick up facilities.		
Entertainment Facility (includes a theatre, cinema, music hall, concert hall, dance hall and the like).		1 space per 5sqm gross leasable area or 1 space per 6 seats, whichever is greater.	
Exhibition home		Common car park at the following rate: 4 spaces per exhibition home	
Food and Drink Premises (within the town centres of Canley Vale, Canley Heights, Smithfield and Fairfield Heights and Prairiewood)		Restaurant and Café	1 space per 25sqm gross leasable area when provided on – site; or 1 space per 33sqm sq gross leasable area if provided by way of s.7.11 contribution to centralised car park in areas where the Local Infrastructure Contribution Plan 2023 applies to Car Parking.
		Take Away Food and Drink Premises	
		Pub	

Use/Activity	Minimum Number of Car Spaces Required	
	Artisan Food and Drink Industry	1 space per 25sqm, if the development location is less than 400m from a railway station of major bus station, parking requirements can be reconsidered through justification in the Statement of Environment Effects provided as part of the development application.
Food and Drink Premises (outside the town centres of Fairfield, Cabramatta, Canley Vale, Canley Heights, Smithfield and Fairfield Heights and Prairiewood)	Restaurant and Café Take Away Food and Drink Premises Pub	1 space per 7sqm gross leasable area
	Artisan Food and Drink Industry	1 space per 25sqm, if the development location is less than 400m from a railway station of major bus station, parking requirements can be reconsidered through justification in the Statement of Environment Effects provided as part of the development application.
Food and Drink Premises Cabramatta Town Centre	Restaurant and Café Take Away Food and Drink Premises Pub	Refer to the Cabramatta Town Centre Development Control Plan No.5/2000 for applicable Car Parking rates.
Freight Transport Facility	To be determine by a car parking survey of a comparable facility	
Function Centre	The greater of the following: 1 space per 5sqm gross leasable area restaurant/function room; or Rates stated in the Roads and Maritime Services Guide to Traffic Generating Developments published October 2002 under 5.8.2 Restaurants.	
Funeral Home, Mortuary	1 space per 6 chapel seats plus 1 space per 40sqm gross leasable area of office room.	
Hardware and Building Supplies	1 space per 130sqm site area plus 1 space per 40sqm gross leasable area office.	
Use/Activity	Minimum Number of Car Spaces Required	

Use/Activity		Minimum Number of Car Spaces Required
Health Services Facility	Health Consulting Rooms	3 spaces per consulting room or per health care professional, whichever is the greater plus the parking rate for any residential component.
	Hospital	Determined by Parking Survey of a hospital of a similar scale.
	Medical Centre	3 spaces per consulting room or per health care professional, whichever is the greater.
Heritage Item		Subject to negotiation with Council.
Home Business/Home Industry/Home-Based Childcare/Home Occupation		1 space for the dwelling plus 1 space for business component.
Hotel or Motel Accommodation	Hotel	1 space per 5sqm gross leasable area bar/lounge/dining area/restaurant/function room plus 1 space per 40sqm gross leasable area office/administration area plus 1 space per 3 bedrooms accommodation (if applicable).
	Motel Accommodation	1 space for each motel unit plus 1 space per 2 employees plus 1 space per 5sqm gross leasable area restaurant/function room
Industrial Retail Outlet		1 space per 50sqm gross leasable area plus the requirement for any associated use such as Take Away Food and Drink Premises
Use/Activity		**Minimum Number of Car Spaces Required**
Industrial Training Facility		1 space per employee plus 1 space per 5 students.
Information and Education Facility		1 space per employee plus 1 space per 5 students.
Junk Yard/Wrecking yards Note: This land use is a type of Resource Recovery Facility		1 space per 70sqm storage/wrecking area (both indoor and outdoor) including ancillary sales/office.
Kiosk		1 Space per 40sqm of Gross Leasable Area
Landscaping and Material Supplies, Plant Nursery, Garden Centre		Determined by parking survey of a Plant Nursery/Garden Centre of a similar scale.
Light Industry (excluding Home Industry), Yennora Precinct - Orchardleigh Street		1 space per 70sqm Gross Leasable Area; including mezzanine areas
Light industry(excluding Home Industry)		1 space per 70sqm gross leasable area plus 1 space per unit for factory units.
General Industry		1 space per 70sqm gross leasable area plus 1 space per unit for factory units.
Market		2.5 spaces per stall.

Use/Activity		Minimum Number of Car Spaces Required		
		Where a market is located within an existing shopping centre or similar location, Council will give consideration to multiple usage requirements of existing parking facilities.		
Passenger Transport Facility, Truck Depot		Determined by a parking survey of similar sized facility		
Place of Public Worship eg Church, Mosque, Temple		The appropriateness of these rates shall be confirmed by way of a Parking Study.		
		Where seating is provided 1 space per 6 seats or 1 space per 5sqm of gross leasable area (whichever is the greater).		
		Where no seating provided 1 space per 2sqm of worship floor area or 1 space per 3sqm of gross leasable area (whichever is the greater). **Note:** For where no seating is provided - the purpose of the Parking Study worship hall capacity shall be estimated based on 1 person per 0.75sqm of worship area floor space. Traffic generation shall be based on a vehicle occupancy rate of 1.3 persons per vehicle.		
Recreation Facility (indoor)	Bowling Alleys	3 spaces per alley		
	Gymnasium	1 space per 11sqm gross leasable area		
	Indoor Cricket	16 spaces per pitch		
	Snooker/Pool/Table Tennis	3 spaces per table		
Recreation Facility (Major)	Sports Stadium	1 space per 5sqm gross leasable area, or 1 space per 6 seats whichever is greater		
Recreation Facility (Outdoor)	Bowling Greens	30 spaces for first green, and 15 spaces for each additional green.		
	Squash Courts	3 spaces per court		
	Tennis Courts	3 spaces per court		
Recreation Facility (indoor, major and outdoor)	Other Sports	Subject to parking survey and details of the requirements of any associated restaurants, gaming area etc.		
Residential Accommodation	Dwelling House	3 car spaces to be provided on site		
	Secondary Dwellings	No additional car parking required above that which is required for single dwelling development.		
	Attached Dwelling, Dual Occupancy, Multi Dwelling Housing, Semi Detached Dwelling	Off-street parking spaces must be provided as set out below. The number of parking spaces required will be determined according to the below table. The greater of the rate will be applied.		
		Dwelling Size or Number of Bedrooms	Car Spaces per Dwelling	
			A	**B**
		1 - 2 bedroom unit (less than 110sqm)	1	1

Use/Activity		Minimum Number of Car Spaces Required		
		3 or more bedroom unit (ie greater than 110sqm)	1.5	2
		Add for Visitors per dwelling	0.25	0.25
		Dwelling Location A – Less than 400 metres from railway station or major bus station B – Greater than 400 metres from railway station or major bus station		
	Residential Flat building, Shop Top Housing (excluding shop top housing in the Cabramatta, Canley Heights and Canley Vale Town Centres)	1 space per dwelling plus 1 visitor space per 4 dwellings where a development has more than 2 proposed dwellings		
	Shop Top Housing - Cabramatta Town Centre	Refer to the Cabramatta Town Centre Development Control Plan No.5/2000 for applicable Car Parking rates.		
	Shop Top Housing –Canley Heights and Canley Vale Town Centres	**Proposed Dwelling Size** (1. Not including separate storage areas and garages, 2. Car parking must be provided by using the larger of the two calculations)	**Required Car Parking**	
		Small or 1 bedroom or < 75 square metres	1 per dwelling	
		Medium or 2 bedroom or > 75 square metres < 110sqm	1.25 per dwelling	
		Large or 3 bedroom or > 110sqm	1.5 per dwelling	
		Add for visitors spaces per dwelling	0.25 per dwelling	
Residential Accommodation	Group Home	1 space for the carer/nurse/employee plus 1 space for each 5 bed rooms (may be stack parked).		
	Hostel	Parking as per SEPP (Housing for Seniors or People with a Disability) 2004: (i) 1 parking space for each 5 dwellings in the hostel, and (ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and (iii) 1 parking space suitable for an ambulance.		
	Boarding House/ Co-living	Parking to be provided in accordance with SEPP (Affordable Rental Housing) 2009		
	Seniors Housing	No. small units (less than 55sqm) x 0.5 spaces No. medium units (between 55sqm and 85sqm) x 0.85 spaces No. large units (greater than 85sqm) x 1 spaces Or in accordance with SEPP (Housing for Seniors or People with a Disability) 2004		

Use/Activity		Minimum Number of Car Spaces Required
	Residential care facility	Parking as per SEPP (Housing for Seniors or People with a Disability) 2004 viz: (i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and (ii) parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and (iii) 1 parking space suitable for an ambulance.
Resource Recovery Facility		To be determine by a car parking survey of a comparable facility
Roadside Stall		4 spaces
Rural Industry		1 per 70sqm of GLA with a minimum of 3 spaces.
Rural Supplies		(Group with as nursery or garden centre) Determined by parking survey of a Plant Nursery/Garden Centre of a similar scale.
Service Station		6 spaces per work bay plus 1 space per 25sqm gross leasable area of convenience store plus 1 space per 25sqm gross leasable area of restaurant
Serviced Apartment		1 space for each apartment plus 1 space per 2 employees
Sex Services Premises (Brothel)		1.7 spaces per room used for prostitution with at least 1 car space being suitable for drivers with a disability. Minimum of 4 spaces required per brothel.
Storage premises		1 space per 80sqm gross leasable area
Timber Yard		1 space per 140sqm of yard area plus 1 space per 70sqm of shed / processing area. Ancillary Office uses are subject to the following requirements:1 space per 40sqm gross leasable area
Tourist and Visitor Accommodation	Backpackers accommodation	1 space per 3 beds plus 1 space for caretaker/manager 1 space per 2 employees
	Bed and breakfast accommodation	1 space for each lettable room 1 space per 2 employees

Use/Activity	Minimum Number of Car Spaces Required
Tow Truck Office	1 space per truck in addition to the requirements of other uses on site
Transport Depot	1 truck space per vehicle at peak capacity plus sufficient car spaces as determined by a survey
Truck Stops with Accommodation	1 truck space per motel unit, plus 1 car space per 2 employees
Tyre Retail Outlets **Note:** Is a type of **Retail Premises**	1 space per 25sqm gross leasable area or 3 spaces per work bay, whichever is the greater
Vehicle sales or hire premises	1 space per 130sqm site area plus 6 spaces per work bay servicing area (if applicable).
Vehicle Repair Station Vehicle Body Repair Workshop	6 spaces per work bay plus 1 space per 40sqm gross leasable area for any spare parts shop
Veterinary Hospital	3 spaces per surgery
Warehouse or Distribution Centre	1 space per 80sqm gross leasable area If a warehouse is in excess of 5000sqm of GLA, Council will consider a parking rate of 1 space per 150sqm of GFA.

12.2 Design Guidelines

Overview

This DCP references the provisions contained in the current Australian Standard 2890:2009 – Parking Facilities, which sets out the minimum requirements for the design and layout of parking facilities. It includes access and egress requirements for both public and private car parks, and car parking on domestic properties.

Objectives

Location, means of access and on-site arrangement are integral factors in the effective functioning of a car park and its impact on a locality. The standards outlined in this Chapter detail how your car park can be designed to maximize its safety and efficiency of operation while minimizing any environmentally intrusive qualities.

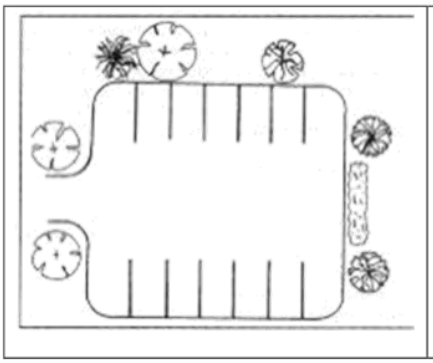
Controls

12.2.1 Dimension of Spaces and Aisles

a) This DCP adopts the provisions contained in the following Australian Standard Australian Standard 2890.1:2004 – Parking facilities - Off-street car parking.

12.2.2 Dead End Aisles

a) Dead end aisles are generally not accepted for the following reasons:
   i. they do not allow through-flow of traffic
   ii. they pose difficulties for vehicles exiting the rear bays
b) Council may consider an exception to the above rule if the car park:
   i. has a capacity not exceeding 7 vehicles
   ii. has a capacity of 14 vehicles in an opposing layout
   iii. is reserved for a low turnover use (such as for employees)



In "dead end" aisles a maximum of 14 spaces in an opposing layout are permissible.

12.2.3 Headroom

Headroom is defined as the vertical distance between the surface level of the car park and the lowest point of any roof or structure above it.

a) In order to ensure satisfactory access for a reasonable range of cars, vans and four wheel drive vehicles, the minimum clear headroom required in an undercover parking area is 2.5 metres.

b) The above requirement may be reduced to 2.2 metres provided that all relevant aspects of Australian Standard 2890.1:2004 – Parking facilities - Off-street car parking are addressed.

c) The headroom height should be clearly signposted at entrances to car parks.

d) If access to the loading bays is via the car park, 3.6 metre headroom will be required.

12.2.4 Streetscape and Car Parking

It is important to recognise that vehicle access to a site and its parking areas will have an impact on urban design, pedestrians and even vehicular conflict.

The following principles should be observed when designing for vehicular access:

a) In commercial centres priority should be given to the needs of pedestrians. In this regard vehicles should gain access from rear lanes or side streets rather than from main streets which have greater pedestrian traffic;

b) Parking/loading bays will not be permitted in the front setback areas of commercial centres because this creates an undesirable streetscape character and disrupts pedestrian movement;

c) In those areas where a number of sites have redevelopment potential, joint or shared access should be considered in order to minimize conflict points between pedestrians and vehicles;

d) The design and location of vehicular access points should not interrupt the continuity of a streetscape. Footpath re-direction to allow vehicular access will not be permitted;

e) Entry/exit points should be clearly identified. Larger sites or those with a high vehicle turnover (such as shopping centres) should provide separate entry/exit points to minimize potential vehicle conflict.

f) On-street queuing of vehicles should be minimized through the creation of adequate on-site "waiting areas". The depth of the queuing bays required will depend on the traffic expected to be generated by the development.

12.2.5 Driveways Near Intersections

a) Sites located near intersections pose problems of safe entry to and exit from parking areas. To ensure safe vehicle movement near intersections, driveways on local and collector roads are not permitted within 6 metres of a splay corner. (Council's Traffic Services Division should be contacted in relation to driveways near intersections of Classified State and Regional Roads and Unclassified Regional Roads). Dwelling house sites are exempted from these requirements.

b) Vehicle access and driveways to properties should be at least 30 metres or as far as possible from an intersection with an Classified State and Regional Roads and Unclassified Regional Roads (refer to Appendix G of this DCP.

12.2.6 Driveway and Ramp Width

a) The appropriate driveway width is dependent upon:
   i. whether entry and exit points are combined or separate;
   ii. the types of vehicles using the site;
   iii. the number of vehicles using the site; and
   iv. the amount of traffic on the access road.

Note: Council's Design & Traffic Services Division will advise you of the appropriate driveway and ramp width for your proposal.

b) Vehicle Access and driveways to properties should be in the location that allows the shortest, most direct access over the nature strip from the road.

c) Vehicle access and driveways from:
   i. A physically closed road will only be permitted: where there is no alternative access opportunity and with the approval of Council's Traffic Branch.
   ii. Classified State and Regional Roads (refer to Appendix G of this DCP), will only be permitted: via a slip lane where it is beneficial to the business and has the approval of the Service NSW or where there is no alternative access opportunity.
   iii. Unclassified Regional Roads (refer to Appendix G of this DCP), will only be permitted: via a slip lane where it is beneficial to the business and has the approval of Council's Traffic Branch or where there is no alternative access opportunity.
   iv. Parramatta to Liverpool Transitway corridor will not be permitted, except on the following streets where there is no alternative access opportunity: Canley Vale Rd (North of The Horsley Drive), Victoria Street and Eastern side of Walter Street.
   v. The M7 Motorway will not be permitted.

12.2.7 Vehicle Movement Direction

Whenever possible, vehicle movement within the car park should be in a forward direction to lessen the chance of collision.

12.2.8 Location and Layout

Car parks can occupy a considerable amount of space and are often located with a degree of prominence not warranted by their role as a building ancillary.

a) In recognition of their function, car parks for commercial and industrial development should be designed to incorporate all the spaces in one location so that the amount of access roadway is minimized and occupied for a preferable use such as landscaping or floor space.

b) When site conditions permit, parking should be accessed from a rear lane. Parking for large-scale developments generating significant vehicle turnover and associated noise/fumes, should be located away from residential areas that would be most adversely affected.

c) To maximize site utilization, developers should consider construction of basement parking so that ground level pedestrian access to customers/occupiers can be maintained. Such treatment would also allow use of the space for landscaping or provision of open space/recreation facilities.

12.2.9 Manoeuvring

To function effectively a car park must provide appropriate manoeuvring room. The amount of manoeuvring space required is dependent upon the number and size of vehicles using the site and the arrangement of parking and loading bays.

To ensure your car park has adequate manoeuvring area for vehicles using the site it will be necessary to test “turning templates” over the proposed parking plan layout.

Council uses the Roads and Traffic Authority turning path guidelines/templates (ie Austroads Design Vehicles and Turning Path Templates, AUTOTURN vehicle swept path computer program) to determine whether a development will provide adequate manoeuvring area for cars. Australian Standard 2890.1:2004 – Parking facilities - Off-street car parking and Australian Standard 2890.2-2002 – Parking facilities - Off-street commercial vehicle facilities

12.2.10 Pedestrian and Car Park Layout

When sites have both pedestrian and vehicular access there is a reasonable chance of conflict, to help minimize the likelihood of such conflict:

Parking areas should be designed so that through traffic is either excluded or minimised,

Pedestrian entrances/exits should be separated from the vehicular entrances/exits (parking spaces must not obstruct required exit doors).

Those developments generating a significant amount of pedestrian movement throughout the car park (such as shopping centres or office parks) should establish a clear and convenient pedestrian route. This route should minimize the number of points which cross vehicle paths and be appropriately marked to heighten driver awareness (eg. through zebra crossings, a change in pavement material, lighting or signage).

12.2.11 Landscaping

The purpose of landscaping in parking areas is to:

a) provide visual relief from the expanse of hard surfaces;

b) screen the car park from surrounding areas, (thereby softening the visual impact of cars and the glare often associated with them);

c) provide shade for vehicles and consequently increase driver comfort;

d) assist in containing surface water runoff; and

e) provide cover over hard surfaces to ensure heat retention and reflection is reduced and help limit the impact of inclement weather (such as hail storms).

In order to achieve the above effects the following measures should be undertaken when landscaping your site:

Perimeter Planting - On those sites where the building is set back from the front or side boundaries landscaping should be carried out along the perimeters. Front planting beds should have a minimum depth of 3 metres and side beds a minimum depth of 1 metre.

Plant Layout - Planting height should be graded across the width of a bed from larger species in the centre to smaller at the edge. This approach will permit maximum display of species and ensure larger, overhanging plants do not obstruct vehicle or pedestrian movement. Shade trees should be placed throughout the car park, particularly between rows of vehicles in order to provide a canopy of cover and to reduce the visual monotony of expansive hard surfaces which serve to trap and reflect heat.

Landscape "islands" should be incorporated every 10-15 vehicles.

Low growing shrubs should be placed around signs and bollard lighting in order to ensure visibility is maintained. Similarly, entry and exit points to the site should have clear sight distances and thus planting at these points should be a combination of taller trees and low growing shrubs. Midsized shrubs should be avoided.

Plant Choice - In choosing appropriate plants it is important to avoid those species, which may prove problematic. Plants which have a short life, which tend to drop branches, gum or fruit, or plants which interfere with underground pipes are not suitable for car parks.

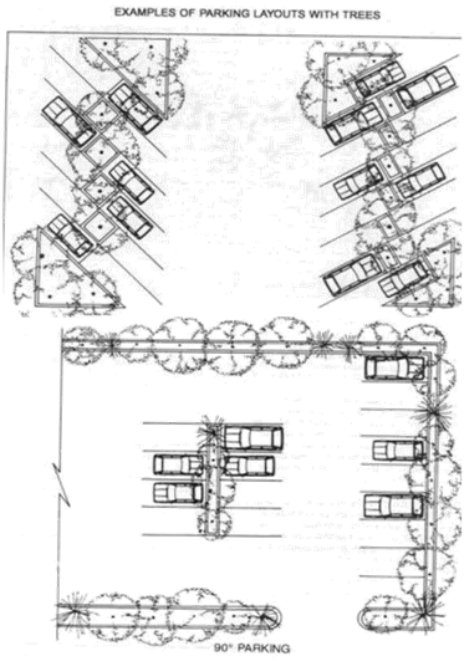


Figure 1 Example of Parking Layout with Trees

Plant Protection/Maintenance - In order to ensure your investment in landscaping is safeguarded, it will be necessary to provide adequate protection and maintenance of planting. Protection may be achieved through the use of measures such as wheel stops, bollards, raised planter beds, gutters or timber barriers. Plant survival rates can be enhanced and maintenance minimized through appropriate plant choice and labour saving devices such as automatic water reticulation systems. This also ensures plant survival.

12.2.12 Line Marking

Maximizing the capacity of parking areas can be achieved through clear identification of all parking spaces. Line marking parking bays provides drivers with a clear guideline on where to locate vehicles.

It is preferable to line mark plain surfaces such as concrete or asphalt with highly visible white or yellow paint.

Parking areas constructed of brick or concrete pavers can also identify spaces with paint or by the use of a paver which contrasts in colour with that used for the bulk of the surface.

To be effective, all line marking should have a minimum width of 75 mm and a maximum width of 100 mm.

12.2.13 Pavement Materials

Those areas of a car park which will be traversed by vehicles and pedestrians need to be constructed of materials which will resist wear and offer sufficient traction in order to allow safe, effective movement by users.

Controls

Pavement materials which are appropriate for car park surfaces include:

a) pattern stamped concrete

b) pavers (clay or concrete)

c) pebble crete

d) concrete

e) asphalt.

The type of materials used will depend on the type of development. Additional details for pavement treatments are provided in the appropriate chapters contained within this DCP for those specific types of developments.

Appropriate pavement depth/load bearing capacity can be determined using the relevant Australian Standard or following discussion with Council's City Services Department.

Surfaces which may prove slippery to pedestrians (particularly the aged and disabled) should be avoided.

12.2.14 Boom Gates

Card operated boom gates are another security measure which may be incorporated into larger scale car parks. Boom gates limit access to those vehicles authorized by car park owners/operators and can improve security in facilities such as shopping centres and office car parks by requiring drivers to present their entry tickets before they may exit.

Controls

The location of boom gates should be such that they allow sufficient queuing space for vehicles entering the site (this space will vary according to car park capacity); and

where appropriate, enable visitors to the site to gain access to space without having to pass through the boom gates.

12.2.15 Signage

The effective use of parking areas relies on awareness by drivers of the availability and location of parking spaces and loading bays, and the correct means of gaining access to these facilities.

Controls

To ensure the efficient operation of parking areas:-

a) Vehicle entry and exit points to the site should be clearly marked with either pavement arrows or signage.

b) The location of any parking/loading areas which are out of sight of the driver should be clearly indicated with signage.

c) Desired traffic movement should be indicated through the use of arrows painted on the pavement, preferably in a highly visible colour such as white or yellow.

12.2.16 Lighting

The safety of vehicles and occupants in a car park can be enhanced through the use of appropriate illumination.

Suitable lighting will allow easy observation/monitoring of car parks and thereby limit the cover darkness provides to anyone contemplating vehicle theft or vandalism.

Lighting can also clearly outline paths and roadway details to pedestrians and drivers who are attempting to navigate the car park at night. Lighting can provide drivers with an early warning of approaching pedestrians thereby minimizing possible conflict.

Lighting may be either wall mounted, free standing pole lights or bollard lights. In some instances all three forms of lighting may be incorporated to provide effective illumination.

Controls

a) Interior lighting should be provided in accordance with Australian Standards 1680

b) Exterior lighting should be provided in accordance with Australian Standards 1158 – Lighting for Roads and Public Spaces

12.3 Special Requirements

Car parks for some developments have special requirements due to their size, types of users or nature of operation. The guidelines for those instances are contained below.

12.3.1 Drivers with a disability

Provision of car spaces catering for the needs of drivers with a disability is often overlooked in new developments. In the interest of staff and customers, building owners/developers should consider provision of parking for those with a disability beyond that required by this DCP.

Controls

a) Spaces Required - The minimum spaces required shall be in accordance with Building Code of Australia AS1428.

b) Location - Spaces should be located close to the entry of the building to minimize travel distances and maximize accessibility. Spaces should be located on level ground.

c) Access - Parking areas should recognize the needs of the disabled by ensuring gutters/stairs or other obstacles do not impede access into the building.



Figure 2 Disabled Parking Spaces are to be clearly identified through signage, logo and colouring

d) Identification - Spaces for the disabled should be clearly identified by both signage and stenciled disabled symbol on the surface. The space should be painted blue.

e) Width of Space - Car spaces for the disabled should be in accordance with AS2890 Building Code of Australia AS1428.

12.3.2 Stack Parking

Stack parking occurs when one vehicle is parked behind/beside/beneath another in a way that prevents the other vehicle from existing.
In general Council does not favour the use of stack parking. However, Council is prepared to consider the provision of parking in a stacked arrangement when the applicant can demonstrate that such a proposal:

a) will not adversely affect use of the site;

b) only requires the removal of one vehicle to enable another vehicle to exit;

c) allows for a change of use/occupancy of a building without impacting on parking needs of tenants/users;

d) only involves a small proportion of total parking numbers (in non-residential situations);

e) will be for use by employees of the same organization or inhabitants of the same household; and

f) stack parking will be permitted for the parking needs of each dwelling unit.

12.3.3 Bicycles

To encourage the use of bicycles, new developments should incorporate appropriate bicycle parking/storage facilities.

Bicycle racks can be placed around the perimeter of a building in areas where they will not act as obstructions. Bicycle parking is often in high demand at educational or recreation facilities, corner shops and civic buildings.

Controls

Bicycle parking/storage facilities should be provided in accordance with the provisions of Australian Standard 2890:3:1993 – Parking facilities - Bicycle parking facilities.

12.3.4 Mechanical Parking

Mechanical parking can include a variety of vertical, horizontal or underground vehicle storage/parking methods. Council will consider any application for mechanical parking arrangement on its merits as measured against compliance with the objectives of this DCP.

12.3.5 Multi-Storey Car Parks

Multi-storey car parks are often highly visible and can have a significant impact on the townscape and image of a centre.

a) Multi storey car parks should be constructed at a scale and bulk compatible with surrounding buildings.

b) The proportions of openings and materials used in parking stations should reflect those of nearby structures. This may require a façade to be incorporated in the design of some parking stations since many are designed with floor slabs exposed to the street.

c) Multi storey car parking facades also provide an opportunity for the incorporation of public art elements. Where public art is proposed design concepts shall be developed and discussed with council through the development application process.

d) Where the zoning permits, owners of multi storey car parks should consider activation of the ground floor level by incorporating activities such as shops or offices.

12.3.6 Car Theft

a) To help minimise opportunities for theft, the lighting and landscaping measures (described in this Chapter) should be incorporated.

b) Multi Dwelling and Residential Flat Buildings which have underground car parks that are out of sight (and hence prone to theft) may improve vehicle security by installing security screens or roller doors at car park entrances.

12.3.7 Heritage Buildings and Parking Bonuses

Heritage buildings are those items that are considered to be of such historic, cultural, social, architectural or aesthetic significance to the community that their development warrants special attention.

Refer to Schedule 5 of the Fairfield Local Environmental Plan 2013 for a listing of the Heritage Items contained within the Fairfield Local Government Area.

If your proposal involves development of a heritage building you may be eligible for parking bonuses. In general, if your development will result in the retention and/or enhancement of a heritage building, Council may waive the parking normally required by this DCP if it is felt that this parking would reduce the significance of the building. For example, if you wished to convert a heritage house into two dwellings and you have insufficient site area to provide both parking and landscaping, Council may accept landscaping alone.

12.3.8 Trucks and Vans – Loading Information for Commercial and Industrial Developments

In addition to the need for car parking spaces many developments regularly take delivery of goods and thus there is a need to determine an appropriate loading arrangement.

To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either:

a) be carried out on-site without interfering with the efficient operation of the premises (including its car park); or

b) gain access to an on-street loading zone at the front or side of their premises; or

c) arrange deliveries outside of business hours

Additional details for loading arrangements are provided in the appropriate chapters contained within this DCP for those specific types of developments.

12.4 Overcoming Problems

Some developers may experience difficulties in attempting to comply with the requirements of this DCP. This section outlines means of resolving these difficulties where a development proposal meets Council's broad objectives.

12.4.1 Exceptions to the Rules

Council encourages innovative approaches to the issue of parking provision where it can be demonstrated that the aims of this DCP can be satisfied.

In those instances where the applicant can demonstrate that the use/activity will generate a demand for parking outside those times when peak demand is likely to be expected (for example, restaurant peak times and retailing peak times rarely coincide) Council will consider variations to the requirements of this DCP.

Similarly if it can be shown that the requirements of this DCP are excessive Council may vary its application. The validity of the applicant's argument must be demonstrated by presentation of relevant data and practical examples of comparable situations.

The provision of nearby public car parking and the type of transport used to gain access to the premises, along with car ownership rates among users, will also be considered as mitigating factors in determining appropriate parking rates. In shopping centres, customers may patronize a number of shops during their visit and thus parking required may be less than this DCP might otherwise necessitate. Consideration of this argument by Council will mean the applicant will need to submit a parking accumulation/turnover study with their proposal.

Where the problem is one of layout (i.e., spaces, aisles, ramps and so on) then reference to the current Australian Standard 2890 - Parking Facilities will provide greater flexibility than the basic layouts provided in this code. However, the standards are complex and require a professional designer experienced in their use.

12.4.2 s.7.11 Parking Contributions

While Council generally requires that car parking for a development be located on-site, in some cases a monetary contribution (s.7.11 contribution) may be accepted. This will only be in accordance with the provisions of the Fairfield City Local Infrastructure Contributions Plan 2023 and in the town centres Canley Heights and Cabramatta.

Council will not accept contributions for car parking in relation to residential development.

Council will only accept a parking contribution if:

a) parking on-site would create an undesirable traffic problem (for example it would encourage unwanted and unrelated traffic and parking to a site in a heavily trafficked area); or

b) the applicant's site has a number of restrictions which make it difficult/impossible to provide the required parking on-site; or

c) Council's DCP for a commercial centre does not allow the necessary parking to be provided on-site; or

d) the parking would have an unwanted impact on the streetscape of a centre.

It should also be noted that Council can only accept a contribution for parking provision where it has adopted a contributions plan to ensure adequate parking will be provided near the applicant's site.

Parking contributions may vary in different areas. Details of the contribution rates are contained in the Local Infrastructure Contributions Plan 2023, which is available online at www.fairfieldcity.nsw.gov.au.

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Celebrating diversity

Fairfield CityWide DCP

Chapter 13
Child Care Centres

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13.0 Local Context

The State Government is responsible for licensing child care centres under the Children and Young Persons (Care and Protection) Act, 1998. The NSW Department of Education (DEC) administers this Act as well as the Children's Services Regulation 2004.

Fairfield City Council is responsible for land-use planning throughout the Fairfield Local Government Area. This is regulated through plans and policies prepared under the Environmental Planning and Assessment Act, 1979.

This chapter is intended to be complementary to the requirements of Family and Community Services (FACS) or the relevant government body responsible for these matters applicable at the time. It identifies specific issues over which Council has care and control. FACS requirements must be complied with in addition to those included in this chapter.

13.1 Controls for Child Care Centres

Overview

This clause applies to child care centres permissible in all land within the Fairfield Local Government Area.

This section attempts to establish specific objectives and controls for child care centres. Although these are often located in residential zones, Council acknowledges that they are permissible in a variety of zones subject to meeting the objectives of that zone.

Objectives

a) To provide a clear planning framework for the development of child care centres in the Fairfield City,

b) To ensure child care centres are located and designed to minimise the impact on the amenity of surrounding residents and other land users,

c) To ensure child care centres are located and designed to provide children with a safe, healthy and active environment, conducive to positive development,

d) To ensure that staff and other users of child care centres are provided with a high quality work environment, and

e) These broad objectives are expanded further within the objectives of the individual development controls.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B – Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

13.1.1 What approvals are necessary?

Overview

Child care centres require development consent to be obtained from Council prior to commencement of operation. Any building work requires the prior issue of a Construction Certificate. At the completion of building work an Occupation Certificate will be issued to permit occupation of the building. Council or an independent certifier may issue these certificates.

In addition to the above, the activity must be licensed by DEC. The Children's Services Regulation 2004 provides that where development consent is required under the EP&A Act, an application for license may not be made until development consent has been obtained.

The requirements of DEC may vary from time to time, or they may implement policies or practices in addition to the statutory provisions. It is therefore recommended that DEC be contacted to determine these requirements. Council does not enforce or control such requirements and the onus rests with the applicant to ensure that their licensing obligations are satisfied.

13.1.2 Maximum Capacities

13.1.2.1 Childcare Centres in Residential Zones

Overview

Whilst child care centres are a permitted land use in the residential zones, they are also a commercial activity and must not result in any adverse impacts upon neighbours and the existing residential area. In this regard, Council considers that it is necessary, among other things, to limit the capacity of child care centres in residential zones. Additionally, in acknowledging that larger centres create greater impacts, provide for varying controls for child care centres of different scales.

Council is also aware of a general shortage in the provision of child care places for the 0-2 year's age group and would seek to redress the imbalance.

Objectives

a) To ensure that the capacity of a child care centre is compatible with existing land uses and does not alter the immediate character and the amenity of existing residential areas,

b) To ensure that child care centres are appropriately integrated into existing or new residential environments,

c) To encourage a distribution of smaller child care centres across all appropriate zones, and

d) To encourage the provision of places for children in the 0-2 years age bracket.

Controls

a) Child care centres shall be classified according to the number of children under care in accordance with the following table:

Number of children under care	Classification
Seven (7) children or less	Home-Based Child Care
Eight (8) to thirty (30) children	Type A
Thirty-one (31) to forty (40) children	Type B

b) The maximum number of children that a child care centre, located in any zone, may accommodate at any time must not exceed forty (40).

c) If a proposed child care centre has a common boundary with an existing centre, then the applicant must demonstrate that the new centre is not an addition to the existing centre. That licences are not in the same name is not sufficient proof. It must be illustrated that the centres cannot be combined in the future.

d) In each of the child care centre types, the following minimum ratio of the children under care shall be in the 0-2 years age group:

Classification	0-2years age group
Type A	No minimum
Types B	1 in 8 or part thereof

Design of the building and provision of facilities shall be such as to cater for this age group.

13.1.2.2 Childcare Centres in Non-Residential Zones

Overview

There is an increasing need to have child care centres in close proximity to work places such as within or adjoining employment zones. This need is balanced by the requirement to ensure that surrounding uses do not adversely affect the operation of a child care centre and vice versa.

Objectives:

a) To ensure that proposed child care centres will be compatible with the objectives of the relevant zone

b) To ensure that proposed child care centres in non-residential zones are compatible with, and does not affect the operation of, any existing or likely future non-residential land uses in the immediate vicinity.

c) To provide opportunities for child care places close to work places and employment centres

d) To locate child care centres where they would not have an adverse impact on the safety and health of children

Controls

a) Child care centres shall be classified according to the number of children under care in accordance with the following table:

Number of children under care	Classification
Eight (8) to thirty (30) children	Type A
Thirty-one (31) to forty (40) children	Type B
Forty-one (41) and above	Type C

b) Proposed child care centres in non-residential zones should not affect the operation of any existing likely future non-residential land uses in the immediate vicinity.

c) In each of the child care centre types, the following minimum ratio of the children under care shall be in the 0-2 years age group:

Classification	0-2years age group
Type A	No minimum
Type B	1 in 8 or part thereof
Type C	30% of total group

13.1.3 Location Requirements

Objectives

a) To ensure child care centres are provided as equitably as possible across the LGA, subject to the areas of greatest need being adequately serviced.

b) To minimise the impact of child care centres on residential amenity in terms of traffic generation and movement, traffic noise and noise from children by encouraging an even distribution of small centres in residential areas.

c) To encourage the clustering of child care centres with community facilities and other complementary land-uses.

d) To ensure that selected sites are not subjected to environmental hazards that may be detrimental to the health or safety of the users of the facility.

e) To ensure that principal character and purpose of the various zones is maintained and that child care centres are an ancillary facility, servicing the local community within which they are located.

Controls

a) A location analysis shall be submitted with each application as prescribed by Chapter 2 of this DCP. For child care centres, the locational analysis should also indicate in map form all existing child care centres as well as all parks, schools and other community facilities within a two-kilometre (2km) radius of the proposed centre. The map shall identify the capacity of surrounding centres, as well as any potential health and safety risk hazards. An analysis of the need for a centre in the proposed location must also support the application. Council discourages the location of child care centres in the following zones:
   i. RU2 - Rural Landscape.

   ii. RU4 - Primary Production Small Lots.

b) Where a child care centre is located in a commercial zone, the applicant must demonstrate that it is ancillary to the principal commercial uses on the same land and primarily serves the needs of the local work force.

c) The location of child care centres shall take into consideration the proximity to environmental health or safety risk hazards. To this end consent will not be granted for centres located:

   a. having frontage to, or access from:
      i. Classified State and Regional Roads (),
      ii. Unclassified Regional Roads (and
      iii. Cul-de-sacs

   b. within 100 metres of the following features:
      i. Classified State and Regional Roads
      ii. High-voltage power lines,
      iii. Telecommunication base stations and towers, and
      iv. LPG above ground gas-tank or tanker unloading position.

   c. Any site where following Council's assessment, the road upon which the child care centre is proposed to be located, is not suitable due to:
      i. the prevailing traffic conditions,
      ii. pedestrian and traffic safety, and
      iii. the likely impact of the activity on the flow of traffic on the surrounding street system.

   d. Any site located in high or medium flood risk zone

d) In addition, consideration shall be given to the following hazards either within the site or in the surrounding area:

   i. Contaminated land;
   ii. Proximity to water cooling and water warming systems;
   iii. Proximity to odour generating uses and sources; and
   iv. Any other identified environmental hazards or risks relevant to the child care activity.

Note: Refer to Appendix G of this DCP for Council's list of Classified, Regional and Unclassified Roads.

Council encourages child care centres to be located in school or church properties, or on sites used for other complementary community land-uses. Each application will be considered on its merits having regard to the objectives of this DCP and the circumstances of the case to determine how best to promote the co-location of community facilities.

13.1.4 Building Design and Streetscape

Overview

Building Design and streetscape must be maintained within a residential area. This section will attempt to provide provisions for child care centre developments to be compatible with the existing built environment.

Objectives

a) To ensure that sites selected for child care centres minimise adverse impact on the locality and provides a suitable environment for the users;

b) To ensure that sites selected are capable of accommodating centres that provide adequate vehicle parking and manoeuvring area, open space, landscaping and the like;

c) To ensure that the layout and building design take into account the characteristics, constraints and opportunities of the site and its surrounds;

d) To ensure that the development has a high quality appearance that enhances and complements the streetscape of the area;

e) To ensure the building design addresses the relevant strategies of "Crime Prevention Through Environmental Design" (CPTED); and

f) To ensure the amenity of adjoining neighbours (including aural and visual amenity and privacy) is maintained and is not detrimentally affected by a Child care centre. This includes the impact of any measures, such as acoustic barriers, designed to ameliorate amenity impacts.

Controls

a) Child care centres shall have a minimum road frontage as listed below. Where there is more than one frontage this width relates to the nominated frontage of the centre:
   i. Type A, 20 metres
   ii. Types B, 22 metres.

b) Child care centres, and all areas used by children, shall be located only at the ground level of the building within which they are located.

c) Council will encourage the adaptive re-use of buildings where possible, consistent with the objectives of environmental sustainability. This shall be weighed against the social objective of providing high-quality community facilities. In the development of child care centres, the social objective shall prevail and Council may require that facilities be purpose-built to satisfy the requirements of this plan.

d) That if a proposal for a child care centre requires boundary fences or other structures to be greater than 2.1 metres in height so as to adequately mitigate noise and/or to otherwise protect the amenity of neighbours, then the scale of the child care centre is inappropriate and should be reduced.

Note 1: Council encourages the provision of high quality public art. Each application will be considered on its merits having regard to the objectives of this DCP and the circumstances of the case to determine how best to promote public artworks.

Note 2: Frontage means the width of the property measured at the street alignment. Where there is more than one street frontage, the **nominated frontage** is the one selected as the principal vehicular access to the site.

13.1.5 Parking and Traffic

Overview

Parking and traffic controls can help provide equitable access and allow for access issues to be tackled early in the development design process of child care centres.

Objectives

a) To provide adequate and safe on-site parking of staff vehicles, as well as suitable space for deliveries, service access, and the setting down and picking up of children,

b) To reduce the incidence of on-street parking, which may be detrimental to road safety and the amenity of residents,

c) To ensure the safe and efficient movement of pedestrian and vehicular traffic entering and leaving the site, and

d) To minimise the impact of traffic movements on the surrounding precinct.

Controls

a) The car-parking requirement is 1 space per employee and 1 space per 10 in care or part thereof. Off-street car parking shall be provided at the same rate as that required by Chapter 12 - Car-Parking, Vehicle and Access Management, with at least one of these to be a disabled car space.

b) Where there is another use on the same site, additional spaces at the rate applicable to that use shall be provided.

c) All vehicles shall enter and leave the site in a forward direction.

d) Child care centres shall only be permitted where their nominated frontage is to a roadway that has a minimum carriageway width (sealed road measured kerb to kerb) of twelve metres (12 metres).

e) The traffic circulation system serving the centre shall be designed to allow the safe drop-off and collection of children and the safe movement and parking of staff, parent, visitor and service vehicles. The design shall take into account nearby traffic generators, street design, and the safety of pedestrians and cyclists. For example, driveways shall not be located opposite, or in the vicinity of, roads at a T-intersection or near a round-about.

f) All applications for child care centres shall be accompanied by a 'traffic and parking' report, prepared by a suitably qualified person addressing the above issues to Council's satisfaction. For centres of Type B & C, suitably qualified means a certified traffic engineer, transport planner or equivalent.

13.1.6 Indoor Spaces

Overview

Planning development standards must ensure that indoor spaces are designed in a way so as to ensure that child development and supervision are not compromised in any way.

Objectives

a) To provide attractive and functional indoor spaces which provide positive experiences and developmental growth of children, and

b) To provide indoor spaces that are safe and functional and enable adequate staff supervision of children at all times.

Controls

A minimum of 3.25sqm of unencumbered indoor floor space shall be provided for each child under care, exclusively for the use of children. (Refer cl. 30 of Children (Education and Care Services) Supplementary Provisions Regulation 2004.

Note: The Regulation provides "For the purposes of calculating unencumbered indoor play space, items such as any passage way or thoroughfare, door swing areas, kitchen, cot rooms, toilet or shower areas located in the building or any other facility such as cupboards are to be excluded."

13.1.7 Outdoor Spaces and Landscaping

Overview

Outdoor areas should be designed as an extension of indoor spaces.

Objectives

a) To ensure adequate and well-designed outdoor play area is provided to cater for children's needs including learning, play, quiet time and other developmental experiences;

b) To provide outdoor spaces that are safe, secure and functional, comply with CPTED principles, and enable adequate staff supervision of children at all times;

c) To enhance the setting of child care centres and the environmental quality of the neighbourhood;

d) To protect the existing landscape features of the site where possible; and

e) To protect the amenity and privacy of adjoining property owners.

Controls

a) A minimum of three metres of landscaping must be provided to the street frontage.

b) A minimum one metre of landscaping from the rear boundary is to be provided for Type B and Type C centres.

c) A minimum 1 metre of landscaping for each of the side boundaries is to be provided for Type A, Type B centres and Type C centres.

d) In each case, this landscaping shall include substantial trees to provide visual privacy for neighbours. Trees should not be such as to compromise the security of the children in care by providing a means for climbing over fences.

e) Child care centres must have at least 7sqm of useable outdoor play space per child that is exclusively for the use of children.

f) Outdoor spaces must include a range of different areas including open space for activities such as running, shaded areas for reading and other quiet activities and active areas which include play equipment.

g) A physical division in the form of a low fence (600mm high) or similar structure is to be maintained between the play spaces provided for children under the age of two years and that provided for older children to ensure the younger children have adequate access to play areas and equipment.

h) Outdoor play areas shall be physically separated from the main entrance, car-parking areas and vehicle circulation areas and shall be adequately fenced on all side.

i) Please refer to Chapter 2 – Requirements for Development Application Submission for further information regarding landscape plans.

13.1.8 Visual and Acoustic Privacy

Overview

Child care centre designs should address the established character of the area in order to minimise visual outlook and protect privacy. The character can be determined by the scale, massing, siting, size, height, spacing, form, intensity and use of surrounding buildings.

Objectives

a) To minimise noise generation from the centre and intrusion of noise from external sources, and

b) To ensure the privacy of surrounding premises is maintained and protected from overlooking.

Controls

a) Child care centres must achieve an ambient noise level within the centre not exceeding 40dB(A) within learning areas. Designated sleeping areas are to achieve a level not exceeding 35dB(A) within the room. Designs should aim to locate sleep rooms and play areas away from the principal noise sources. Where necessary the impact of noise must be reduced by solid fencing and double glazing.

b) Centres must be carefully designed so that noise is kept to a minimum and does not create "Offensive Noise" as defined by the Protection of the Environment Operations Act 1997. Factors to consider, and which Council may require to be addressed include:
   i. Orientating the building having regard to impacts on neighbours. This may include locating play areas away from neighbouring bedrooms;
   ii. Providing double-glazing of windows where necessary;
   iii. Erection of noise barriers, which may include fencing types that minimise noise transmission;
   iv. Insulation of external noise sources such as air conditioners;
   v. Placing restrictions on the number of children to be outdoors at any one time.

c) All applications for Type B & C, child care centres shall be accompanied by an 'acoustic' report, prepared by a suitably qualified person addressing the above issues to Council's satisfaction.

d) Overlooking of adjoining principal living areas and private open spaces must be kept to a minimum. This may be done by a number of means including appropriate building layout, landscaping or screening.

13.1.9 Emergency Evacuation

Overview

Child care centres must have an emergency evacuation plan to ensure the safety of the occupants.

Objectives

To ensure that child care centres have emergency evacuation plans that ensure the safe evacuation of occupants.

Controls

a) Prior to the issue of an Occupation Certificate for the child care centre, an evacuation plan complying with AS31045 must be prepared and implemented. This plan shall consider:
   i. The mobility of children;
   ii. The location of a safe congregation area away from the evacuated building, busy roads and other hazards; and

iii. The supervision of children during evacuation and at the safe congregation area.

13.1.10 Signage

Overview

Provisions for signage for child care centres should attempt to address the streetscape and the cumulative impact with relation to existing signage in the area.

Objectives

To minimise the visual impact of signs and ensure signs complement the design of buildings and preserve the streetscape and amenity of the area.

Controls

The signage shall comply with provisions outlined in Appendix C – Advice for Designing Advertising Signs.

13.1.11 Hours of Operation

Overview

Hours of operation must be restricted so as to ensure that the effect of the childcare centres is negligible to the residents of the locality.

Objectives

To ensure the hours of operation of child care centres do not adversely affect the amenity of surrounding properties.

Controls

a) Hours of operation for child care centres shall not extend beyond 7:00am to 7:00pm Mondays to Fridays and 8:00am to 7:00pm Saturdays. No operation will be permitted on Sundays or public holidays;

b) Centres proposing to obtain a licence for long-day care may be granted consent to operate from 6:00am from Mondays to Fridays. Any such application shall be accompanied by an acoustic report, prepared by a suitably qualified person addressing issues raised in 13.1.8 (b).

13.1.12 Stormwater Disposal

Objectives

a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties.

b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 3 of the Stormwater Management Policy – September 2017.

13.1.12.1 On Site Detention

On Site Detention objectives include that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017

13.1.13 Alternative Building Forms of Types of Care

Dual Use – Child care centre and Dwelling

Objectives

a) To avoid the over-development of such dual use sites, and

b) To provide adequate and separate private open space for each of the uses.

Controls

a) The combined Floor Space Ratio (FSR) for both uses shall not exceed the FSR for dwellings in the same zone.

b) An open space area must be provided for the exclusive use of the residential component of the dual use. This area must be in addition to the outdoor area provided in this plan, and should comply with the private open space requirements in the relevant section for residential development.

c) Separate facilities, such as kitchen, laundry and toilets, shall be provided for the exclusive use of the residents, and children in care must not be able to access any part of the dwelling.

d) Where applicable the controls from Chapter 5A Dwelling Houses will also be considered in assessing the dwelling component of dual use - child care centre and dwelling.

13.1.14 Above Ground Child Care Centres in Employment Zones

Objectives

a) To encourage the provision of child care centres in employment zones where they service the workforce in the immediate locality.

b) To allow for the location of child care centres above ground where no viable alternatives exist.

c) To ensure that the elevated location does not compromise the safety of the users of the child care centre.

Controls

a) This clause may be applied only to the following commercial zones:
   i. E1 Local Centre.
   ii. E2 Commercial Centre
   iii. MU1 Mixed Use
   iv. E4 General Industrial
   v. E3 Productivity Support

b) Above ground child care centres shall not be located higher than the first floor (above ground) of a building.

c) Where it is impracticable to provide outdoor spaces, Council may permit some or all of that space to be provided indoors, provided that space is designed to allow children to participate in activities that promote gross motor skills.

d) Where outdoor spaces are provided above ground level and outdoors appropriate measures shall be implemented for the protection of those spaces from adverse wind and other climatic conditions.

e) Adequate fencing shall be provided for the safety of children and to prevent objects from being thrown over the edge.

f) Fencing shall be integrated into the building design.

g) A safe refuge area shall be provided within the child care centre and opening directly to a dedicated fire-isolated stair.

h) The area of the refuge shall be 0.25sqm per person for the capacity of the centre, including staff.

i) The doors, walls, floors and ceiling of the refuge shall have a minimum Fire Resistance Level (FRL) equal to that required for the fire stairs.

13.1.15 Home Based Child Care

Home-based child care means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

a) the service is licensed within the meaning of the Children and Young Persons (Care and Protection) Act 1998; and

b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

All home-based child care services must comply with the relevant licensing standards, and be licensed by DEC.

Home based child care is permitted without consent in the following zones:
   i. Zone RU5 - Village
   ii. Zone R1- General Residential
   iii. Zone R2 - Low Density Residential

iv. Zone R3 - Medium Density Residential
v. Zone R4- High Density Residential
vi. Zone E1 – Local Centre
vii. Zone MU1 – Mixed Use
viii. Zone E3 – Productivity Support

13.1.16 Other Facilities

DEC have identified a range of facility types, each of which has different standards and requirements for licensing. These include:

a) Long day care centre;

b) Pre-Schools or Kindergartens;

c) Occasional Child care centres;

d) Out of School Hours Care;

e) Multipurpose Child care centres

Applicants should identify the specific type of facility proposed to be provided and seek their consents and licenses accordingly.

13.1.17 Educator to Child Ratio

Objective

To ensure that educator to child ratios for Child Care Centres are consistent with the Education and Care Services National Regulations.

Controls

Minimum standards of Educator to Child Ratio is to be provided in accordance with latest Education and Care Services National Regulation. As of the 1 of January 2016 the following Educator to Child Ratio are in force:

The following ratios will apply from 1 January 2016	
Age	Educator-to-child ratio
Birth to 24 months	1:4
24 to 36 months	1:5
36 months to 72 months	1:11
Note: Please check the Education and Care Services National Regulation for the most up to date ratios. These ratios prevail over the ratios included in this DCP in the event of any inconsistency.	

13.1.18 Bushfire Prone Land

Objective

a) To ensure the types of bushfire protection measures are imposed on Child Care Centre Developments.

b) To manage vegetation within Child Care Centre Developments to reduce potential bushfire attack on habitable buildings; and

c) To ensure the siting and construction of a Child Care Centre development is carried out in such a way that it increases the likelihood of a development surviving a bushfire attack.

Controls

Child Care Centre proposed on or in close proximity to Bushfire prone land must be compliant with Clause 3.9 Bushfire of Chapter 3A Environmental Management Controls of this Development Control Plan.

13.1.19 Flood Risk Management

Sites that are affected by flooding will need to refer to Chapter 11 Flood Risk Management in the City Wide DCP for more information. This chapter identifies different controls applicable to specific land uses based on the level of flood inundation and hazard. According to 13.1.3 Location Requirements, childcare centres will not be permitted in medium and high flood risk zones.

Note: A Section10.7(2) & (5) Planning Certificate will need to be purchased in order to obtain the relevant flooding affectation as well as any other environmental and planning constraints for the site.

13.1.20 Energy Efficiency and Solar Access Controls

Objectives

a) To ensure best practice for sustainable buildings are utilised when designing any new building or substantial additions to child care centres.

b) Maximise natural airflow and minimise reliance on mechanical heating and cooling within child care centres.

c) To encourage recycling and composting facilities within child care facilities.

d) To ensure child care centre designs reflect the site analysis drawings having regard to optimal orientation for both indoor and outdoor play area.

Controls

a) The centre shall be designed and sited to maintain solar access for a minimum period of four hours between 9am and 3pm on 22 June to key areas of the centre, including indoor and outdoor play spaces.

b) The design of the centre must not affect solar access to adjacent buildings for a minimum period of four hours between 9am and 3pm on 22 June.

c) Children's sleeping areas, toilets, staff rooms and internal play spaces are to have access to natural lighting during daylight hours.

d) The centre design should have regard to Part J of the Building Code of Australia – Energy Efficiency applicable to sustainable design of Class 9B buildings.

13.1.21 Ventilation and Lighting

Objective

To ensure that Child care centres are properly ventilated, with natural airflow to provide sufficient cooling, lighting and heating.

Controls

a) The child care centre is to be designed in a manner that utilises cross ventilation as the primary ventilation control system.

b) All heating and cooling units must be placed in a position that is inaccessible to children.

c) Floor mounted heaters should be permanently fixed in position, and be provided with a guard to prevent children from coming into contact with them.

d) Where possible clerestory windows should be provided to allow warm air to escape in summer and to provide passive solar heating in winter.

e) All natural ventilation is to be provided in accordance with the requirements of the Building Code of Australia. All child care centres are to be provided with suitable natural lighting.

Note: Artificial ventilation control measures may be required in some areas where natural ventilation is not feasible.

13.1.22 Waste and Recycling Service

a) Childcare Facility is defined in accordance with *Fairfield Local Environmental Plan 2013*
b) To support the provision of a safe and efficient waste collection service within Childcare Facilities, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*.
c) The scheduled collection of waste and recycling streams to be conducted outside of hours of operation.
d) The kerbside presentation of waste and recycling streams is not an acceptable solution

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Fairfield CityWide DCP

Chapter 14
Subdivision

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14.0 Context and Objectives

This chapter applies to all development applications for subdivisions. The types of subdivisions are categorised by land use type.

The general objectives of subdivision are:

a) To encourage a high standard of design at both subdivision stage and for subsequent development of newly created lots,

b) To ensure that subdivision development is carried out within appropriate environmental criteria,

c) To provide a comprehensive design approach in the rural, residential, business, industrial, and tourism areas of Fairfield,

d) To provide for the environmentally sustainable subdivision of land, and

e) To ensure that where appropriate, the subdivision takes into account the likely future use of the land.

For properties identified as heritage items within Fairfield City, refer to Chapter 3B Local and Aboriginal Heritage. For properties near heritage items, contact Council on how your proposal must minimise potential impacts.

14.1 Preliminary

14.1.1 What is Subdivision?

Section 6.2 of the Environmental Planning and Assessment Act 1979 (No. 203) deals with the subdivision of land and defines 'subdivision' as set out in **Appendix A** of this DCP.

14.1.2 What Subdivision Requires Consent?

Clause **2.6 – Subdivision – consent requirements** of Fairfield Local Environmental Plan 2013 provides that subdivision of land to which that plan applies may only be subdivided with development consent.

Notes:

1. If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.

2. Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development.**

3. **Clause 2.6(2)** of Fairfield Local Environmental Plan 2013 provides that **Secondary dwellings** are not permitted to be subdivided unless the resulting lot is not less than the minimum shown on the **Lot Size Map.**

Clause **4.1 Minimum subdivision lot size** of Fairfield Local Environmental Plan 2013 applies to a subdivision of land shown on the subdivision Lot Size Map. The size of any lot resulting from a subdivision of land, excluding lots within a strata plan or community title scheme, must not be less than the minimum size shown on the Lot Size Map.

Minimum lot size for dual occupancy development - minimum lot size for dual occupancy development is shown on the Fairfield LEP 2013 Minimum Lot Size Map for Dual Occupancy.

Clause **4.1A Minimum lot size for dual occupancy development** of Fairfield Local Environmental Plan 2013 provides that the minimum lot size for dual occupancy development shall not be less than the size shown on the Minimum Lot Size Map for Dual Occupancy. Accordingly the size of any lot resulting from the subdivision of an approved dual occupancy in zone R2 Low Density Residential must not be less than 300sqm in the 600sqm area (Minimum Lot Size Map for Dual Occupancy) and 450sqm in the 900sqm area (Minimum Lot Size Map for Dual Occupancy) excluding any access handle in a battle-axe lot.

Area of each lot created - Despite Clause 4.1A Minimum lot size for dual occupancy development under Fairfield LEP 2013, the subdivision of dual occupancies shall result in equal or similar proportion of lots in size as detailed in Clause 6B.1.1.7 Subdivision of Dual Occupancy – R2 Low Density Residential of Chapter 6B of Fairfield City Wide DCP 2024.

Clause **4.2 Rural subdivision** of Fairfield Local Environmental Plan 2013 provides that in certain circumstances land may be subdivided so as to create a lot having a size less than the minimum shown on the Lot Size Map. The lot must be used for primary production and a dwelling cannot be erected upon such lot. Refer also to Clause 14.3.2 Vacant Lot Subdivisions – Controls (e) of this Chapter.

14.1.3 The Subdivision Process - Development Application Flow Chart

Preparing the Application

Step 1
Obtain Section 10.7 Certificate (Part (2) and Part (5)) to determine the zoning of the land and any other constraints and determine which minimum controls and design standards apply.

▼

Step 2
Prepare initial site analysis - See Chapter 2 and relevant provisions of this Chapter for details of required information to be included.

▼

Step 3
Consider the likely future use of the land and refer to the relevant chapter of the DCP, as well as Chapter 11 if the land is flood liable.

▼

Step 4
Prepare concept subdivision plans and building envelope plans (if required under this Chapter). Council considers that it is desirable to have a pre-lodgement meeting with Council staff. Determine the need for any specialist consultants.

▼

Step 5
Prepare final site analysis and subdivision plans (including building envelopes if required) as well as Statement of Environmental Effects (including any specialist reports as required under Chapter 3).

▼

Step 6
Lodge application with Council together with completed Development Application form, Subdivision Checklist, owner's consent and Council fees and regulatory fees.

If Application is approved

Step 7
Where the subdivision involves construction work, lodge a Subdivision Work Certificate Application with Council or other Certifying Authority along with engineering design plans. Refer to Council's Traffic and Road Safety Branch for specifications on Roadwork and Drainage for detailed design requirements. Where no construction work is required, go to Step 9.

▼

Step 8
Upon approval of the Subdivision Work Certificate, carry out subdivision work.

▼

Step 9
Comply with all conditions of the consent. Early attention is drawn to the following requirements, all or some of which will apply to most subdivisions:

a. Preparation of easement, covenant instruments
b. Payment of Fees and Bonds
c. Payment of Section 7.11 Contributions
d. Obtain Section 73 Certificate from Sydney Water
e. Electricity provider clearance
f. Telecommunications Carrier Compliance Certificate
g. Australian Gas and Lighting Requirements

▼

Step 10
Obtain Subdivision Certificate to enable registration of the final plan of subdivision with the New South Wales Land Registry Services (LRS).

If Application is refused

Reconsider proposal having regard to the reasons for refusal.

If you consider the application has been refused for unreasonable reasons, a review of determination is available under Section 8.2, 8.3, 8.4, and 8.5 of the Act.

Applicants also have a right of appeal to the NSW Land and Environment Court.

14.1.4 Information Submitted with a Development Application

In addition to the requirements of Chapter 2 – Requirements for Development Application Submission, all development applications for the subdivision of land are to include the following:

Torrens Title Subdivision

Applications are submitted via the NSW Planning Portal, as per Chapter 2, plans drawn to a regular scale detailing the following information:

a) The proposed subdivision including all existing and proposed lot boundaries, dimensions, areas and proposed roads/accessways, etc as well as location of lot boundaries and roads (including extent of existing construction) adjoining the site.

b) North point.

c) Proposed lot numbers. Please note that the use of letters to describe lots (e.g. lot A) is no longer accepted by the NSW Land Registry Service (LRS). It will therefore be required that all lots be numbered.

d) The location and use of all existing structures and services on the land along with dimensions from the structures to the proposed boundaries.

e) Any easements, covenants.

f) Natural features including slope, vegetation, watercourses and overland flow paths, top of bank and riparian land shown on the Riparian Land and Waterways Map that forms a part of Fairfield LEP 2013.

g) The location of all trees or stands of trees on the land and on neighbouring land within 10 metres of the extent of the proposed subdivision.

Note: The location of trees on the adjoining property is only required where the proposed subdivision requires the construction of works such as driveways or drainage adjacent to the side boundaries.

h) Existing and proposed levels of the land, at Australian Height Datum, in relation to buildings, roads and properties. Any areas of proposed cut and fill are to be clearly delineated on the plans.

i) Where new public roads or rights of carriageway are proposed, the proposed width and proposed pavement treatments.

j) Any land, including notation of area, to be dedicated as open space, drainage etc.

Strata Subdivision and Community Title Subdivision

Applications are submitted via the NSW Planning Portal, as per Chapter 2, plans should detail the following information:

a) The proposed strata lots including any designated car spaces.

b) The location of all common property.

c) The location of all existing and proposed structures on the property.

d) North point.

e) Proposed lot numbers.

The original plan of strata subdivision drawn by a registered surveyor can be lodged with the application but is not required to be lodged until all conditions of approval issued by Council have been satisfied.

Statement of Environmental Effects

A Statement of Environmental Effects is required to accompany all Development Applications in accordance with Chapter 2 of this DCP.

Application Fee

This fee is based on the number of lots proposed to be created. The rates for this fee are determined by statute and may vary from time to time. The current fees applicable to an application are available on Council's web site or from the Customer Service section.

14.1.5 Other Relevant Council Documents

In addition to Clauses 2.6, 4.1, 4.1A and 4.2 of Fairfield Local Environmental Plan 2013, there are several Council policies and site specific Development Control Plans which may affect the manner in which land should be subdivided. Applicants are encouraged to consider the following documents as they may be relevant to the subject land.

Council Policies

a) Policy for Erosion and Sediment Control

b) Stormwater Management Policy – September 2017

c) Building in a Saline Environment

d) Retail and Commercial Centres/Activities Policy

Site Specific Development Control Plans and Masterplans

a) Bonnyrigg Town Centre DCP

b) Cabramatta Town Centre DCP

c) Canley Corridor DCP

d) Fairfield City Centre DCP 2013

e) Fairfield Heights Town Centre DCP 2020

f) Prairiewood Town Centre Southern Precinct DCP 2013

g) Villawood Town Centre DCP 2020

14.2 General Controls

Some subdivision controls are common to all land use types, whilst others are land use type specific. Accordingly, this section applies to all subdivision proposals.

14.2.1 Access Handles and Driveways

Objectives

a) To ensure that new subdivision accommodates safe and efficient vehicular access and movement.

b) To ensure that new subdivision provides appropriate opportunity for the provision of services.

c) To ensure that new lots are capable of being accessed by emergency vehicles and other non-passenger vehicles.

Controls

a) Access driveways opening onto major roads will need to be widened at the entrance to allow two vehicles to pass within the driveway entry area so that delays to the traffic flow along the road are minimised.

b) Easements for drainage and services are required, sufficient to enable full servicing of all of the lots to be created.

c) Building clearances related to access handles in battle axe subdivisions shall comply with the requirements of the Building Code of Australia and rights of carriageway shall be free from any building encroachment or overhang.

d) For non-industrial access driveways of greater than 30 metre length, Council may require vehicular passing bays to be incorporated into the access handle width to enable vehicular movement in both directions.

14.2.2 Frontage to Classified State and Regional Roads and Unclassified Regional Roads

Objective

To ensure that new subdivisions maintains the safety and efficiency of the main road system.

Controls

a) Subdivisions creating new allotments requiring access from a Classified State and Regional Roads will not be permitted unless in the opinion of Council and Service NSW, alternate access is neither practicable nor available from any other road.

b) Subdivision creating new lots should be designed so as to minimise the number of vehicle access points from an Unclassified Regional Road.

Note: Refer to Appendix G for a full list of Classified State, Unclassified Roads and Regional Roads

14.2.3 Splay Corners

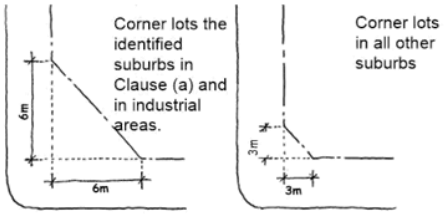
Objectives

a) To ensure that adequate area is provided within the road reservation to achieve adequate sight distance at road intersections.

b) To ensure adequate area is provided within the road reservation to accommodate vehicular turning paths.

Controls

a) For the purposes of ensuring adequate sight distance, all applications proposed to create corner lots at the intersection of public roads may be required to dedicate a splay corner as public road. Any existing, fencing or other improvements within the splay corner will need to be removed prior to issue of a Subdivision Certificate on the final plan of subdivision.
Any vegetation which would affect vehicular sight distance within the splay corner will need to be removed and is subject to a Tree Permit issued by Council.



6 metre Splay Corner 3 metre Splay Corner

↑ Dedicated splay corners for corner lots in the suburbs described in the control 14.2.3 (b).

b) Splay corners will generally need to be 6 metres by 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St. Johns Park, Abbotsbury, Bonnyrigg and Bonnyrigg Heights.

c) Splay corners in other residential suburbs will generally be required to be 3 metres by 3 metres.

d) Splay corners in industrial areas will be required to be 6 metres by 6 metres.

e) Due to particular site circumstances, Council may also require splay corners in a number of identified locations/intersections. This information is available on a S.10.7 (Planning Certificate).

14.2.4 Road Alignment and Width – New and Extension of Existing Roads

Objectives

a) To provide for a minimum standard of width for new roads to facilitate traffic and pedestrian movement.

b) To provide for a consistent approach to the alignment and width of extensions to existing roads.

Control

a) The minimum width of any proposed road must be 8.0 metres pavement which allows for two-way traffic under AS 2890.2 with 2 metres by 3.5 metres wide footpaths. Nothing in this prevents Council from requesting wider roads where they are required in some circumstances.

b) In respect of all zones, the alignment and width of proposed roads, which extend existing roads, shall generally conform with existing construction. Where feasible to do so, Council will consider a proposal to reduce the width of road pavement to be constructed subject to the applicant providing sufficient details to support the proposal. In such instances, any works required to be constructed on existing roads in order to support the proposed amended road width will be required to be carried out by the subdivider.

14.2.5 Fencing

Objective

To create a visually unified streetscape via a common approach along the boundaries of a property.

Control

The provisions of a decorative, low maintenance fence along boundaries of subdivision must be provided.

14.3 Rural Areas

The rural areas (Horsley Park and Cecil Park) are generally described as consisting of a semi-rural environment, which contains a mix of rural residential, agricultural and extractive land uses.

In considering the subdivision of land in the rural areas, due regard needs to be paid to the other relevant chapters of this DCP and particularly the provisions of Chapter 2 – Requirements for DA Submission, Chapter 3A – Environmental Management, Chapter 3B – Heritage and Development, Chapter 4 – Development Principles for Rural Land and Chapter 11 – Flood Risk Management.

To ensure a high level of subdivision design in the rural areas the lot size, vacant lot subdivisions, road access and points, and land fill are regulated.

14.3.1 Lot Size

Objectives

a) To provide an alternate living environment to that of the urban areas,

b) To allow people to carry out a reasonable range of agricultural activities which are compatible with the living environment of neighbours,

c) To ensure that development complements and enhances the existing landscape and that the settlement pattern of the area so as to maintain the rural character and lifestyle,

d) To ensure that development of the land will not lead to a decline in ground and surface water quality and does not lead to significant risk to life and property from the natural and other hazards such as bushfire, flooding, slippage and contamination, and

e) To minimise the cost to the community by ensuring that development does not create unreasonable or uneconomic demands for the provision of services.

Controls

a) The minimum lot size applicable within rural zones is that shown on the Minimum Lot Size Map and the Minimum Lot Size Map for Dual Occupancy.

b) The minimum lot size for the RU2 Rural Landscape zone shown on the Minimum Lot Size Map is 10 hectares.

c) The minimum lot size for the RU4 Primary Production Small Lots zone shown on the Minimum Lot Size Map is 1 hectare.

d) There is no minimum lot size shown on the Minimum Lot Size Map for the RU1 Primary Production or the RU5 Village zone.

e) In the rural areas, for the purposes of calculating lot area, the area of any access handle is included. This is a requirement of clause 4.1(5) of Fairfield LEP 2013.

14.3.2 Vacant Lot Subdivisions

"Vacant Lot Subdivisions" are defined at Appendix A. The location and orientation of future buildings can have an important influence on the quality of the rural environment. To enable proper consideration of this issue at the subdivision stage, vacant lot subdivisions are required to include particular information not otherwise required for subdivision of developed sites where no further development is likely.

Objective

To allow the full and proper assessment of the impact of subsequent development of future buildings on newly created lot in the rural areas of the City.

Controls

a) All subdivisions involving the creation of vacant lots in the rural areas must be accompanied by a site analysis in accordance with the provisions of Chapter 3A of this DCP as well as information covering the following:
   i. Topographical features such as slope, native vegetation and watercourses, top of bank and riparian land;
   ii. Phase 1 Contamination Assessment;
   iii. Location of existing farm buildings and any industrial / commercial operations;
   iv. Views and Vistas;
   v. Vehicular and pedestrian access;
   vi. Availability of services including any easements affecting the land;
   vii. Available waste water disposal areas based on a preliminary waste water disposal report prepared by a suitably qualified professional;

viii. Relationship to adjoining development (including extractive industries in accordance with Chapter 4);
ix. Setbacks from roads in accordance with Chapter 4;
x. Aircraft Noise; and
xi. Aboriginal and European Heritage items.

b) Subdivision plans must show available building envelopes where the site analysis demonstrates that the site is affected by any of the following constraints:
   i. Flooding;
   ii. Any requirement for an activity approval under Part 3 of Chapter 3 of the Water Management Act 2000 which may be triggered by future development, in accordance with the Integrated Development Provisions of the Environmental Planning and Assessment Act 1979, generally a zone extending for a distance of 40 metres from the top of bank of a watercourse.
   iii. Bushfire prone land;
   iv. Contaminated Land;
   v. Aboriginal or European Heritage; and
   vi. Threatened Species.

c) The identification of the appropriate building envelope must have regard to the objectives and controls contained within Chapter 4 of this DCP.

d) The building envelope required under subclause (b) above will be required as a condition of consent to be reflected as a Restrictive Covenant on the final plan of subdivision pursuant to 88B of the Conveyancing Act 1919 such that the building envelope(s) is placed on the Title of the land.

Lots created for the purpose of primary production, pursuant to the concession contained within clause 4.2 of Fairfield LEP 2013, shall have registered on title a Restrictive Covenant pursuant to 88B of the Conveyancing Act 1919 that prevents the erection of a dwelling on any lot the area of which is less than that shown on the Lot Size Map.

14.3.3 Battle-axe, Carriageways and Roads

Objectives

a) To ensure road construction in the rural area is consistent with other areas of the City and appropriately provide in a manner conducive to local conditions

b) To provide for a road network which clearly defines the function of each road, allowing for the required level of construction, including servicing and which provides suitable and appropriate access, safety and convenience for all users in a manner which minimises environmental impact

c) To ensure that new subdivision accommodates safe and efficient vehicular access and movement

d) To ensure that new subdivision provides appropriate opportunity for the provision of services,

e) To ensure that new lots are capable of being accessed by emergency vehicles and other non-passenger vehicles.

Controls

a) For subdivisions for a single lot serviced off an access handle, the battle axe width must be a minimum width of 7 metres with a minimum all weather surface of 3 metres which need not be sealed.

b) The minimum width of new roads in the rural zones is 20 metres or such greater width as is required to provide pavement, table drains and verges. The cross sections are outlined in **Schedule 1**.

c) A cycleway network has been designed for the area (see Fairfield Bike Plan), which is a combined on-road and off-road facility. The on-road cycleway will be 2.5 metres wide and will be delineated from the normal road carriageway by the use of different coloured asphalt. The off-road facility will also be 2.5 metres wide and will be a combined pedestrian footway and cycleway. This facility will have a turfed surface.

d) Each developer will be required to carry out the following works for the full property frontage:
   i. Construction of a low maintenance turfed road verge in accordance with the **Schedule 2**.
   ii. All table drains shall be turf lined.
   iii. Avenue type tree planting to be provided.
   iv. Where deemed necessary by Council, construction of a turfed flow path through the property carrying flows from road culverts away from development sites.
   v. Construction of a sealed access from the existing road pavement to the property boundary for all existing and proposed houses or lots.
   vi. Where possible all existing piped driveway crossings will be removed and replaced with a sealed access pavement.
   vii. Before commencement of any works requiring the removal of any ground cover, suitable soil erosion protection measures must be implemented in accordance with guidelines produced by the Department of Natural Resources – Environment and Heritage. Such measures may include but need not be limited to sediment traps or ponds, diversion banks and silt fencing.

e) For subdivisions where two lots that are serviced off an access handle the following criteria must be met:
   i. A minimum of 10 metres width with a sealed pavement width of 3 metres constructed to a minor access public road standard.
   ii. Council will require the developer, by condition of consent, to construct a low maintenance driveway – reinforced concrete or similar – to Council's satisfaction for the full length of the access handle prior to the issue of the Subdivision Certificate.

For subdivisions where a right of carriageway may be proposed for three or more lots, the access way needs to be dedicated as a public roadway and must meet the following criteria:

a) Must be a 20 metres reserve, with a minimum of 7 metres carriageway, 2 metres shoulder, and a minimum of 1 metres table drain.

b) Amalgamation of adjoining properties to create a public road in lieu of multiple access handles will be given consideration for concession with regard to reducing the lot area below the 1 hectare minimum lot size policy. In these circumstances the area utilised for the public road will be apportioned to the lots created as would be the case with a private access handle to satisfy the minimum 1 hectare lot size.

14.3.4 Access Points

Objectives

a) To ensure the vehicle access is provided in a location that minimises cut and fill and erosion, and

b) To ensure that new subdivisions maintains the safety and efficiency of the main road system.

Controls

a) Access driveways should as far as possible follow natural contours rather than cutting across the contours. Extensive cut and fill should be avoided in order to:
   i. Retain the natural character of the site by reducing the intrusive appearance of driveways.
   ii. Lessen the possibility of erosion thereby minimising maintenance costs.
   iii. Allow an informal lot layout and dwelling placement.
   iv. Allow easier manoeuvring and reduce speeding.

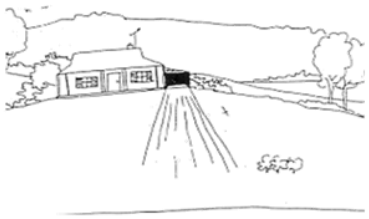
b) Driveways are to be landscaped along the edges and should be constructed of compacted gravel, paved or sealed in brown, green, grey or ochre tones. Regardless of the proposed method of internal construction all driveways must be sealed between the edge of sealed road and the property boundary in accordance with drawing S-226 found in **Schedule 2** of this chapter.

c) The number of access points to arterial roads should be minimised. Subdivision design should provide access via adjacent local roads. Where such arrangements cannot be made, common access points/driveways should be established as part of the proposed subdivision. A buffer area of 10 metres should be provided between an arterial road and an access driveway.

   This setback should be appropriately landscaped to reduce visible road. Suitable landscaping should include vegetation and moulding.



A well planned driveway which follows natural contours is pleasant and easy to drive on and preserves the natural character of the site ✓



Driveways located straight down slopes are susceptible to erosion and will require constant maintenance. They are clearly visible to the public and destroy the natural character of the land ✗

14.3.5 Earthworks (Excavation & filling)

Clause 6.7 of Fairfield Local Environmental Plan 2013 sets out statutory requirements in relation to earthworks which includes land fill.

Land fill in association with subdivisional work will only be permitted where the fill is required:

a) for the reasonable economic use of the land, or

b) in connection with drainage works or,

c) the provision of utility services

The "reasonable economic use" of the land is defined as:

a) to fill a dam on the land,

b) to reinstate the land to the condition or state it was in immediately before the carrying out of development on the land that altered the state or condition of the land,

c) to fill the area surrounding the footprint of a lawful building on the land, out to a maximum distance of 1 metres from the footprint, to a maximum depth of 300mm.

Objectives

a) To ensure that any earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

b) To control soil erosion, sedimentation, tree loss and drainage impacts associated with land filling and excavation, and

c) To ensure the environmental amenity of adjoining properties is protected.

Matters for consideration

Before granting development consent for earthworks, Council must consider the following matters:

a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,

b) the effect of the proposed development on the likely future use or redevelopment of the land,

c) the quality of the fill or of the soil to be excavated, or both,

d) the effect of the proposed development on the existing and likely amenity of adjoining properties,

e) the source of any fill material or the destination of any excavated material,

f) the likelihood of disturbing relics,

g) proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.

Controls

a) The depth of cut and fill around the footprint of a lawful building on the land is not to exceed 300mm.

b) Cut and fill batters are not to exceed a gradient of 1 in 4 unless otherwise approved by Council. Batters are to be landscaped with grasses, groundcovers and shrubs.

c) Any cut or fill works within 40 metres of a natural watercourse will result in the development being "Integrated Development" and an activity approval under Part 3 of Chapter 3 of the Water Management Act 2000 will be required from the NSW Department of Primary Industries.

d) Where filling works require importation of fill material, Council will require certification that the imported material is free from contaminants.

e) Where filling works require the importation of fill material into flood prone land, Council will require a flood report demonstrating to the satisfaction of Council that the filling works will not unreasonably affect flood levels within the flood catchment.

f) Cut and fill works are not to alter the natural contours of the land at the property boundary.

g) All exposed areas of soil must be turfed or seeded and mulched immediately following completion of earthworks.

14.4 Residential Areas

In considering the subdivision of land in the residential areas, due regard needs to be paid to the other relevant chapters of this DCP and particularly the provisions of Chapter 5 – Single Dwelling Houses, Chapter 6 – Multi Dwelling Housing, Chapter 7 – Residential Flat Buildings and Chapter 11 – Flood Risk Management.

14.4.1 Lot Requirements

The size of a lot, relative to the future built form, controls the level of amenity available to future residents, whilst lot size can restrict opportunities available to future dwelling design in terms of maximising the amenity for future residents and minimising impact on adjoining residents. It is important therefore, in designing a subdivision, to consider the likely future built form as well as the existing or likely future built form of adjoining land. In this regard, due consideration needs to be given to the provisions of Chapter 5A – Single Dwelling Housing, Chapter 5C – Single Dwelling Housing Narrow Lots, Chapter 6 – Multi Dwelling Housing and Chapter 7 – Residential Flat Buildings.

14.4.2 Subdivision in the R2 Low Density Residential Zone

Conventional Lots

a) The minimum lot size is shown on the Lot Size Map which forms a part of Fairfield LEP 2013.

b) The minimum frontage is 10 metres unless the application includes a proposal for the future dwelling to be erected on the land, which demonstrates that a lesser width can accommodate the proposed dwelling. Council will require the dwelling identified in the accompanying Development Application for dwelling construction to be identified as a Restrictive Covenant on the final plan of subdivision, pursuant to 88B of the Conveyancing Act 1919 such that the dwelling envelope is placed on the Title of the Land.

Note: Council will consent to the issue of a Subdivision Certificate on the final plan of subdivision creating lots less than 11 metre average width, prior to the construction of the approved dwelling(s) subject to the following conditions:

a) Council has issued approval of the Development Applications for the dwelling(s),

b) The subdivision does not involve the creation of a boundary along a future party wall

c) Attached dwellings will need to be fully constructed prior to issue of the Subdivision Certificate on the final plan of subdivision.

Battle Axe Lots

a) Council's experience of battle axe subdivisions has shown that this subdivision type has potential to create significant land use conflicts and impacts as well as difficulties associated with motor vehicle manoeuvrability. At subdivision stage, it is essential that careful consideration be given to the likely impacts arising from future dwelling construction on the newly created lot, and that all avenues are investigated at subdivision stage to minimise or avoid such impacts.

b) The minimum lot size is shown on the Lot Size Map which forms a part of the Fairfield LEP 2013. In calculating the minimum required lot size the area occupied by the access handle, in the case of battle axe lots is excluded. Refer to Clause 4.1(3A) of Fairfield LEP 2013.

Local Roads

a) For local Roads a minimum road width of 15 metres (8 metres pavement and 2 metres by 3.5 metres footpaths) is required.

b) The minimum width of the access handle is 4 metre, of which 3 metres is to be hard paved surface.

c) For a residential road the minimum cul-de-sac radius for the kerb and gutter is to be 9 metres.

Subdivision

a) For subdivisions that create 2-3 lots serviced off an access handle, the following criteria must be met:

   i. The applicant is required to consider in consultation with Council, whether the provision of a public road would represent an improved planning outcome.
   ii. Council will require the developer, by condition of consent, to construct a low maintenance driveway – reinforced concrete or similar – to Council's satisfaction for the full length of the access handle prior to the issue of the Subdivision Certificate.
   iii. To enable adequate emergency vehicle access, minimum carriageway width of 4 metres with overhead clearance of 4.5 metres is required. Should it be proposed to incorporate bends in the access handle, the applicant must demonstrate that the access handle is capable of accommodating the design swept path of a large rigid vehicle in accordance with the provisions of AS2890.2.
   iv. Council will require it to be demonstrated that the access handle and its associated manoeuvring area are such as to enable a passenger vehicle to ingress and egress the lot in a forward direction.
   v. Where there is joint responsibility of the land owners in terms of the maintenance of the access handle, Council will require as a condition of consent, for Torrens Title subdivision involving reciprocal rights of way, that a positive covenant for maintenance and repair be created on the Title of the lot pursuant to Section 88B of the Conveyancing Act 1919. The wording of the 88B Instrument is included as Schedule 3 of this chapter. In the case of Community Title or Strata Title subdivision, maintenance arrangements for communal land should be clearly outlined in the by-laws.

Carriageways – 4 or more lots

For subdivisions that create 4 or more lots serviced off a carriageway the following criteria must be met:

a) Must be built to the standard of a public road.

b) Must be dedicated to Council as a public road or have a Community Title/Strata Title.

Vacant lot battle-axe subdivision

a) For vacant lot battle axe subdivisions, the site analysis required in accordance with Chapter 2 of this DCP shall address those matters contained within Chapter 2 and particularly the following:

   i. Assessment of potential impact on indigenous vegetation and fauna
   ii. Topographical features such as slope, native vegetation and watercourses
   iii. Bushfire prone land
   iv. Identification of any Flood Risk Precinct and Flood Levels if the land is flood liable land or alternatively, confirmation that the land is not flood liable
   v. Details of any buildings on the subject land and adjoining land, including height, location, windows to habitable rooms and uses of private open space areas
   vi. Views and vistas.

vii. Vehicular and pedestrian access and maneuverability
viii. Availability of services including any easements affecting the land, and
ix. Aboriginal and European Heritage items.

b) The site analysis must be considered in conjunction with the various controls contained within Chapter 5A– Single Dwelling Housing of this DCP, a building envelope is to be nominated on the subdivision plans.

c) Where it cannot be demonstrated that two storey development of a newly created battle axe lot will not ensure compliance with the provision of Chapter 5A of this DCP, it may be necessary to limit the achievable building envelope for the vacant lot to single storey, with that requirement being reflected by way of Restrictive Covenant on the final plan of subdivision pursuant to 88B of the Conveyancing Act 1919 such that the height limit is placed on the Title of the land. If the applicant does not wish to provide a building envelope and assessment, Council will limit development to single storey.

14.4.3 Subdivision in the R3 Medium Density Zone and the R4 High Density Residential Zone

Objectives

a) To ensure future development on the land is consistent with the objectives in Chapter 6A – Multi Dwelling Housing, and Chapter 7 - Residential Flat Buildings, and consistent with the established urban form and character of the area,

b) To ensure that development complements and enhances the existing streetscape and that the development pattern of the area maintains the residential character and lifestyle,

c) To ensure that the development complements the lot layout and size given the site attributes and the relationship of the proposal to the surrounding development, and

d) To ensure that development of the land will not lead to a decline in ground and surface water quality and does not lead to significant risk to life and property from the natural and other hazards such as bushfire, flooding, slippage and contamination.

Controls

There is no minimum area for subdivision within the R3 Medium Density Zone or the R4 High Density Residential Zone.

a) In order to ensure that subdivision within the R3 Medium Density Zone or the R4 High Density Residential Zone allows for future development to take place in accordance with the objectives of the zone, Council requires all vacant lot subdivision applications within the R3 Medium Density Zone or the R4 High Density Residential Zone to be accompanied by a Development Application for subsequent development of the proposed lots.

b) Where the land to be created is intended to be developed for more than 2 dwellings, the provisions of Chapter 6 or 7 apply.

c) Restriction on use and positive covenant will be required where it is shown that the roof water for one dwelling flows over the adjoining dwelling.

d) Multi dwelling housing and or residential flat buildings will not be supported on existing battle-axe lots.

e) Subdivision for battle-axe lots will only be approved where Council has already approved multi dwelling housing development and or residential flat building development on the site.

14.4.4 Waste and Recycling Service

a) Councils waste collection service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.
b) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.
c) All applications submitted to Council to be accompanied by detailed architectural plans and a swept path analysis. The swept path analysis must:
    i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a Heavy Rigid waste collection vehicle
    ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
    iii. Support the provision of a safe and efficient waste collection service to each individual lot utilising Councils standard heavy rigid waste collection vehicle without the need for the vehicle to reverse
    iv. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities
d) Specifications of Councils standard 10,800m heavy rigid waste collection vehicle are outlined in *Appendix H - Model Waste Infrastructure, section 1.7 – 1.9*.
e) The use of cul-de-sacs is not permitted within residential subdivisions. Through roads to be provided to support the provision of safe and efficient waste collections.
f) For staged developments temporary turning infrastructure to be provided to support unobstructed scheduled collections by Councils standard waste collection vehicle. The temporary turning infrastructure to be removed prior to the commencement of Councils waste and recycling collection service of the subsequent stage.

14.5 Business Zones

Objectives

a) To ensure that new subdivision within the business zones provides opportunity for the orderly and efficient economic development of land in accordance with the applicable zone objectives.

b) To ensure that development complements and enhances the existing streetscape and that the development pattern of the area maintains the urban character and lifestyle.

c) To ensure that development of the land will not lead to a decline in ground and surface water quality and does not lead to significant risk to life and property from the natural and other hazards such as bushfire, flooding, slippage and contamination.

d) To minimise the cost to the community by ensuring that development does not create unreasonable or uneconomic demands for the provision of services.

e) To provide for a public road network which clearly defines the function of each street, allowing for the required level of construction, including servicing and which provides suitable and appropriate access, safety and convenience for all users in a manner which minimises environmental impact.

Controls

a) There are no minimum area or frontage requirements for subdivision within the Business areas, however in considering the subdivision of land in the business zones, due regard needs to be paid to the other relevant chapters of this DCP and particularly the provisions of Chapter 8 – Neighbourhood and Local Centres, in respect of Local Centres and the site specific Development Control Plan or Masterplan.

b) Proposed new roads shall be consistent with the prevailing standard of construction in the centre.

14.6 Industrial Zones

Objectives

a) To ensure that lot sizes are large enough to adequately satisfy vehicle manoeuvring, including commercial vehicles,

b) To provide sufficient area frontage setbacks and landscaping,

c) To ensure that development complements and enhances the existing industrial development.

d) To ensure that development of the land will not lead to a decline in ground and surface water quality and does not lead to significant risk to life and property from the natural and other hazards such as bushfire, flooding, slippage and contamination,

e) To minimise the cost to the community by ensuring that development does not create unreasonable or uneconomic demands for the provision of services,

f) To provide for a public road network which clearly defines the function of each street, allowing for the required level of construction, including servicing and which provides suitable and appropriate access, safety and convenience for all users in a manner which minimises environmental impact, and

g) To ensure that new subdivision accommodates safe and efficient vehicular access and movement.

Controls

a) The minimum lot size is shown on the Lot Size Map which forms a part of Fairfield LEP 2013. Due consideration should also be given to the provisions of Chapter 9 of this DCP in assessing the suitability of proposed lots to accommodate orderly and efficient future development.

b) The minimum frontage to the Horsley Drive, Victoria Street, Canley Vale Road, Walter Street, Bonnyrigg Avenue, Woodville Road, Hume Highway, Cumberland Highway, Old Wallgrove Road and Wallgrove Road is 60 metres.

c) The minimum frontage of all other roads 30 metres.

d) All industrial subdivisions must have regard to the topography of the site to ensure that commercial vehicular access is available to each of the lots created, in accordance with maximum gradient requirements set out in AS2890.2

e) For local access, a 20 metres width (13 metres pavement and 2 metres by 3.5 metres footpaths) is required.

f) For Classified State and Regional Roads and Unclassified Roads where a central median is required, the incorporation of exclusive right turn lanes with a width of 24 metres is required. This will need to be determined by the Traffic and Road Safety Branch. Refer to Appendix G of this DCP for Classified State and Regional Roads and Unclassified Regional Roads in Fairfield City.

g) For an industrial road the minimum cul-de-sac radius for the kerb and gutter is to be 15 metres.

h) In the case of industrial development, the driveway entry area will need to accommodate commercial vehicles in accordance with AS2890.2.

Battle Axe Subdivision in the Industrial Zones

a) The minimum average lot width for battle axe lots is 60 metres excluding the width of any access handle that serves another battle axe lot.

b) The access handle shall be located so as to minimize conflicts on the public road system, ensure adequate sight distance and to avoid conflicts with other property driveways.

c) The minimum width of a straight access handle is 6.5 metres. For angled or curved access handles, the width will need to be increased in accordance with AS2890.2. In this regard, applicants are to demonstrate that the access handle is capable of accommodating safe opposing direction movement at any point along the access handle.

Note: Where services cannot be located within the manoeuvring area of the access handle, the width will need to be increased accordingly.

14.7 Off Road Cycleways

Overview

To encourage off-road cycleways within the footpath reserve of the main road created within a new subdivision pattern.

That the subdivision pattern, including the main road is located and formed in a manner that best integrates with the Bicycle Plan adopted by Council.

Controls

a) Connections for a cycleway need to be:
   i. 2.5 metres wide
   ii. Hard paved
   iii. Located within the road reserve, with a minimum requirement to be located on one side of the road reserve.

Exceptions

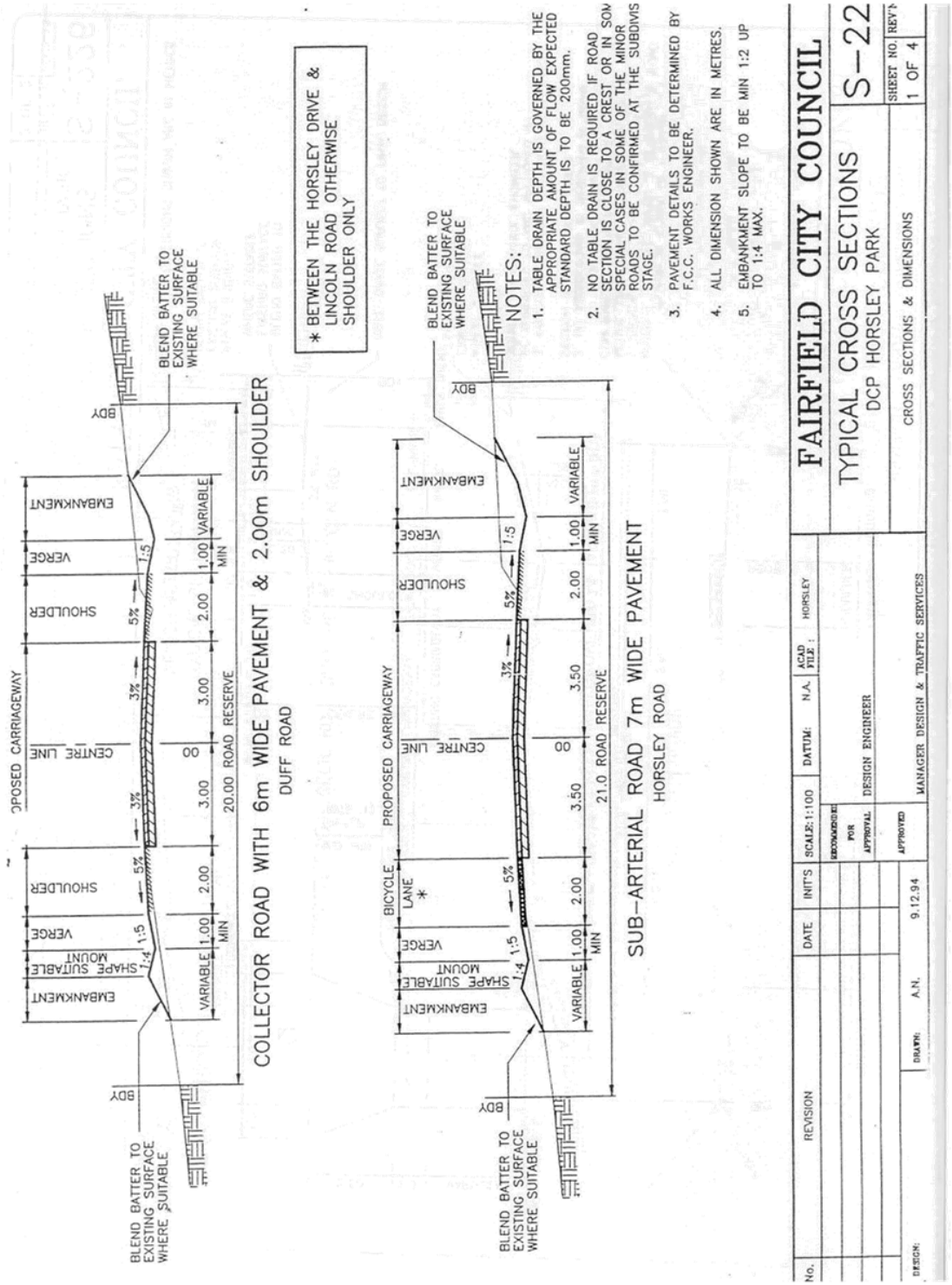
a) Where it can be demonstrated that a 2.5 metre hard paved area on this main road will affect the practicality of configuring allotments, then a minimum width of 1.8 metres will be considered.

b) Applicants will need to examine Council's Bicycle Plan and cycleway network when preparing their application to determine whether allocation of an off-road cycleway along the main road of their subdivision is the only cycleway provision they need to accommodate.

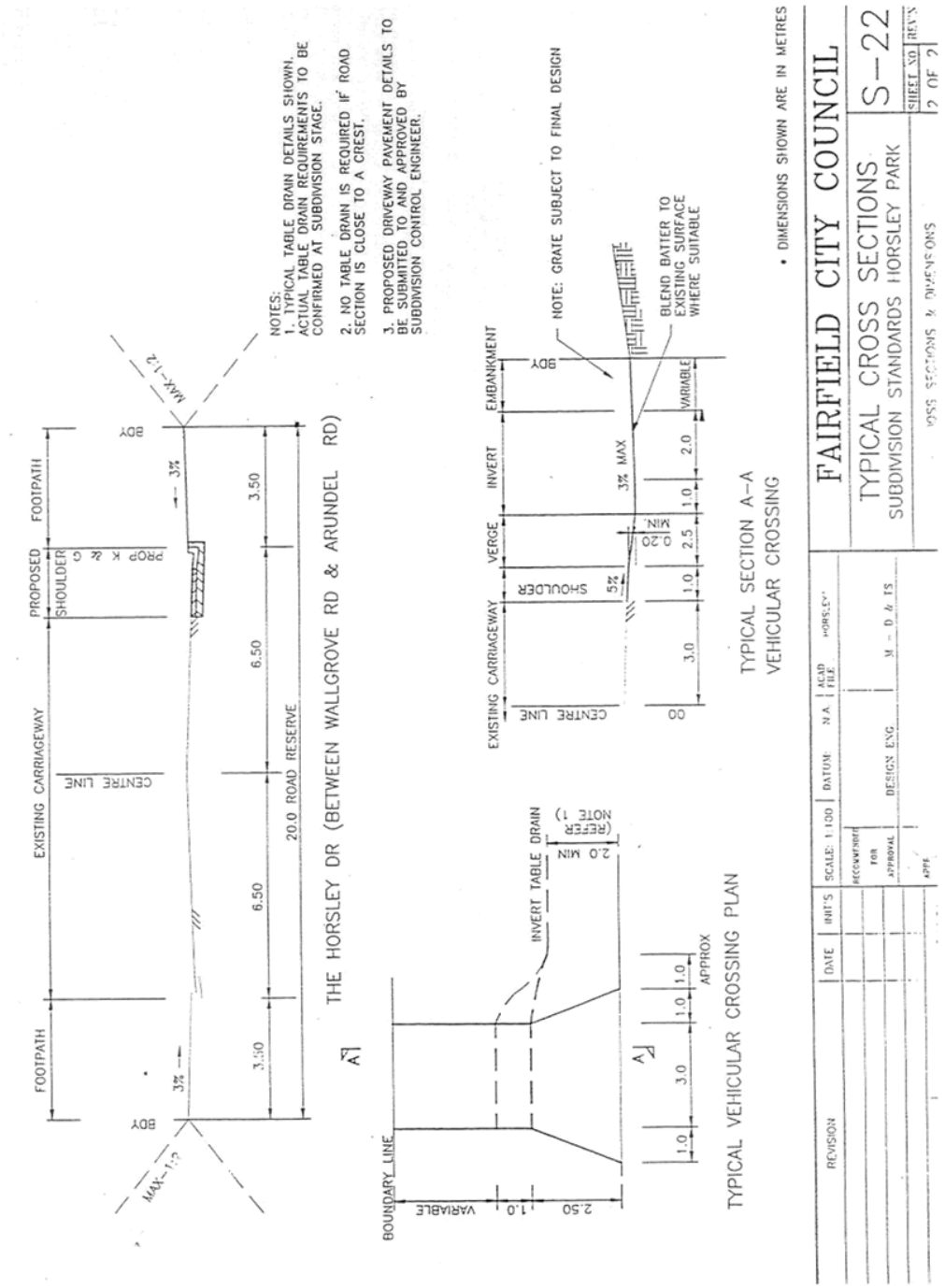
14.8 Site Specific Subdivision Development Plans

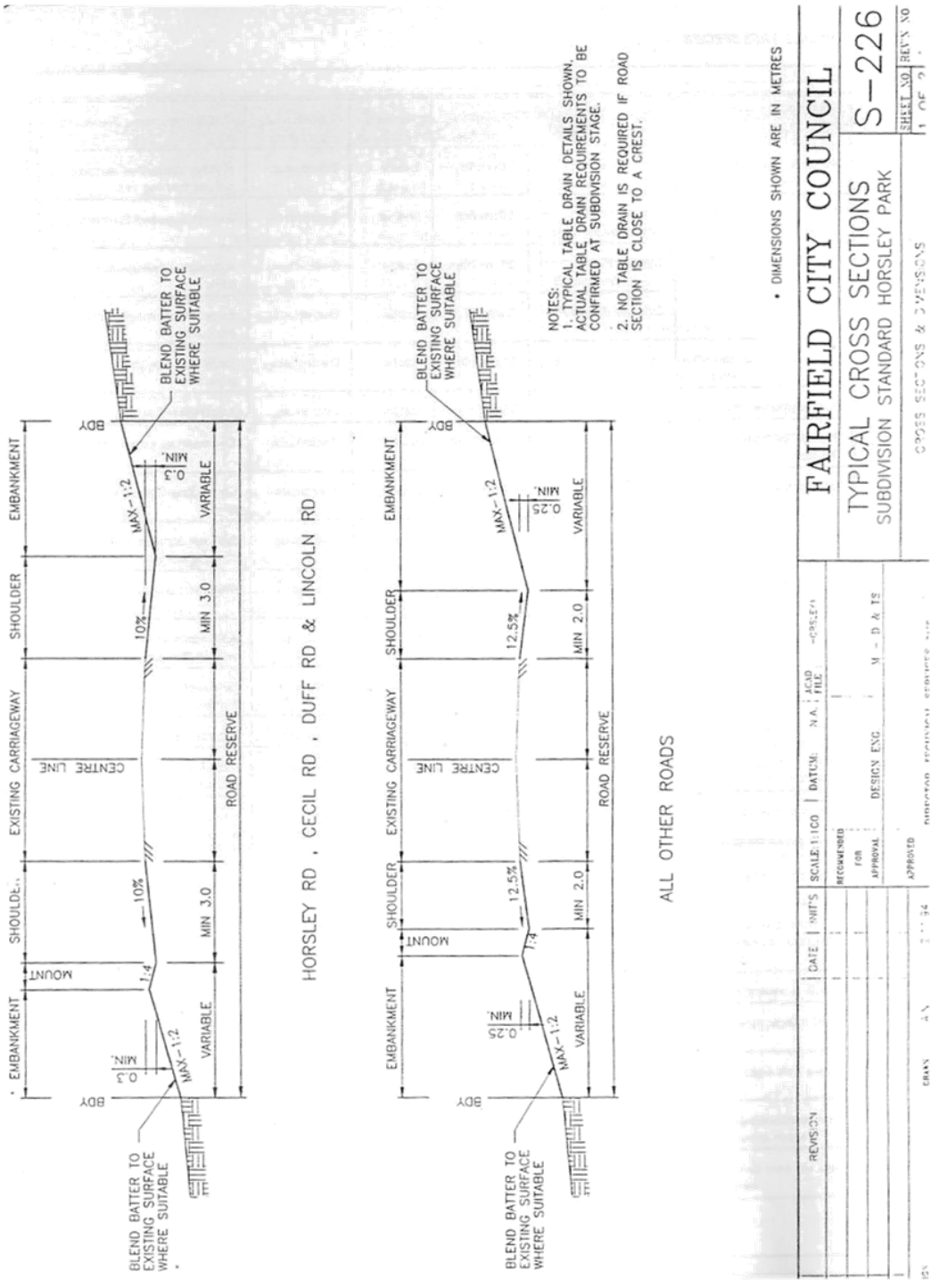
Specific subdivision development plans for sites throughout the City are contained in Schedule 5.

Schedule 1


COLLECTOR ROAD WITH 6m WIDE PAVEMENT & 2.00m SHOULDER
DUFF ROAD
SUB-ARTERIAL ROAD 7m WIDE PAVEMENT
HORSLEY ROAD
* BETWEEN THE HORSLEY DRIVE & LINCOLN ROAD OTHERWISE SHOULDER ONLY
NOTES:
1. TABLE DRAIN DEPTH IS GOVERNED BY THE APPROPRIATE AMOUNT OF FLOW EXPECTED STANDARD DEPTH IS TO BE 200mm.
2. NO TABLE DRAIN IS REQUIRED IF ROAD SECTION IS CLOSE TO A CREST OR IN SOM SPECIAL CASES IN SOME OF THE MINOR ROADS TO BE CONFIRMED AT THE SUBDIVIS STAGE.
3. PAVEMENT DETAILS TO BE DETERMINED BY F.C.C. WORKS ENGINEER.
4. ALL DIMENSION SHOWN ARE IN METRES.
5. EMBANKMENT SLOPE TO BE MIN 1:2 UP TO 1:4 MAX.
FAIRFIELD CITY COUNCIL
TYPICAL CROSS SECTIONS
DCP HORSLEY PARK
S-22
CROSS SECTIONS & DIMENSIONS
DESIGN ENGINEER
MANAGER DESIGN & TRAFFIC SERVICES
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
BDY
EMBANKMENT
VERGE
SHOULDER
CENTRE LINE
PROPOSED CARRIAGEWAY
BICYCLE LANE *
SHAPE SUITABLE MOUNT
VARIABLE
1.00 MIN
2.00
3.00
3.50
20.00 ROAD RESERVE
21.0 ROAD RESERVE
5%
3%
1:5
1:4

Schedule 2


NOTES:
1. TYPICAL TABLE DRAIN DETAILS SHOWN. ACTUAL TABLE DRAIN REQUIREMENTS TO BE CONFIRMED AT SUBDIVISION STAGE.
2. NO TABLE DRAIN IS REQUIRED IF ROAD SECTION IS CLOSE TO A CREST.
3. PROPOSED DRIVEWAY PAVEMENT DETAILS TO BE SUBMITTED TO AND APPROVED BY SUBDIVISION CONTROL ENGINEER.
THE HORSLEY DR (BETWEEN WALLGROVE RD & ARUNDEL RD)
20.0 ROAD RESERVE
EXISTING CARRIAGEWAY
CENTRE LINE
FOOTPATH
PROPOSED SHOULDER
PROP K & G
BDY
MAX-1:2
3%
3.50
6.50
6.50
3.50
TYPICAL VEHICULAR CROSSING PLAN
BOUNDARY LINE
VARIABLE
1.0
2.50
INVERT TABLE DRAIN
2.0 MIN (REFER NOTE 1)
APPROX
1.0
3.0
1.0
TYPICAL SECTION A–A
VEHICULAR CROSSING
EXISTING CARRIAGEWAY
CENTRE LINE
SHOULDER
VERGE
INVERT
EMBANKMENT
NOTE: GRATE SUBJECT TO FINAL DESIGN
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
3% MAX
5%
0.20 MIN.
VARIABLE
2.0
1.0
2.5
1.0
3.0
• DIMENSIONS SHOWN ARE IN METRES
FAIRFIELD CITY COUNCIL
TYPICAL CROSS SECTIONS
SUBDIVISION STANDARDS HORSLEY PARK
S–22
SHEET NO
REV'N
2 OF 2
REVISION
DATE
INIT'S
SCALE: 1:100
DATUM: N.A.
ACAD FILE
HORSLEY
RECOMMENDED FOR APPROVAL
DESIGN ENG
M – D & TS
APPR


HORSLEY RD , CECIL RD , DUFF RD & LINCOLN RD
ALL OTHER ROADS
BLEND BATTER TO EXISTING SURFACE WHERE SUITABLE
EMBANKMENT
SHOULDER
EXISTING CARRIAGEWAY
CENTRE LINE
MOUNT
BDY
MAX 1:2
MIN 0.25
VARIABLE
MIN 3.0
MIN 2.0
10%
12.5%
1:4
ROAD RESERVE
NOTES:
1. TYPICAL TABLE DRAIN DETAILS SHOWN, ACTUAL TABLE DRAIN REQUIREMENTS TO BE CONFIRMED AT SUBDIVISION STAGE.
2. NO TABLE DRAIN IS REQUIRED IF ROAD SECTION IS CLOSE TO A CREST.
• DIMENSIONS SHOWN ARE IN METRES
FAIRFIELD CITY COUNCIL
TYPICAL CROSS SECTIONS
SUBDIVISION STANDARD HORSLEY PARK
S-226
REVISION
DATE
INITIALS
SCALE 1:100
DATUM: N.A.
ACAD FILE
RECOMMENDED FOR APPROVAL
DESIGN ENG
APPROVED
CROSS SECTIONS & DIVISIONS
SHEET NO
REVN NO

Schedule 3

Right of Carriageway Variable Width and Positive Covenant for Maintenance and Repair

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land identified in the abovementioned plan as a lot benefited or any part thereof with which the right shall be capable of enjoyment, and every person authorised by that person to go, pass and re-pass at all times and for all purposes with or without animals or vehicles or both to and from the said lot benefited or any part thereof, subject to the following provisions.

The proprietors of the lots hereby benefited shall at all times and from time to time maintain and repair without delay any part of any lot hereby burdened identified on the above mentioned plan as the site of the right of carriage way variable width and in respect of any part of any such lot hereby burdened on which any part of such right of carriage way variable width is constructed or located PROVIDED THAT all costs and expenses of such maintenance and repair shall be borne equally by the proprietors of the lots hereby benefited or the proprietors of any part or parts thereof with which the right shall be capable of enjoyment.

The land to which the benefit of the positive covenant referred to in paragraph 2 hereof is appurtenant is any lot hereby burdened by the right of carriage way variable width identified in the abovementioned plan.

The land which is subject to the burden of the positive covenant referred to in paragraph 2 hereof is any lot hereby benefited by the right of carriage way variable width identified in the abovementioned plan.

5If any dispute arises relating to the need to carry out any maintenance and repair pursuant to the positive covenant referred to in paragraph 2, including the nature of work or its reasonable cost, that dispute shall be determined by an arbitrator appointed by the proprietors under the Commercial Arbitration Act, 1984 whose determination shall be final and binding on all proprietors.

For the purposes of the positive covenant referred to in paragraph 2 hereof, unless inconsistent with the context:-

Maintain and repair includes in relation to the lots burdened, the maintenance, repair and replacement of any pavement, surface or finish to the site of the right of carriage way variable width together with any foundation to same and any gutters, drains, trenches, earth banks and kerbs forming part of the site of the right of carriage way variable width.

Proprietor includes the registered proprietor of any lot from time to time and all the heirs, executors, assigns and successors in title to any lot and where there are two or more registered proprietors of such lot the terms of the positive covenant shall bind all those registered proprietors jointly and severally.

Schedule 4

Site specific subdivision plans

5.1 Bonnyrigg: Lalich Avenue, Brown Road and Coori Place
(Lot 320 DP 263089 and Lot 1 DP 616457)

5.1.1 General controls

The following general controls contained in this Chapter should be referred to guide development of this site:

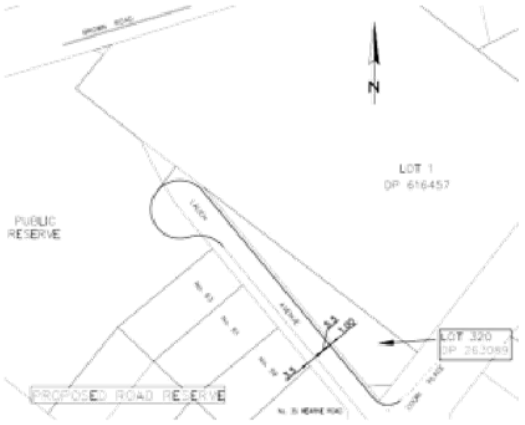
14. 2 General Controls
- 14.2.1 Access Handles and Driveways
- 14.2.3 Splay Corners
- 14.2.4 Road Alignment and Width – Extension of Existing Roads
- 14.2.5 Fencing

14.4 Residential Areas
- 14.4.1 Lot Requirements
- 14.4.2 Subdivision in R2 Low Density Residential Zone
  - Battle Axe, Carriageways and Roads in the R2 Low Density Residential Zone

5.1.2 Specific controls

The layout of roads and dedication of open space is detailed on Site Specific Map 5.1.2.

Site Specific Map 5.1.2



5.2 Bonnyrigg Heights: 630 Elizabeth Drive and 9-10 Schubert Place, Bonnyrigg Heights
(Lot 102 DP 801688 and Lot 1 DP 711262)

5.2.1 General controls

The following general controls contained in this Chapter should be referred to guide development of this site:

14. 2 General Controls
- 14.2.1 Access Handles and Driveways
- 14.2.3 Splay Corners
- 14.2.4 Road Alignment and Width – Extension of Existing Roads
- 14.2.5 Fencing

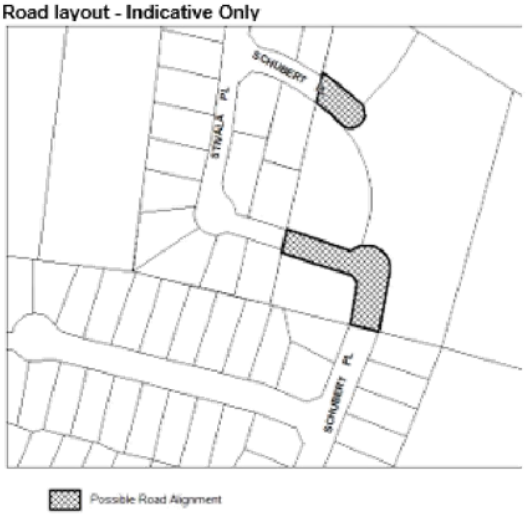
14.4 Residential Areas
- 14.4.1 Lot Requirements
- 14.4.2 Subdivision in R2 Low Density Residential Zone
  Battle Axe, Carriageways and Roads in the R2 Low Density Residential Zone

5.2.2 Specific controls

The layout of roads is detailed on Site Specific Map 5.2.3.

Site Specific Map 5.2.3

Road layout - Indicative Only



FairfieldCity
Celebrating diversity

Fairfield City Wide DCP

Appendix A Definitions

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Context and Objectives

This appendix outlines the meaning of the terms used in Fairfield City Wide Development Control Plan (DCP) 2024. Terms defined in the Standard Instrument (Local Environmental Plans) Order 2006 under the Environmental Planning and Assessment Act 1979 and not reproduced in this Appendix. They can be found in the Dictionary to Fairfield LEP 2013. Terms used in this DCP which are not in LEP 2013 are included in this Appendix.

Where there is uncertainty surrounding a term used in this DCP it is recommended that the user contacts Council's Duty Planner for clarification on 9725 0222.

Definitions

Accredited Certifier, means a person who is accredited under Part 2 of the *Building Professionals Act 2005*.

Affected properties means properties, any part of which fall within the extent of impact indicated in in Table 1 Types of Notification of Council's Community Participation Plan

Applicant means the person who is lodging the development application.

Arterial and Sub-Arterial Road means a classified Road as determined under the *Roads Act 1993*.

AS2890.2 Means the current Australian Standard 2890.2 – Commercial Vehicle Facilities.

Balcony means an upper storey platform projecting from the wall of a building supported by posts or brackets, and enclosed by a balustrade.

Battle Axe Blocks (also referred to as **hatchet shaped lots**) means the creation of a lot which does not have public road frontage and for which access is made available by means of an access handle which either forms part of the lot on which is provided by means of a right of way.

Building Envelope refers to a three dimensional zone which limits the extent of a building in any direction. Building envelope plans are to show the block outline of a building (but not detail design) in plan view, including each floor area, as well as in section.

Bush fire prone land is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 10.3 of the Act.

Certifying Authority means a person who is authorised by or under Section 4.28 of the Act to issue complying development certificates and may be the Council or an accredited certifier.

City Plan is Council's corporate plan which describes Council's vision and how it intends to implement programs and systems for achieving that vision.

Complying Development means development for which provision is made as referred to in section 4.2(5) of the Act.

Note: In this regard complying development is routine development, which may be certified in its entirety as complying with predetermined standards and policies that will ensure minimum environmental impact. This is to say, the traditional approval of Council will not be required and proponents will be able to obtain a complying development certificate either from Council or an independent accredited certifier in order to proceed with development.

Common Open Space means useable community open space for recreation and relaxation of residents and which is under the control of a body corporate.

Complying Development Certificate means a complying development certificate referred to in section 4.27 of the Act.

Contamination of land means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Council means Fairfield City Council.

CPTED means Crime Prevention Through Environmental Design.

Deep Soil Zone are areas within a development which are dedicated to landscaping with no obstruction below natural soil profiles, this space should enable the planting of significant vegetation with sufficient depth which has the ability to support root penetration, the growth of trees to a mature size, and provide a permeable ground which will allow for infiltration of surface water into the soil.

Designated Development has the same meaning as that given in section 4.10 of the Act.

Designated Road means any arterial, sub arterial or other road listed in this DCP.

Development means

(a) the use of land, and
(b) the subdivision of land, and
(c) the erection of a building, and
(d) the carrying out of a work, and
(e) the demolition of a building or work, and
(f) any other act, matter or thing referred to in section 26 of the Environmental Planning and Assessment Act 1979 that is controlled by an environmental planning instrument,

but does not include any development of a class or description prescribed by the *Environmental Planning and Assessment Regulation 2000* for the purposes of this definition.

Development Application means an application for consent under Part 4 of the *Environmental Planning and Assessment Act 1979* to carry out development but does not include an application for a complying development certificate. It is an application

submitted to a Council seeking permission to carry out development for a specific purpose.

Development Control Plan (DCP) is a detailed set of standards and guidelines that illustrate the controls that apply to a particular type of development or in a particular area. A DCP refines or supplements a regional environmental plan or local environmental plan and is made according to the *Environmental Planning and Assessment Act 1979*.

Development Contribution Plan is a document which identifies and describes financial contributions required to be paid as a consequence of new development. The contribution assists in providing or improving facilities, infrastructure and services to meet increased demand created by additional development within the local government area.

Duration of notification means the period during which the proposed development will be available for public exhibition, and by the end of which all submissions should be received.

Environmental Impact Statement (EIS) is a report that documents the information required to evaluate the environmental impact of a project. It informs decision-makers and the public of the reasonable alternatives that would avoid or minimise adverse impacts or enhance the quality of the environment.

Environmental Planning and Assessment Act 1979 is the legislation which governs all land use and planning in New South Wales.

Environmental Site Analysis is the environmental research conducted by a proponent in order to establish site constraints and environmental impacts. This research is submitted with a development application to enable Council to assess the impacts of a particular development.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

Exempt Development is development for which provision is made as referred to in section 1.6 of the Act.

Note: In this regard exempt development is minor development where there will be no need to seek any approval from Council, provided that certain pre-set standards are met.

Extent of notification means the distance from the boundaries of a proposed development that is used to determine which of the surrounding properties will be provided with a letter of notification.

Floor Space Ratio in relation to the buildings on a site, means the ratio of the gross floor area of all buildings within the site to the site area.

Note: See clause 4.5 of Fairfield LEP 2013 for an explanation of calculation of floor space ratio and site area.

Frontage means the width of the property measured at the street alignment. Where there is more than one street frontage, the nominated frontage is the one selected as the principal vehicular access to the site.

Gross Leasable Floor Area means the total floor area contained within the outer faces of the external walls of a building, excluding stairs, lifts, public arcades, public foyers, public toilets, plant rooms, loading areas and car parking.

Ground level (existing) means the existing level of a site at any point.

Ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

Ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

Integrated Development has the same meaning as that given in section 4.46 of the Act and generally means development that, in order for it to be carried out, requires development consent and one or more approval.

Kiosk means a retail premises used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, film and the like.

Land includes any building or part of a building erected on the land.

Landscape Plan is the preparation of graphic and written criteria, specifications, and detailed landscape plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks, irrigation, landscape lighting, erosion control, on site drainage and other features to comply with the provisions of a community landscape code.

Landscaped Area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area..

Local Context is information submitted with a development application which describes all the things that have an impact on an area, its key natural and built features.

Local Environmental Plan (LEP) is the principal legal document for controlling development at the council level. The zoning provisions establish permissibility of uses and standards regulate the extent of development. They are prepared by councils and approved by the Minister (after public exhibition).

Mode of notification means the collection of methods used to advise the community of a proposed development.

Owner means the name of the proprietor as registered on Council's rating records.

Primary setback in relation to corner lots that have two frontages means the frontage with the shortest boundary and that same road that the allotment is addressed.

Recycling Stream is the diversion of resource materials from landfill, including but not limited to paper, cardboard, glass, steel, aluminium, food, and garden organics, and those associated with Councils circular economy initiatives.

Remedial Action Plan means a plan that outlines a specific program leading to the remediation of a contaminated site.

Residue Lot means a lot which is created in a subdivision which could be the subject of further subdivision or amalgamation with adjoining land.

Riparian Corridor means the zone of the banks of a river, being 40 metres from the top of a creek or stream bank.

Secondary setback in relation to corner lots that have two frontages means the side with the longest boundary and the road to which the property is not addressed.

Section 10.7 Planning Certificate provides information, including the statutory planning controls that apply to a parcel of land on the date the certificate is issued.

Setback means the distance between a property boundary and any proposed building or structure. A minimum setback is usually required by law.

Soft Soil zones are areas within a development of natural ground with no obstructions above or below and relatively natural soil profiles. Soft soil zones are areas dedicated for landscaping for the planting of grass, shrubs and trees or the like and allow infiltration of rain water into the water table to reduce the storm water runoff. Soft soil zones exclude areas on structures, pools and non-permeable paved areas.

Splay corner means a triangular section at the corner where two streets meet, and remains free of any structure.

Streetscape means the view along a street from the perspective of a driver or pedestrian, especially of the natural and man-made elements in or near the street right of way, including street trees, lawns, landscape buffers, signs, street lights, above-ground utilities, drainage structures, sidewalks, bus stop shelters and street furniture.

State Environmental Planning Policy (SEPP) is a policy proposed and executed by the Minister and approved by the Governor. They address matters of state significance.

Statement of Environmental Effects (SEE) is a document prepared by a proponent that accompanies a development application for non-designated developments unless the proposal is considered to have negligible effects. The SEE should demonstrate that the environmental impacts of the development have been considered and should set out steps to be taken to protect the environment or mitigate any potential harm.

Subdivision of land means the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.

Submission means a letter, email, petition or similar written representation received from individuals or groups of people regarding a particular application.

Take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

Note. Take away food and drink premises are a type of food and drink premises.

Threatened Species Test of Significance is an assessment under Section 7.3of the *Biodiversity Conservation Act 2016*. Section 7.3lists factors that need to be considered when assessing the impact of a proposed development or activity on threatened species, populations, ecological communities or their habitats (as listed on the Schedules to the *Biodiversity Conservation Act 2016*)=

The Act means the *Environmental Planning and Assessment Act 1979*

The Greater Sydney Region Plan (the Plan), A Metropolis of Three Cities: sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. informs district and local plans and the assessment of planning proposals.

Threatened Species are those species facing threatening processes such as extensive destruction of habitat; the process may threaten the survival, abundance or evolutionary development of the species.

Tow Truck Office may be a type of home occupation or office premises, and may be ancillary to a resource recovery facility, vehicle body repair workshop, vehicle repair station or vehicle sales or hire premises.

Vacant Lot Subdivision means a subdivision which involves the creation of at least one (1) vacant lot which will be the subject of further development or will be used for primary production. This does not include a vacant lot to be created as a residue parcel.

Vehicle Access means a driveway crossing, slip lane, mountable kerb, ramp or double gate opening which would enable a private motor vehicle to access a private property from a public road.

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Appendix B
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Notifications Policy

Please refer to Part Three – Community Participation Plan of Council's Community Engagement Strategy 2020.

The Community Participation Plan has been developed to ensure the community has the opportunity to participate in planning decisions and outcomes. It sets out how and when the community can participate in the planning system, Council's function and different types of proposals. The Community Participation Plan is delivered in conjunction and must be used with Council's Community Engagement Strategy, which details the community participation objectives, principles and types of engagement methods.

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Appendix C

Advice for Designing Advertising Signs

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Context and Objectives

Signs are used by many businesses to advertise their products or services. These signs are designed to attract attention to the premises and to identify the products sold or services offered there.

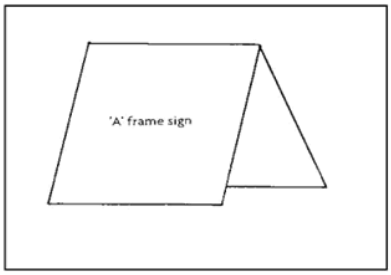
Within particular chapters of the City-Wide Development Control Plan are controls which stipulate the type of signage appropriate for certain development types.

This Appendix serves as additional guidance for business owners about the specifications that apply to those signs permitted by Council.

Note: Reference should also be made to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP). The SEPP contains provisions that exempt certain signs from the necessity of obtaining development consent.

1.0 Types of Signs and Specifications

'A' frame signs: These signs are usually small mobile signs used to advertise businesses. They must not be placed on or near public land, especially footpaths.



Advertising panel/billboard:

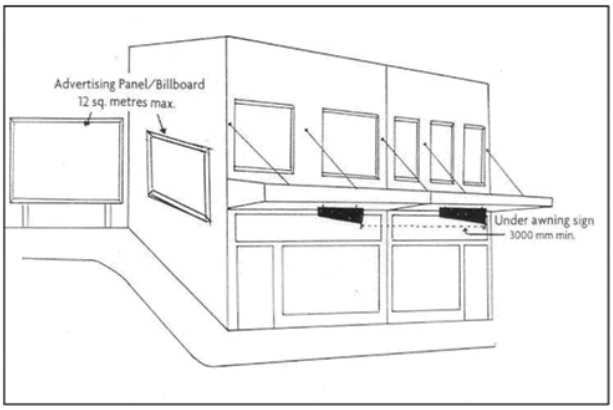
This is a non-illuminated structure, such as a bulletin board or a sign, which advertises products sold on the premises. Must comply with the following:

(a) maximum size 12 square metres

(b) only one per building facade

(c) does not extend above or laterally from the wall it is attached to

(d) does not cover any windows or architectural features.



Awning sign: Attached to the underside of awning (other than the fascia or return end). Above awning signs are prohibited in Fairfield City.

Under awning signs however must:

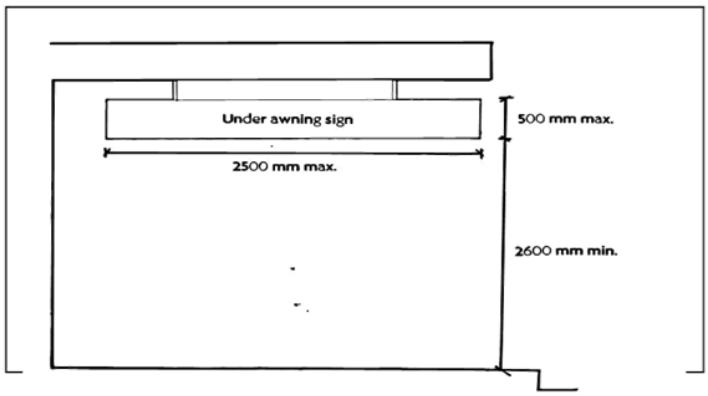
(a) be not more than 2500mm in length and 500mm in depth

(b) be at least 2600mm above the ground

(c) not project beyond the awning

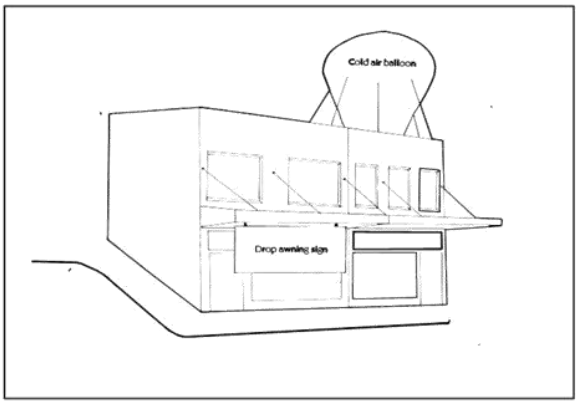
(d) be securely fixed by metal supports

(e) not be closer than 3000mm to any other under awning sign.



Cold air balloons: These are signs made of materials that enable them to be inflated by means of cold air. Consent is required for the erection of these signs and this will usually have a time limit attached to it.

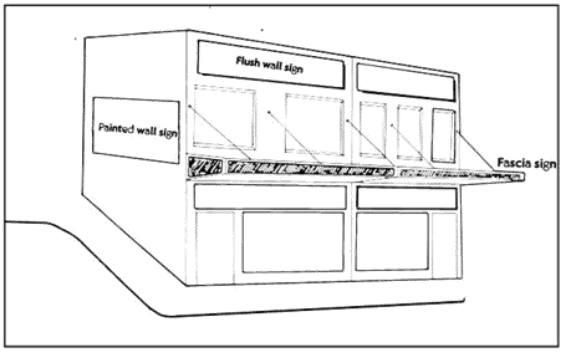
Drop awning sign: Sign displayed on a roll down shade blind attached to the underside of an awning. (See diagram below)



Fascia sign: Attached to the fascia or return end of an awning. Fascia signs will not:

(a) project above or below the fascia or return end on which it is attached.

(b) extend out more than 300mm out from the fascia or return end of the awning.



Fin sign: Erected above or on the canopy of the building. Fin signs are prohibited in Fairfield City.

Flashing sign: Illuminated at frequent intervals by an internal source of artificial light. This sign could be included in other types of signs, for example a flashing under awning sign. These will only be considered in the Cabramatta Town Centre, however, consideration must be given to any detrimental effects they could have on surrounding residents, business or traffic.

Floodlit sign: Any part of the advertisement may be illuminated by an external source of artificial light.

Floodlit signs will comply with the following:

(a) maximum size is 12 square metres

(b) only one per building facade

(c) must not extend beyond or above the wall it is attached to

(d) not to cover any windows or architectural features.

Flush wall sign: Attached to the wall of a building, including painted wall other than above the doorway or display window.

Flush wall signs will:

(a) not project more than 300mm from the wall to which they are attached

(b) not cover more than 20% of the area of the wall and only one per building facade for each company of the premises

(c) not project above or beyond the wall to which they are attached.

Mobile advertising: These are signs that are attached to trucks or trailers that are usually parked beside major roads. These signs are not permitted in Fairfield City.

Moving sign: Signs that have moving parts with power supplied from an outside source, for example, a moving flush wall sign. These signs will only be considered in the Cabramatta Town Centre.

Painted wall sign: Advertisement painted directly onto the facade of a building. Painted wall signs will not cover more than 20% of the area of the wall and only one per building facade for each separate business occupying the premises.

Pole sign: Signs that are erected on a pole independent of any other building or structure.

These must comply with the following:

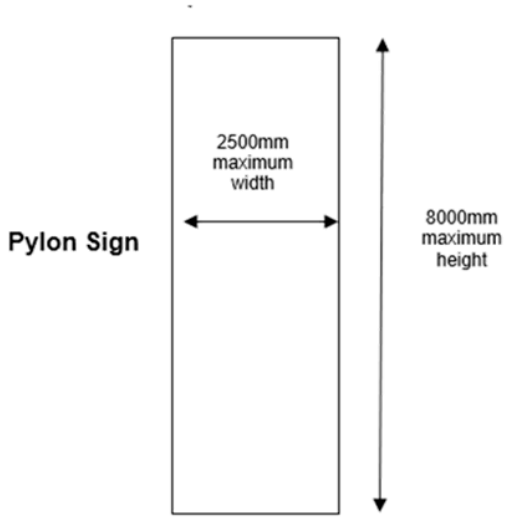
(a) maximum height of 8000mm

(b) minimum height above ground level must be at least 2600mm

(c) maximum sign area of 4.5 square metres

(d) pole signs along the same street should have the same setback and spacing where possible

(e) pole signs should not obscure traffic signals or distract drivers in an unsafe way.



Pylon sign: Signs that are erected on a pylon independent of any other building or structure.

These must comply with the following:

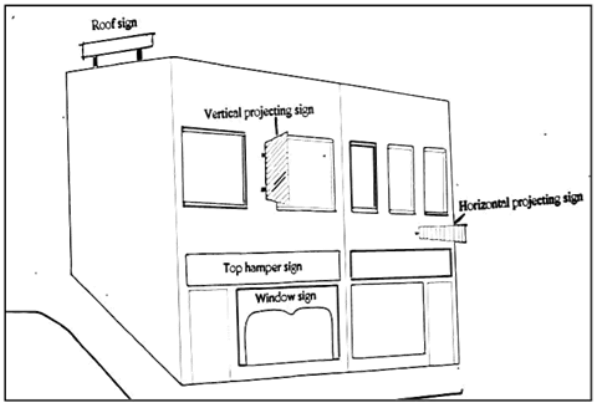
(a) maximum height of 8000mm

(b) maximum width of 2500mm

(c) pylon signs along the same street should have the same setback and spacing where possible

(d) pylon signs should not obscure traffic signals or distract drivers in an unsafe way.

Roof sign: Erected on or above the roof of a building. These signs are not permitted in Fairfield City. (See diagram below)



Projecting wall sign:

Vertical:

Attached to the wall of a building, projecting more than 300mm. A vertical projecting wall sign is one where the height of the sign is larger than its width.

The vertical wall sign will:

(a) only be permitted where there is no awning

(b) not project above the wall to which it is attached

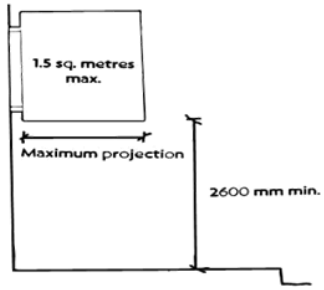
(c) be at least 2600mm above ground

(d) not have an area of more than 1.5 square metres

(e) be securely fixed to the building.

The maximum height of the sign will be determined as follows:

Height of sign above ground level*	Maximum projection**
2600mm to 3700mm	800mm
3700mm to 4600mm	900mm
4600mm to 5500mm	1200mm
5500mm and above	1500mm



* Measured to the underside of the sign

** Measured vertically from the supporting wall to the outside face of the sign

Projecting wall sign

Horizontal:

Attached to the wall of a building, projecting more than 300mm. A horizontal projecting wall sign is one where the height of the sign is less than its width.

The horizontal wall sign will only be permitted where there is no awning:

(a) not project above the wall to which it is attached project beyond the point within 600mm of the kerb line

(b) be at least 2600mm above ground

(c) not have an area of more than 1.5 square metres

(d) be securely fixed to the building

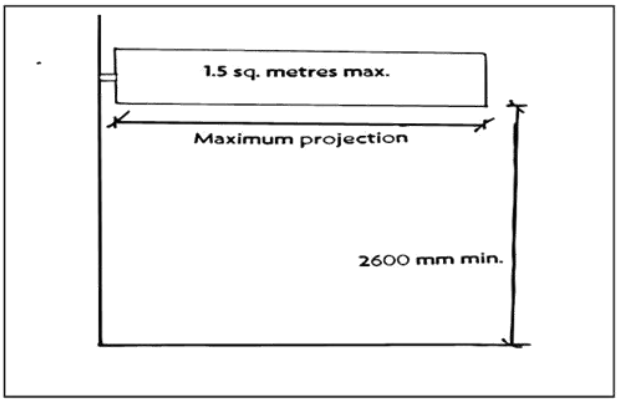
The maximum height of the sign will be determined as follows:

Height of sign above ground level*	Maximum height**
2600mm to 3700mm	500mm
3700mm to 6100mm	1200mm
6100mmm and above	1500mm

* Measured to the underside of the sign

** Measured vertically from the underside of the sign to the top side of the sign

Horizontal Projecting Wall Sign



Top hamper sign: Attached above a doorway or a display window. These signs will not extend beyond any building line or below the level of the door and/or window above which it is attached.

Window sign: Any advertisement located or displayed on or in the window of a building. This sign should not cover more than 25% of the window area.

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Appendix D

Preservation of Trees and Vegetation

Contents

Preservation of Trees and Vegetation .3

Preservation of Trees and Vegetation

Note: Specific requirements relating to the preservation of trees and vegetation and an explanation of the Tree Permit requirements are contained within Chapter 3 of this DCP.

Appendix D presently does not contain any content. In the future Appendix D will contain general horticultural advice and best practice examples relating to tree and vegetation care and management.

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Appendix E

Waste Not Policy to Manage Demolition and Construction Waste

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Context and Objectives

Construction and demolition waste is a significant component of the waste stream. Achieving waste reduction targets will depend on how much waste can be diverted from waste disposal sites. Waste production can also be avoided by considering how material on site can be reused in the proposed development. Building materials can also be sold to recyclers for reuse or reprocessing, including concrete, bricks, roof tiles, metals, wood, as well as soil and vegetation. Older structures also pose dangers, with many older homes and industrial building built from asbestos products. Special requirements need to be followed to ensure everyone in the community is kept safe.

The objectives of this Waste Not Policy are:

a) to effectively reuse and recycle materials from the demolition and construction associated with development where possible rather than dispose to land fill.

b) to provide guidance and controls on the on safe treatment and disposal of fibro.

1. Introduction

1.1 Why reduce, reuse, and recycle and demolition construction waste

The New South Wales Government has replaced the Waste Minimisation and Management Act 1995 with the Waste Avoidance and Resource Recovery Act 2001 that continues the framework for managing waste.

To support this Act in achieving a reduction in waste generation and turning waste into recoverable resources, a further framework for reducing waste and making better use of our precious resources was introduced in 2003 being the (the 'Waste Strategy'), a first for Australia. This Strategy was reviewed and updated in 2007 and the Strategy is now known as the NSW Waste Avoidance and Resource Recovery Strategy 2007.

The main targets identified in this Strategy to be achieved by 2014 are:

a) an increase in recycling of municipal waste from baseline 26% to 66%; and

b) an increase in recycling of commercial and industrial waste from baseline 28% to 63%; and

c) an increase in recycling of construction and demolition waste from baseline 65% to 76%.

In Fairfield City, the need to reduce, reuse and recycle waste happens at the local level: from small developments to large construction sites.

Reducing waste at many smaller demolition and construction sites over time has a bigger impact on diverting waste to land fill than a single large development.

That is why everyone must play their part in reducing demolition and construction waste where they can.

1.2 How will Council control the reduction, reuse and recycling of demolition and construction waste

All development applications will need a Waste Management Plan prepared by applicants.

Waste Management Plans will need to show that:

a) the potential of waste is first avoided

b) any waste is then reused on site where possible, then

c) any waste that cannot be reused on site is then recycled, then finally

d) waste with no reuse or recycling potential is disposed of at landfill sites.

1.3 What is Waste Management?

A Waste Management Plan is a checklist of:

a) the volume and type of waste generated from a construction or demolition site

b) how the waste is to be stored

c) the way waste that cannot be reused or recycled will be disposed of that follows Council's requirements for construction and demolition sites.

1.4 What are Council's requirements for reusing, recycling and disposing of demolition and construction waste?

See Section 2

1.5 How do you prepare a Waste Management Plan for demolition and construction waste?

See Section 3

2 Council's requirements for reusing, recycling and disposing of waste

2.1 What are the principles for reusing, recycling and disposing of waste at demolition sites?

To promote the use and recycling of demolition waste before disposal, the following is needed:

a) careful demolition of a building so that components can be easily taken apart for reuse and recycling, and

b) minimise site disturbance to avoid unnecessary excavation.

You will need to show how you will achieve these things in a Waste Management Plan (see Section 3).

2.2 What are the principles for reusing, recycling and disposing of waste at construction sites?

To promote the use and recycling of construction waste before disposal, the following is needed:

a) **identify and eliminate from reuse or recycling any material that could contain asbestos**: if you don't know, then treat the material as if it does contain asbestos - it is deadly when disturbed – you must know your obligations under the law regarding the removal and disposal of material that contains asbestos (See Section 6 – Removal and disposal of asbestos material),

b) careful source separation of off-cuts to make reuse, recycling and resale of material easy

c) using prefabrication of materials where possible,

d) minimise site disturbance to avoid unnecessary excavation.

You will need to show how you will achieve these things in a Waste Management Plan (see Section 3).

2.3 What are the requirements for the reuse, recycling and disposal in demolition and construction works on site?

Separate containers or storage areas for the recycling of the following materials when needed during the demolition and construction stage.

Demolition material	Reuse/recycling potential
Asbestos	Special treatment needed
Bricks	Reuse when cleaned or render over
Carpet	Landscaping
Concrete	Filling, levelling material, road base
Doors	Second hand suppliers
Glass	Reuse as glazing or aggregate for concrete production
Green waste	Mulching, fertiliser
Hardwood beams	Second hand suppliers, reuse as floorboards, fencing or furniture
Overburden	Topsoil
Plasterboard	Removal for recycling
Roof tiles	Reused or crushed for landscaping and driveways
Rubber	Reprocessed
Timber	Second hand suppliers, reuse as formwork, blocking and propping
Trees	Relocated on site or offsite
Windows	Second hand suppliers

A container for waste that must be disposed of:

a) with minimum dimensions of 2.4 x 2.4 x 0.9 metres located on site and away from Council footpaths and land.

2.4 How do you show Council's requirements for the reuse, recycling and disposal in demolition and construction works are going to be followed?

Follow the instructions in Section 3, which include:

a) a copy of a blank Waste Management Plan to help you plan

b) an example of a completed Waste Management Plan for a development involving demolition and construction.

3. Waste Management Plans

3.1 What is needed for a completed Waste Management Plan?

Think about what materials can be avoided, reused, recycled and disposed of that are involved in the demolition or construction work. Work out how the materials can be:

a) first, avoided

b) second, reused on site

c) third, recycled at a recycle centre or dealer

d) last, disposed of at a legal landfill site.

Complete the Waste Management Plan form, shown blank at the back on this chapter.

a) For demolition work, fill in Section 1

b) For construction work, fill in Section 2.

For both demolition and construction waste, you will need to:

a) detail all materials that will be avoided, reused on site, recycled and then disposed of

b) specify how much of each material type you expect in your demolition/construction work.

c) name which company will be recycling and disposing of waste from your site, with full contact details of principal operator's name, company address, and contact telephone numbers (contactable during Council office hours).

An example of a completed Waste Management Plan is also attached to help you.

On plans and drawings, show the following details:

a) Location of on-site storage for materials that are going to be reused, recycled and disposed.

b) Vehicle access on site allowing the collection of material for reuse, recycling and disposal.

4. Requirements During Demolition and Construction

4.1 What is needed during the recycling and disposal of demolition and construction waste?

All demolition and construction waste dockets must be kept which show which facility received the material for recycling or disposal. Audits may be conducted by Council to verify that dockets have been kept and waste recycled and disposed of as described within the Waste Management Plan. Dockets will need to show the company's Australian Business Number (ABN).

5. Waste And Dry Recycling Facilities in Developments

Consider your waste and dry recycling facilities needs on site by referring to the controls that are specific to your development type. All residential development types will need bin storage areas that are accessible and screened from public view.

As a community obligation and responsibility to sustainable living, the aim is always to reduce or avoid waste generation wherever possible. The focus of any waste collection must make provision to dispose of (general garbage), recycle (paper, plastics, metals) and re-use (green waste for compost) waste

Contact Council for more information on how to reduce, recycle and reuse waste.

6. Removal and Disposal of Asbestos Material

Older development in Fairfield City

In its residential areas in the east of the City, Fairfield has many fibro houses built before and after the WWII period, with significant development after the war. Bonded materials containing asbestos (commonly like 'fibro') are the most common asbestos materials in these types of domestic houses. Asbestos has been identified as a deadly substance when disturbed in activities such as demolition and renovation. Many of those houses are being altered or demolished.

Your responsibilities under the law – in summary

a) A person / contractor licensed by WorkCover NSW is required for the removal of more than 10sqm of bonded asbestos material.

b) A suitably licensed contractor is required for the removal of any amount of friable asbestos in accordance with WorkCover NSW requirements. A clearance certificate from an occupational hygienist must also be obtained following the completion of all friable asbestos removal work.

c) The handling of any asbestos waste must be in carried out in accordance with Clause 42 of the *Protection of the Environment Operations (Waste) Regulation 2005*.

d) Asbestos waste in any form, may only be disposed of at a waste facility licensed by the Office of Environment and Heritage (OEH) to accept such waste, in a manner approved by that authority.

WARNING: A decision to cut costs and undertake asbestos removal without following the requirements of law, expert experience, equipment, clothing and proper handling and disposal is high risk and could lead to death.

Where you will find asbestos in the home and other buildings

Inside the house, bonded materials containing asbestos were often used for wall sheeting, particularly in 'wet' areas such as the kitchen, bathroom and laundry (e.g. the glazed patterned panels around showers and baths that are held in with screws). They were also used as ceiling sheeting. Asbestos might also be found bonded in plaster patching compounds, textured paint and vinyl floor tiles.

Loosely bound materials containing asbestos might be found in a few older forms of insulation used in domestic heaters and stoves. Asbestos-felt was used as a backing for many vinyl and linoleum sheet floorings and does not pose a health risk while it remains undisturbed. However, these materials become loose when the floor covering is damaged or removed.

Outside the house, externally bonded materials containing asbestos were commonly used for roof sheeting and capping, guttering, gables, eaves/soffits, water pipes and flues, wall sheeting, flexible building boards and imitation brick cladding. They have also been used for fencing and building car ports and sheds.

Asbestos has also been sprayed in buildings for acoustic (noise-proofing) and decorative purposes since the 1940's. The demolition of buildings with asbestos insulation or lagging has the potential for the release of massive amounts of asbestos fibre unless stringent precautions are taken.

The deadly dangers of asbestos

Disturbed asbestos releases tiny asbestos fibres into the air. When asbestos fibres are breathed in, they may get trapped in the lungs and remain there for a long time. Over time, these fibres can accumulate and cause scarring and inflammation, which can affect breathing and lead to serious health problems. Asbestos has been classified as a known human carcinogen (a substance that causes cancer). Studies have shown that exposure to asbestos may increase the risk of lung cancer and mesothelioma (a relatively rare cancer of the thin membranes that line the chest and abdomen). Although rare, mesothelioma is the most common form of cancer associated with asbestos exposure.

The safe removal and disposal of asbestos

Removal of asbestos eliminates the hazard forever provided it is done with professional, accredited companies to handle and remove asbestos related materials from building sites.

Before any work commencing, a risk assessment should be carried out. A safe work procedure should then be devised that minimises the release of dust and fibres and avoids exposure. Work involving friable (crumbles easily) asbestos is considered to present the greatest risk of exposure to air-borne fibres. Bonded asbestos (fibro) is unlikely to release airborne fibres unless it is damaged or disturbed. Your contractor should tell you what they plan to do complete the job and minimise any risk.

Specific safety precautions for work involving asbestos are:
1. Wearing protective clothing and an approved respirator
2. Using non-powered hand tools as these generate less dust
3. Wetting down material to reduce the release of dust or using vacuum attachments fitted with High Efficiency Particulate Air (HEPA) filters.
4. Working in well-ventilated areas if possible.
5. Using drop sheets to collect debris.
6. Disposing of smaller asbestos pieces and collected dust in plastic bags labelled "asbestos waste".

Your contractor, at a minimum, should be practicing these precautions. Work should stop if these practices are not being followed.

Removal of asbestos

Removal of friable asbestos-containing material, or bonded asbestos that is damaged or more than 10sqm in area, must be carried out by licensed operators in accordance with relevant State legislation. A permit must also be obtained from WorkCover before commencing any work. All asbestos removal companies must be registered under relevant State legislation.

The following safety measures are required:
1. For external work, close all windows and doors on the building.
2. Use warning signs and barriers when removing asbestos cement materials.
3. If practical, seal asbestos-cement sheets with PVA paint or wet with water.
4. Wear coveralls and an approved respirator (see personal protective equipment below).
5. Wet clean gutters and collect material for waste disposal.
6. Remove asbestos sheets with minimal breakage and lower asbestos sheets to the ground; do not drop them.
7. Stack removed asbestos sheets on polythene sheeting, wrap and seal for disposal.
8. Do not leave asbestos sheets on site where they may break or be crushed.
9. Do not skid or drag asbestos sheets over other sheets - this can release asbestos fibres.
10. Clean asbestos-cement residues with an approved vacuum cleaner.
11. Keep waste containing asbestos wet or wrapped in polythene and remove from site as soon as practical.
12. Place used disposable coveralls, masks and filters with other asbestos waste in bags for removal.
13.

Your contractor, at a minimum, should be practicing these precautions. Work should stop if these practices are not being followed.

Waste Handling and Disposal

Contact the Office of Environment and Heritage for waste disposal requirements and approved waste facilities. All waste containing asbestos must be:

1. Kept damp (prevent excess runoff water).
2. Collected, labelled and sealed using plastic or leak-proof containers.
3. Stored at a secure site in labelled, lined bins or a leak-proof container.
4. Removed from the site as soon as practicable and/or collected and stored in a manner approved by the EPA or an appropriate disposal authority.
5. Transported in a covered leak-proof vehicle or a manner approved by the OEH
6. Disposed of in a manner and at a site approved by OEH or an appropriate disposal authority.
7. Vehicles must be cleaned before leaving the landfill site.

Your contractor, at a minimum, should be practicing these precautions. Work should stop if these practices are not being followed.

Useful References

NSW WorkCover Authority (Publications Order Line 131 050 – www.workcover.nsw.gov.au)

Working with Asbestos: Guide PDF Format-1242 Kb - Publication Number - 5484

Asbestos Demotion Application Forms - Publication Number - 772, 808, 773, 809, 5397, 5398

Forms for asbestos and/or demolition work, include guides **Notification and Permit Forms for Asbestos and Demolition -** Publication Number - 940, 941, 942, 943

Use these forms to notify WorkCover of demolition and/or bonded asbestos work, or to lodge an application for a permit to remove friable asbestos or undertake certain demolition work.

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Waste Management Plan

Demolition and Construction

This Waste Management Plan:

- must be completed and submitted to the Principle Certifying Authority;
- details what and how much waste will be generated, avoided, reused on site, recycled and disposed of;
- shows on a site plan the location of containers, separated materials, and treatment;
- will be assessed on how it keeps disposal of waste to a minimum; and
- will be audited by Council through the checking of all demolition and construction waste dockets which show which facility received the material for recycling or disposal.

Your proposal

Site address:

Applicant's name and address:

Phone: Mobile: Fax:

Email

Buildings and other structures on site: *What is on the land now?*

Description of proposal: *What do you want to do on the land?*

The details provided in this Waste Management Plan are how I intend to treat waste during this project.

- I have made an assessment on the material on site and considered if it contains asbestos. I know my responsibilities about asbestos removal and disposal under and that if asbestos is disturbed during renovation and demolition it can be deadly.
- **I will keep all demolition and construction waste dockets** which show which facility received the material for recycling or disposal. I understand that an audit may be conducted by Council to verify that dockets have been kept and waste recycled and disposed of as described within the Waste Management Plan.

Applicant's signature Date .....

Demolition – Asbestos Checklist

Section 1: Demolition Waste Management Plan

WARNING: A decision to cut costs and undertake asbestos removal without following the requirements of law, expert experience, equipment, clothing and proper handling and disposal is high risk and could lead to death. You must know your responsibilities under the law.

Checklist Type of material	Found on site? Yes/No	Estimated Volume (m^2 or m^3)	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (Council office hours).
Interior			
Wall sheeting, particularly in 'wet' areas such as the kitchen, bathroom and laundry			
Ceiling sheeting.			
Plaster patching compounds, textured paint.			
Vinyl floor tiles; asbestos-felt used as a backing for many vinyl and linoleum sheet flooring			
Insulation used in old domestic heaters and stoves			
Exterior			
Wall sheeting – house, outbuildings, carports, fences			
Imitation brick cladding			
Roof sheeting and capping; Guttering, gables, eaves/soffits			
Water pipes and flues			
Other			

Your responsibilities under the law – in summary

a) A person / contractor licensed by WorkCover NSW is required for the removal of more than $10m^2$ of bonded asbestos material.
b) A suitably licensed contractor is required for the removal of any amount of friable asbestos in accordance with WorkCover NSW requirements. A clearance certificate from an occupational hygienist must also be obtained following the completion of all friable asbestos removal work.
c) The handling of any asbestos waste must be in carried out in accordance with Clause 42 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
d) Asbestos waste in any form, may only be disposed of at a waste facility licensed by the Office of Environment and Heritage (OEH) to accept such waste, in a manner approved by that authority.

Demolition

Section 1: Demolition Waste Management Plan

Materials on site		Destination Reuse and recycling		
Type of material	Estimated Volume (m^2 or m^3)	ON SITE Detail reuse or onsite recycling	OFF-SITE Detail contractor and recycling outlet • Company Name • Telephone number (contactable during Council office hours).	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (contactable during Council office hours).
Excavation material				
Green waste				
Bricks				
Concrete				
Timber – what kind?				
Plasterboard				
Metals – what kind?				
Other				

Construction

Section 2: Construction Waste Management Plan

Materials on site		Destination Reuse and recycling		
Type of material	Estimated Volume (m^2 or m^3)	ON SITE Detail reuse or onsite recycling	OFF-SITE Detail contractor and recycling outlet • Company Name • Telephone number (contactable during Council office hours).	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (contactable during Council office hours).
Excavation material				
Green waste				
Bricks				
Concrete				
Timber – what kind?				
Plasterboard				
Metals – what kind?				
Other				

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Waste Management Plan

Demolition and Construction - Example

This Waste Management Plan:

- must be completed and submitted to the Principle Certifying Authority
- details what and how much waste will be generated, avoided, reused on site, recycled and disposed
- shows on a site plan the location of containers, separated materials, and treatment.
- will be assessed on how it keeps disposal of waste to a minimum
- will be audited by Council through the checking of all demolition and construction waste dockets which show which facility received the material for recycling or disposal.

Your proposal

Site address: 162 Bonnyrigg Road, Fairfield Heights

Applicant's name and address: Jim Samosa-Nguyen, Smith Construction

P O Box 3456 Fairfield NSW

Phone: 9999 9876 Mobile: 0499 876 543 Fax: 9999 8765

Email jsn@internetplus.com

Buildings and other structures on site: *What is on the land now?*
Brick dwelling house, concrete slab and driveway, timber fencing

Description of proposal: *What do you want to do on the land and how?*
Two storey commercial premises plus office, built with a metal frame and brick construction.

The details provided in this Waste Management Plan are how I intend to treat waste during this project.

- I have made an assessment on the material on site and considered if it contains asbestos. I know my responsibilities about asbestos removal and disposal under and that if asbestos is disturbed during renovation and demolition it can be deadly.
- **I will keep all demolition and construction waste dockets** which show which facility received the material for recycling or disposal. I understand that an audit may be conducted by Council to verify that dockets have been kept and waste recycled and disposed of as described within the Waste Management Plan.

Applicant's signature J Samosa-Nguyen Date 1/7/2009

Demolition – Asbestos Checklist

Section 1: Demolition Waste Management Plan

WARNING: A decision to cut costs and undertake asbestos removal without following the requirements of law, expert experience, equipment, clothing and proper handling and disposal is high risk and could lead to death. You must know your responsibilities under the law.

Checklist Type of material	Found on site? Yes/No	Estimated Volume (m^2 or m^3)	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (Council office hours).
Interior			
Wall sheeting, particularly in 'wet' areas such as the kitchen, bathroom and laundry	No		
Ceiling sheeting.	No		
Plaster patching compounds, textured paint.	No		
Vinyl floor tiles; asbestos-felt used as a backing for many vinyl and linoleum sheet flooring	Yes	2 m^3	Asbestos Safe and easy removal 9999 6767 Secure Land fill, Uptown Road, Deep Gully
Insulation used in old domestic heaters and stoves	Yes	One stove and one heater	Asbestos Safe and easy removal 9999 6767 Secure Land fill, Uptown Road, Deep Gully
Exterior			
Wall sheeting – house, outbuildings, carports, fences	No		
Imitation brick cladding	Yes – front wall	28 m^2	Asbestos Safe and easy removal 9999 6767 Secure Land fill, Uptown Road, Deep Gully
Roof sheeting and capping; Guttering, gables, eaves/soffits	No		
Water pipes and flues	No		
Other	No		

Your responsibilities under the law – in summary

a) A person / contractor licensed by WorkCover NSW is required for the removal of more than 10m^2 of bonded asbestos material.
b) A suitably licensed contractor is required for the removal of any amount of friable asbestos in accordance with WorkCover NSW requirements. A clearance certificate from an occupational hygienist must also be obtained following the completion of all friable asbestos removal work.
c) The handling of any asbestos waste must be in carried out in accordance with Clause 42 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
d) Asbestos waste in any form, may only be disposed of at a waste facility licensed by the Office of Environment and Heritage (OEH) to accept such waste, in a manner approved by that authority.

Demolition

Section 1: Waste Management Plan - Example

Materials on site		Destination Reuse and recycling		
Type of material	Estimated Volume (m^2 or m^3)	ON SITE Detail reuse or onsite recycling	OFF-SITE Detail contractor and recycling outlet • Company Name • Telephone number (contactable during Council office hours).	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (contactable during Council office hours).
Excavation material	200	Reuse top soil for landscaping; store on site; use behind retaining walls		Remainder to Landfill site by JKL Waste Contractor. - 9897 4563
Green waste	60	Separated; some chipped for landscaping	Remainder to XYZ Landscape Suppliers for reuse/compost. - 9987 4563	Stumps and large trunks separated and to Deep Gully Land Fill by JKL Waste Contractor. - 9978 4563
Bricks	50	Clean and reuse lime mortar bricks for footings. Broken bricks for internal walls.	Concrete mortar bricks to KLM Crushing and Recycling Company. - 9987 4563	Nil
Concrete	15	Existing driveway to remain during construction .	On completion to KLM Crushing and Recycling Company. - 9987 4563	Nil
Timber – what kind? • ..... •	5	Reuse for formwork and studwork. Chip remainder for use in landscaping	To stockpile at SFG Transfer Station, by JKL Waste Contractor. - 9978 4563	Nil
Plasterboard	3	Break up and use in landscaping	Remainder to XYZ Landscape Suppliers. - 9987 4563	Nil
Metals – what kind? • ..... •	1	Nil	To FGH Metal Recyclers. - 9987 4563	Nil
Other • Tiles	5	Broken tiles for fill.	Remainder to STU Building Supply Company	Nil

Construction

Section 2: Construction Waste Management Plan – Example

Materials on site		Destination Reuse and recycling		
Type of material	Estimated Volume (m^2 or m^3)	ON SITE Detail reuse or onsite recycling	OFF-SITE Detail contractor and recycling outlet • Company Name • Telephone number (contactable during Council office hours).	DISPOSAL Detail contractor and landfill site • Company Name • Telephone number (contactable during Council office hours).
Excavation material		See demolition section		
Green waste		See demolition section		
Bricks	2		Remainder to KLM Crushing and Recycling Company – 9987 4563	Nil
Concrete	5		Remainder to KLM Crushing and Recycling Company. – 9987 4563	Nil
Timber – what kind? • Oregon • Pine	3		Remainder to XYZ Landscape Suppliers for chipping and composting. – 9987 4563	Nil
Plasterboard	1		Remainder to XYZ Landscape Suppliers – 9987 4563	Nil
Metals – what kind? • Aluminium • Copper pipe	3		Some to FGH Metal Recyclers. – 9789 4563	Remainder to Deep Gully Land Fill by JKL Waste Contractor. – 9978 4563
Other • Plastics •	1			To Deep Gully Land Fill by JKL Waste Contractor – 9978 4563

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Appendix F
Landscape Planning

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Context and Objectives

Fairfield City has lost much of its original Cumberland Plain vegetation through urban development and remaining vegetation is under threat from weed invasion and erosion. Fairfield City is also expected to suffer from the impacts of climate change and increases in local temperatures which are also due, in part, to the loss of vegetation and its cooling effect.

Council is keen to reverse these trends and enhance the city landscape. An important way of doing this is through the application of development controls for landscaping.

The objectives of the landscaping planning policy are:

a) to increase biodiversity in Fairfield City in line with the targets given in Council's Environmental Management Plan,

b) to combat climate change and the urban heat island effect,

c) to control the quantity and quality of stormwater runoff, and

d) to improve the amenity and liveability of Fairfield City.

1.0 Landscaping Requirement Overview

The growth of urban areas and the corresponding increase in average temperature is called the Urban Heat Island Effect, where urban areas can become significantly warmer than its surroundings. Effective landscaping can significantly reduce the heating effect on horizontal and vertical surfaces by providing shade, particularly for western walls.

Landscape planning needs to be thought about at the beginning of the development process with appropriate landscape professionals engaged when building designers or architects are employed. The site assessment required by Chapter 3 of this DCP also identifies landscape considerations that need to be identified and addressed when preparing a development proposal.

For single dwellings, secondary dwellings, dual occupancies and narrow lot development applicants are encouraged to liaise with a horticulturalist at local nurseries and can prepare their own plans using these controls as a guide. Council's Landscape Assessment Officers can provide more information. Landscaping templates are provided at the end of this landscaping section as a guide.

For larger scale developments including development such as residential flats, multi-dwelling housing), child care centres, commercial development, industrial development, subdivision, tourist facilities and seniors housing and similar scaled developments, the landscape plan must be prepared by a landscape architect because of the potential impact of these developments.

Significant trees are those trees that contribute substantially, either individually or as a member of a tree group, to the landscape character, amenity, cultural values or biodiversity of their locality. Generally trees with a girth greater than 500mm and a canopy spread of a 6 metre radius are trees of significance. For more information about controls relating to significant trees and vegetation which will affect landscape planning, refer to:

a) Chapter 3A - Environmental Management and Constraints, Section 2, Preservation of Trees and Vegetation

b) Chapter 3A - Environmental Management and Constraints, Section 3, Biodiversity Corridors

c) Chapter 3A - Environmental Management and Constraints, Section 4, Riparian Land and Waterways

d) Local Environmental Plan 2013, Schedule 5, to determine if a tree has been identified as a heritage item.

2.0 Landscape Planning and Plans

The relevant chapters that relate to specific development types contain controls for minimum areas and dimension requirements together with some controls relevant to landscaping planning.

Objectives

a) To require landscape plans to respond to natural features, soften the appearance of developments, improve the living quality of the neighbourhood,

b) To encourage landscaping areas which assist in reducing the impacts of a range of environmental problems including salinity, flooding, reduction in biodiversity and climate change,

c) To encourage the planting of indigenous vegetation to Fairfield City and low water use plants that act as shade and shelter planting and maintains privacy from public views and screens unattractive areas, and

d) To complement existing heritage landscape plantings adjacent to heritage properties.

2.1 Landscape Planning Principles

a) A landscape plan is to be prepared based on understanding and demonstrating the following landscape planning principles:

i **Planning for existing and proposed elements and uses:**
   a. existing plants and trees as well as new trees for shade, maintaining or blocking views either for outlook or privacy;
   b. walls or fences to be used as wind screens or for privacy;
   c. slopes or land elevation that need to be changed to accommodate for water drainage;
   d. soft soil zones should adjoin those on neighbouring properties to provide a continuous landscape zone with planting;

e. the location of all utilities;
f. functional and practical outdoor activities such as play area for the children, work areas and storage space for gardening equipment areas, entertaining areas that require paving or pergolas for outdoor furniture, flower or vegetable garden areas, storage of household bins and outdoor clothes drying areas;
g. vehicle access to the back parts of the yard including car ports; and
h. lawn area in proportion to the size of the private open space.

ii **Planning for multi dwelling housing – townhouse and villa**

a. Landscaped areas with:
   i. a garden between the dwelling and the front property boundary a minimum of 1.5m wide, to be counted towards landscaping this area must be clear of any structure and overhang above; and
   ii. a 1.5m landscape strip intensively planted with a variety of native species running along the front and side boundaries and abutting any driveway.

b. Turfing is only permitted in the following locations:
   i. in private courtyards;
   ii. for children's playgrounds and common area hemmed by a 1.5 metre wide landscaping strip; and
   iii. areas used for on-site detention basins that complies with the provisions in 6A.4.1.2 Common Open Space.

iii **Planting for scale:**

a) for properties of less than 550sqm, shrubs or a medium tree should be considered rather than a large tree. Where a tree is not practical, a line of shrubs should be planted along the rear boundary (or other suitable location) at one metre intervals with no less than five shrubs;

b) for properties 550sqm or more, a medium to large trees should be considered either in the front or rear yard;

c) for properties 1ha and greater, three cluster planting areas of native plants, each containing no less than four trees and an minimum assortment of six shrubs or groundcovers must be provided.

iv **Planting considering utilities and sewerage systems:**

a) **For suburban areas**: locate tree planting and gardens away from sewer lines and underground power/telecommunication cables.

b) **For the rural area:** where the disposal of effluent is on-site, the installation of waste water management systems (Septic Tanks, On-site sewage management systems) either sprays or injects wastewater into the soil. Wastewater effluents are high in nutrients, including phosphorus, which is not tolerated by native vegetation and will kill advanced native trees. Care needs to be taken in both the location of wastewater systems near existing native trees and the planting of new native trees near them. Large leaved plants and shrubs enhance the transpiration of effluent in disposal areas.

v **Plant species for low maintenance** - landscaping works preferably should utilise hardy, low water usage native plants and consider ongoing general maintenance needs. See **Schedule of Trees** located at the end of landscaping controls. **Grasses** that are suitable for Australian conditions should be chosen. These include the Sir Walter Premium Lawn Turf, Sapphire Soft Leaf Buffalo and the Shademaster Buffalo.

vi **Planting for winter** – deciduous trees which lose their leaves in winter should be planted along the northern elevation of buildings to allow sunlight to indoor and outdoor living areas. See Schedule of Trees located at the end of landscaping controls.

vii **Planting for summer** – evergreen trees such as native trees should be planted along the eastern and western elevations to provide shade to indoor and outdoor living areas, and to reduce the heating of masonry walls.

viii **Planting location for safety** - trees should generally be planted no closer to a building either on or adjoining the site than the height they are expected to grow to avoid potential impact on footings and to reduce the risk of structural damage during storms.

ix **Planting for biodiversity** – where space permits, native plantings that include trees, shrubs, groundcovers and grasses are encouraged to provide greater biodiversity to support plant and animal life. Any existing tree(s) that are located five metres from the front and rear boundaries must be retained.

x **Planting for stormwater quantity and quality control** - landscaping works should incorporate water sensitive urban design (WSUD) systems such as raingardens, rainwater tanks, permeable paving, artificial wetlands, buffer strips and infiltration trenches that are designed to manage the quantity and quality of stormwater runoff from the development site

xi **Planting to enhance the streetscape** and the relationship of development to adjoining public spaces. Trees with a minimum full growth height of 8 metres must be planted at 7 metre intervals across the frontage of the site (excluding driveways).

xii **Planting for privacy** and general residential amenity noting the importance to maintain sightlines for casual surveillance of entry areas for improved security and safety.

xiii **Planting styles to reflect the landscape character of rural and heritage areas** of the site.

2.2 Landscape plans

b) Landscape plans are to be prepared based on the following requirements:
   a. **drawn at either 1:100 or 1:200 scale** showing; a north point, adjoining properties, notations on the plan reflecting adopted landscape planning principles,

b. **dedicate a soft works zones** at a minimum of 30% of the site which is landscaped with gardens, lawns, shrubs and trees accompanied by a list of plants shown on the plan including either their botanical name or common name and the number of plants proposed,

c. **the hard works zones** containing paved areas, driveways, and parking,

d. the location of utility areas (eg garbage bin areas and clothes drying areas) and screening details,

e. **existing features of the site** such rock outcrops, heritage items and creeks and other watercourses,

f. **all existing vegetation** that is covered by the City Wide DCP 2024, Chapter 3A tree protection provisions needs to be noted (has a height of more than 4.0 metres and a spread of more than 3.0 metres) and is to be identified in development plans submitted to Council, with vegetation to remain and vegetation to be removed shown. Where possible, the species name and common name of all trees should be noted on the plan, and

g. **for rural properties**, show:

   a. the type and location of wastewater system, including the area affected by spraying and subsoil irrigation; and

   b. avenue plantings at a minimum pot size of 25 litres planted at appropriate spacings between approximately 5 metres– 10 metres spacing depending on species.

Landscape plan concepts for residential dwellings with different lot orientations, and a concept plan for a rural property, are provided in Schedule 1 as a guide.

3. Landscape Works

Landscaping undertaken properly on site will ensure plants that have been identified on approved landscaping plans have a greater rate of survival, particularly in dry and warm periods.

Objectives

a) To ensure landscaping plans are executed as shown on approved plans.

b) To ensure plants survive their early establishment phase.

Controls

a) All planting should use water crystals expanded in water before planting to help keep plant roots well watered.

b) All landscape beds must be mulched to a depth of 100mm to keep the ground from drying out.

c) All landscape works must ensure that plants are tagged, ready for Council inspection. A list of native and exotic trees, shrubs, groundcovers and ferns is provided below.

Plant List Native Species

Trees - *Bold denotes native to Fairfield City*

Native tree Botanical Name	Common Name	Height X Width	Native tree Botanical Name	Common Name	Height X Width
Acmena smithii	Lillypilly	12.0mx6.0m	***Glochidion ferdinandi***	Cheese Tree	10.0mx6.0m
Angophora subvelutina	Broadleaved Apple	15.0mx8.0m	*Lophostemon confertus*	Brush Box	20.0mx8.0m
Backhousia myrtifolia	Grey Myrtle	6.0mx5.0m	***Melaleuca decora***	White Feather Honeymyrtle	10.0mx3.0m
Banksia integrifolia	Coastal Banksia	15.0mx4.0m	***Melaleuca linarifolia***	Snow in Summer	10.0mx5.0m
Brachychiton acerifolium	Illawarra Flame Tree	25.0mx5.0m	***Melaleuca nodosa***	Ball Honeymyrtle	6.0mx2.0m
Araucaria cunninghamiana	Hoop Pine	25.0mx10.0m	*Melaleuca quinquenervia*	Broad-leafed Paperbark	15.0mx7.0m
Callistemon viminalis	'Hanna Bay' Weeping Bottlebrush	10.0mx5.0m	*Pittosporum rhombifolium*	Queensland Laurel	10.0mx5.0m
Elaeocarpus reticulates	Blueberry Ash	12.0mx5.0m	*Syzygium leuhmanni*	Lilly Pilly	15.0mx10.0m
Eucalyptus tereticornis	Forest Red Gum	35.0mx12.0m	*Tristaniopsis laurina*	Water Gum	10.0mx8.0m

Shrubs - Bold denotes native to Fairfield City

Native shrub Botanical Name	Common Name	Height X Width	Native shrub Botanical Name	Common Name	Height X Width
Banksia ericifolia	Heath Banksia	4.0mx3.0m	*Grevillea rosmarinifolia*	Rosemary Grevillea	1.0mx1.0m
Banksia serrata	Old Man Banksia	6.0mx4.0m	*Hakea salicifolia*	Willow-leaf Hakea	5.0mx3.0m
Boronia floribunda	Pale Pink Boronia	1.0mx1.0m	*Hebe x franciscana*	'Blue Gem' Veronica Blue Gem	1.5mx1.5m
Bursaria spinosa	Blackthorn	3.0mx1.0m	***Inigofera australis***	Austral Indigo	2.0mx2.0m
Callistemon	'Kings Park Special' King's Park Bottlebrush	4.0mx3.5m	*Kennedia rubicunda*	Dusky Coral Pea	3.0m-
Callistemon citrinus	Crimson Bottlebrush	4.0mx2.0m	***Kunzea ambigua***	Tick Bush	2.5mx2.5m

Native shrub Botanical Name	Common Name	Height X Width	Native shrub Botanical Name	Common Name	Height X Width
Callistemon salignus	Pink Tipped Bottlebrush	9.0mx4.0m	****Leptospermum juniperinum***	Prickly Tea-tree	3.0mx2.0m
Ceratopetalum gummiferum	NSW Christmas Bush	6.0mx1.5m	**** Leptospermum petersonii***	Lemon Scented Tea Tree	4.0mx2.0m
Coleonema pulchrum	Diosma	1.5mx1.5m	**** Leptospermum polygalifolium***	Pacific Beauty	1.5mx2.0m
Correa alba	White Correa	1.5mx1.0m	**** Melaleuca thymifolia***	Thyme Honey-myrtle	0.8mx1.5m
Dodonaea viscose	Hop Bush	2.0mx1.5m	*Westringia brevifolia* var. Raleighii	Native Rosemary	1.0mx1.5m
Doryanthus excelsa	Gymea Lily	2.0mx2.0m	*Westringia fruticosa*	Coastal Rosemary	2.0mx2.0m
Grevillea 'Ivanhoe'	Ivanhoe Grevillea	4.0mx3.0m			

Groundcovers - Bold denotes native to Fairfield City

Native Groundcover Botanical Name	Common Name	Height X Width	Native Groundcover Botanical Name	Common Name	Height X Width
Anigozanthos 'Bush Ranger'	Kangaroo Paw	0.5mx0.2m	*Grevillea* 'Poorinda Royal Mantle'	Grevillea Royal Mantle	0.2mx3.0m
Baumea articulata	Jointed Twigrush	1.5m-	*Grevillea juniperina*	Prickly Spider Flower	1.5mx1.5m
Baumea rubiginosa	Twigrush	1.0m-	***Hardenbergia violacea*** Happy Wanderer Native	'Happy Wanderer'	3.0mx3.0m
Carex appressa	Tall Sedge	0.75mx0.75m	Sarsparilla *Hibertia scandens*	Snake Vine	2.0mx
Danthonia racemosa	Wallaby Grass	0.7mx0.1m	*Isolepsis nodosa*	Knobbly Clubrush	1.0mx0.5m
Dianella caerulea	Paroo Lily	0.6mx0.6m	***Juncus usitatus***	Tussock Rush	1.0m
Dianella revoluta	Black Anther Flax Lily	0.8mx0.8m	*Lomandra confertifolia* ' Little Con'	Little Con Grassy Mat-rush	0.3mx0.3m
Dianella tasmanica	Flax Lily	0.4mx0.5m	***Lomandra longifolia***	Mat Rush	0.7mx1.0m
Dichondra repens	Kidney Weed	0.1m-	*Myoporum parvifoliium*	Creeping Boobialla	0.2mx1.5m

Native Groundcover Botanical Name	Common Name	Height X Width	Native Groundcover Botanical Name	Common Name	Height X Width
Dietes bicolor	Yellow Wild Iris	1.0mx1.0m	***Pandorea pandorana***	Wonga Wonga Vine	5.0m-
Dietes grandiflora	Wild Iris-	1.0m-	***Poa labillardieri***	Tussock Grass	0.8mx0.5m
Eragrostis elongate	Lavender Grass	0.6mx0.15m	***Scaevola albida***	Fanflower	0.15mx0.4m
Festuca glauca	Blue Fescue	0.3mx0.2m	*Scaevola humilus*	Fanflower	0.15mx0.4m
Grevillea 'Bronze Rambler'	Bronze Rambler Grevillea	0.3mx4.0m	***Themeda australis***	Kangaroo Grass	0.8mx0.3m
			Viola hederacea	Native Violet	0.1mx0.3m

Ferns **Palms**

Native Fern Botanical Name	Common Name	Height X Width	Palm Botanical Name	Common Name	Height X Width
Asplenium australasicum	Birds Nest Fern	1.0mx1.0m	*Phoenix canariensis*	Canary Island Date Palm	15.0mx10.0m

Plant List Exotic Species

Trees

Exotic Tree Botanical Name	Common Name	Height X Width	Exotic Tree Botanical Name	Common Name	Height X Width
Acer palmatum	Japanese Maple	8.0mx3.0m	*Platinus x hybrida*	Oriental Plane	25.0mx10.0m
*Calodendrum capense*Cape	Chestnut	15.0mx12.0m	*Podocarpus elatus*	Brown Pine	30.0mx5.0m
Cupressus glabra	'Blue Ice' Blue Ice Arizona Cypress	10.0mx2.5m	*Prunus cerasifer*	'Negra' Flowering Plum	10.0mx10.0m
Cupressus sempervirens	Italian Cypress	10.0mx2.5m	*Prunus calleryana*	'Chanticlear' Ornamental Pear	10.0mx4.0m
Juniperus scopulorum	'Blue Arrow'Blue Arrow Juniper	4.0mx0.8m	*Prunus ussurensis*	Manchurian Pear	13.0mx6.0m
Lagerstroemia indica	Crepe Myrtle	6.0mx3.0m	*Schinus molle*	Peppercorn Tree	10.0mx8.0m
Liriodendron tulipifera	Tulip Tree	15.0mx10.0m	*Ulmus parvifolia*	Chinese Elm	10.0mx4.0m

Exotic Tree Botanical Name	Common Name	Height X Width	Exotic Tree Botanical Name	Common Name	Height X Width
Platinus digitata	Cypress Plane	20.0mx10.0m			

Shrubs

Exotic Shrub Botanical Name	Common Name	Height X Width	Exotic Shrub Botanical Name	Common Name	Height X Width
Abelia x grandiflora	Albelia	2.0mx2.0m	*Lavendula dentata*	French Lavender	1.5mx1.0m
Agave attenuata	Century Plant	1.5mx1.5m	*Phormium tenax* 'Bronze Baby'	Bronze Baby Flax	0.75mx0.8m
Boronia floribunda	Pale Pink Boronia	1.0mx1.0m	*Photinia glabra*	'Rubens' Photinia	3.0mx2.0m
Convolvulus cneorum	Silverbush	0.6mx0.7m	*Pittosporum tobira*	Japanese Pittorporum	0.8mx1.5m
Eriostemon myoporoides	Long-leaf Wax Flower	1.5mx2.5m	*Thryptomene saxicola*	Thryptomene	1.0mx1.5m
Hebe 'Inspiration'	Veronica Inspiration	0.7mx1.0m	*Viburnum tinus*	Laurestinus	3.0mx2.0m
Hebe 'Wiri Cloud'		0.4mx0.4m	*Westringia longifolia*	Rosemary	2.0mx1.5m
hebe x franciscana 'Blue Gem'	Veronica Blue Gem	1.5mx1.5m	*Yucca filamentosa*	Adam's Needle	1.5mx1.0m
Lavendula angustifolia	English Lavender	1.5mx1.0m			

Groundcovers

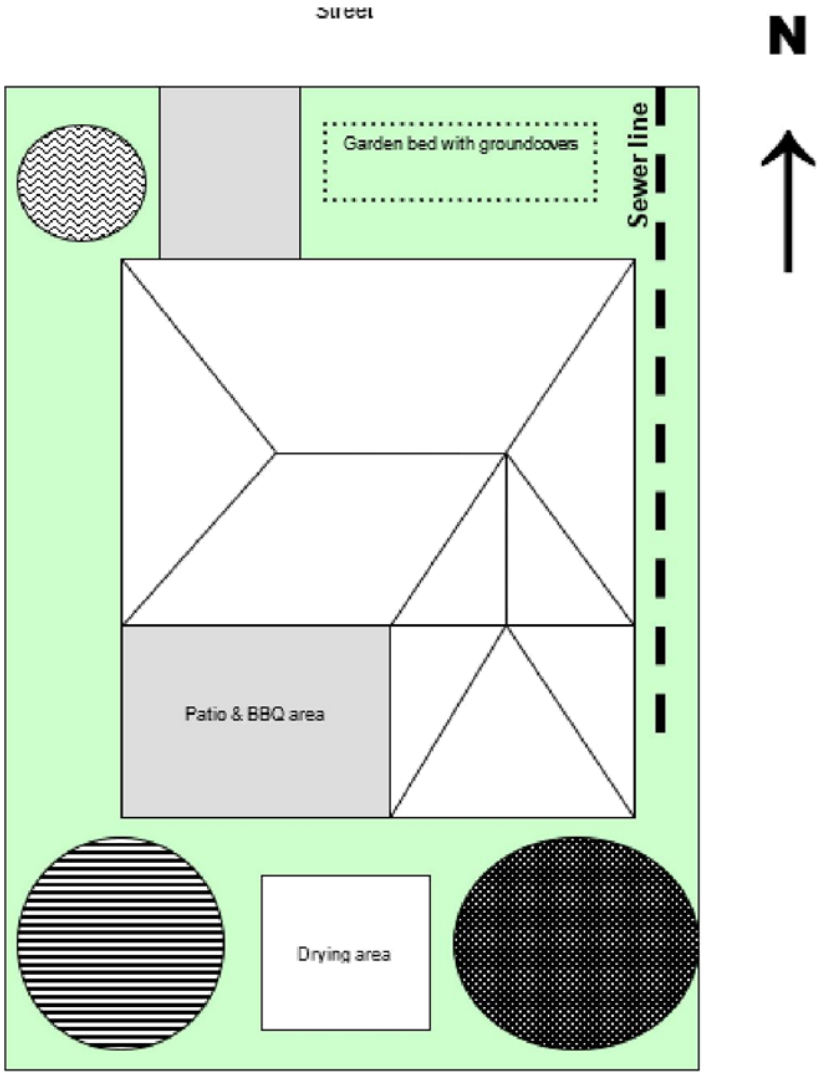
Exotic Groundcover Botanical Name	Common Name	Height X Width	Exotic Groundcover Botanical Name	Common Name	Height X Width
Dietes grandiflora	Wild Iris	1.0m-	*Juniperus conferta prostrate*	Japanese Shore Juniper	0.3mx2.5m
Dietes bicolor	Yellow Wild Iris	1.0mx1.0m			

Fern

Exotic fern Botanical Name	Common Name	Height X Width	Exotic fern Botanical Name	Common Name	Height X Width
Blechnum cartilagineum	Gristle Fern	1.0mx1.0m	*Cyathea cooperi*	Scaly Tree Fern	6.0mx5.0m
Blechnum nudum	Fishbone Water Fern	0.7mx0.5m	*Doodia aspera*	Rasp Fern	0.2mx0.4m

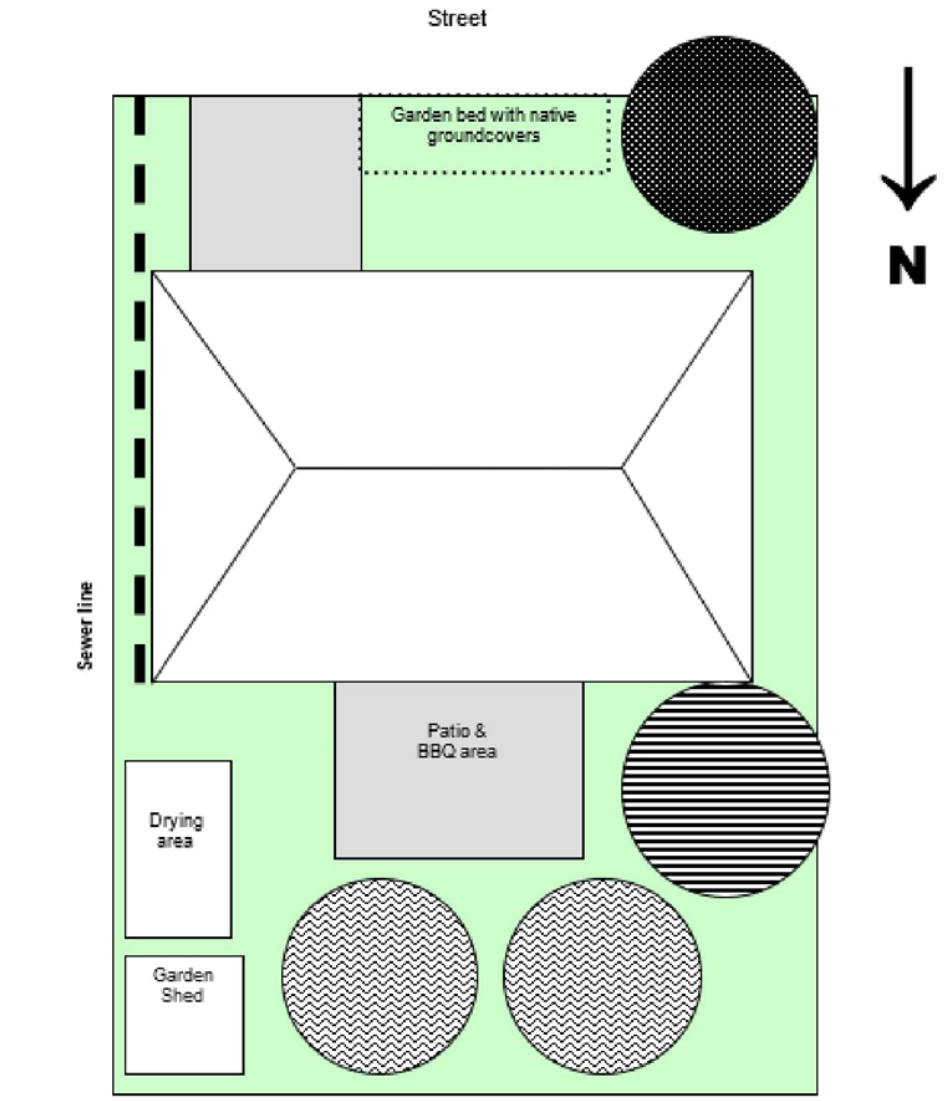
Exotic fern Botanical Name	Common Name	Height X Width	Exotic fern Botanical Name	Common Name	Height X Width
Cyathea australis	Rough Tree Fern	10.0mx3.0m			

North facing residential property - landscape plan concept



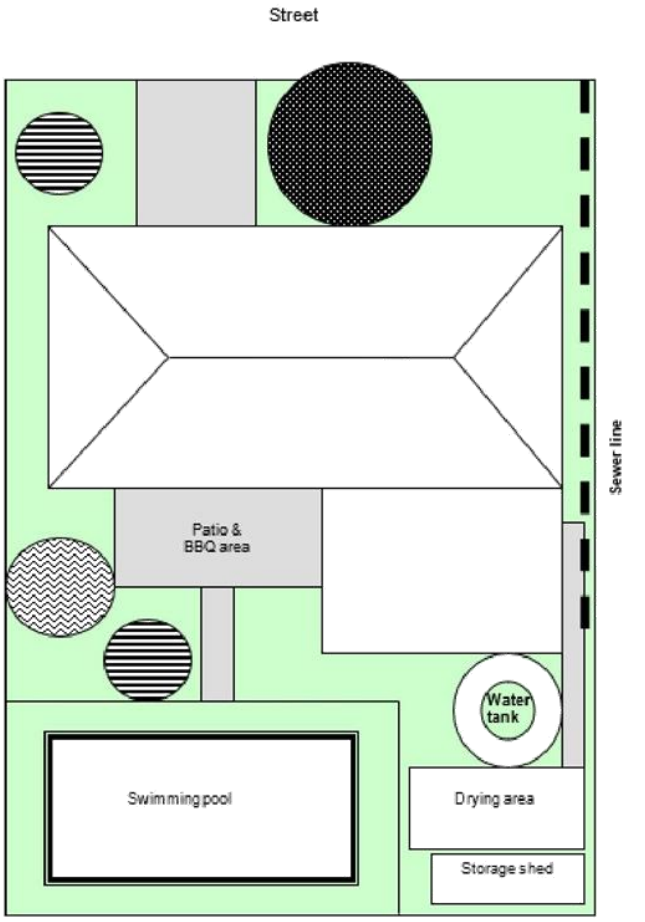
	Significant tree – existing	Species:
	Evergreen small tree, planted along western boundary to provide shade from summer sun	Species:
	Deciduous small tree, planted along northern boundary to provide winter sun and summer shade and provide privacy	Species:

Southern facing residential property - landscape plan concept



	Significant tree – existing	Species:
	Evergreen small tree, planted along western boundary to provide shade from summer sun	Species:
	Deciduous small tree, planted along northern boundary to provide winter sun and summer shade and provide privacy	Species:

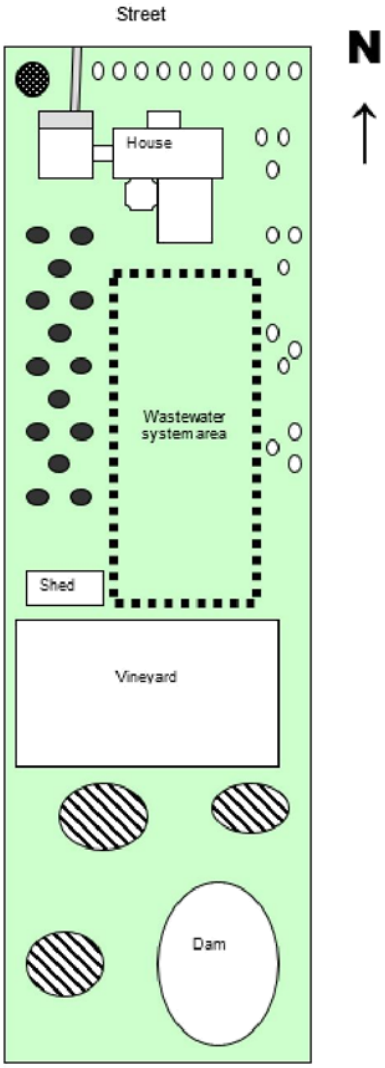
Eastern facing residential property - landscape plan concept



	Significant tree – existing	Species:
	Evergreen small tree, planted along western boundary to provide shade from summer sun	Species:
	Deciduous small tree, planted along northern boundary to	Species:

Rural Property – Typical 1 Hectare lot – Landscape plan concept

	Significant tree cluster- existing	Species:
	Evergreen medium tree, planted along western boundary to provide shade from summer sun	Species:
0	Deciduous small trees, planted along northern, eastern boundaries, as well to rear of dwelling house to provide winter sun and summer shade and provide privacy for rear private outdoor living space	Species:
	Native plant cluster consisting of three large trees and six mixed shrubs and ground covers	Species: Trees Shrubs Groundcovers



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Appendix G
Classified State and Regional Roads Neighbourhood Centres

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Classified State and Regional Roads

as classified by Transport for NSW (Transport) is required under section 163 of the Roads Act 1993.

Last Updated February 2024	Gazetted Road No.
• Cowpasture Road (from Camden Valley Way at Leppington via Cowpasture Road to Bringelly Road, then from Bringelly Road via Cowpasture Road to The Horsley Drive at Bossley Park.).	648
• Cumberland Highway (Orange Grove Road, Joseph Street, Cambridge Street, Palmerston Road, Smithfield Road)	13
• Cabramatta Road East (From the junction of Cabramatta Road and the Hume Highway (HW2) Cabramatta, via Cabramatta Road to Elizabeth Drive (MR515) Bonnyrigg)	534
• Cabramatta Road West (From the junction of Cabramatta Road and the Hume Highway (HW2) Cabramatta, via Cabramatta Road to Elizabeth Drive (MR515) Bonnyrigg)	534
• Elizabeth Drive (From Elizabeth Drive (MR535) at Cecil Park via Wallgrove Road to the Great Western Highway (HW5) at Eastern Creek.)	515
• Elizabeth Drive (from Council boundary at Liverpool to Council boundary at Cecil Park)	535
• Elizabeth Street (From Liverpool Road (Hume Highway HW2) at Carramar via The Horsley Drive to Smithfield Road (Cumberland Highway HW13) at Smithfield, then from Smithfield Road (Cumberland Highway - HW13) at Smithfield via Victoria Street, Elizabeth Street and The Horsley Drive to Wallgrove Road (MR515) at Horsley Park).	609
• Gipps Road (From Victoria Street at Smithfield via Hassall Street, Gipps Road to Council boundary with Cumberland City Council)	646
• Hassall Street (From Victoria Street at Smithfield via Hassall Street, Gipps Road to Council boundary with Cumberland City Council)	646
• Hassell Street (From the Horsley Drive (SR2105) at Wetherill Park via Hassall Street to Victoria Street (MR609) at Wetherill Park.)	2106
• Hume Highway (Liverpool Road)	2
• The Horsley Drive [from the Hume Highway at Carramar to Smithfield Road (Cumberland Highway) and then again from Elizabeth Street to Wallgrove Road]	609
• The Horsley Drive [from Smithfield Road (Cumberland Highway) to Elizabeth Street, Wetherill Park]	2105
• Transit Way - Liverpool to Parramatta	8002
• From Liverpool Road (Hume Highway HW2) at Carramar via The Horsley Drive to Smithfield Road (Cumberland Highway HW13) at Smithfield, then from Smithfield Road (Cumberland Highway - HW13) at Smithfield via Victoria Street, Elizabeth Street and The Horsley Drive to Wallgrove Road (MR515) at Horsley Park.	609
• From Elizabeth Drive (MR535) at Cecil Park via Wallgrove Road to the Great Western Highway (HW5) at Eastern Creek.	515
• From the Hume Highway (HW2) at Villawood, via Woodville Road to Parramatta Road, Great Western Highway, (HW5) at Granville.	640

Unclassified Regional Roads

as classified by Transport for NSW (Transport) is required under section 163 of the Roads Act 1993.

Last Updated February 2024

	Road No.
• Avoca Road (between St Johns Road and Polding Street)	7231
• Barbara Street (between Vine Street and Smithfield Road)	7223
• Bareena Street (between Hume Hwy and Broomfield Street)	7226
• Bartley Street (between Railway Parade and Sackville Street)	7225
• Boundary Lane (between Cabramatta Road and Lawson Street)	7233
• Bulls Road (between Vine Street and Smithfield Road)	7223
• Canley Vale Road (between Railway Parade and Smithfield Rd)	7224
• Chancery Street (between Hume Hwy and Broomfield Street)	7226
• Church Street (between Cabramatta Road West and Lawson Street)	7233
• Edensor Road (North Liverpool Road and Cowpasture Road)	7228
• Ellis Parade (between Fairfield Street and Council Boundary)	7106
• Fairfield Road (between Woodville Road and Vine Street - up to bridge)	7222
• Ferrers Road (between The Horsley Drive and Water Supply line)	7153
• Gladstone Street (between West Cabramatta Road and St Johns Road)	7227
• Gordon Street (between Woodville Road and The Horsley Drive)	7232
• Hamilton Road (between Vine Street and Smithfield Road)	7223
• Humphries Road (between Edensor Road and St Johns Road)	7221
• King Road (between St Johns Road and Polding Street)	7231
• Lansdowne Road (between Hume Highway and Chancery Street)	7226
• Lawson Street (between Vine Street and Barbara Street)	7223
• Meadows Road (between North Liverpool Road and Edensor Road)	7228

as classified by Transport for NSW (Transport) is required under section 163 of the Roads Act 1993.

Last Updated February 2024

	Road No.
• Mimosa Road (between Smithfield Road and The Horsley Drive)	7229
• North Liverpool Road (between Elizabeth Drive and Cowpasture Road	7267
• Polding Street (between Woodpark Road and Cowpasture Road)	7222
• Prairievale Road (between Woodpark Road and Cowpasture Road)	7222
• Railway Parade (between Cabramatta Road and Lawson Street)	7233
• Railway Street (between Fairfield Street and Council Boundary)	7106
• Restwell Road (between Woodpark Road and Cowpasture Road)	7222
• Richard Road (between Vine Street and Smithfield Road)	7223
• River Avenue (between Wellington Street and The Horsley Drive)	7102
• Sackville Street (between Edensor Road and Polding Street)	7221
• Smithfield Road (between Elizabeth Drive and Cumberland Highway)	7220
• St Johns Road (between Edensor Road and Polding Street)	7221
• Vale Street (between Hume Hwy and Broomfield Street)	7226
• Victoria Street/Cowpasture Road (between Elizabeth Street and The Horsley Drive)	7480
• Vine Street (between Woodville Road and The Horsley Drive)	7232
• Wetherill Street (between Polding Street and Victoria Street)	7230

Neighbourhood Centres

E1 Neighbourhood Centres			
Centre Name(s)	**Address**	**Suburb**	**West Central Sub-Regional Strategy – Centre Classification**
Abbotsbury	60 – 68 Stockdale Crescent	Abbotsbury	Neighbourhood Centre
Edensor Road	134-136 Edensor Road	Bonnyrigg	Neighbourhood Centre
Cabramatta Road West (Aldi)	Corner Cabramatta Road West and Elizabeth Drive	Bonnyrigg	Neighbourhood Centre
Brown Road	Corner Brown Road and Montgomery Road	Bonnyrigg	Neighbourhood Centre
Mimosa Road	Intersection of Mimosa Road and Quarry Road	Bossley Park	Neighbourhood Centre
Bolivia Street	20-36 Bolivia Street	Cabramatta	Neighbourhood Centre
Coventry Street	21-25 Coventry Road	Cabramatta	Neighbourhood Centre
Cooks Hill (Lord Street)	465-485 Cabramatta Road West (Corner Lord Street and Boyd Street)	Cabramatta West	Neighbourhood Centre
John Street	64-66 Satara Street and 259-283 John Street	Cabramatta West	Neighbourhood Centre
Avoca Road	44-50 Harden Street (Corner Avoca Road)	Canley Heights	Neighbourhood Centre
St Johns Road	191-207 St Johns Road	Canley Heights	Neighbourhood Centre
Denison Street (The Horsley Drive)	28-68 The Horsley Drive	Carramar	Neighbourhood Centre
Carramar	130-154 Wattle Avenue (Opposite Carramar Railway Station)	Carramar	Neighbourhood Centre
Sackville Street	181 Sackville Street (Corner Malabar Street)	Fairfield	Neighbourhood Centre
Loscoe Street	449-459 The Horsley Drive (Corner Loscoe Street)	Fairfield	Neighbourhood Centre

Centre Name(s)	Address	Suburb	West Central Sub-Regional Strategy – Centre Classification
Tangerine Street	105A Tangerine Street (Corner Hercules Street)	Fairfield East	Neighbourhood Centre
The Horsley Drive (Fairfield East)	244-251 Fairfield Street (Corner The Horsley Drive)	Fairfield East and Yennora	Neighbourhood Centre
Fairfield Street	137-143 & 150-160 Fairfield Street (Intersection of Crown Street and Ellis Parade)	Fairfield East	Neighbourhood Centre
Corner Hamilton Road and The Boulevarde	189A-207 & 222-234 Hamilton Road (Corner of The Boulevarde)	Fairfield & Fairfield Heights	Neighbourhood Centre
Hamilton Road	336-338 Hamilton Road (Corner Nangar Street)	Fairfield West	Neighbourhood Centre
Rawson Street	97 Rawson Street (Corner Ainslie Street)	Fairfield West	Neighbourhood Centre
Thorney Road	72-80A Thorney Road	Fairfield West	Neighbourhood Centre
Lansvale (Lansvale Centre)	206-216 The Hume Highway (Corner Cutler Street)	Lansvale	Neighbourhood Centre
Ferry Road	139-141 Hollywood Drive (Corner Ferry Road)	Lansvale	Neighbourhood Centre
Elizabeth Drive	Intersection of Elizabeth Drive and Meadows Road	Mount Pritchard	Neighbourhood Centre
Town View Road	170-178 Town View Road (Corner Parkside Place)	Mount Pritchard	Neighbourhood Centre
Oliphant Street	1A-3 Drysdale Road (Corner Oliphant Street)	Mount Pritchard	Neighbourhood Centre
Hamel Road	33 Hamel Road (Corner Horton Street)	Mount Pritchard	Neighbourhood Centre
Meadows Road	35 & 42-56 Meadows Road and 600-602 Cabramatta Road West	Mount Pritchard and Cabramatta West	Neighbourhood Centre

Centre Name(s)	Address	Suburb	West Central Sub-Regional Strategy – Centre Classification
Broughton Street	71-81 Broughton Street (Corner Whitaker Street)	Old Guildford	Neighbourhood Centre
Dublin Street	48-66 Dublin Street (Between Jane Street and Brenan Street)	Smithfield	Neighbourhood Centre
Brenan Street	63A-67B Brenan Street and 50A-50 Marlborough Street	Smithfield	Neighbourhood Centre
The Horsley Drive	107 Granville Street (Corner The Horsley Drive)	Smithfield	Neighbourhood Centre
Hassall Street	2A-12 Hassall Street (Between The Horsley drive and Sharland Place)	Smithfield	Neighbourhood Centre
Canberra Road	56-70 Canberra Street	St Johns Park	Neighbourhood Centre
Daniel Street	12-16 Daniel Street and 1179-1181 The Horsley Drive	Wetherill Park	Neighbourhood Centre
Orchardleigh Street	80 Railway Street Yennora (Corner Orchardleigh Street)	Yennora	Neighbourhood Centre

List of Local Centres

E1 Local Centre			
Centre Name(s)	**Address**	**Suburb**	**West Central Sub-Regional Strategy – Centre Classification**
Edensor Park Local Centre	Corner Edensor Road and Allambie Road	Edensor Park	Small Village
Fairfield West Local Centre (Tasman Parade)	Corner Tasman Parade and Hamilton Road	Fairfield West	Small Village
Greenfield Park Local Centre	Corner Greenfield Road and Mimosa Road	Greenfield Park	Small Village

Smithfield Town Centre	Intersection of The Horsley Drive and Cumberland Highway	Smithfield	Small Village
Wakeley Local Centre	Corner Bulls Road and Lomond Street	Wakeley	Small Village
Wetherill Park Local Centre (Rossetti Street) (Wetherill Park Market Town)	Corner The Horsley Drive and Rossetti Street	Wetherill Park	Small Village

List of Enterprise Corridors

E3 Productivity Support			
Centre Name(s)	**Address**	**Suburb**	**West Central Sub-Regional Strategy – Centre Classification**
Cabramatta E3 Productivity Support	208 to 256 Cabramatta Road West and 2 to 2A Church Street	Cabramatta	Town Centre
Fairfield E3 Productivity Support	303 to 311 The Horsley Drive	Fairfield	Potential Major Centre

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Appendix H - Model Waste Infrastructure

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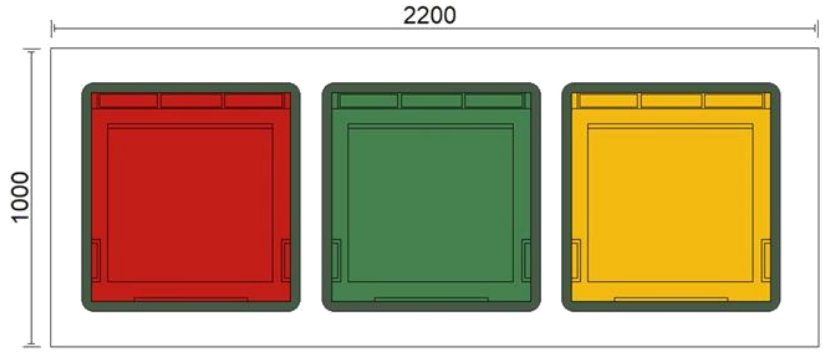
1 Dwelling Houses

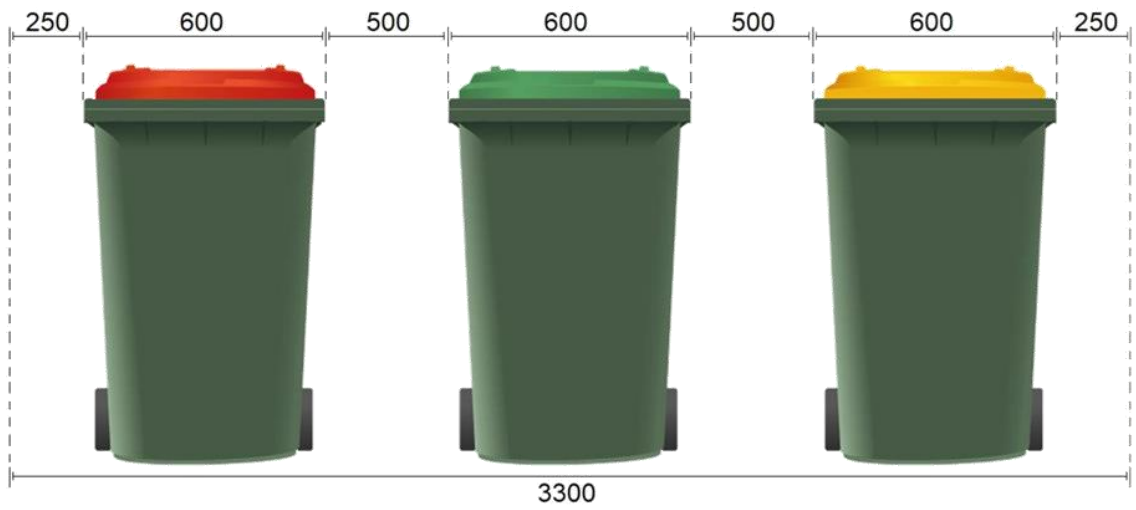
1.1 Councils standard waste service Infrastructure (240L bins)



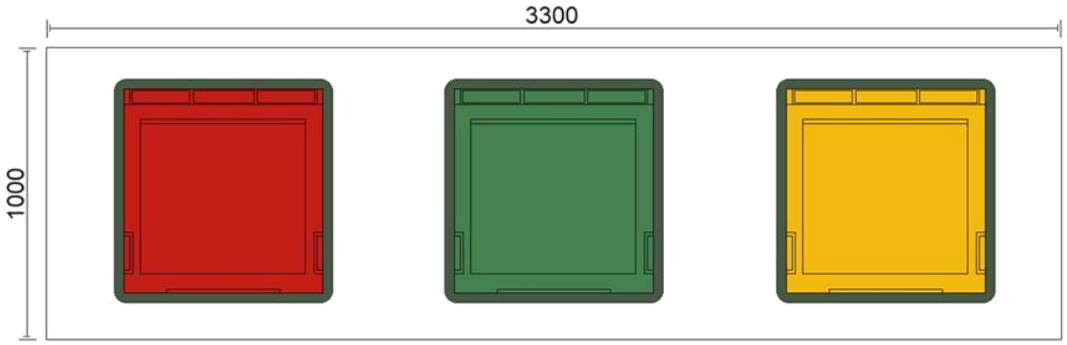
1.2 Waste and Recycling hard stand storage area



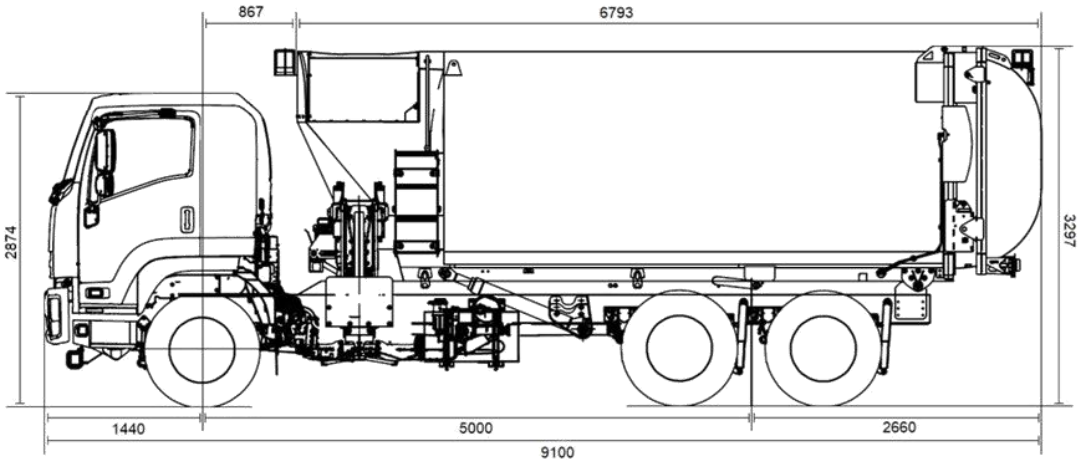
1.3 Hard stand kerbside waste collection area



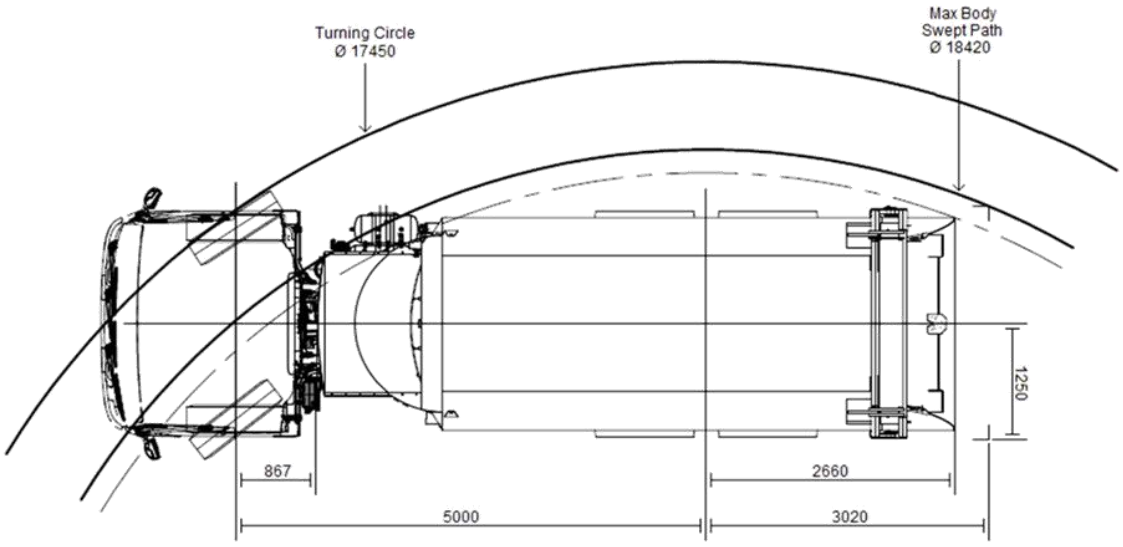
1.4 Hard stand kerbside waste collection area (aerial view)



1.5 Councils 9,100mm heavy rigid side loader collection vehicle (240L Bins)



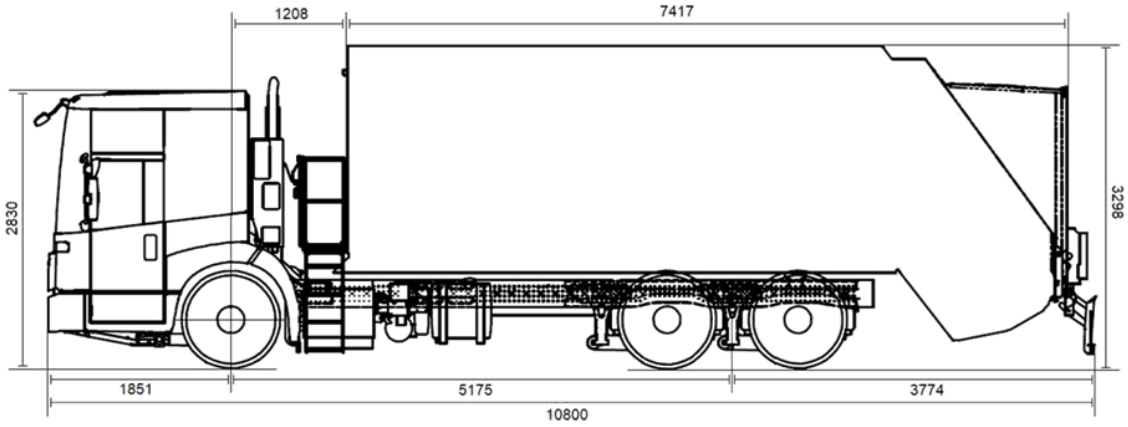
1.6 Councils 9,100mm side loader turning circle



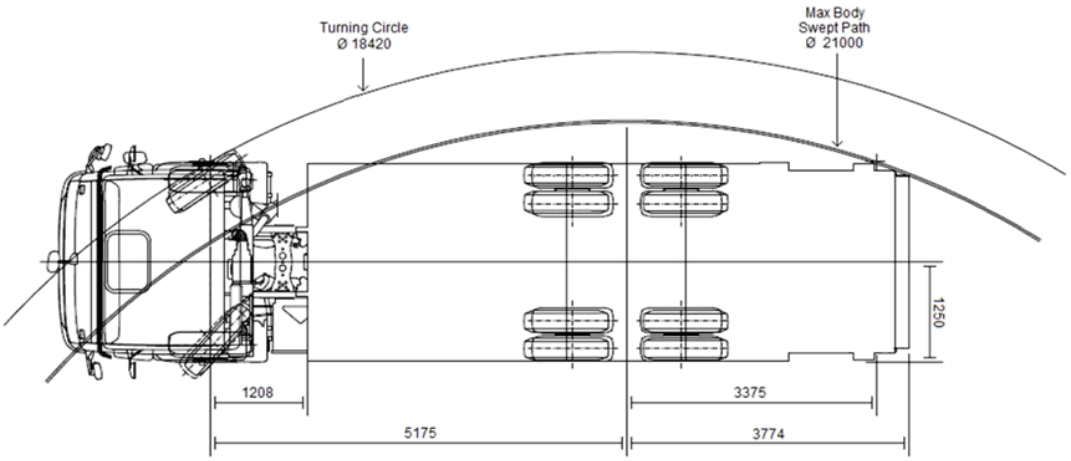
1.7 Minimum clearances for swept path modelling (side loader)



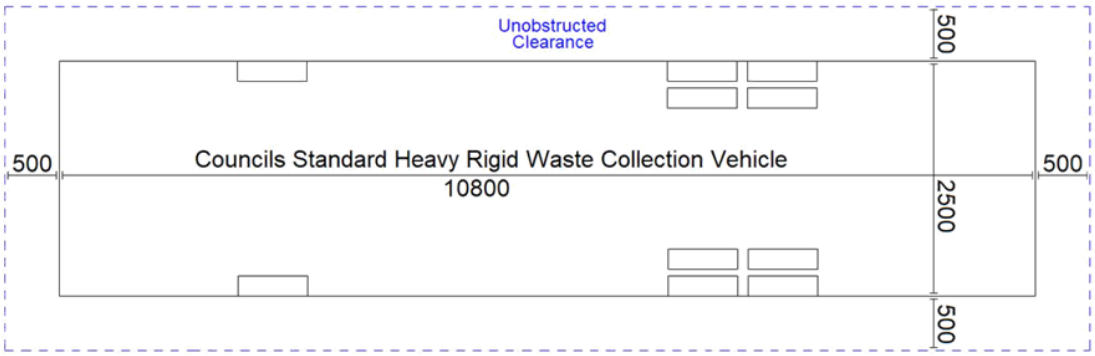
1.8 Councils 10,800mm standard heavy rigid rear loader collection vehicle (Bulky Waste)



1.9 Councils 10,800mm rear loader turning circle

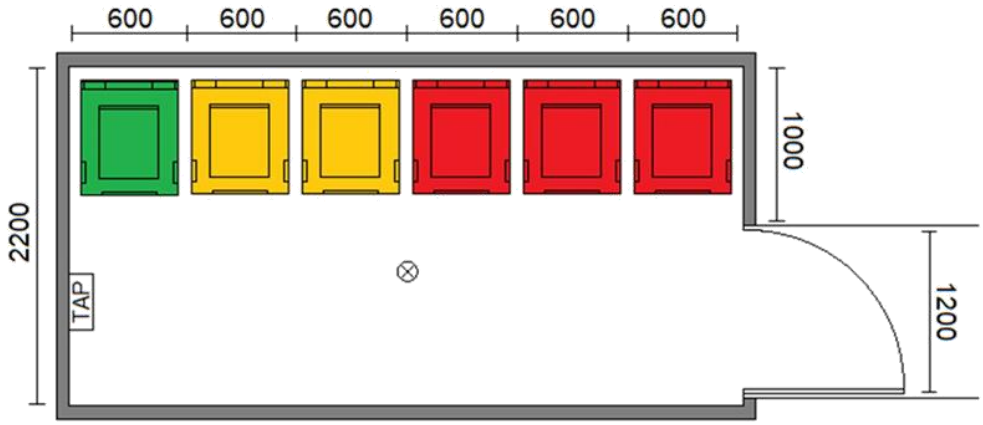


1.10 Minimum clearances for swept path modelling (rear loader)

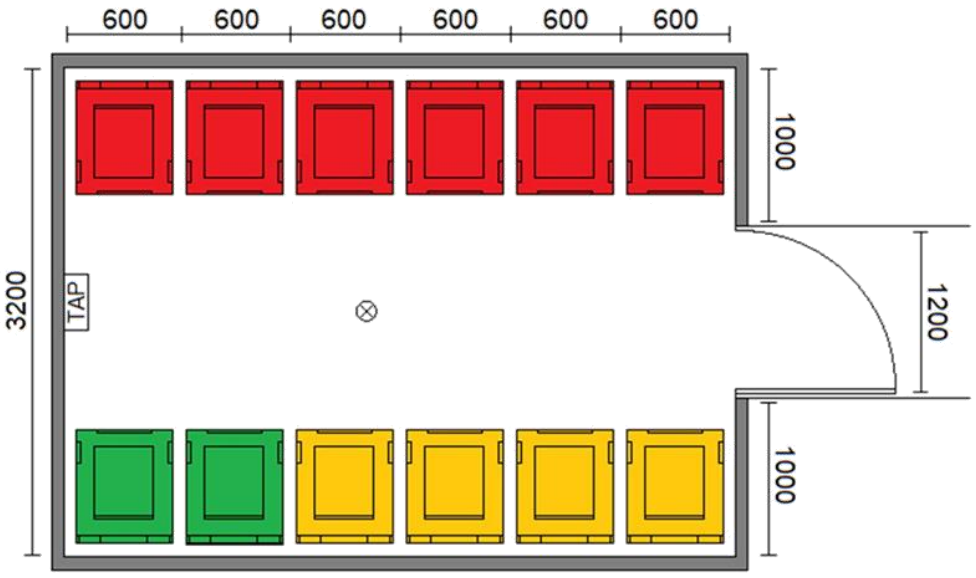


2 Multi Dwelling Housing

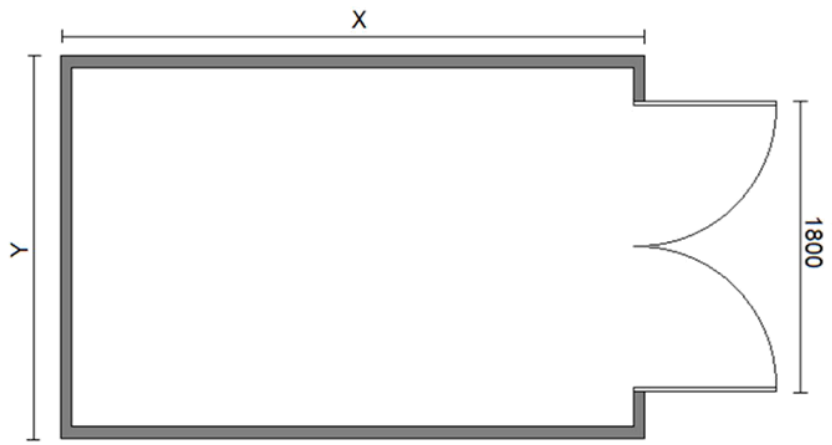
2.1 Single sided Waste and Recycling storage room



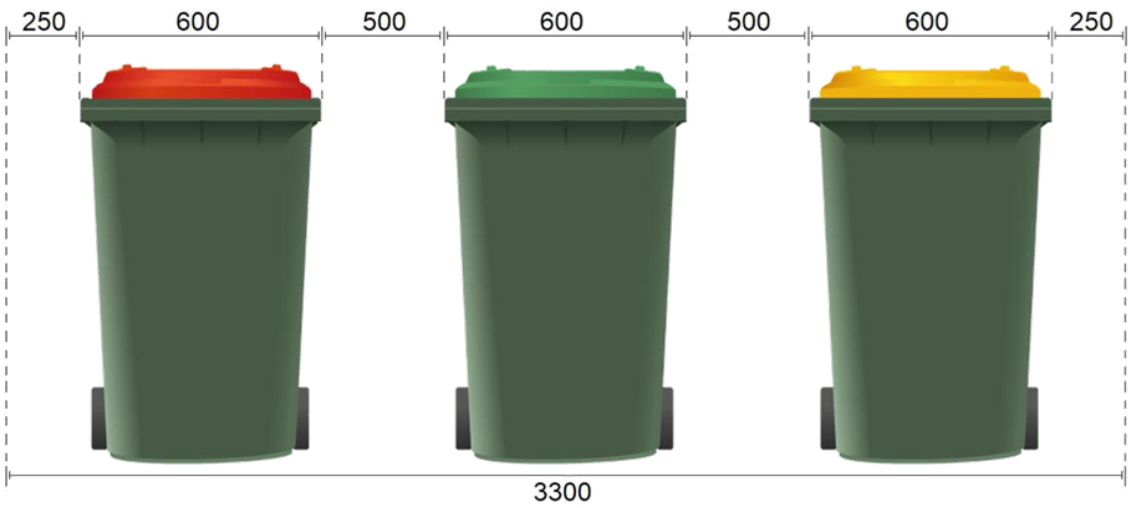
2.2 Double sided Waste and Recycling storage room



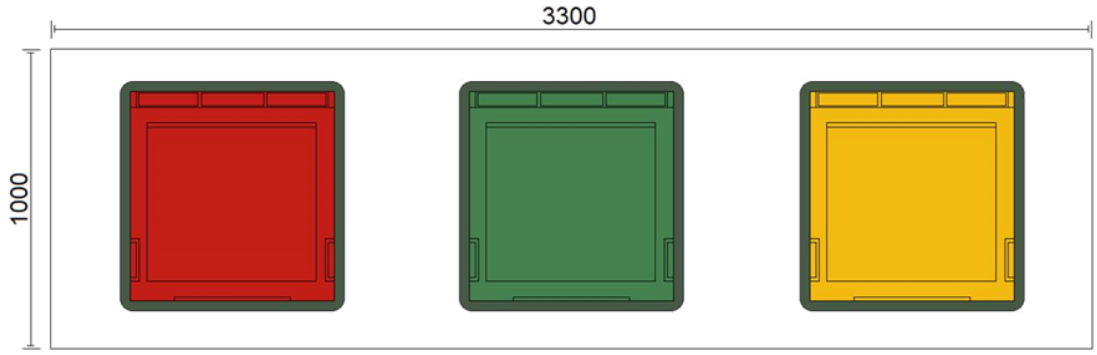
2.3 Communal Bulky Waste collection room



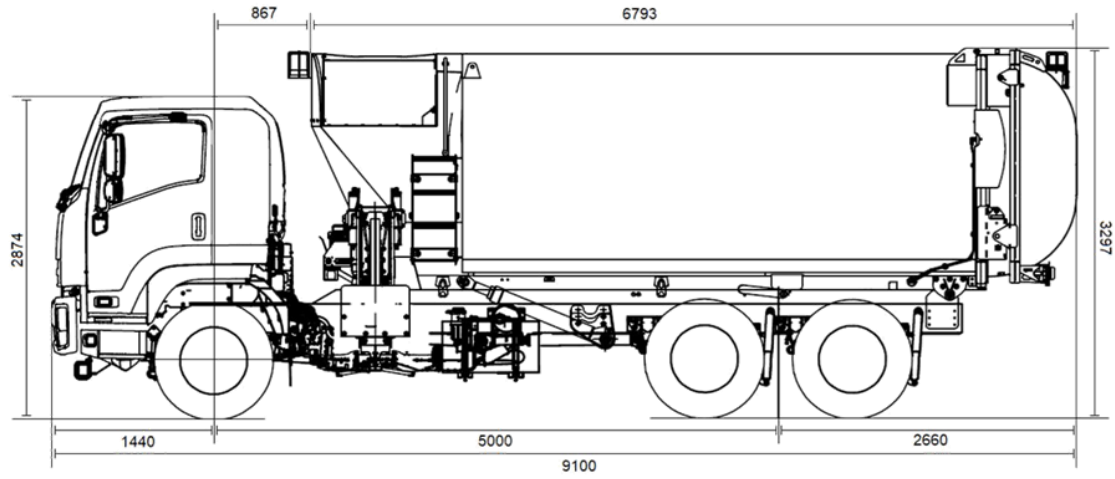
2.4 Hard stand kerbside waste collection area clearances



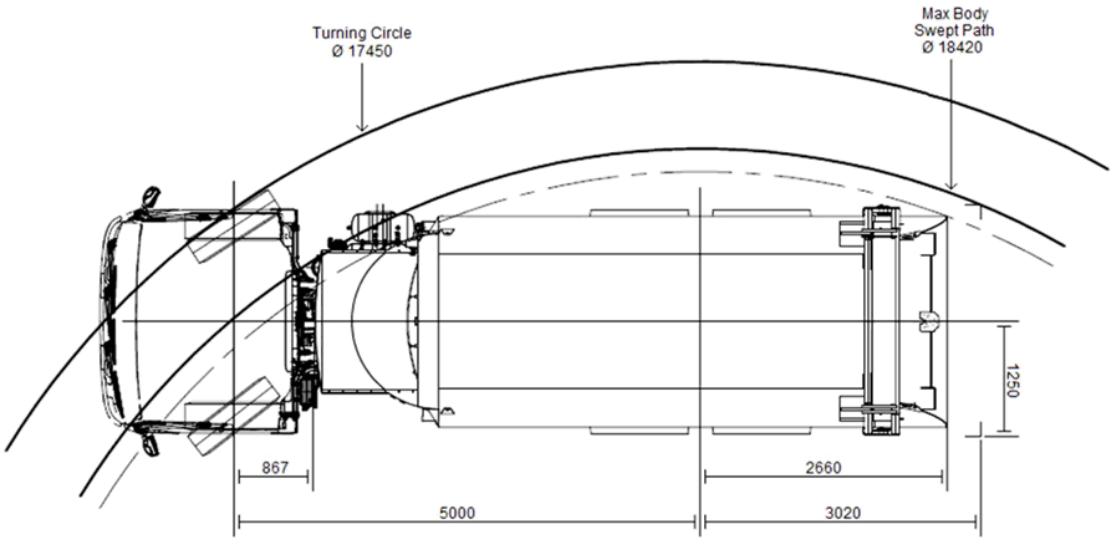
2.5 Hard stand kerbside waste collection area clearances (aerial view)



2.6 Councils 9,100mm heavy rigid side loader collection vehicle (240L Bins)



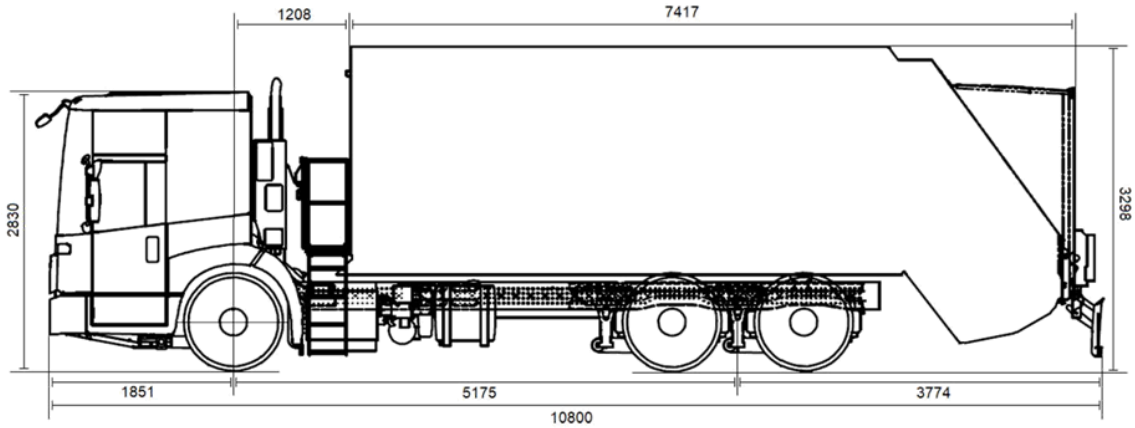
2.7 Councils 9,100mm side loader turning circle



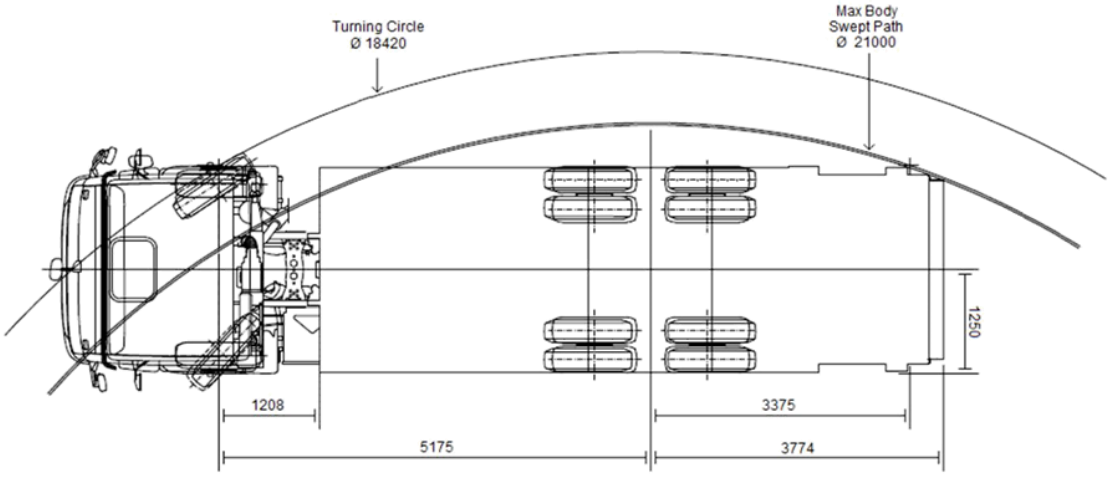
2.8 Minimum clearances for swept path modelling (side loader)



2.9 Councils 10,800mm standard heavy rigid rear loader collection vehicle (Bulky Waste)



2.10 Councils 10,800mm rear loader turning circle



2.11 Minimum clearances for swept path modelling (rear loader)

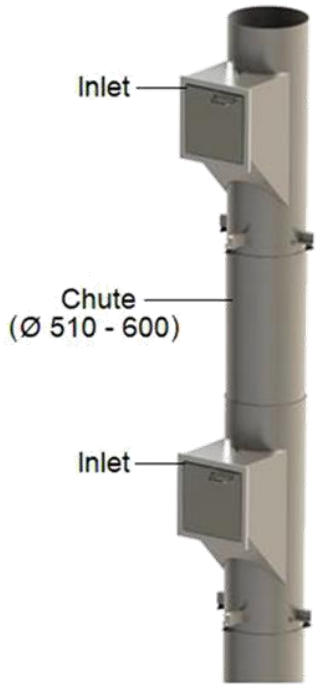


3 Residential Flat Buildings

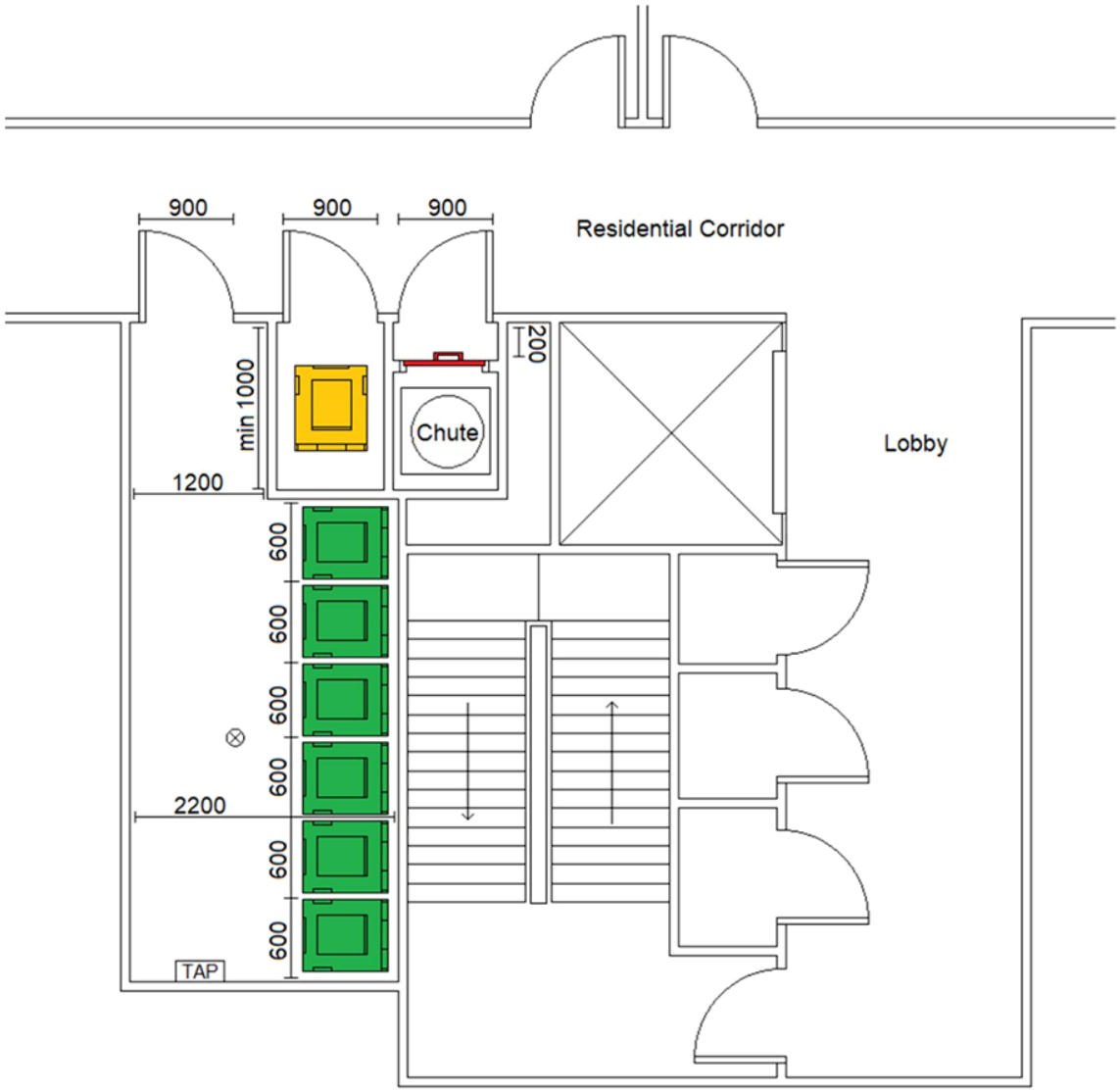
3.1 Councils standard waste service Infrastructure (240L & 660L Bins)



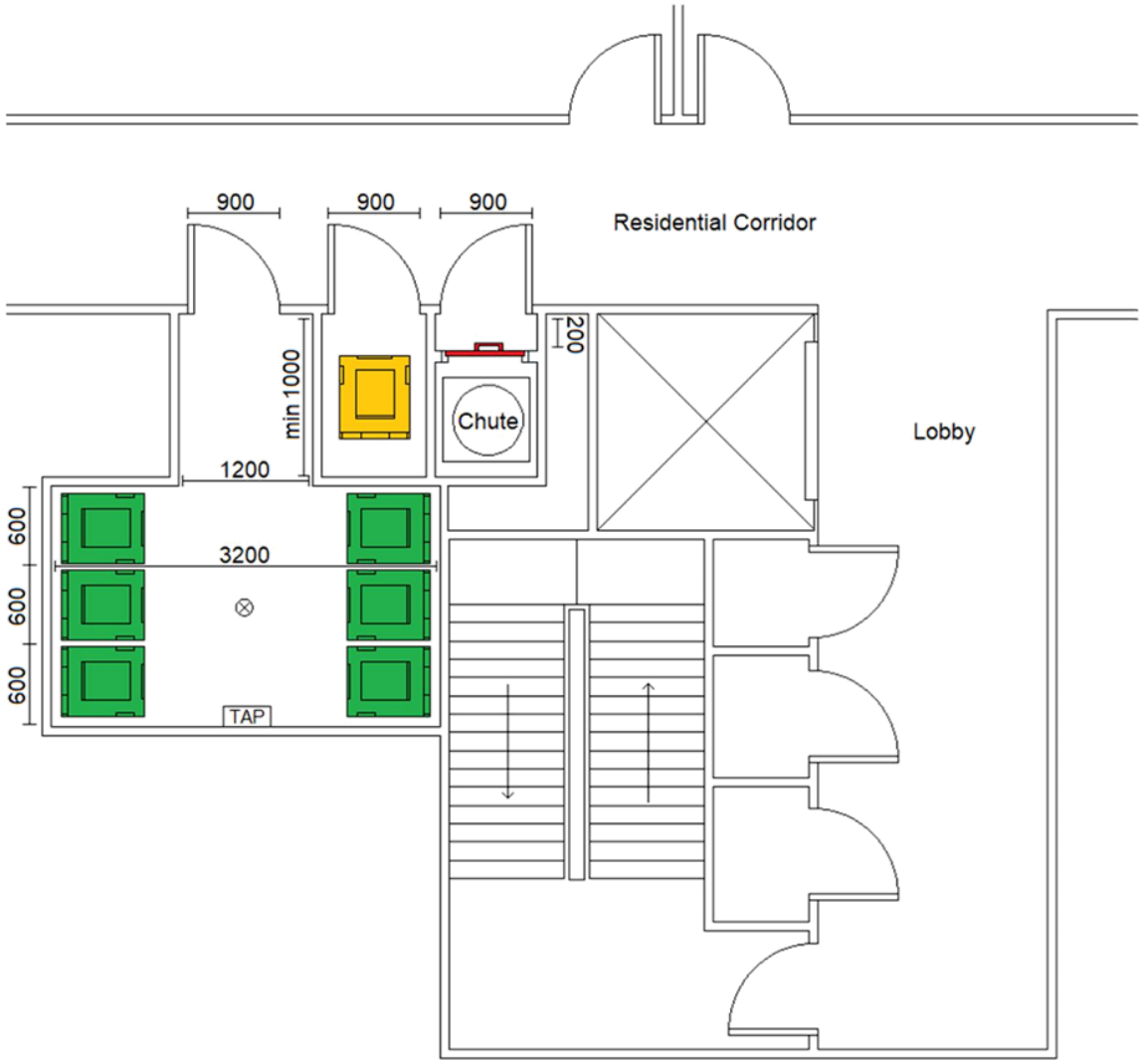
3.2 Single chute system schematic



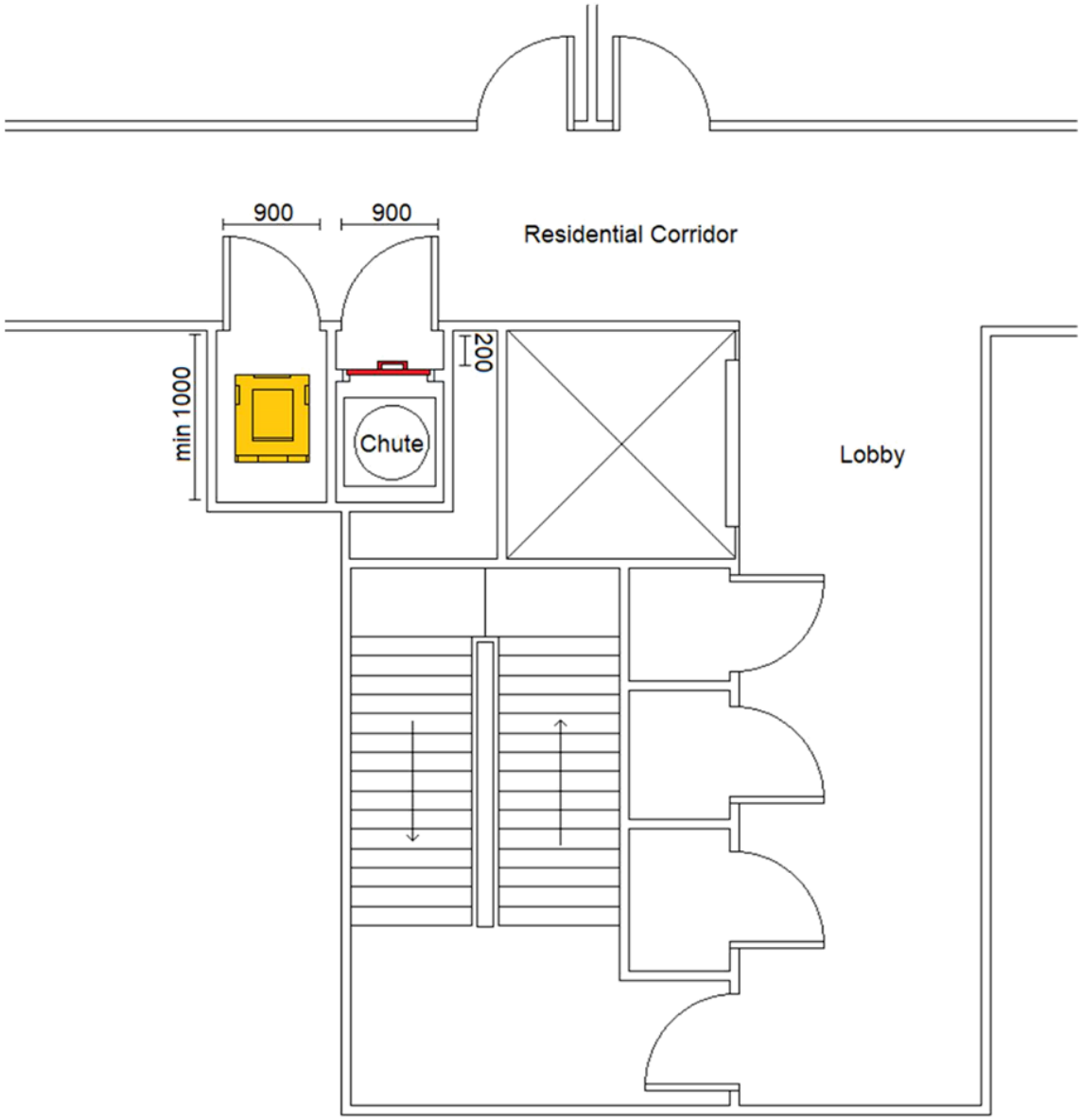
3.3 Chute, bin cupboard, & organics waste room (Ground Floor – single sided)



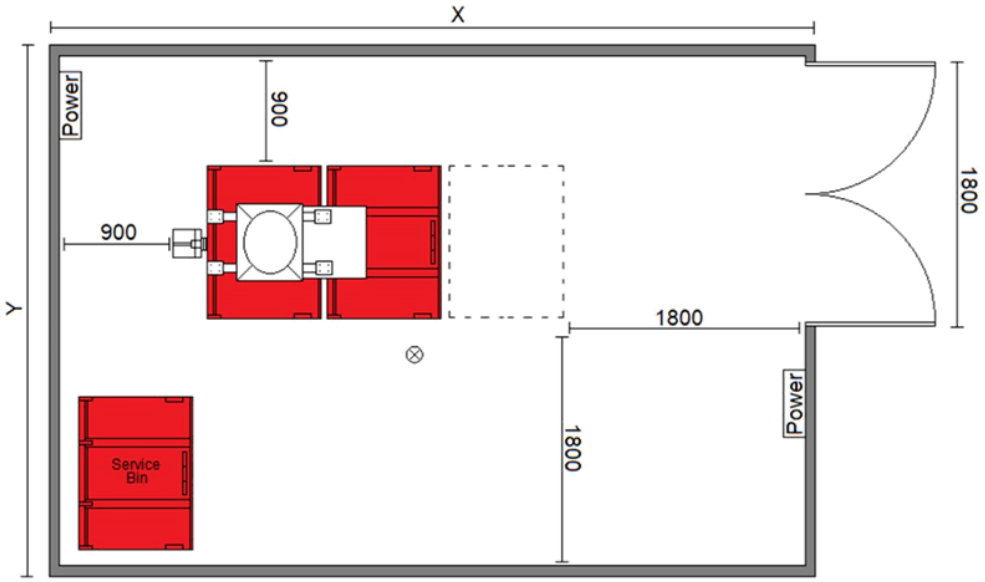
3.4 Chute, bin cupboard, & organics waste room (Ground Floor – double sided)



3.5 Chute system and bin cupboard (Level 1 +)

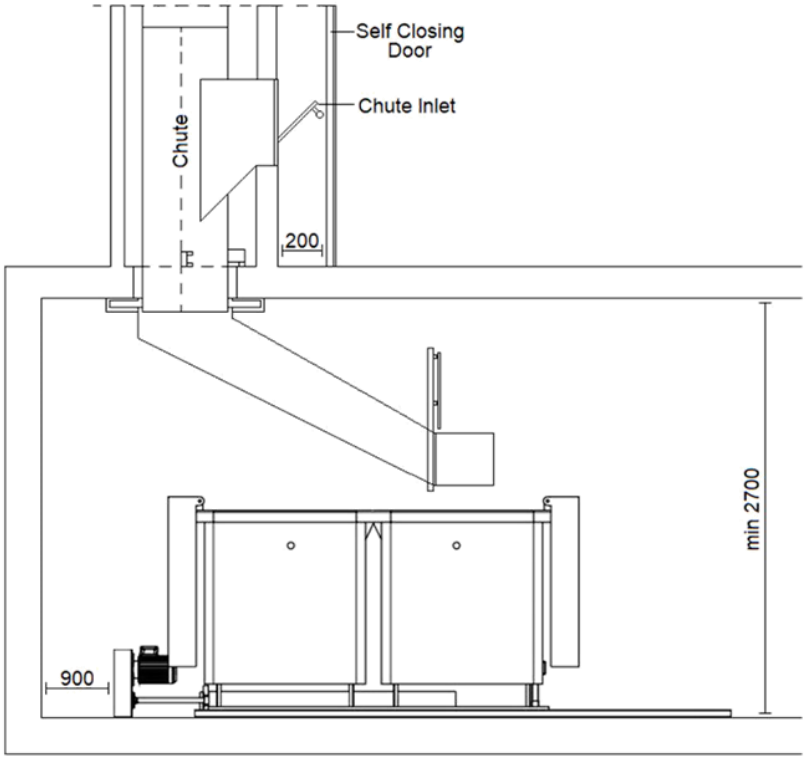


3.6 Chute room with linear track system (small volumes)

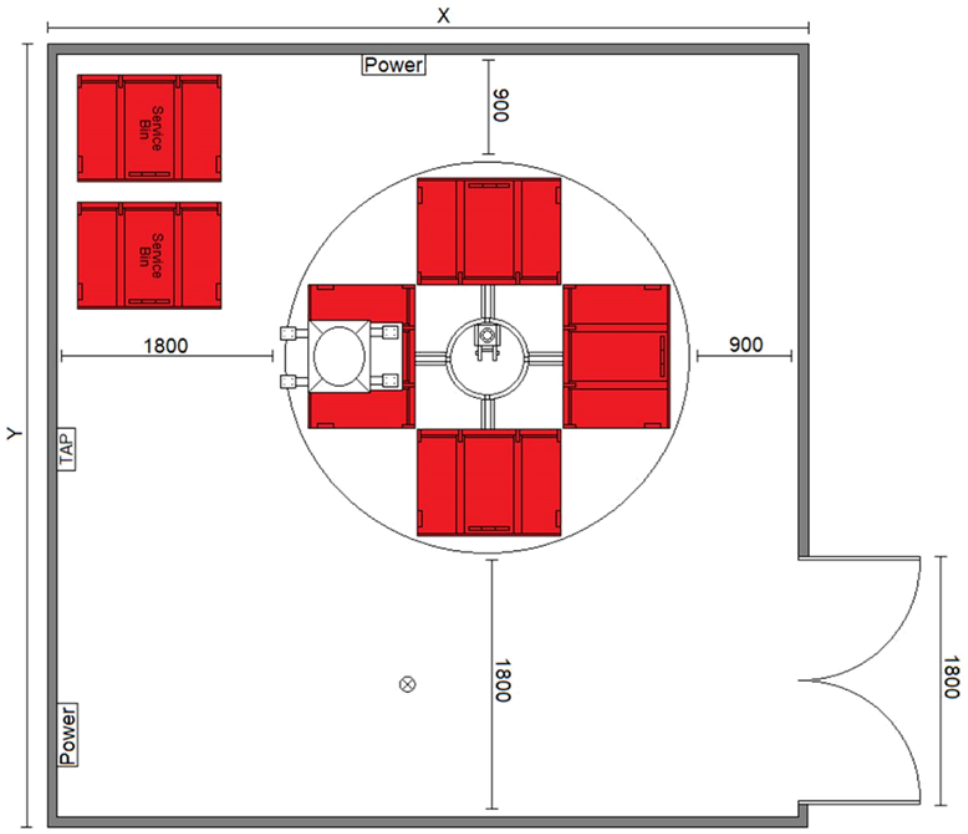


***Note**: Linear track systems are only permitted in site restricted developments as determined by Council and where Councils minimum waste volumes per core can be demonstrated.

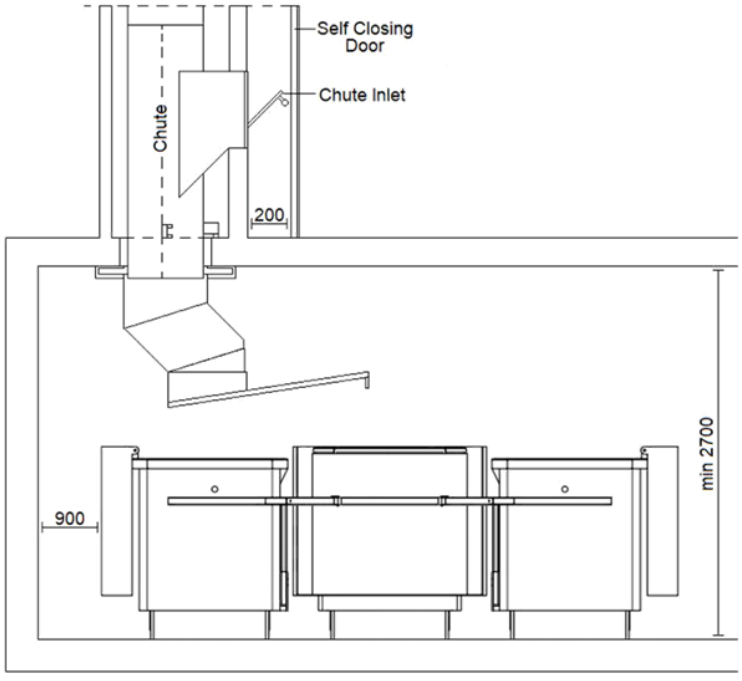
3.7 Chute room with linear track system cross section



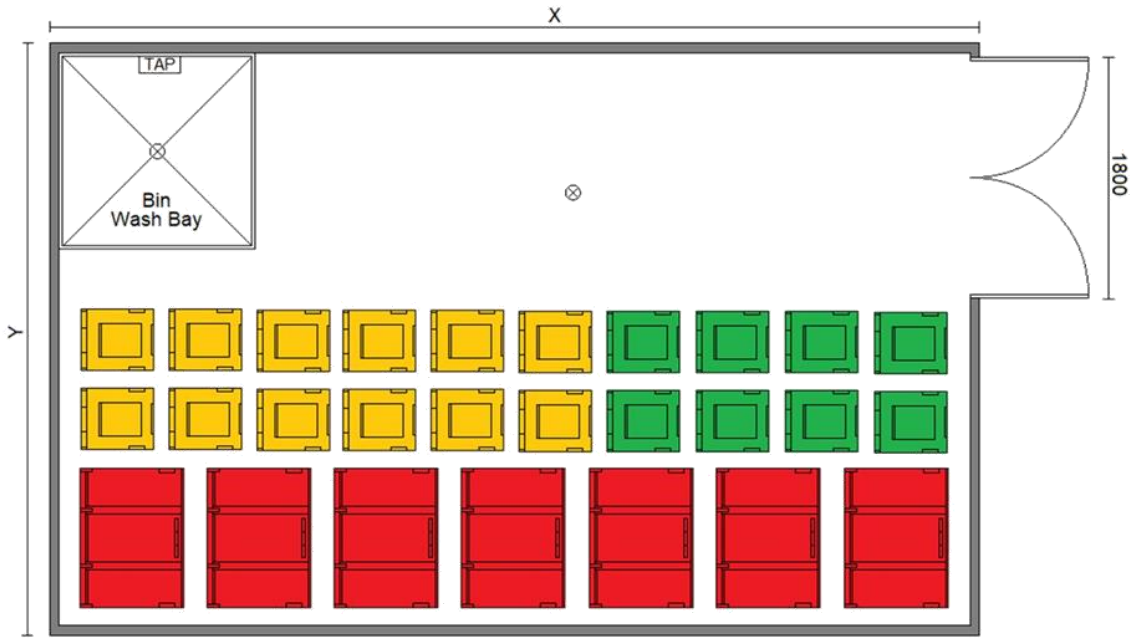
3.8 Chute Room with Circular Carousel System



3.9 Chute Room with circular carousel system cross section



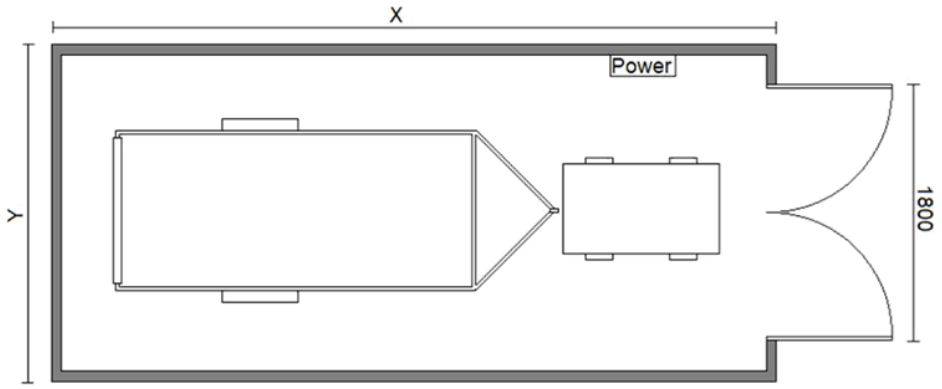
3.10 Waste Collection Room



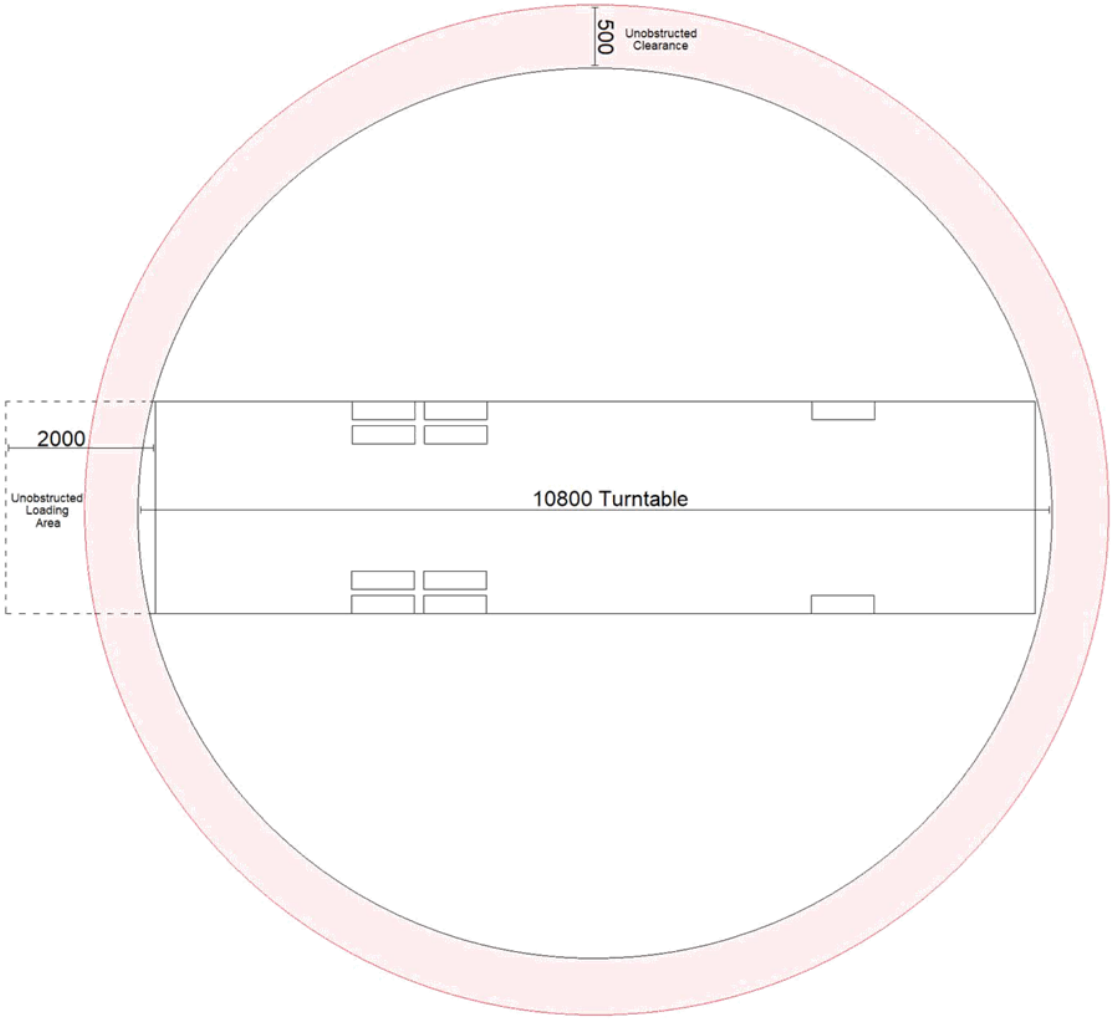
3.11 Bulky Waste Collection Room



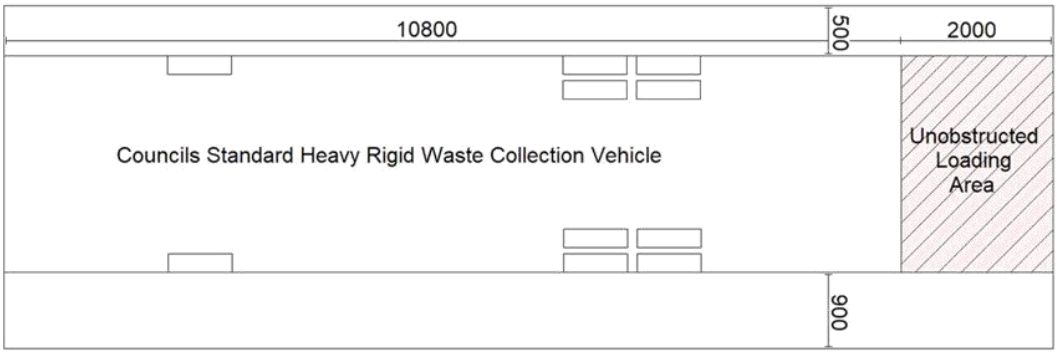
3.12 12 Bin Tug Device and Trailer



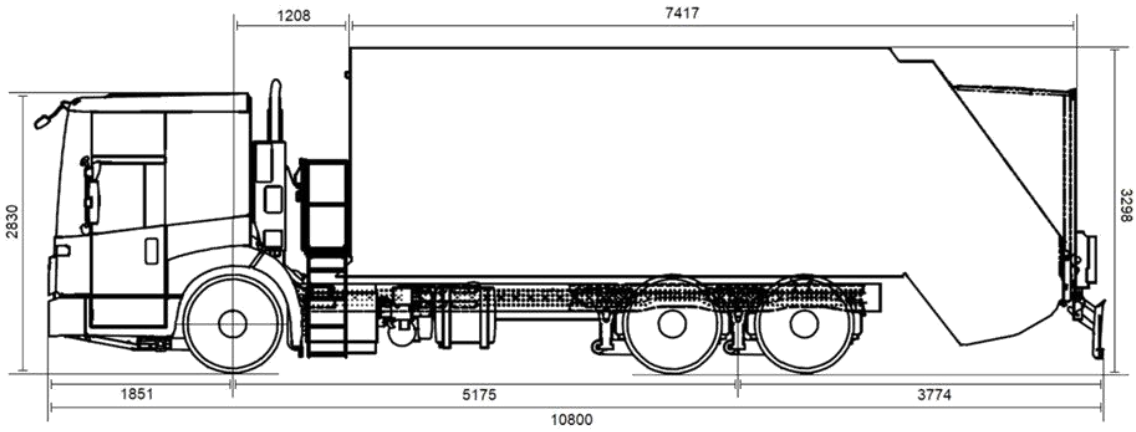
3.13 Integrated multi-use loading bay and circular carousel system



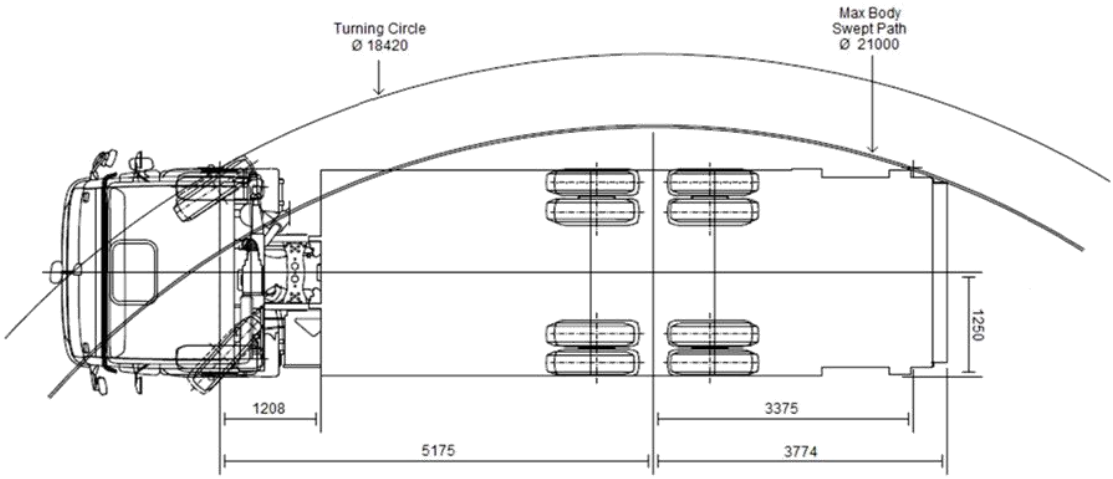
3.14 Integrated multi-use loading bay clearances



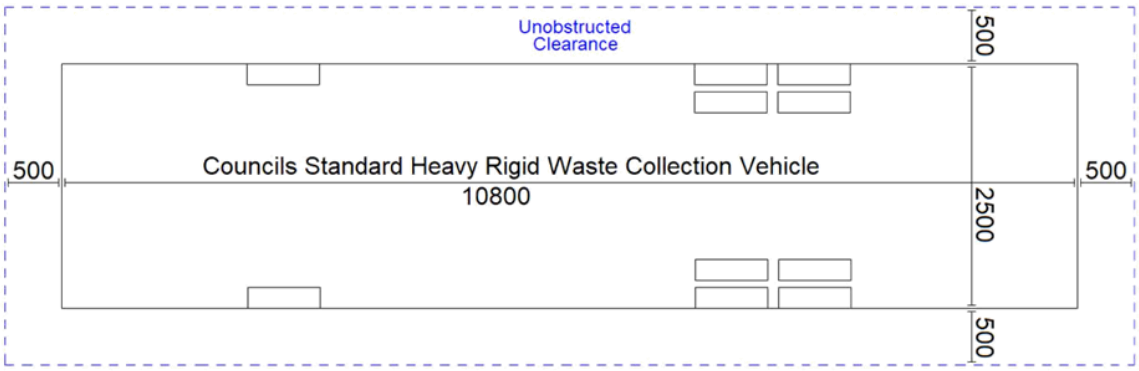
3.15 Councils 10,800mm standard heavy rigid rear loader collection vehicle



3.16 Councils 10,800mm rear loader turning circle



3.17 Minimum clearances for swept path modelling (rear loader)

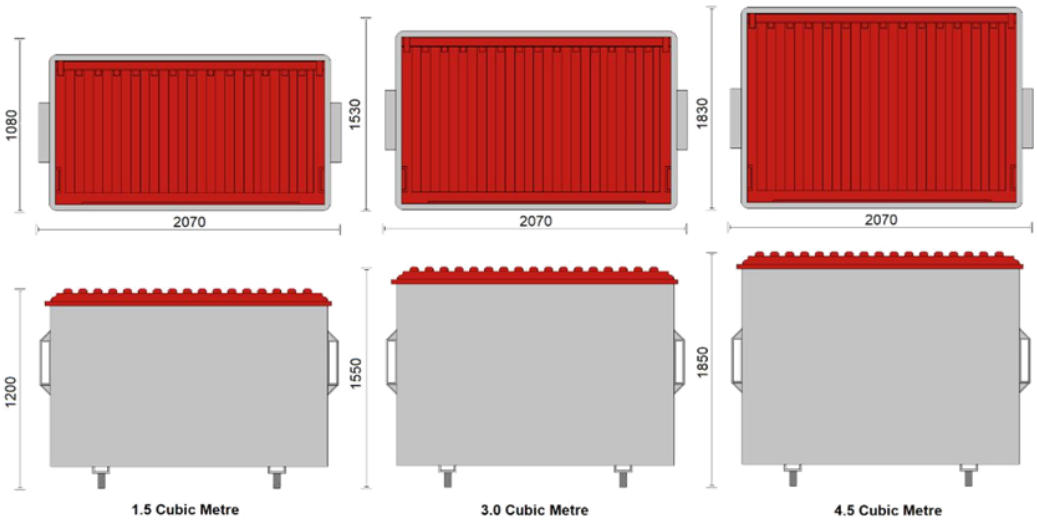


4 Commercial and Industrial Developments

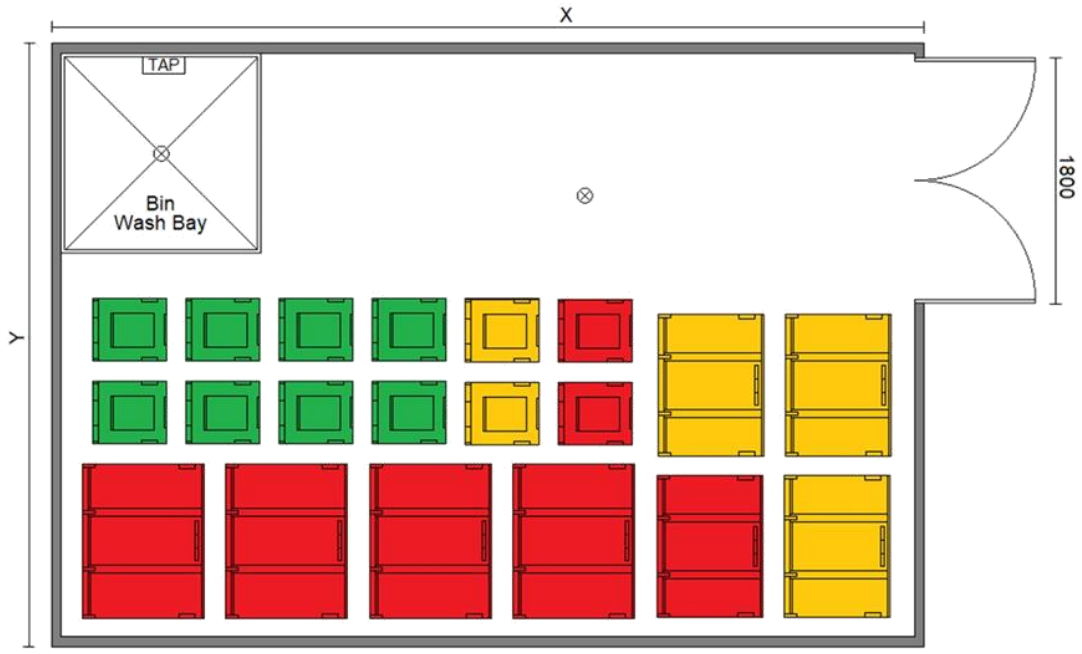
4.1 Industry standard waste service Infrastructure (rear loaded)



4.2 Industry standard waste service Infrastructure (front loaded)



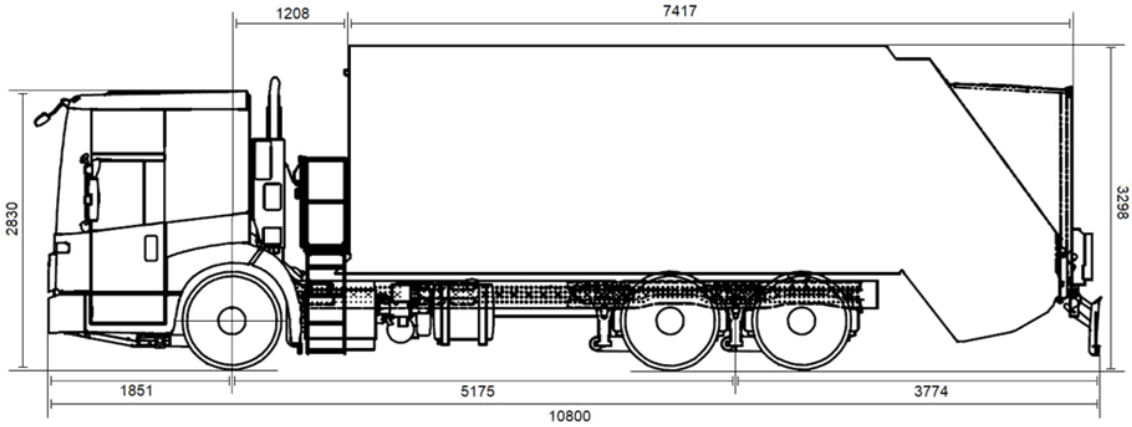
4.3 Waste Collection Room



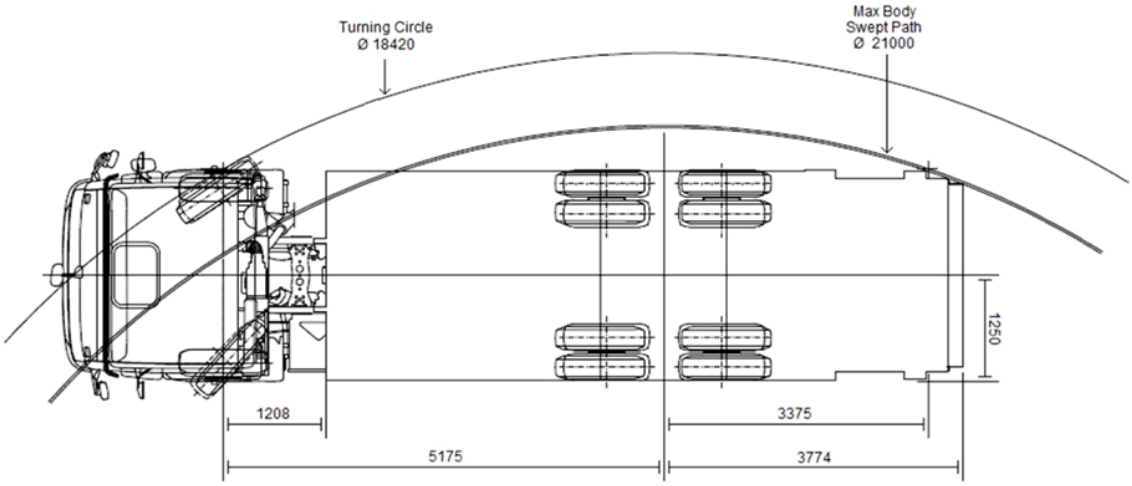
4.4 Bulky Waste Collection Room



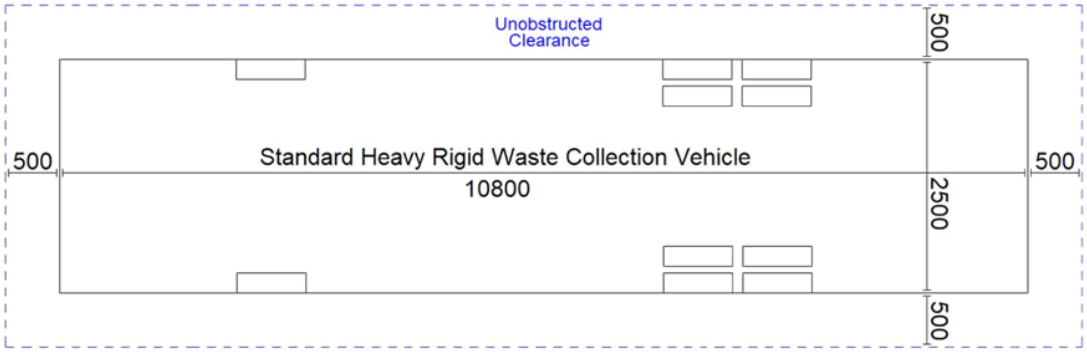
4.5 Standard 10,800mm heavy rigid rear loader collection vehicle



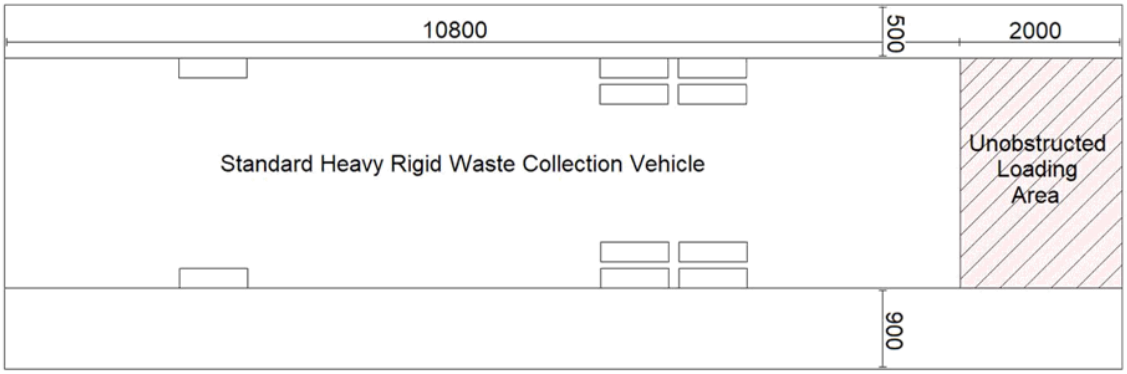
4.6 Standard 10,800mm rear loader turning circle



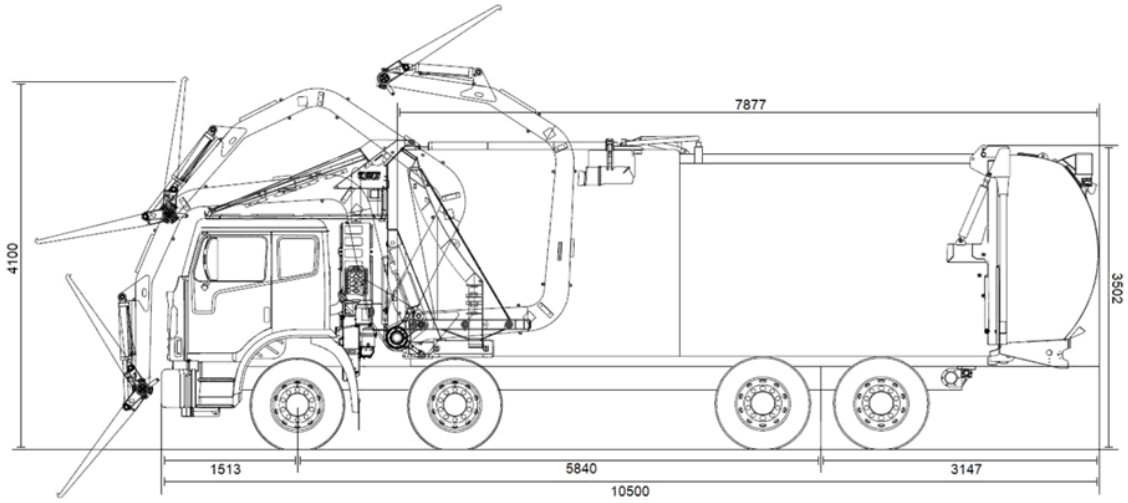
4.7 Minimum clearances for swept path modelling (rear loader)



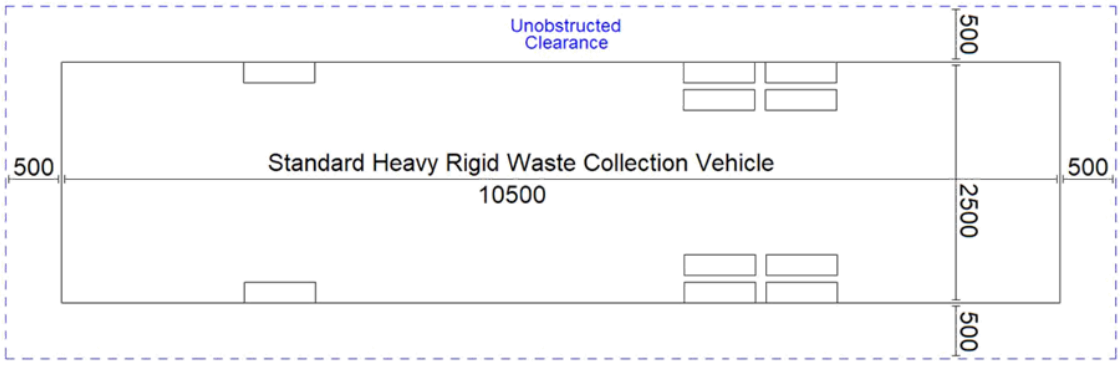
4.8 Integrated multi-use loading bay clearances



4.9 Standard 10,500mm heavy rigid front loader collection vehicle



4.10 Minimum clearances for swept path modelling (front loader)



CITY WIDE DCP AMENDMENT 2 EXHIBITION - AMENDMENTS REGISTER OCTOBER 2025

Chapter	Amendment	Purpose for the Change
Chapter 2 Development Application Process	**2.4 Step 2 - Prepare Plans and Drawings** a) Dimensioned Architectural Plans including Site Plans, Floor Layout Plans, Elevation Plans, Section Plans, Coloured Schedule of Finishes and Materials (required for all applications)	Add clarification of drawing requirements - dimensioned
Chapter 3A Environmental Management and Constraints	Correction of numbering for headings and sub-headings in the document	Keep the document formatting consistent with other chapters
Chapter 4A Development in Rural Zones	**4A.7.4 Setbacks** b) **Side & Rear:** i. Dwellings must be setback a minimum of 5 metres. ii. Ancillary structures must be setback a minimum of 3 metres, from the boundary, this includes retaining walls and driveways. **4A.7.5 Swimming Pools** **Objectives** a) Ensure swimming pool safety. b) Minimise noise levels. **Controls** a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act. b) Swimming pools must be located in the rear yard.	Current control does not provide a rear setback dimension. Add swimming pool requirements same as 5A.2.11 Swimming Pools

Chapter	Amendment	Purpose for the Change
	c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary. d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground. e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met. **Note 1:** To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.	
Chapter 4A Development in Rural Zones	**4A.12 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the Local Government Act 1993. b) Dwellings are defined in accordance with Fairfield Local Environmental Plan 2013. c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the Fairfield City Council Development Control Plan 2013.	Revised wording for waste and recycling collection
Chapter 4B Secondary Dwelling in Rural Areas	**4B.10.6 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*. b) Secondary Dwellings are defined in accordance with *Fairfield Local Environmental Plan 2013*.	Revised wording for waste and recycling collection

Chapter	Amendment	Purpose for the Change
	c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.	
	4B.6.4 Rainwater Tanks a) Above ground rainwater tanks are to be located a minimum of 3 metres from any neighbouring property boundary.	Provide correct dimension
Chapter 5A Dwelling Houses	**5A.7.6 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*. b) Dwelling Houses are defined in accordance with *Fairfield Local Environmental Plan 2013*. c) Waste and Recycling storage and collection infrastructure configurations are outlined in section *Appendix H section 1*. d) A designated waste and recycling hard stand storage area to be provided for each dwelling and large enough to accommodate Council residential waste and recycling streams. The area to be: i. Of sufficient size with minimum dimensions of 2200mm width by 1000mm depth ii. Located within each dwelling's private open space iii. Behind the building line iv. Located free from windows or doors v. Support an enhanced amenity outcome vi. Integrated wholly within the built form e) To support the provision of a safe and efficient waste collection service, a designated hard stand kerbside waste collection area to be: i. Provided for each dwelling ii. Large enough to accommodate Councils residential waste and recycling streams with a minimum width of 3300mm iii. Located wholly within the lot's frontage iv. Clearly displayed on architectural plans v. Free from driveways, on-street parking, footpaths, streets trees and service utilities	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
	f) The path of travel from the waste and recycling storage area to the nominated kerbside waste collection area to: i. Not pass through the residential dwelling, garage or through adjacent lots ii. Be clearly displayed on architectural plans iii. Provide a 900mm unobstructed width throughout all manoeuvres iv. Not permit the movement of Councils bins over stairs, obstructions, uneven, and vegetated areas g) Specifications of Councils standard 10800mm heavy rigid waste collection vehicle is outlined in *Appendix H, sections 1.7 – 1.9*. All infrastructure to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams.	
Chapter 5A Dwelling Houses	**5A.2.1 Floor Space Ratio (FSR)** d) A basement is permitted within the footprint of the ground floor of the building, Note - the footprint of the building does not include any outdoor areas such as alfresco or patio. Any basements in excess of the following maximum basement areas will be included in the total FSR calculations. i. a site less than 450sqm permits a basement of 75sqm, ii. a site more than 450sqm and less than 900sqm permits a basement of 150sqm, iii. A site greater than 900sqm, permits a basement of 300sqm. **5A.3.2 Vehicular Access Design** e) Vehicles must be able to enter and exit the site in a forward direction for all Battle axe lots. f) Where a basement with garage is proposed all vehicles must be able to enter and exit the site in a forward direction, the grades of the driveway shall include a level transition at the boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians on the frontage road footpath.	Add clarification of building footprint Add controls for parking and basements
Chapter 5A Dwelling Houses	**5A.5.1 Solar Access** b) The windows to at least one living area of a dwelling on the neighbouring/adjoining dwelling/s and more than two-thirds of their private open space must receive a minimum 3 hours of sunlight between 9.00am and 3.00pm at the mid–winter solstice. Where this requirement is already not achieved prior to the single dwelling development, the development must not result in additional overshadowing on the affected living area and private open space of the neighbouring dwelling.	Updating solar access control to include private open space of neighbouring/adjoining dwelling/s

Chapter	Amendment	Purpose for the Change
Chapter 5B Secondary Dwellings	**5B.2.3.1 Setback Controls** a) A secondary dwelling requires a minimum side and rear setbacks of 900 millimetres. b) A secondary dwelling must have a setback of at least 1.8 metres to the principal dwelling, otherwise the secondary dwelling must be attached to the principal dwelling. c) Where a secondary dwelling is proposed on a corner lot, a minimum secondary street setback of 1.5 metres is required. d) An access path from the street to the secondary dwelling must be provided that does not rely on passing through the other dwelling on the site. The access path may pass through a carport/driveway or a path beside the principal dwelling. The path must demonstrate a clear path to the secondary dwelling from the street and the path must have a minimum width of 900 millimetres and be a suitable material for all weather access. e) Regardless of control (a), a secondary dwelling house located on a battleaxe lot must be setback a minimum of 1.5 metres from all boundaries. **5B.2.8 Ancillary Structures** a) One enclosed outbuilding such as a shed, detached garage or the like is permitted per principal dwelling. **5B.3.1 Car Parking Rate**	Add control for battleaxe lots, same as Chapter 5A Shifting existing control for maximum number of outbuildings per principal dwelling from Attached Outbuildings to all Ancillary Structures Updating driveway policy wording as no driveway

Chapter	Amendment	Purpose for the Change
	g) Council will approve one vehicular crossing per property (Lot) to balance streetscape, on-street parking and to limit vehicle/pedestrian conflicts. Unless a Lot is subdivided there is no exception for a secondary dwelling i.e. Granny Flats. **5B.4.1.1 Private Open Space** a) The principal and secondary dwelling must have its own separate private open space, with access point shown from the dwelling. f) The private open space must adjoin an alfresco area and/or living areas, such as a lounge room, a family room, a dining room or a kitchen, with access point shown from the dwelling. **5B.5.1 Solar Access** c) ~~Garage,~~ Bathrooms and laundries should be located in areas with a west to southwest orientation, with windows (glazing) minimised in size and number as well as being protected with effective sun shades. **5B.5.3 Privacy** a) The living area windows of both the principal dwelling and the secondary dwelling must be designed to avoid unsatisfactory direct overlooking of the living areas and private open space of each other, as well as of neighbouring properties. Living areas do not include bedrooms, laundry and bathrooms.	crossings are supported to the secondary dwelling Adding additional wording for direct access to private open space Removing garage wording as a garage is not supported attached to secondary dwelling Updating wording for the overlooking of each private open space or dwelling. It was only mentioned overlooking by the secondary dwelling.
Chapter 5B Secondary Dwellings	**5B.7 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the Local Government Act 1993. b) Secondary Dwellings are defined in accordance with Fairfield Local Environmental Plan 2013.	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
	To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the Fairfield City Council Development Control Plan 2013.	
Chapter 5C Dwelling Housing on Narrow Lots	**5C.2.8 Swimming Pools** **Objectives** a) Ensure swimming pool safety. b) Minimise noise levels. **Controls** a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act. b) Swimming pools must be located in the rear yard. c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary. d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground. e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met. **Note 1:** To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.	Adding swimming pool requirements same as Dwelling House control 5A.2.11 Swimming Pools
Chapter 5C Dwelling Housing on Narrow Lots	**5C.7.6 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*.	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
	b) Dwelling Houses are defined in accordance with *Fairfield Local Environmental Plan 2013*. c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the Fairfield City Council Development Control Plan 2013.	
Chapter 6A Multi Dwelling Housing (Townhouses and Villas)	**6A.2.10 Swimming Pools** **Objectives** a) Ensure swimming pool safety. b) Minimise noise levels. **Controls** a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act. b) Swimming pools must be located in the rear yard. c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary. d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground. e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met. **Note 1:** To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.	Adding swimming pool requirements same as Dwelling House control 5A.2.11 Swimming Pools
Chapter 6A Multi Dwelling Housing	**6A.7.6 Waste and Recycling Service**	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
(Townhouses and Villas)	a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*. b) Multi Dwelling Housing are defined in accordance with *Fairfield Local Environmental Plan 2013*. c) Multi Dwelling Housing to provide communal Waste and Recycling storage and collection infrastructure integrated wholly within the built form. d) Waste and Recycling storage and collection infrastructure configurations are outlined in section *Appendix H section 2*. e) Councils waste and recycling streams to be allocated in accordance with Councils waste generation rates: i. Garbage = 120L per dwelling/week (collected weekly) ii. Recycling = 80L per dwelling/week (collected fortnightly) iii. Organics = 40L per dwelling/week (collected alternate fortnightly) **The Bin allocation for each individual stream to be rounded up to the next whole number* f) Councils waste and recycling streams utilise 240L bin infrastructure with minimum dimensions of 600mm width by 740mm depth g) Specifications of Councils standard 10800mm heavy rigid waste collection vehicle is outlined in *Appendix H, sections 2.9 – 2.11*. All infrastructure to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams. h) A detailed Waste Management Plan to be submitted to Council. The plan must: i. Demonstrate Councils waste and recycling streams can be provided and are accessible to all residential dwellings ii. Identify the waste streams and anticipated volumes expected to be generated throughout construction and in perpetuity when occupied by residents iii. Demonstrate integrated waste collection and supporting infrastructure is provided to permit safe and efficient scheduled waste collections by Council iv. Outline how the waste generated on-site will be managed within the development v. Identify the path of travel from: 1) Each residential dwelling to the communal Waste and Recycling storage room 2) Waste and Recycling storage room to the presentation/collection area vi. Outline how and where Councils waste streams will be stored, transported and collected for each component of the development vii. Provide detailed architectural plans to demonstrate compliance with sections i-vi outline above	

Chapter	Amendment	Purpose for the Change
	viii. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams **6A.7.6.1 Waste and Recycling Storage and Collection Infrastructure** a) The communal Waste and Recycling storage room to accommodate the following infrastructure and design principles: i. Be of sufficient size to accommodate the developments residential bin allocation with minimum unobstructed internal dimensions using one of the following calculations: 1) Single Sided = 2200mm width by (Bin Allocation x 600mm) depth 2) Double Sided = 3200mm width by (Bin Allocation x 300mm) depth ii. Minimum 1200mm wide doorway opening iii. Located within 10000mm of kerbside iv. Integrated wholly within the developments-built form to support an enhanced urban design outcome v. Enclosed, walled, and not permit through access to other on-site infrastructure vi. Unobstructed service path to be a minimum 1200mm wide, concrete, parallel to contours with a maximum 1:24 grade vii. Rooms to be free of pylons, obstructions and other external services viii. Permit safe, efficient, and unobstructed work practices for assigned users and waste collection staff ix. Mechanical ventilation x. Automated lighting xi. Hot and cold-water taps xii. Drainage connected to the sewer xiii. Minimum unobstructed internal height clearance of 2700mm xiv. Water proofing throughout all intersections and extend 1200mm high on walls xv. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request xvi. Provide infrastructure to minimise opportunities for vermin xvii. Enhance Councils Crime Prevention through Environmental Design (CPTED) principles xviii. Permit accessible and unobstructed resident access to Councils waste streams b) To permit scheduled kerbside collections by Councils standard 10800mm heavy rigid waste collection vehicle, an unobstructed presentation area to be provided and incorporate the following:	

Chapter	Amendment	Purpose for the Change
	i. Large enough to accommodate the developments residential bin allocation with a 500mm clearance between each bin using the following calculation: 1) Presentation area (mm) = Bin Allocation x 1100 ii. Located wholly within the lot's frontage iii. Free from driveways, on-street parking, footpaths, streets trees and service utilities iv. Presentation arrangement clearly displayed on architectural plans submitted to Council v. Presentation areas that exceed 50% of the lots unobstructed frontage are to provide Waste and Recycling storage and collection infrastructure in in accordance with section 6A.7.6.2 of the *Fairfield City Council Development Control Plan 2013* c) To permit scheduled kerbside Bulky Waste Collections by Councils standard 10800mm heavy rigid collection vehicle, an unobstructed presentation area to be provided. The area to provide minimum dimensions of 2000mm width by 1500mm depth clearly displayed on architectural plans submitted to Council **6A.7.6.2 Site Restricted Developments** There may be lots where the developments residential bin allocation cannot be accommodated wholly within the lot's frontage. A wheel out – wheel in service may be explored to service the development at Councils discretion. Should the site be deemed as viable by Council, the following Waste and Recycling Storage and Collection Infrastructure to be provided to support the provision of a safe and efficient waste collection service: a) A communal Waste and Recycling storage room to be provided in accordance with section 6A.7.6.1 of the *Fairfield City Council Development Control Plan 2013* b) A communal bulky waste collection room to accommodate the following infrastructure and design principles: i. Minimum unobstructed internal area in accordance with the following calculation: 1) Bulky waste area (m^2) = total dwellings x 0.25m^2 • **Minimum area of 10m^2 to be provided to accommodate Councils waste stream* ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm iii. Minimum unobstructed internal width of 1800mm *iv.* In accordance with section 6A.7.6.1, subsections a) iii – xvii of the *Fairfield City Council Development Control Plan 2013*	

Chapter	Amendment	Purpose for the Change
	6A.7.6.3 Integrated On-site Waste Collections a) Where Councils standard 10800mm heavy rigid waste collection vehicle is required to enter the site to perform scheduled collections as deemed viable by Council, a detailed swept path analysis, supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to: i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a Heavy Rigid waste collection vehicle ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition) iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities iv. Councils standard heavy vehicle waste collection vehicle to: 1) Enter and exit the site ins a forward direction 2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety 3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections 4) A minimum 500mm clearance to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections Specifications of Councils standard 10800mm heavy rigid waste collection vehicle is outlined in *Appendix H, sections 2.9 – 2.11*. All infrastructure to be designed to permit unobstructed access for Councils largest collection vehicle required to service Councils waste streams.	
Chapter 6B Dual Occupancy	**6B.2.1 Floor Space Ratio (FSR)** d) A void space over the stairs of 8sqm can be excluded from the gross floor area calculations. Any additional void area will be included in the gross floor area calculations. **5C.2.8 Swimming Pools**	Adding void area control to Dual Occupancy same as control 5C 2.1 (d) from Narrow Lot development

Chapter	Amendment	Purpose for the Change
	Objectives a) Ensure swimming pool safety. b) Minimise noise levels. **Controls** a) Swimming pools are to be separated from any residential building situated on the premises, by a child resistant barrier, in accordance with the Swimming Pools Act. b) Swimming pools must be located in the rear yard. c) Swimming pool filters are to be installed in a location that will not cause a noise nuisance to surrounding residents. The louder a swimming pool filter is the greater the required installation distance from any adjoining property boundary. d) Swimming pools are to be built on, or in the ground and not elevated more than 1.0 metre above the ground. e) In addition to the swimming pool controls, all private open space and landscaping requirements must be met. **Note 1:** To lessen the required distance from an adjoining boundary the swimming pool filter can be located within an approved prefabricated acoustic enclosure. These enclosures will quieten the filter by approximately 15 – 20 dB(A) which will decrease the required distance from an adjoining boundary.	Adding swimming pool requirements same as Dwelling House control 5A.2.11 Swimming Pools
	6B.3 Car Parking and Access a) Two car parking spaces shall be provided per dwelling, one (1) of which must be behind the building line.	Correcting number of car parking requirements behind

Chapter	Amendment	Purpose for the Change
	b) For dwellings located on a proposed Lot greater than 450sqm, with a width of 11 metres or greater, three (3) car parking spaces shall be provided per dwelling, two (2) of which must be behind the building line.	the building line for dual occupancy.
Chapter 6B Dual Occupancy	**6B.7.6 Waste and Recycling Service** a) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*. b) Dual Occupancy is defined in accordance with *Fairfield Local Environmental Plan 2013*. c) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*.	Revised wording for waste and recycling service
Chapter 7 Residential Flat Buildings and Shop Top Housing	**7.5.2.2 Acoustic Amenity** f) **Air conditioning units** proposed are to be detailed in the acoustic assessment. g) New residential development within a Special Entertainment Precinct shall have regard to indicative measures shown in the table below. These materials are currently available for residential development to mitigate the intrusion of external sound. The table below has regard to performance-based measures currently available in the market that would comply with the National Construction Code.	Incorporating SEP Controls

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6mm monolithic glass, 100mm gap, 4mm monolithic glass, full perimeter acoustic seals</td></tr>
<tr><td>SC3 / SC3.5</td><td colspan="3">Openable 10.38mm laminated glass with full perimeter acoustic seals</td></tr>
<tr><td>SC4 / SC4.5</td><td colspan="3">Openable 8.38mm monolithic glass with full perimeter acoustic seals</td></tr>
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Table 5-1 - Indicative Glazing Facades for residential development
(Source: TP350-01F03 Canley Vale and Canley Heights SEPs Sound Management Criteria)
Note: The indicative façade treatments in table 5-1 are not prescribed by this DCP and have been provided as example materials currently available in the Australian market.
</td><td></td></tr>
<tr><td>Chapter 7
Residential Flat Buildings and Shop Top Housing</td><td>
7.7.1 Integrated Onsite Waste and Recycling Service

b) Councils waste and recycling service to be provided to all residential dwellings in accordance with section 496 of the Local Government Act 1993.
c) Residential Flat Buildings are defined in accordance with Fairfield Local Environmental Plan 2013.
d) Model Waste and Recycling storage and collection infrastructure configurations are outlined in section Appendix H section 3.
e) Developments to be designed to permit integrated on-site waste collection by Councils standard 10800mm heavy rigid waste collection vehicle. A detailed swept path analysis supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to:
i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a Heavy Rigid waste collection vehicle
ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
</td><td>Revised wording for waste and recycling service</td></tr>
</table>

Chapter	Amendment	Purpose for the Change
	iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities iv. Councils standard heavy vehicle waste collection vehicle to: 1) Enter and exit the site ins a forward direction 2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety 3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections 4) A minimum 500mm clearance to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections f) Specifications of Councils standard 10800mm heavy rigid waste collection vehicle are outlined in *Appendix H, section 3.14 – 3.17*. g) To support the provision of safe and efficient waste collection service, the integrated on-site multi use loading area to: i. Be fully enclosed, walled and accessed via a restricted opening to provide physical separation from vehicles, pedestrian, cyclists, and other users ii. Mechanically ventilated iii. Incorporate acoustic attenuation and supporting infrastructure detailed within a report prepared by an acoustic consultant to support use of a heavy rigid collection vehicle at high revs iv. Provide a 2000mm unobstructed clearance at the rear of the vehicle to support the collection of Councils waste streams h) Multi use loading areas outlined in section f) above that propose turn tables, to incorporate the following infrastructure and specifications: i. Hydraulic override or similar assisted override system to permit the turn table to rotate in the event of a power outage or systems failure ii. Control panel locked and keyed to Councils bi-lock key system i) The kerbside presentation of Councils waste and recycling streams is not an acceptable solution, including pull-in bays for Councils standard waste collection vehicles. j) A detailed waste management plan to be submitted to Council. The plan must:	

Chapter	Amendment	Purpose for the Change
	i. Demonstrate Councils waste and recycling streams can be provided and are accessible to all residential dwellings ii. Identify the waste streams and anticipated volumes expected to be generated throughout construction and in perpetuity when occupied by residents iii. Demonstrate integrated on-site loading and supporting infrastructure is provided to permit safe and efficient schedule collections by Councils standard 10800mm heavy rigid collection vehicle iv. Outline how the waste generated on-site will be managed within the development v. Identify the path of travel from individual units to: 1) The waste chute system inlet on each level 2) The communal organics waste storage room 3) The bulky waste collection room vi. Identify the path of travel from the multi-use loading area to: 1) The waste collection room 2) The bulky waste collection room vii. Identify the path of travel from waste chute room/s in the basement to: 1) The waste collection room viii. Outline how and where Councils waste streams will be stored, transported and collected for each component of the development ix. Provide detailed architectural plans to demonstrate compliance with sections i-viii outline above x. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams **7.7.1.1 Waste and Recycling Storage and Collection Infrastructure** a) Councils waste and recycling streams to be allocated to the site in accordance with Councils waste generation rates: i. Garbage = 120L per dwelling/week (collected weekly) ii. Recycling = 80L per dwelling/week (collected fortnightly) iii. Organics = 40L per dwelling/week (collected alternate fortnightly) • **The Bin allocation for each individual stream to be rounded up to the next whole number*	

Chapter	Amendment	Purpose for the Change
	b) Councils standard bin infrastructure to be accommodated within the development using the following minimum dimensions: i. 240L bins = 600mm width, 740mm depth and 1100mm height ii. 660L bins = 1260mm width, 800mm depth and 1400mm height c) A waste chute system to be provided, accessible and available to all residential dwellings on each level. Detailed architectural plans to be submitted that demonstrate: i. A separate waste chute is to be provided for Councils assigned waste stream ii. Inlets are located within a chute cupboard, accessed via 180-degree, outwards opening, self-closing sealed doors iii. Cupboard to have a maximum depth of 200mm from the door to the chute inlet iv. Cupboard is mechanically ventilated v. Located within close proximity to the central elevator core vi. The infrastructure to provide safe, efficient, and accessible access for all users vii. The path of travel from individual dwellings to the chute inlet to not exceed a maximum distance of 20000mm, accessed directly from the residential corridor, and not require residents to travel to other levels viii. Acoustic attenuation to adjacent dwellings on each residential level and a report detailing the infrastructure to be compiled by a qualified acoustic consultant ix. Doors to be unlocked to permit unobstructed resident access d) A designated bin cupboard to be provided adjacent to the chute cupboard/s on each residential level. To accommodate Councils assigned waste and recycling streams the bin cupboard to incorporate the following infrastructure: i. Minimum internal dimensions of 1000mm width by 1000mm depth per 240L bin proposed or dimensioned as prescribed by Council ii. Accessed via 180-degree, outwards opening, self-closing, sealed doors iii. Bin path of travel from the cupboard to the central elevator core to be tiled to permit scheduled cleaning iv. Doors to be unlocked to permit unobstructed resident access e) A communal organics waste storage room to be provided adjacent to the bin cupboard on ground floor within each building. To accommodate Councils organics waste stream the room to incorporate the following infrastructure:	

Chapter	Amendment	Purpose for the Change
	i. Minimum unobstructed internal dimensions to be provided using one of the following calculations: 1) Single Sided = (2200mm) width by (Bin Allocation x 600mm) depth 2) Double Sided = (3200mm) width by (Bin Allocation x 300mm) depth ii. Accommodate the buildings anticipated waste volumes iii. Minimum 1200mm wide doorway opening iv. Bin path of travel from the room to central elevator core to be tiled to permit scheduled cleaning f) A chute room to be provided within the basement to accommodate Councils assigned bin infrastructure below each of the respective chute outlet/s. The room to accommodate the following infrastructure: i. A circular carousel system under each of the chute outlets large enough to accommodate 4x 660L bins or 2 days worths of anticipated waste volumes, whichever is the greater ii. A chute offset and dampener to be provided prior to material discharging into Councils bin infrastructure iii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm iv. Room enclosed, walled, and not permit through access to other on-site infrastructure v. Adequate lock infrastructure to restrict resident access g) A waste collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure: i. Room large enough to accommodate the entire bin allocation with 200mm clearance between each bin for manoeuvrability ii. Bunded bin wash bay to permit scheduled cleaning of Councils assigned bin infrastructure iii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm iv. Room enclosed, walled, and not permit through access to other on-site infrastructure v. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request vi. Path of travel from the room to the multi-use loading bay to not pass through an active vehicle carriageway vii. Located within 10,000mm of the integrated on-site multi use loading area	

Chapter	Amendment	Purpose for the Change
	h) A bulky waste collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure: i. Minimum unobstructed internal area in accordance with the following calculation: 1) Bulky waste area (m^2) = total dwellings x 0.25m^2 • **Minimum area of 10m^2 to be provided to accommodate Councils waste stream* ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm iii. Minimum unobstructed internal width of 1800mm iv. Room enclosed, walled, and not permit through access to other on-site infrastructure v. Doors locked through Councils bi-lock system. Councils' key specifications will be provided upon request vi. Path of travel from the room to the multi-use loading bay to not pass through an active vehicle carriageway vii. Located within 10,000mm of the integrated on-site multi use loading area i) A bin tug device and trailer to be provided to facilitate the safe and efficient transport of Councils bin infrastructure within the development. The room to accommodate the following infrastructure: i. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1800mm ii. Sufficient size to accommodate the tug device and trailer responsive to the sites anticipated waste volumes iii. Room enclosed, walled, and not permit through access to other on-site infrastructure iv. Electrical charge capabilities to permit scheduled charging v. Adequate lock infrastructure to restrict resident access j) All integrated on-site waste and recycling storage/collection infrastructure outlined in section 7.7.1.1, subsections c) - h) above to incorporate the following infrastructure, including but not limited to: i. Integrated wholly within the developments-built form to support an enhanced urban design outcome ii. Rooms to be free of pylons, obstructions and other external services iii. Permit safe, efficient, and unobstructed work practices for assigned users and waste collection staff iv. Mechanical ventilation v. Automated lighting	

Chapter	Amendment	Purpose for the Change
	vi. Hot and cold-water taps vii. Drainage connected to the sewer viii. Minimum unobstructed internal height clearance of 2700mm ix. Water proofing throughout all intersections and extend 1200mm high on walls x. Accessed by a 1800mm wide unobstructed access corridor k) Separate, enclosed, and designated waste and recycling storage and collection rooms to be provided from non-residential tenancies proposed within the development in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013* i. The co-location of residential and commercial waste streams is not permitted l) For developments of five or more storeys, a designated caretaker room to be provided on ground floor and integrated wholly within the developments-built form. The room to accommodate the following infrastructure: i. Small seating area proportional to the anticipated building managers required to manage the site ii. Kitchenette facilities iii. Access to wash facilities and toilets iv. Adequate storage for cleaning chemicals, infrastructure and supporting items to complete their daily roles **7.7.1.2 Shop Top Housing** a) Separate, designated, and enclosed Waste and Recycling storage and collection infrastructure to be provided to commercial tenancies in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*. i. The co-location of residential and commercial waste streams is not permitted **7.7.1.3 Site Restricted Developments** There may be lot characteristics or constraints that restrict the opportunity for the development to accommodate an integrated on-site loading arrangement for Councils standard vehicle. To explore alternative solutions for site restricted lots determined by Council, the onus is on the applicant to demonstrate that: a) The adjacent lot/s cannot be acquired to support an integrated on-site site waste outcome	

Chapter	Amendment	Purpose for the Change
	b) An improved operational waste outcome can be achieved for Council, the residents and the wider community that: i. Does not compromise safety ii. Supports an enhanced outcome for: 1) Urban Design 2) Streetscape 3) Deep Soil 4) Tree Canopies iii. Maintains existing on-street parking allocations c) A heightened amenity outcome is achieved for the development and the surrounding community d) The arrangement inhibits the permeation of odour and the opportunity for vermin e) Permits collections in accordance with Councils waste and recycling collection contract provisions Alternative solutions may be proposed to Council at pre-development application meetings, support by: i. Scaled architectural plans ii. Swept path models iii. Other relevant documentation to support items a) – e) above	
Chapter 8 Commercial Development in Local Centres – Business Use	**8.3.2 Visual and Acoustic Privacy** b) **Acoustic Amenity** i. **Noise impact** assessments may be required. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment. ii. **Noise attenuation** measures must be incorporated in all new development along the Classified State and Regional Roads and Unclassified Regional Roads and properties in proximity to the railway line. Developments adjacent to rail corridors, shall take into consideration the provisions within SEPP (Transport and Infrastructure) 2021 relating to impact of rail noise or vibration on non-rail development. iii. **Air conditioning units** proposed are to be detailed in the acoustic assessment. iv. New residential development within a Special Entertainment Precinct shall have regard to indicative measures shown in the table below. These materials are currently available for residential development	Incorporating SEP controls

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<tr><td>Chapter 8
Commercial Development in Local Centres – Business Use</td><td>8.5.3 Integrated Onsite Waste and Recycling Servicing

a) Model integrated on-site waste and recycling storage & collection infrastructure configurations are outlined in Appendix H, section 4.
b) Developments to be designed to permit integrated on-site waste collection by a standard waste collection vehicle. A detailed swept path analysis supported by scaled architectural plans to be submitted to Council to permit a detailed assessment. The swept path model to:
i. Demonstrate compliance with Australian Standards (AS) 2890.2
ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition)
iii. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities</td><td>Revised wording for waste and recycling service</td></tr>
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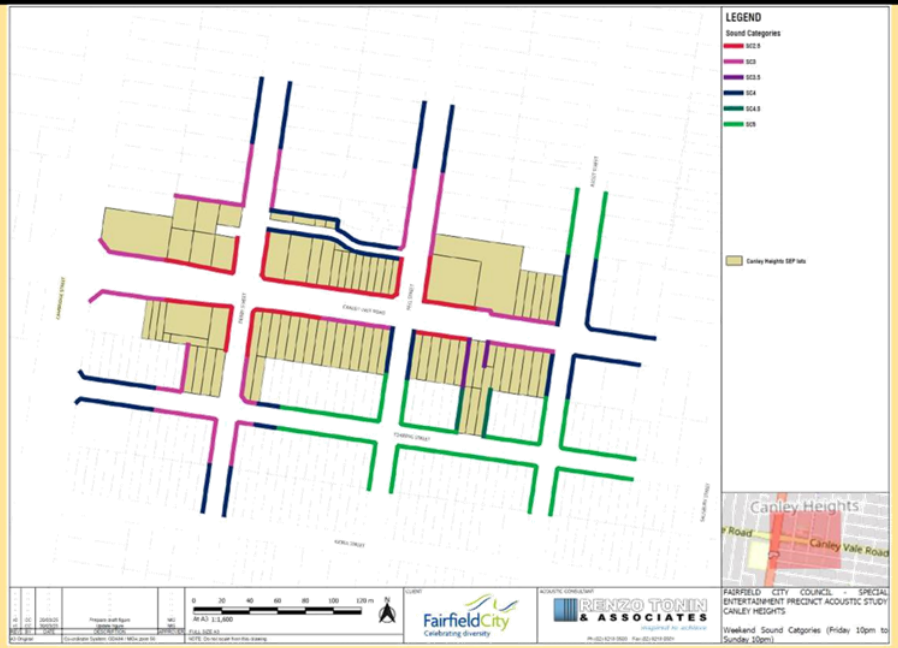
Chapter	Amendment	Purpose for the Change
	iv. Standard waste collection vehicle to: 1) Enter and exit the site ins a forward direction 2) Can perform all required access and collection manoeuvres without impeding vehicle, pedestrian, cyclist, and user safety 3) Have unobstructed minimum height clearances, maximum ramp grades, maximum rates of change, and unobstructed operational clearances throughout all required manoeuvres (ingress, egress, loading bay access) to permit safe and efficient scheduled collections 4) A minimum 500mm clearance to be provided from all obstructions throughout all required vehicle manoeuvres to perform scheduled collections v. An industry standard waste collection vehicle is outlined in Appendix H, sections 4.5 – 4.8. c) The kerbside presentation of waste and recycling streams is not an acceptable solution d) Applicant to demonstrate the proposed service arrangements can meet the waste and recycling volumes anticipated for the development in accordance with the commercial generation rates outline with the *EPA Better practice guide for resource recovery in residential developments* e) To support the provision of safe and efficient waste collection service, the integrated on-site site loading area to: i. Be fully enclosed, walled and accessed via a restricted opening to provide physical separation from vehicles, pedestrian, cyclists, and other users ii. Mechanically ventilated iii. Incorporate acoustic attenuation and supporting infrastructure detailed within a report prepared by an acoustic consultant to support use of a heavy rigid collection vehicle at high revs iv. Provide a 2000mm unobstructed clearance at the rear of the vehicle to support the collection of Councils waste streams v. The collection of materials to be conducted in accordance with the *NSW Environment Protection Authority, Industrial Noise Policy 2000* f) A detailed waste management plan to be submitted to Council. The plan must: i. Demonstrate waste and recycling streams can be provided and accessible to all users ii. Identify the waste streams and anticipated volumes expected to be generated by the development throughout construction and in perpetuity during operation iii. Demonstrate integrated on-site loading and supporting infrastructure is provided to permit safe and efficient schedule collections by a standard waste collection vehicle	

Chapter	Amendment	Purpose for the Change
	iv. Outline how the waste generated on-site will be managed to support unobstructed access to each user and full suite of waste and recycling streams v. Identify the path of travel from disposal point to the designated collection infrastructure to permit scheduled collection/s vi. Outline how and where waste will be collected, transported, stored and managed for each component of the development vii. Provide detailed architectural plans to demonstrate compliance with sections i-vi outline above viii. Be prepared by a suitably qualified consultant experienced in the management of waste and recycling streams **8.5.3.1 Waste and Recycling Storage and Collection Infrastructure** a) A designated waste storage and collection room to be provided for each tenancy and located within close proximity to the integrated on-site waste loading bay. The room/s to accommodate the following infrastructure: i. Of sufficient size to accommodate the entire bin allocation responsive to the volumes of the anticipated waste and recycling streams ii. Minimum waste generation rates to be in accordance with the *NSW EPA Better Practice Guide*. The onus is on the applicant to demonstrate anticipated volume have been provided. iii. Accommodate the infrastructure and area requirements to support a maximum service frequency of two times weekly iv. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm v. 200mm clearances to be provided between bins for manoeuvrability vi. Room enclosed, walled, and not permit through access to other on-site infrastructure vii. Located within 10,000mm of the integrated on-site loading area b) A bulky waste storage and collection room to be located within close proximity to the integrated on-site waste loading bay. The room to accommodate the following infrastructure: i. Minimum unobstructed internal area based on the following: 1) $2m^2$ for developments up to $100m^2$ 2) $4m^2$ for developments up to $1,000m^2$ 3) $8m^2$ for developments over $1,000m^2$	

Chapter	Amendment	Purpose for the Change
	ii. Accessed via dual, 180-degree, outwards opening, self-closing sealed doors with a minimum opening of 1,800mm iii. Minimum internal width of 1,800mm iv. Room enclosed, walled, and not permit through access to other on-site infrastructure v. Located within 10,000mm of the integrated on-site loading area c) All integrated on-site waste and recycling storage and collection infrastructure outlined in section 8.5.3.1, subsections a) - b) above to incorporate the following infrastructure, including but not limited to: i. Integrated wholly within the developments-built form to support an enhanced urban design outcome ii. Room to be free from internal pylons, obstructions and other external services iii. Permit safe, efficient, and unobstructed work practices for assigned uses and waste collection staff whilst restricting unauthorised access iv. Mechanical ventilation v. Automated lighting vi. Hot and cold-water taps vii. Bunded wash bays viii. Drainage connected to the sewer ix. Minimum unobstructed internal height clearance of 2700mm x. Water proofing through all intersections and extend 1200mm high on walls xi. Doors locked through a restricted key arrangement xii. Accessed by a 1800mm wide unobstructed access corridor d) For developments with Gross Floor Areas great than 1000m^2 a designated caretaker room to be provided on ground floor and integrated wholly within the developments-built form. The room to accommodate the following infrastructure: i. Small seating area proportional to the anticipated building managers needed to manage the site ii. Kitchenette facilities iii. Access to wash facilities and toilets iv. Adequate storage for cleaning chemicals, infrastructure and supporting items to complete their roles e) Commercial / Retail premises that generate odour from their activity may be required to submit an Odour Impact Assessment to Council conducted in accordance with the NSW Environment Protection	

Chapter	Amendment	Purpose for the Change
	Authority's Draft Policy "Assessment and Management of Odour from Stationary Sources in NSW" January 2001. f) Air handling systems in Commercial / Retail premises - Commercial / Retail premises that require an air handling system such as a cooling tower are required to obtain Development Approval from Council. The installation and operation of the cooling tower is to be conducted in accordance with the Public Health Act and Public Health (Microbial) Regulation. An approved air handling system is to be installed to the cooking appliances in accordance with Australian Standard, 1668 – 1991, The Use of Mechanical Ventilation and Air Conditioners in Buildings. g) New food premises or existing food premises that are requiring a refit are required to obtain development approval from Council prior to commencement of trade. The fit out of a food premises is to be conducted in accordance with Council's Food Premises Code	
Chapter 9 Industrial Development	**9.9.9 Neighbourhood Shops** Deleting Section c)	Removing specific definition of neighbourhood shop applicable to this section
Chapter 9 Industrial Development	**9.12 Waste and Recycling Collections** a) Waste and Recycling storage and collection infrastructure must be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013.*	Revised wording for waste and recycling service
Chapter 10 Miscellaneous Development	**10.7 Controls for Boarding Houses and Co-Living (including Student Accommodation and Group Homes)** **10.7.12 Waste and Recycling Service** a) Councils waste collection service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993.* b) Boarding Houses, Co-living Housing and Group Homes are defined in accordance with *Fairfield Local Environmental Plan 2013* c) Councils waste and recycling streams to be allocated to the site in accordance with Councils waste generation rates: i. Garbage = 75L per room/week (collected weekly)	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
	ii. Recycling = 50L per room/week (collected fortnightly) iii. Organics = 30L per room/week (collected alternate fortnightly) • **The bin allocation for each individual stream to be rounded up to the next whole number* d) To support the provision of a safe and efficient waste collection service, communal waste and recycling storage & collection areas to be provided in accordance with: i. Section 6A.7.6 of the *Fairfield City Council Development Control Plan 2013*; or ii. Section 7.7.1 of the *Fairfield City Council Development Control Plan 2013* for developments that comprise of three or more storeys e) In addition to the provisions outlined in d) above, the rooms to accommodate the following: i. Unobstructed resident access to be provided form the central residential corridor and incorporate key access for ingress and egress movements ii. Unobstructed external access to be provided for Councils waste collection contractors to perform scheduled collections. The external door to incorporate the following: 1) Keyed to Councils bi-lock system 2) Internal Panic Bar system to permit unobstructed egress manoeuvres iii. Located within 10,000mm (10m) of the kerbside **10.8 Neighbourhood Shops** **10.8.1 Residential Zones** Controls h) **Waste and Recycling Service** - To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*. **10.8.2 Industrial Zones** f) **Waste and Recycling Service** - To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*.	
Chapter 10 Miscellaneous Development	**10.15 Special Entertainment Precincts**	Incorporating Special Entertainment Precincts (SEP) controls

Chapter	Amendment	Purpose for the Change
	 Figure 1. Sound Category Areas for Canley Heights	

Chapter	Amendment	Purpose for the Change
	 Figure 2. Sound Category areas for Canley Vale **Objectives of Special Entertainment Precincts** 1. Support the City's nightlife and night-time economy. 2. Encourage businesses to provide more live entertainment opportunities in the city. 3. Attract investment and redevelopment in the town centres by providing greater certainty for local businesses and residents regarding the operation of SEPs. 4. Enhance tourism and economic opportunity of SEPs that promote the scope for unique cultural experiences and activities.	

Chapter	Amendment	Purpose for the Change

5. Create opportunities for diverse entertainment and dining experiences in SEPs.

10.15.1 Sound Category Area - Sound levels

Objectives

1. To define the maximum external entertainment sound permitted within a Sound Category Area.
2. To future proof new mixed-use development within Special Entertainment Precincts with appropriate noise amelioration measures to minimise noise pollution from entertainment sound.

Control

1. Sound Category Areas applies at the property boundary of a property identified in Figures 1 and 2 at a height of 1.5m above the finished floor level for each floor of a building. Sound levels for each of the Sound Category Areas are detailed in Figure 3 below.

Sound Category ID	7am to 10pm				10pm to midnight				Midnight to 7am			
	Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)		
		31.5	63	125		31.5	63	125		31.5	63	125
SCA 2.5	70	74	73	71	70	74	73	71	65	69	68	66
SCA 3	65	69	68	66	65	69	68	66	60	64	63	61
SCA 3.5	65	69	68	66	60	64	63	61	55	59	58	56
SCA 4	60	64	63	61	60	64	63	61	50	59	58	56
SCA 4.5	60	64	63	61	55	59	58	56	50	59	58	56
SCA 5	55	59	58	56	55	59	55	51	50	54	50	46
SCA 6	50	54	50	46	45	54	50	46	40	54	50	46

Figure 3. External Entertainment sound criteria per Sound Category Area by time of day

	10.15.2 Acoustic requirements for Existing Mixed-Use Developments **Objectives** 1. To ensure sensitive receivers are designed to attenuate against noise from existing and future entertainment venues. 2. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive receivers. **Controls** 1. If a new commercial tenancy or residential dwelling is proposed within an existing mixed use building the criteria set out in table 4 (Entertainment Noise through internal path) must be satisfied. ○ A new entertainment venue – A new entertainment venue moving into the commercial premises of an existing mixed-use building with existing residential occupancies is required to implement sound insulation performance upgrades to the building and operate in a manner such that the transmission of entertainment noise into the residential component of the mixed-use building satisfies the internal noise criteria specified in table 4 below. ○ New residential premises – A new residential premises being developed in a mixed-use building with an existing entertainment venue is required to implement sound insulation performance upgrades to the building such that transmission of entertainment noise from the existing venue operations satisfies the internal noise criteria in the residential premises specified in table 4 below. ○ Noise Impact Assessment - Noise impact assessment must be prepared by a suitably qualified acoustic consultant demonstrating that the proposal is able to comply with the sound levels identified in Figure 4 (below), with any application for a new or modified sensitive receiver located within a Sound Category Area.	

Chapter	Amendment	Purpose for the Change

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	30	54	47	41
	Early night	30	54	47	41
	Late night	30	54	47	41
Residential accommodation (excluding hotels and hostels) – bedrooms	Day / evening	30	54	47	41
	Early night	25	49	42	36
	Late night	25	49	42	36

Figure 4. Entertainment Noise through contribution through internal path

2. Where noise attenuation measures impact the provision of natural ventilation, alternative ventilation must be provided to ensure the proposal complies with the National Construction Code.
3. Noise impact from other sources, such as road and rail must be assessed separately in accordance with relevant Standards and policies.

10.15.3 Acoustic Requirements for New Mixed-Use Development

Objectives

1. To ensure that new mixed-use developments can achieve compliance with internal sound criteria cumulative entertainment noise.
2. To ensure a balance is achieved between commercial businesses and residential amenity in mixed use development.

Controls

1. Submit a noise impact assessment with an application for mixed use development that demonstrates:
   - New mixed-use buildings will comply with the internal sound criteria specified in figure 5.

Chapter	Amendment	Purpose for the Change

- Demonstrate that proposed noise attenuation measures to be designed into the building can satisfy the internal sound criteria specified in figure 5.
- The development must ensure compliance with internal criteria set out in the NSW State Environmental Planning Policy (Transport and Infrastructure) for road and rail traffic noise.

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	35	59	52	46
	Early night	35	59	52	46
	Late night	35	59	52	46
Residential accommodation (excluding hotels and hostels) – bedrooms	Day / evening	35	59	52	46
	Early night	30	54	47	41
	Late night	30	54	47	41

Figure 5. Internal Sound Criteria – Cumulative Entertainment Noise Level

10.15.4 Sound and patron management requirements for entertainment venues

Objectives

1. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive land uses.

Controls

2. Submit a noise impact assessment prepared by a suitably qualified acoustic consultant with applications for a new or modified venue. It must:
   - Detail physical noise attenuation measures to demonstrate the venue can operate within the internal sound criteria for entertainment noise as specified in Figure 4 and 5.

Chapter	Amendment	Purpose for the Change
	○ Demonstrate that the venue can operate without breaching the external entertainment sound for live entertainment venues specified in Figure 3. 3. A Plan of Management must be submitted and include: ○ Details of the use of the site ○ Operational details of the premises ○ Hours of Operation ○ Noise mitigation and management - The Plan of Management should detail all noise management measures to ensure that the development can achieve the criteria in the sound category area. ○ Premises management measures ○ Security and safety ○ Performance, creative or cultural programming ○ Methods employed to implement harm minimisation and the responsible service of alcohol. ○ (RSA) requirements	
Chapter 12 Car Parking, Vehicle and Access Management	**Table 1 –** removing duplication in Residential Accommodation section	Avoiding confusion from duplicate wording
Chapter 13 Childcare Centres	**13.1.22 Waste and Recycling Service** a) Childcare Facility is defined in accordance with *Fairfield Local Environmental Plan 2013* b) To support the provision of a safe and efficient waste collection service within Childcare Facilities, designated waste and recycling storage and collection areas to be provided in accordance with section 8.5.3 of the *Fairfield City Council Development Control Plan 2013*. c) The scheduled collection of waste and recycling streams to be conducted outside of hours of operation. d) The kerbside presentation of waste and recycling streams is not an acceptable solution	Revised wording for waste and recycling service
Chapter 14 Subdivisions	**14.4.4 Waste and Recycling Service**	Revised wording for waste and recycling service

Chapter	Amendment	Purpose for the Change
	a) Councils waste collection service to be provided to all residential dwellings in accordance with section 496 of the *Local Government Act 1993*. b) To support the provision of a safe and efficient waste collection service, designated waste and recycling storage and collection areas to be provided for each dwelling in accordance with section 5A.7.6 of the *Fairfield City Council Development Control Plan 2013*. c) All applications submitted to Council to be accompanied by detailed architectural plans and a swept path analysis. The swept path analysis must: i. Demonstrate compliance with Australian Standards (AS) 2890.2 for a Heavy Rigid waste collection vehicle ii. The preparation of the swept path models to be in accordance with the Austroads Design Vehicles and Turning Path Templates (latest edition) iii. Support the provision of a safe and efficient waste collection service to each individual lot utilising Councils standard heavy rigid waste collection vehicle without the need for the vehicle to reverse iv. On-street parking to be provided on both sides of the road to demonstrate a business-as-usual model responsive to local traffic and parking availabilities d) Specifications of Councils standard 10800m heavy rigid waste collection vehicle is outlined in *Appendix H, section 1.7 – 1.9*. e) The use of cul-de-sacs is not permitted within residential subdivisions. Through roads to be provided to support the provision of safe and efficient waste collections. f) For staged developments temporary turning infrastructure to be provided to support unobstructed scheduled collections by Councils standard waste collection vehicle. The temporary turning infrastructure to be removed prior to the commencement of Councils waste and recycling collection service of the subsequent stage.	
Appendix A Definitions	**Recycling Stream** is the diversion of resource materials from landfill, including but not limited to paper, cardboard, glass, steel, aluminium, food, and garden organics, and those associated with Councils circular economy initiatives.	

Chapter	Amendment	Purpose for the Change
Appendix H Model Infrastructure Waste and Recycling	A new attachment with various figures, please find attachment.	Providing details of waste and recycling service related infrastructures

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 3**

SUBJECT: Submission to the Sydney Plan 2026

FILE NUMBER: 25/38123

PREVIOUS ITEMS: 92 - Divisional Update Report - Quarter 4 - Strategic Land Use Planning - Outcomes Committee - 09 Sep 2025

REPORT BY: Andrew Mooney, Executive Strategic Planner

RECOMMENDATION:

That the issues raised in the report form the basis for Council's submission to the public exhibition of the draft Sydney Plan (Attachment A of the report) and in particular Council advise the NSW State Government that:

1. The Plan fails to acknowledge the issues or include the necessary actions that adequately respond to the socio-economic challenges facing Fairfield City that have been de-prioritised by the State Government for too long including:

    1.1 The need for improved access to public transport, including rapid transit systems from within the Fairfield Local Government Area to the Western Sydney Aerotropolis and Western Sydney Airport.

    1.2 The high intake of humanitarian settlement that has occurred in the City over the last 10 years, accounting for 41% of the entire NSW intake that has not been supported by adequate State or Commonwealth funding on community infrastructure required to support this level of intake.

    1.3 The need for greater provision of social housing on State owned land to address the long waiting queues for this form of housing in Fairfield City.

2 The Department of Planning, Housing and Infrastructure needs to acknowledge the issues and opportunities identified in the Fairfield City Infrastructure and Place Prospectus (Attachment C of the report) that are critical for addressing the key strategic planning opportunities as well as the socio and economic challenges facing Fairfield City in coming years.

3 The proposed new centres typologies in the draft Plan are inadequate and fails to acknowledge the strategic significance and contribution that Bonnyrigg, Cabramatta, Fairfield and Prairiewood town centres and number of other medium sized centres of the City play in providing housing, job opportunities, commercial and community services. The centres typology should be expanded to acknowledge the role of the centres of the City.

4 Once additional flood modelling is completed, areas of the City (including Fairfield and Canley Vale town centres) removed by Department of Planning, Housing and Infrastructure from the Stage 2 Accelerated Planning Proposal in 2024, be reinstated in order to deliver the right housing in the right place for the City.

5 Council be updated in regard to discussions with the Department of Planning, Housing and Infrastructure on the matters contained in this report and further implementation of The Sydney Plan as information becomes available.

SUPPORTING DOCUMENTS:

AT-A ⇩	The Sydney Plan - Public Exhibition	69 Pages
AT-B ⇩	The Sydney Plan - Actions	4 Pages
AT-C ⇩	Fairfield City Infrastructure and Place Prospectus	13 Pages

CITY PLAN

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

SUMMARY

The NSW State Government is exhibiting a new strategic land use plan for the Sydney Region, known as The Sydney Plan (Attachment A), to guide future growth and infrastructure provision across the Region with submissions due by the 27 February 2026.

The Sydney Plan (The Plan) applies to all 33 Local Government Areas (LGA) in the Sydney region and contains 22 key actions intended to drive the directions for managing population growth and urban development in the region for the next 20 years. The specific actions that are relevant to Council are referred to in this report and will inform the future review of the Fairfield Local Strategic Planning Statement (LSPS) 2040.

As a result of recent reforms made by the State Government to the NSW Environmental Planning and Assessment (EP&A) Act 1979, The Sydney Plan will replace the current Sydney Region Plan (Metropolis of Three Cities) and associated District Plan (Western Parkland City) that informed the development of the current Fairfield LSPS 2024.

As detailed in the recommendations to this report, the contents and actions of The Sydney Plan fail to acknowledge/address the key strategic issues and opportunities facing the City in coming years, including the levels of socio-economic disadvantage, lack of access to public transport and job opportunities that are currently being experienced by the community. The East-West transportation connection is particularly important and essential for Council to deliver the State's housing targets, unlock future employment opportunities in tourism and industries and to bridge the gap between the East and West by creating one connected, unified city.

These issues have been previously flagged in several Council submissions to various government inquiries and strategies relating to the provision of infrastructure and public transport in the region, including the recent draft Master Plan prepared for the Western Sydney International Airport.

As reported to the September 2025 Outcomes Committee, the Fairfield Infrastructure and Place Prospectus (Attachment C) provides a holistic overview of both the strategic challenges and opportunities for the City and provides a basis for responding to the proposals and actions contained in The Sydney Plan.

To achieve the objectives of The Sydney Plan, Council and the State Government must work in genuine partnership, with a shared focus on addressing Fairfield City's specific socio-economic challenges, infrastructure needs and growth opportunities that are not fully reflected in the draft Plan.

The Fairfield Infrastructure and Place Prospectus provides the basis for Council to respond to the omissions relating to Fairfield City and to inform further discussions with the NSW Department of Planning, Housing and Infrastructure (DPHI). This document provides a clear, evidence-based platform to guide this collaboration, ensuring State policy, infrastructure investment and sequencing decisions align with local priorities and deliver real outcomes for housing, jobs and liveability.

Transparent engagement between Council and the DPHI will be critical to refining The Plan's implementation, resolving identified gaps and ensuring Council can meaningfully contribute towards and benefit from, the Sydney Plan's long-term vision.

The following report provides further background on the above and the key issues relevant to Council's submission. Adoption of the final version of The Sydney Plan is anticipated later in the year.

Background

Under The Plan the State Government aims to deliver balanced growth in the Sydney Region to deliver a more equitable, liveable and economically strong Sydney, now and into the future comprising:

- Rebalanced housing growth, housing diversity, choice of jobs and services throughout the Sydney region.

- Guidance for the delivery of new jobs to support economic activity and population growth, supported by a strong, connected network of job centres.
- A more liveable and vibrant Sydney to enhance quality of life, creating places where people genuinely want to live.
- Productive industrial lands to support their critical role in driving economic growth and implementing the draft Statewide Industrial Lands Policy.
- Resilient and sustainable land-use planning and urban design principles – to enhance environmental outcomes and help to manage natural hazard risk to communities.

The Plan is underpinned by 22 actions (Attachment B) that underpin the above outcomes that are applicable to the DPHI and councils.

The actions relevant to Fairfield City Council will be largely addressed through the next review of the Fairfield LSPS 2040 and are detailed below.

PROPOSED ACTIONS AND RESPONSE BY COUNCIL

Housing Targets and Affordability

Key actions of The Plan relevant to Council:

- Making affordable housing contribution schemes mandatory for all councils, so every part of Sydney is doing its part to create a more affordable city.
- All Sydney councils to implement new contribution schemes. Developers would pay levies or provide affordable units in certain developments, funding affordable rental housing managed by community housing providers.
- A housing target for the City of 5,900 dwellings.

Key Submission Issues:

Housing Targets

Council's land use planning has provided significant opportunities for a range of housing types to meet future housing needs, with the current capacity in zoned land for an additional 18,000 new dwellings and 10,000 potential additional dwellings under the Fairfield Stage 2 Accelerated Planning Proposal (Stage 2 PP) as outlined in the Fairfield City Local Housing Strategy 2022.

The take up of existing capacity of land zoned for medium and higher density housing is almost exclusively at the discretion of the private sector having regard to demand cycles in the housing market, cost of developing land and developer margins, all matters well beyond Council's control but not so the State and Federal governments. This is clearly demonstrated in the strong market for secondary dwellings in Fairfield City and the continued slow-take-up of the existing supply of R3 Medium Density, R4 High Density and existing narrow lot areas.

In Fairfield City approximately 6,600 additional dwellings (including secondary dwellings) have been completed in the last 9 years (since July 2016), averaging 735 additional dwellings per year. Secondary dwellings accounted for 57 per cent of these completions.

As discussed further below, a revised flood study is currently being prepared to progress areas of the City identified for additional housing under the Stage 2 PP that represent a more viable and realistic option for meeting the housing targets identified in The Plan than the Low Medium Rise housing reforms applied by the State Government to parts of the City in 2025.

Housing Affordability

Council recognises the significant need for affordable housing in its local government area, which ranks as Sydney's most disadvantaged (lowest Socio-Economic Indexes for Area) with high housing stress (20.9% of households affected), low median incomes, long social housing waitlists (over 15 years) and challenges for vulnerable groups like refugees.

Council's Local Housing Strategy 2022 aligns with state plans and prioritises:

- Increasing housing choice.
- Diversity.
- Affordability for very low to moderate-income households.
- Through targeted development in centres and corridors.

It supports mechanisms like secondary dwellings (granny flats) under the State Environmental Planning Policy (Housing) (Housing SEPP) which have added substantial stock. Council does not currently impose mandatory affordable housing contributions due to demonstrated economic unviability in Fairfield (eg. insufficient developer margins on brownfield sites, as per Western Sydney studies). Instead, a more realistic approach in the Fairfield LGA would involve:

- Voluntary contributions via planning agreements in larger developments.
- Given the long waiting queues for social housing (in excess of 15 years) and the extensive State government land holdings in the City, NSW Land and Housing Corporation should significantly increase the supply of social/affordable housing supply in the City, with net additions in social housing renewal projects on state owned land.

For the above reasons, in 2024 Council resolved not to continue with its involvement in the Western Sydney Planning Partnership's draft Western Sydney Regional Affordable Rental Housing Contribution Scheme affordable housing strategy. This project had reached a point at which a resolution to proceed with the exhibition of draft planning mechanisms was required.

As of January 2026, affordable housing planning mechanisms in Western Sydney councils Local Environmental Plans (LEPs) remain limited and uneven. Most councils lack mandatory contribution schemes in their LEPs, with most citing economic viability concerns in lower-value areas. Delivery relies on state policies (eg. Housing SEPP), voluntary planning agreements, or site-specific incentives.

On this basis, it is recommended that Council seek to be exempted from any mandatory affordable housing contributions in the Fairfield LEP 2013 until it can be shown to be economically viable and not restrict housing supply.

Low Medium Rise Housing Areas

The housing actions of The Plan place significant emphasis on the steps taken by the NSW Government in 2025, to increase housing densities around public transport nodes (predominantly train stations) and main town centres in the region under the Transit Oriented Development (TOD) and Low Medium Rise (LMR).

At this stage, no TOD areas have been applied to any of the town centres in Fairfield City, however, as Council would be aware, LMR precincts comprising an 800m walking buffers apply around Fairfield, Cabramatta and Canley Vale town centres.

By and large, the above LMR precincts in Fairfield City permit a range of medium density housing developments that are already permitted in these areas but with additional height allowances (eg. up to 6 storeys for an apartment development) in the R3 zone within 400m of a railway station. However, many of the above LMR areas around the above centres are affected by flooding, meaning the LMR incentive cannot be utilised.

Regardless of flooding constraints, previous analysis undertaken as part of Council's adopted Residential Housing Strategy 2025 suggests that the incentives contained in the State government LMR reforms are unlikely to generate a significant increase in new housing in any of the above LMR precincts. This is due to such factors as existing small lot sizes and extent of property amalgamation required incentivise use of the LMR provisions.

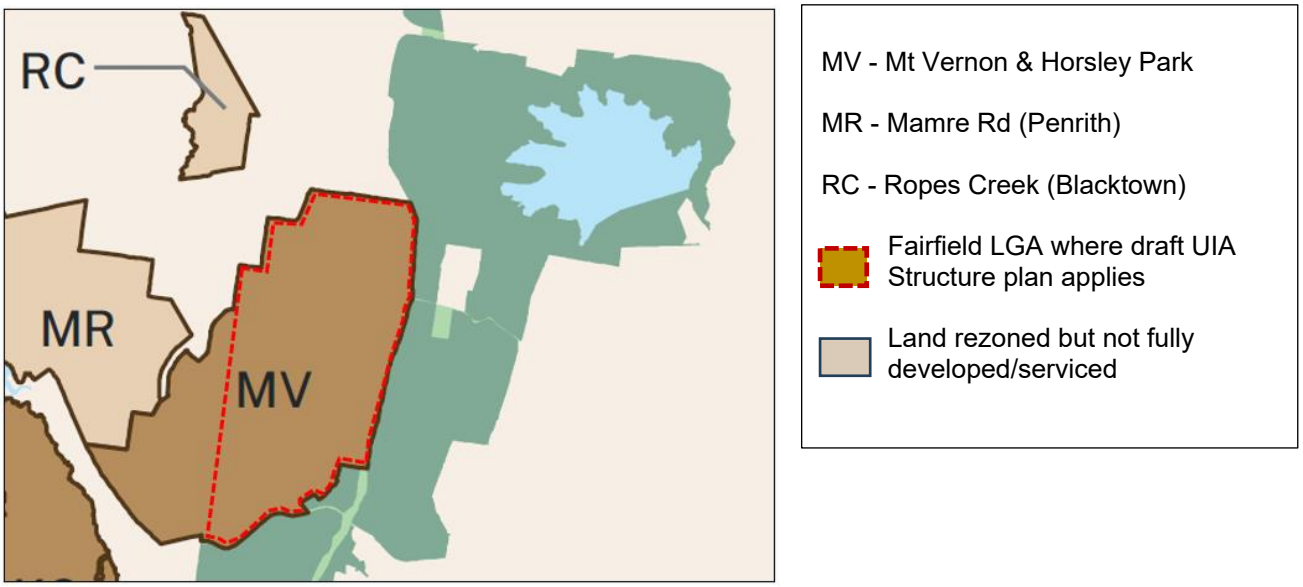
In this respect, the strategies and initiatives included in Council's adopted Local Housing Strategy 2020 are more 'fit for purpose' for the housing conditions and needs of the City and provide a realistic platform for delivering the right housing in the right place in the City. The initiatives contained in the Fairfield Local Housing Strategy underpin the LEP proposals aimed at delivering new housing in and around the centres/railway stations in the eastern area of the City under the Stage 2 PP that were rejected by the NSW DPHI in 2024.

In early 2025, following further representations made by Council, advice was received from the Secretary of DPHI supporting reconsideration of areas removed from the Stage 2 PP subject to revised flood investigations taking place. These investigations are nearing completion and at this stage timed to be reported to Council mid-2026.

Based on the above, a recommendation is included in this report that reconsideration of the Stage 2 PP should the form basis for replacing the LMR precincts that are unlikely to deliver significant levels of new housing in the eastern area of the City adjoining the town centres and rail stations.

Horsley Park and Cecil Park Urban Investigation Area

The Plan identifies a number of future greenfield growth precincts across the Region, that includes the Horsley Park and Cecil Park Urban Investigation Area (UIA) (below) incorporating the suburb of Mt Vernon in the Penrith LGA.



Greenfield Precincts (Extract from The Sydney Plan figure 42).

As this stage, the Sydney Plan indicates that the DPHI will be responsible for developing "a medium-term sequencing plan for greenfield precincts in Sydney" timed to commence in 2027-28 and on-going.

Key Submission Issues:

As Council would be aware, in 2018/19 Council collaborated with the former Greater Sydney Commission to develop a draft Structure Plan for the Horsely Park and Cecil Park UIA to identify the capacity for future urban development in the area. As shown in the figure above, the Structure Plan also incorporated land located in Mt Vernon (Penrith).

Further work by Council on the UIA Structure Plan has been on hold, awaiting clear commitment by the State Government to the infrastructure required to service the UIA, including sewerage, new/upgraded roads and an east-west rail connection from Parramatta to the Western Sydney Airport incorporating a passenger rail station in Cecil Park.

In 2022, the State Government designated Council as the lead agency for overseeing further work on the UIA Structure Plan. It is understood that the abovementioned action of the Sydney Plan effectively transfers this responsibility to the DPHI, who will be developing a 'sequencing plan' (in 2027-2028 and ongoing) to determine the timing for future investigations into the scope for urban development in the UIA.

In brief, this will largely rely on a commitment by State Government to ensuring delivery of the infrastructure required (including public transport, new roads, sewer, water) to service major urban development in the precinct before rezoning of the UIA for 'intensive' urban development could be considered. The restrictions that the State Government placed on sensitive land uses in Horsely Park affected by the Western Sydney Airport 20 Australian Noise Exposure Concept noise corridor in 2020 remain a significant obstacle for residential development in the area.

At this stage, the implications of the sequencing plan for progressing the UIA draft Structure Plan are unknown and will be dependent on a number of factors, not least the staging of other greenfield areas (total of approximately 40 of varying size) in the region that have already been rezoned for urban development and timing for delivery of the infrastructure, community services, public transport and new roads necessary to these precincts.

As part of further preparation of The Plan, Council officers will be meeting with representatives from DPHI to seek further clarification on the above issues having regard to Council's adopted position on the need for appropriate infrastructure and a passenger rail station in Cecil Park to allow the UIA Structure Plan to progress.

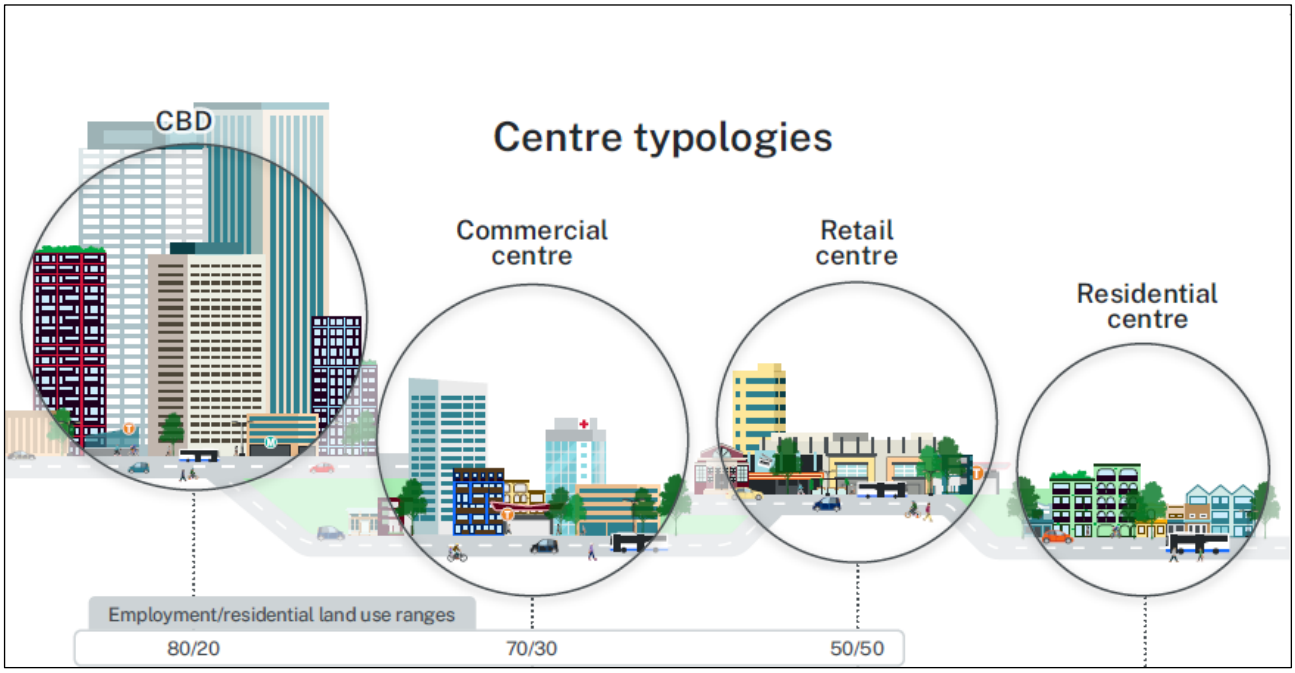
The Horsley Park and Cecil Park UIA represents Fairfield's largest remaining strategic growth precinct for housing and employment. Its delivery, however, is entirely contingent on State-led infrastructure and sequencing decisions beyond Council's control. Realising this opportunity will require clear State commitment to infrastructure delivery before any rezoning can responsibly proceed.

Further updates/report regarding the above will be provided to Council as information becomes available.

Commercial and Retail Centres

As shown in the image below, The Plan includes a new simplified 'Centres Typology' for retail and commercial centres in the Region that does not align with Council's current structure/hierarchy of centres, including the zones that have been applied to these centres under the Fairfield LEP 2013.

Fairfield town centre is the only town centre in the City 'acknowledged' under The Plan, being categorised as a 'retail centre' offering a range of social, cultural, civic and transport infrastructure mostly serving local catchments. The other main centres of the City including Bonnyrigg, Cabramatta, Prairiewood town centres, all the remaining medium sized centres (eg. Fairfield Heights, Canley Heights, Canley Vale, Villawood) and smaller local shopping centres (approximately 33 in the City) are not adequately acknowledged in The Plan.



Extract from The Sydney Plan - figure 22.

As shown in the above figure, the centres typology is also accompanied by various employment/residential land use ratios.

Key Submission Issues:

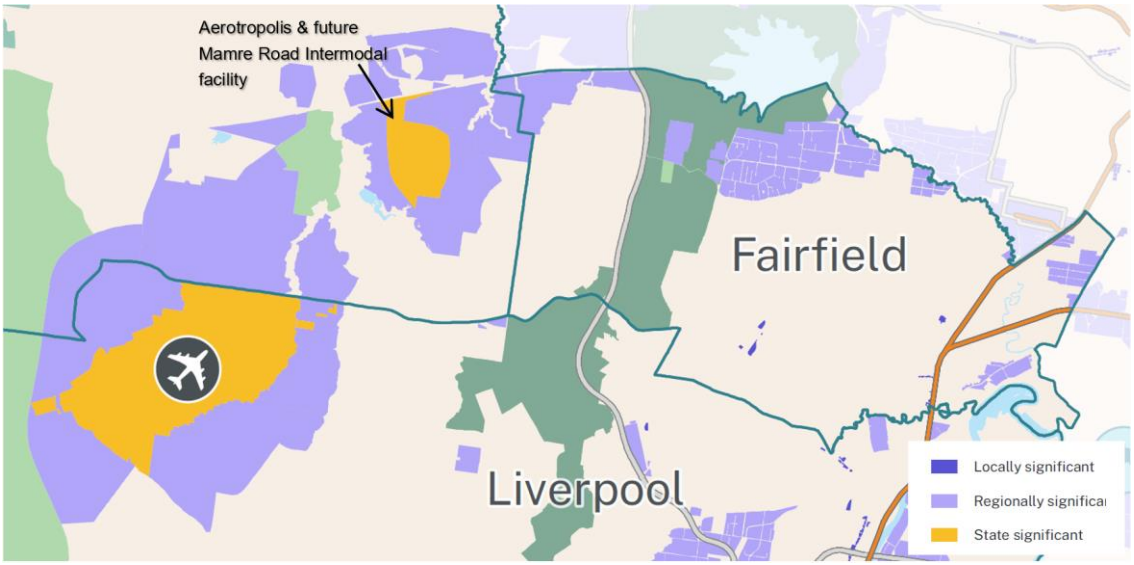
The proposed centres typology is considered deficient in many respects, not least in delivering the aims of The Plan of balanced and equitable growth in the region. The deficiencies of the centre's typology, uncertainties and problems it will create for the community and Council include:

- The Plan completely overlooks the strategic importance of centres and underestimates the cumulative contribution these centres make to economic activity, job creation, vitality, provision of housing, social services and infrastructure for the community and the need to consolidate these roles/functions into the future.
- The proposed actions of The Plan fail to clarify the strategic implications of the centre's typology for the region, including existing centres not covered by the typology and centres that are identified as emerging 'retail' or 'commercial' centres.
- Ignoring emerging centres or centres that have strategic potential (eg. Prairiewood, Bonnyrigg, Cabramatta) to support economic growth and activity may influence private sector investment and development decisions to their detriment.
- It is unclear if the existing zone structure and permitted uses applying to the main town and local shopping centres under the Fairfield LEP 2013 would need to be changed if the above simplified typology is mandated.
- Based on the recent employment zone reforms implemented by DPHI, it is unclear what these simplifications and changes are intended to achieve and may instead cause confusion and uncertainty for landowners and the community.

- There is a proposed ratio of employment to residential land uses for each of the centre typologies which does not represent Council's existing centre characteristics or align with Council's retail structure and the provision of residential development within each of the corresponding zones.
- It is unclear if land around these centres would need to be rezoned to accommodate the proposed ratio of employment to residential. Or if, the draft centre typology boundaries extend beyond the employment zone boundary to encompass adjoining R4/R3 land.
- Another consideration is the flood constraints within some centres such as Fairfield and what this may mean for the proposed 50:50 employment to residential ratio.
- If the goal of the draft 'A New Approach to Strategic Planning' document is "to make planning priorities and policies easier to navigate and implement", then consideration should be given to a centre typology and zoning structure which provides councils with the ability to draft local plans and controls that ensure the scale and function of all centres are appropriate to their location and deliver development outcomes that are compatible with the prevailing character and amenity of surrounding land.
- A Sydney-wide policy does not have the ability to factor in local considerations and impacts such as surrounding zoning, trade area catchments and potential economic impacts on adjoining centres. The Fairfield LSPS 2040 provides the framework to implement State directed employment and housing target as well as other economic, social and environmental considerations. Council should be permitted the flexibility to develop local plans which respond to these targets using embedded knowledge of local characteristics, opportunities and constraints.
- Supporting Council's to established SEPs is critical but an additional action should be to support their long-term sustainability post-establishment.

Industrial Lands

The Plan will apply a new industrial lands categorisation of State, Regional and Local significance to all industrial (employment) precincts in the region. As shown in the image below, all of the large-scale industrial lands in Fairfield (eg. Smithfield/Wetherill Park, Fairfield East, Yennora, Lansdowne) will be classified with regional significance while the smaller precincts adjoining Bonnyrigg, Cabramatta and Fairfield town centres that are currently zone E3 Productivity Support will be classified as having local significance.



Industrial Lands Categories

The industrial lands categorisation system is accompanied by a new draft 'Statewide Policy for Industrial Lands' that contains a number of criteria that will need to be applied to development proposals and rezoning of land in industrial lands and will also guide State government decision making in relation to the prioritisation of infrastructure required to sustain industrial activity and provision of jobs in the region. The following table provides an overview of the key criteria applying under the above categorisations.

State Industrial Lands	Regional Industrial Lands	Local Industrial Lands
• Areas that include or are directly linked to critical state or nationally significant infrastructure such as nationally significant airports, ports, intermodals and defence facilities. • Protected from incompatible land uses to give certainty around allowed activity that are crucial to national and state supply chains.	• Contribute significantly to regional economies and the broader city function or provide infrastructure that supports the region through employment and economic contribution. • Support a broad range of industries and employment opportunities and have strategic network importance. • Generally, exclude major retail and commercial uses that are ordinarily located in a centre.	• Have smaller local catchments that serve the immediate area and lack critical mass. • Do not meet the metrics for state or regionally significant. • Support diverse employment opportunities and may accommodate complementary nonindustrial uses following an alternative use assessment.

Key Submission Issues:

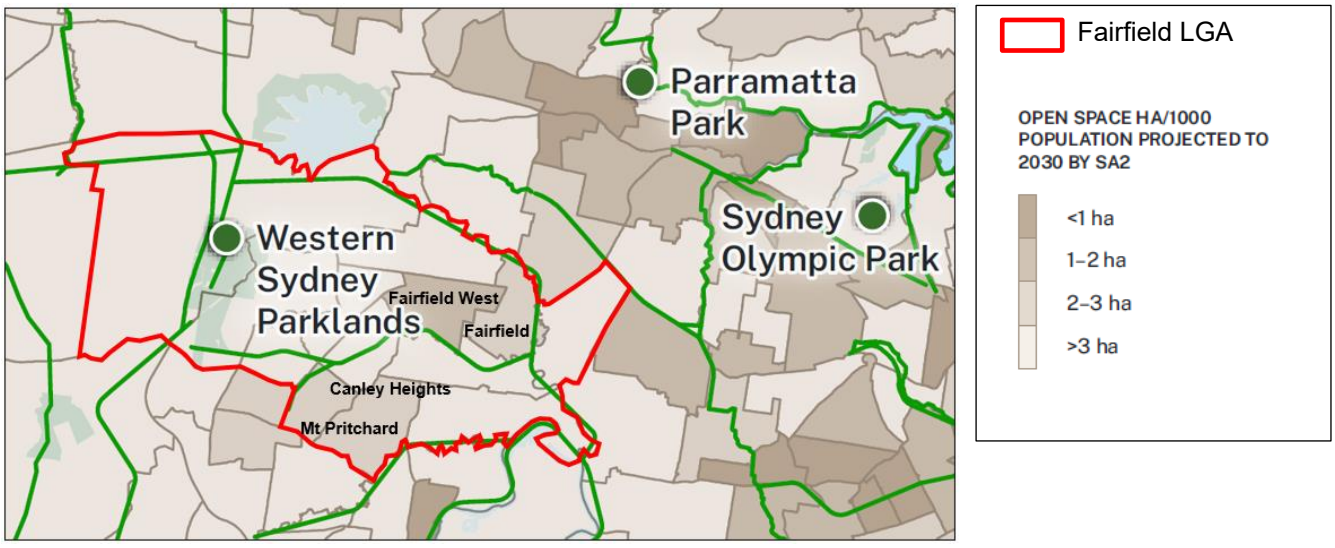
In summary, key issues/questions relating to the above industrial land categorisation system include:

- What will be the criteria followed under the Industrial Lands Policy to prioritise infrastructure funding by the State government to support regionally significant industrial lands and how will the process work? This information should be publicly available.

- The Department needs to undertake a cost benefit analysis to justify the allocation of funding of new infrastructure for 'greenfield' industrial precincts as opposed to the upgrade of existing infrastructure to sustain growth and job creation in established regional industrial lands such as those located in the Fairfield LGA that play a critical role in job creation and economic development.
- The regionally classified industrial lands located in Fairfield City provide significant potential in supporting future economic growth and development for the region given Fairfield's close proximity to the Aerotropolis and Western Sydney Airport.
- In particular, the Fairfield industrial lands support a far broader range of industrial uses and activities than a number of the emerging industrial estates in Western Sydney that are dominated by warehousing/logistics uses and data centres that are more aligned to the retail chain and not a major employment generator.
- In contrast, both the local and regional industrial lands of Fairfield City are more aligned with domestic markets and supply lines and are an incubator for new businesses, aspiring entrepreneurs and job opportunities within the region.
- There is limited existing and planned transport infrastructure in major manufacturing/industrial lands like Wetherill Park. The actions of The Plan do not provide any outcomes or initiatives that will support industrial land not connected to public transport growth centres.
- There needs to be collaboration between the State and Federal Government to implement programs and high-level policy measures to sustain local manufacturing in the region, including but not restricted to research and development, start-up business and support, advice and access to information regarding new technology and emerging markets.

Open Space

The Plan will require the review of "Councils existing and future open space provision and identify local opportunities to align with NSW Government's open space outcomes". As shown in the image below, this includes areas identified for high priority open space.



Extract from The Sydney Plan - figure 39 (5-year high priority open space).

Key Submission Issues:

At the time this report was being prepared, Council officers were awaiting more detailed data from the DPHI to obtain a more detailed understanding of the above priority open space map and implications for Council. At this stage key issues and matters that need to be better understood are as follows:

- It is unclear what data/information DPHI has relied on to identify areas that will become deficient in open space.
- The map shows Cabramatta and Villawood having significant open space, however, in line with the Western City District Plan and Council's Open Space Strategy there are particular pockets of those suburbs with very poor access to open space. As a consequence, Council's Local Infrastructure Contributions Plan identifies acquisition sites due to the existing deficits and future demand.
- The open space targets are based on per capita provision, however under Council's Open Space Strategy and as part of rezoning land for increased housing a range of other, more 'determinate' metrics have been used to inform open space requirements including community needs (ie. passive or active recreation), scope for embellishment of available open space, acquisition costs, location and connectivity to open space.
- It is unclear from the information provided in the above open map if it includes land for environmental conservation and environmental management. If so, this would not be a realistic representation of usable open space required to the support the recreation needs of the community.
- The Plan is silent on how additional open space will be delivered under private sector rezoning proposals. There needs to clear requirements/guidelines to require provision of open space (particularly for larger proposals) in areas that are identified as being deficient in open space provision.
- Any acquisition and embellishment by Council to meet open space targets need to be supported by State funding including funds that have been collected through via state housing productivity contributions.

At this stage, further analysis and discussions are required with the DPHI to be understand the open space proposals contained in The Plan and further information will be provided to Council when it becomes available.

Canopy Cover, Blue-Green Grid Corridors

A critical action of The Plan is for councils to "Develop locally appropriate canopy and greening targets" and is based on delivering a number of goals of the State government for the region including:

- Increase tree canopy cover across Sydney to 40%.
- Reduce urban heat island effects that are severe across Western Sydney.
- Enhance blue-green grids to provide an opportunity to improve access to public open space by connecting waterways and green infrastructure.
- Provide health and wellbeing benefits for those communities with at least 30 per cent canopy cover.

The Plan also states that "Councils should lead the strategic planning of local urban forests to maximise the cooling benefits of trees and green cover". Outcomes relating to canopy cover, blue-green grid are also directly linked to actions of The Plan relating to provision of open space (above).

Key Submission Issues:

Under a number of adopted strategies, Delivery and Operational Plans, Council is already committed to a number of initiatives aimed at protecting/enhancing canopy cover as well delivering outcomes relevant to the regional plan blue-green grid as follows:

- Bushcare and creek care programs - maintenance and planting works as part of creek bank stabilisation including planting up to 15,000 indigenous trees and reduction in priority weeds by 60% to encourage canopy growth.
- National tree planting day - planted new trees at Orphan School Creek riparian corridor (Bossley Park) in 2025, with a new site selected for June 2026.
- Bushland management plans for Cabramatta Creek, Diamond Crescent bushland management plan, indigenous flora fauna park and Sartor Crescent bushland management strategy.
- Nursery programs including 4000 indigenous trees, shrubs and ground covers given away for free to the community every year.
- Biodiversity Strategy 2022 – In line with the NSW Biodiversity Act, provides an overall framework for the protection and conservation of biodiversity, waterways, threatened species and ecological communities across the City.
- Street Tree Masterplan 2023 – identifies approximately 60,040 tree planning opportunities in the City that prioritises planting in areas impacted by the heat island effect and associated with social disadvantage. Includes a current schedule for planting 333 trees per annum over 10 years.
- Catchment Management – ongoing program of restoration and rehabilitation works along the creeks of the City as well as provision of stormwater infrastructure and pollution control measures to mitigate stormwater run-off and enhance water quality in creeks.

The regional plan indicates that development on privately owned land will need to play a role in increasing canopy cover in the region. In this respect, it is noted that various forms of development and housing, including informal housing (eg. studios, outbuildings) are permitted under the SEPP Exempt and Complying that results in excessive site coverage with no areas remaining for landscaping and tree planting measures to contribute to the tree canopy targets included in The Plan.

In this respect, for DPHI to deliver the objectives of the regional plan aimed at increasing canopy cover on private land the DPHI needs to undertake a review of the above SEPP to facilitate better on-site landscaping and pervious areas under exempt and complying developments.

Local Infrastructure Contributions

The Plan briefly mentions local infrastructure contributions (previously referred to as development contributions) and includes 2 related actions for Council and 1 NSW Government action:

- Review local contribution plans relating to Low and Mid-Rise Housing areas designated under the Low and Mid-Rise Housing Policy (Council) (Action 2.6) (2026).
- Regularly review infrastructure contribution plans to reflect infrastructure priorities and staging through the UDP and ELDP (Council) (Action 5.4) (Minimum every 4 years, aligned to Council delivery programs).
- Publish best practice guidance for councils when planning for and providing local infrastructure (NSW Government) (Action 5.2) (2026-27).

Key Submission Issues:

The Fairfield City Local Infrastructure Contributions Plan 2023 (s.7.11 & s.7.12) is a 20-year plan which is based on population and housing forecasts to 2041. As referred to previously the LMR permits increased housing densities in residential zones within 800m of town centres and train stations, including Fairfield Station and town centre, Cabramatta Station and town centre and Canley Vale Station.

The Contributions Plan 2023 is based on forecast population and housing, including dual occupancies and semi-detached which were already permissible in the R2 Low Density Residential zone in the Fairfield LEP 2013. The population and housing forecasts also considered the future housing growth through the Stage 2 LEP, including apartment development around Fairfield City centre, Cabramatta town centre and Station and Canley Vale Station. A review in 2026 of the Contributions Plan 2023 in relation to Low and Mid-Rise Housing Policy (Action 2.6) is therefore not required.

A review of the Contributions Plan 2023 is scheduled for 2029 (5 years after its commencement), however, to satisfy Action 5.4 of The Sydney Plan, the review can be brought forward 1 year to 2028 which is 4 years after its commencement. This will enable inclusion in Council's Delivery Program 2029/30 to 2032/33.

The preparation of best practice guidance for planning and providing local infrastructure (Action 5.2) is supported, provided there is extensive consultation with local councils and there is no reduction in the type of local infrastructure that can be collect via s.7.11 contributions and s.7.12 levies.

Public Transport and Traffic Management

As referred to previously, The Plan includes a broad discussion of public transport issues relevant to the region that focuses on the steps taken by the NSW Government during the course of 2025 to implement the TOD and LMR housing reforms across the region aimed at stimulating the provision of new housing around public transport nodes, including Cabramatta, Canley Vale and Fairfield town centres.

However, the contents of The Plan and associated actions listed in Attachment B do not acknowledge or address the needs of Fairfield City and other areas of Western Sydney that are currently deficient in terms of access to adequate public transport options.

This includes no mention or any action relating to the provision of an east-west passenger rail line from Parramatta to the Western Sydney Airport with stations in Fairfield City (eg. Cecil Park, Prairiewood) or the need for rapid transport connections (including buses) directly from any of the urban areas of Fairfield City to the Western Aerotropolis and Airport.

As is highlighted in the Fairfield Infrastructure and Place Prospectus, significant areas of Fairfield City are devoid of modern transport connections and is a major factor driving the high level of socio-economic disadvantage for Fairfield community, who have an excessive reliance on private motor vehicle transport for gaining access to job opportunities and job progression that is placing further pressure on household incomes.

The local and state road networks traversing the Fairfield LGA are facing increasing pressure from the growth in regional passenger and freight related vehicle movements. These pressures on the road network of the City are likely to increase in the near future as a result of opening of the Western Sydney Airport later this year and new development (including warehousing logistics development) occurring in the Aerotropolis.

The regional plan is completely devoid of any acknowledgement or actions that relate to this issue and the eventual need to upgrade a number of key roads and intersections in the City including Elizabeth Drive, The Southern Link Road, The Horsley Drive and Cowpasture Road as well as the local and regional roads connecting to the state roads.

In recent years, the above issues have been consistently raised in discussions with State government agencies and Council submissions to State government inquiries and strategies relating to infrastructure and transport planning measures required to service future urban development in Western Sydney.

In this respect, the ‘do nothing’ approach and lack of actions in the regional plan represents a significant risk for compounding the current levels of socio-economic disadvantage being experienced in the City as well the pressures being placed on existing infrastructure.

The Fairfield City Infrastructure and Place Prospectus includes a framework for addressing the above issues and highlights a number of strategic land use planning opportunities and actions that are aimed at addressing the above challenges.

CONCLUSION AND NEXT STEPS

The scope and actions of the draft Sydney Plan feature a number of major oversights and deficiencies in regard to socio-economic challenges, strategic issues and opportunities facing Fairfield City in coming years.

The recommendations to this report and the Fairfield Infrastructure and Place Prospectus provide the basis for Council to respond to the omissions relating to Fairfield City and to inform further discussions with the NSW DPHI.

Council will be kept informed of the outcomes of discussions with the DPHI with further reports concerning the next steps involved in the implementation of The Plan.

Andrew Mooney
Executive Strategic Planner

Authorisation:
Manager Strategic Land Use Planning
Director City Strategy

Outcomes Committee - 10 February 2026

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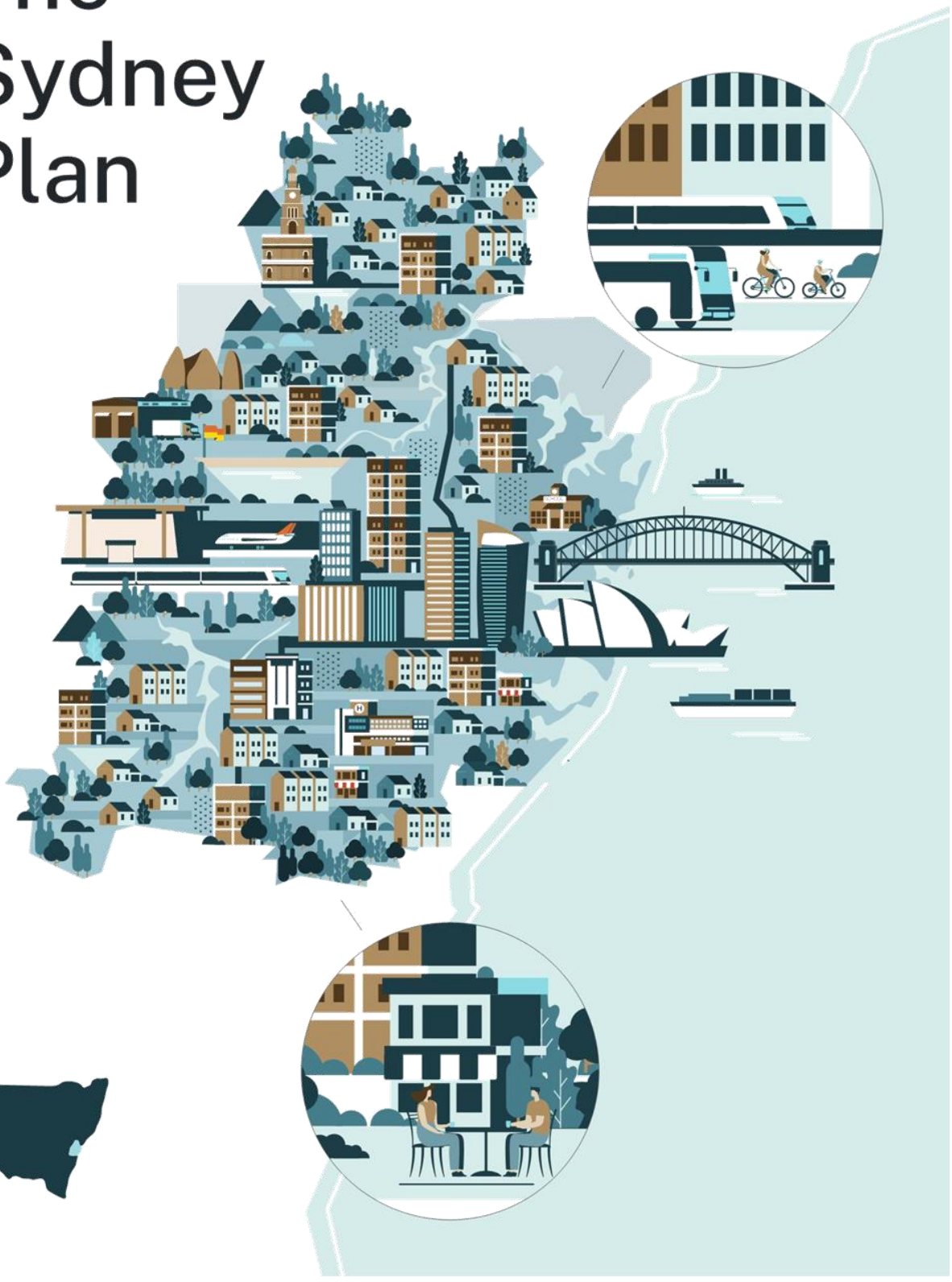
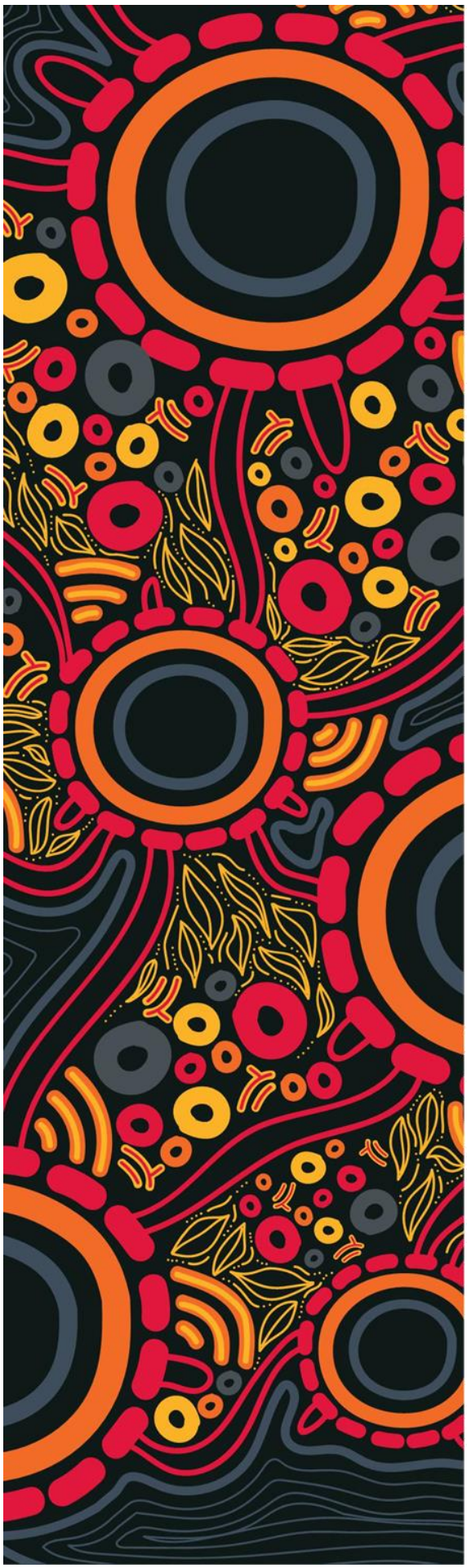
***** END OF ITEM 3 *****

Department of Planning,
Housing and Infrastructure

NSW GOVERNMENT

The Sydney Plan





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the Eora, Dharawal, Dharug and Darkinjung lands on which we live and work in the Sydney region. We pay our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

The Department recognises that Aboriginal peoples are part of the world's oldest living culture, through their on-going custodianship as Traditional Owners and knowledge holders for the lands and waters of which we live and work. We pay respects to their leaders, past and present, and their responsibilities and on-going rights to Country forged through ceremony, protocol and self-determination since time immemorial.

Using comprehensive and respectful approaches, planning can build capacity and pathways for knowledge sharing between the Aboriginal and broader communities of Sydney.

Artwork by Kyara Fernando (Dunghutti woman)

Published by NSW Department of Planning, Housing and Infrastructure

The Sydney Plan

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Minister's foreword



Sydney is a city with enduring strengths and immense potential. Our people are diverse, skilled and resilient. As we grow, we must ensure that everyone has the opportunity to live in a home that is safe, affordable, and close to the things that matter – jobs, schools, transport, and open space.

The NSW Government is responding to the housing challenges felt across our city with urgency and ambition. By unlocking more homes in the right places – where people want to live close to friends and family and where communities can thrive – we are making it easier to build a choice of homes our city needs without compromising on quality or liveability.

A key part of this approach is embracing smarter land use strategies. We are prioritising Transport-Oriented Development to create vibrant, walkable communities around public transport hubs. We are enabling low-and mid-rise housing in well-located areas to provide more diverse and affordable housing choices, while respecting the character of our neighbourhoods. These initiatives will help deliver more homes near jobs, services, and infrastructure – reducing commute times and improving quality of life.

But homes alone are not enough. That's why we are aspiring that people not only have access to housing, but also to jobs close to where they live. By improving connections between homes and jobs, we are building a city that functions for workers, for families, and for businesses. Protecting and strengthening employment and industrial lands will further provide critical spaces that support jobs, local manufacturing, innovation and economic prosperity.

We are also taking a responsible approach to managing development. This means protecting people and property by avoiding building in flood-prone areas, aligning infrastructure with growth, promoting sustainable built form and preserving the natural and cultural assets that make Sydney unique. It also means shaping the city in a way that delivers opportunity for all.

All levels of government, industry, the development sector, and communities have an important role to play. The draft Sydney Plan reflects the NSW Government's commitment to equity, growth, and long-term thinking. It is a plan for Sydney that works – for today and for generations to come.

The Hon. Paul Scully

Minister for Planning and Public Spaces

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Introduction

The area known as Sydney has been inhabited and cared for by Aboriginal peoples[1] for at least 65,000 years.

Today, Sydney is home to one of the fastest growing populations in Australia. The population will increase by 23% over the next 20 years.

This draft Sydney Plan (plan) sets out how the NSW Government will address growth in Sydney over the next 20 years.

In doing so, the plan provides a clear picture of how state and local government can leverage land use planning to address challenges and optimise opportunities in the region. This plan identifies what must be done today to secure the right land use outcomes in the short, medium and long term.

The plan applies to the 33 local government areas (LGAs) shown in Figure 1 and it informs:

- local strategic planning and assessment processes
- infrastructure planning and prioritisation
- public and private investment decisions.

Once finalised, the Sydney Plan will replace the *Greater Sydney Region Plan – A Metropolis of Three Cities* (2018) and associated district plans. It accords with the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The plan uses the term 'Sydney' and 'Sydney region'. The draft Sydney Plan applies to the same 33 LGAs as the 2018 Greater Sydney Region Plan. A Ministerial Order will declare the 'Sydney region'. Under EP&A Act amendments yet to commence, all strategic planning regions will be declared by Ministerial Order and include, revoke and replace provisions for regional and district plans.



1 The Department of Planning, Housing and Infrastructure works with Aboriginal peoples, their communities and entities who engage with, access or are impacted by its services and actions. This includes Aboriginal-owned businesses, Aboriginal community-controlled organisations such as Local Aboriginal Land Councils and Prescribed Body Corporates (the representative bodies for native title holders).
Based on the Department's engagement, this plan uses the term Aboriginal to mean Aboriginal and Torres Strait Islander peoples and cultures. This acknowledges that these are not interchangeable. It is important in this context and stakeholder group that the plan uses the term Aboriginal but acknowledges other terms such as First Nations and People/s.

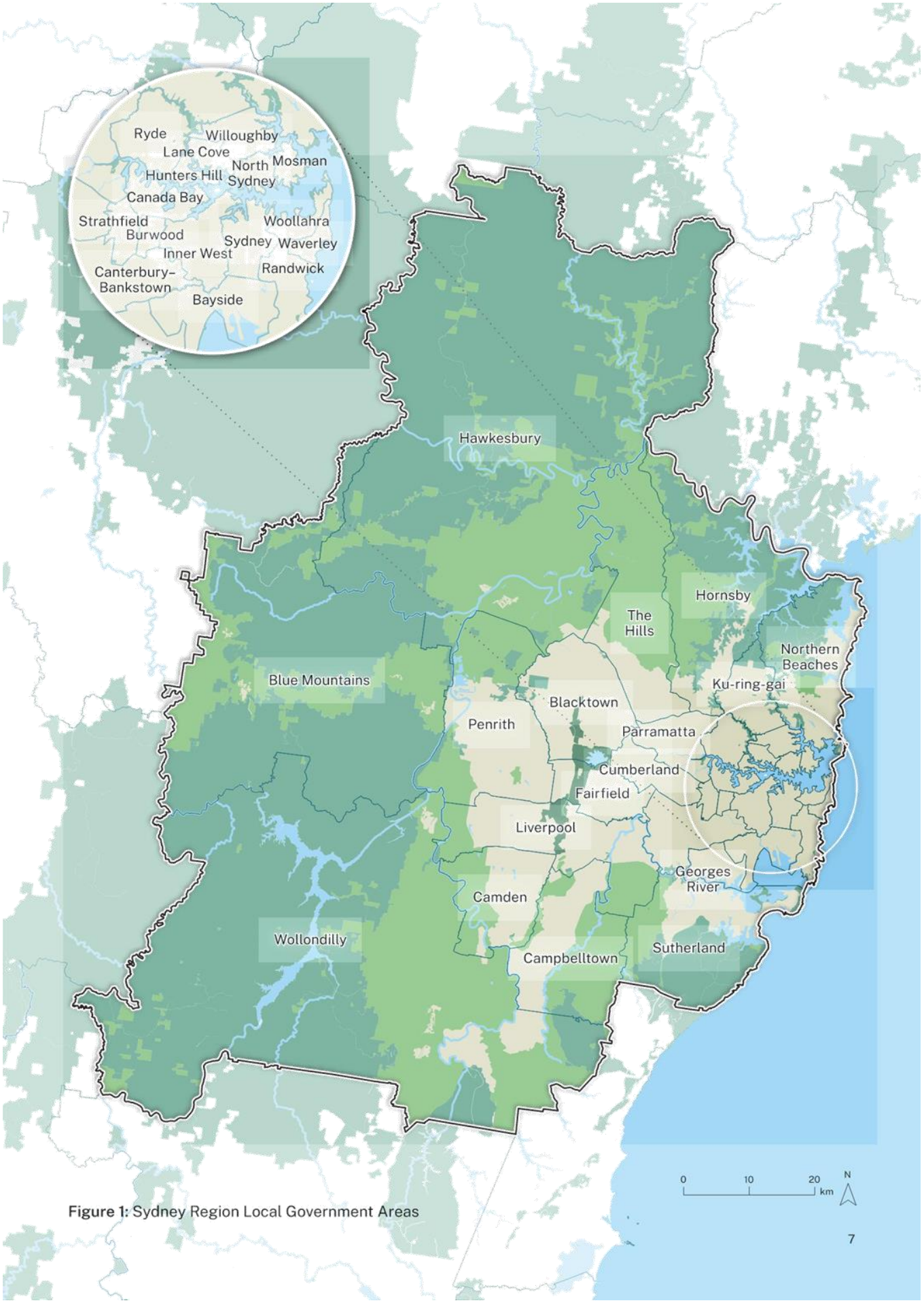

Figure 1: Sydney Region Local Government Areas

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Figure 2: Structure overview



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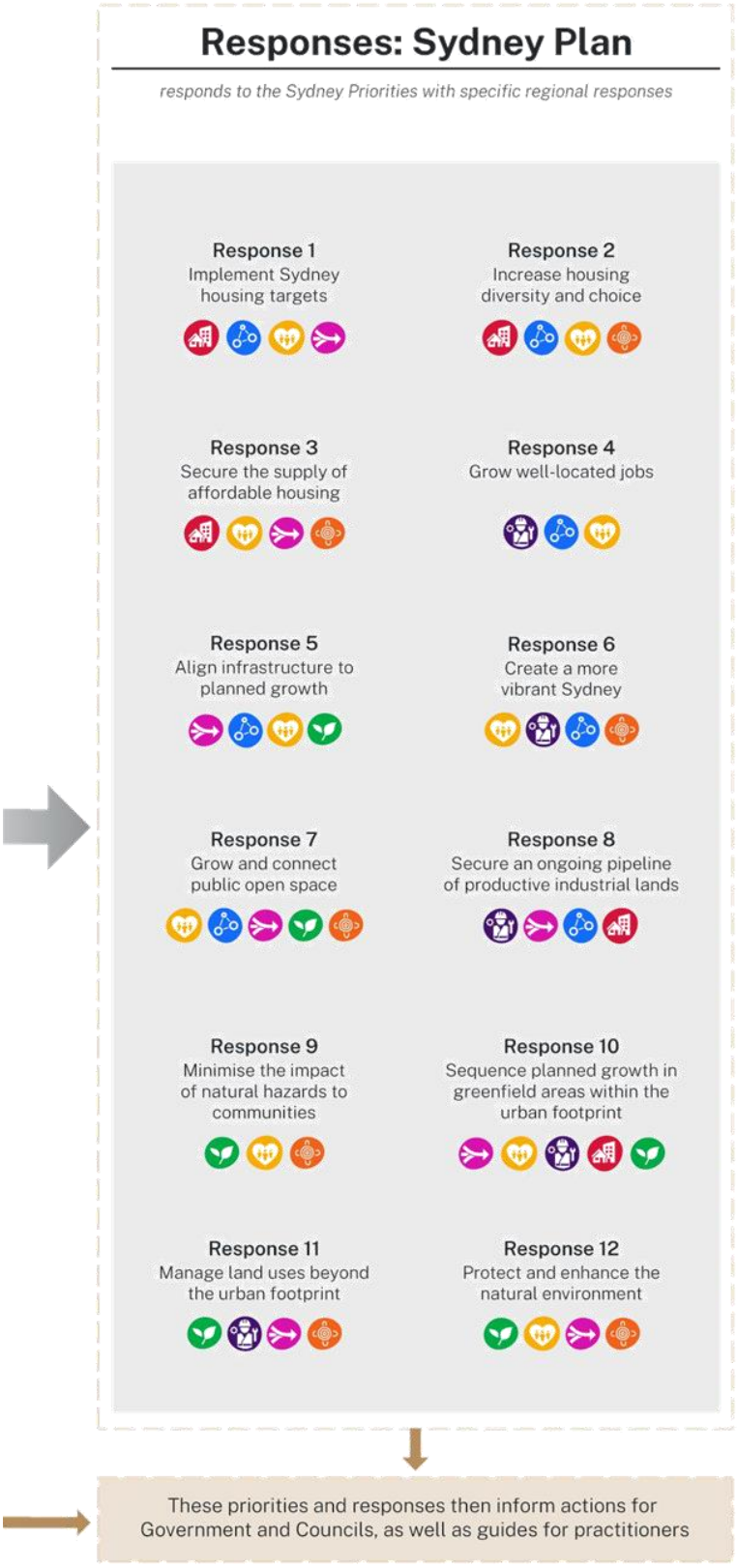

How to use the plan

The draft Sydney Plan is released alongside *A new approach to strategic planning – discussion paper* that outlines state land use priorities (Figure 2). The draft Sydney Plan applies these priorities to the Sydney context. It addresses these priorities with specific policy and planning responses.

As a single response may address multiple priorities, the plan uses icons to identify which priorities apply to each response. Responses focus on interventions to support Sydney's growth and development.

Actions apply to the Department of Planning, Housing and Infrastructure (the Department) and local government. The plan contains actions for implementation over the next 5 years aligned with the 20 year direction for Sydney's growth. A monitoring, evaluation, reporting and learning framework will support the implementation.

Responses may be updated to align with significant decisions, such as major infrastructure investments. Likewise, actions may be updated as new projects and programs are confirmed, or through improvements identified by the reporting framework.

For the purposes of the EP&A Act, priorities are objectives and responses are strategies.

The technical appendices contain technical information and guidance for Councils, practitioners and others to support implementation.

The draft Sydney Plan focuses on land use issues, challenges and opportunities in the Sydney region. NSW Government actions in the plan are within the remit of the Minister for Planning and Public Spaces. The plan has considered relevant State environmental planning policies, infrastructure and resilience plans under the *Infrastructure NSW Act 2011* and *NSW Reconstruction Authority Act 2022*, relevant land use policies and plans and other matters as directed by the Minister and Planning Secretary. This plan should be read in conjunction with other NSW Government infrastructure and servicing plans.

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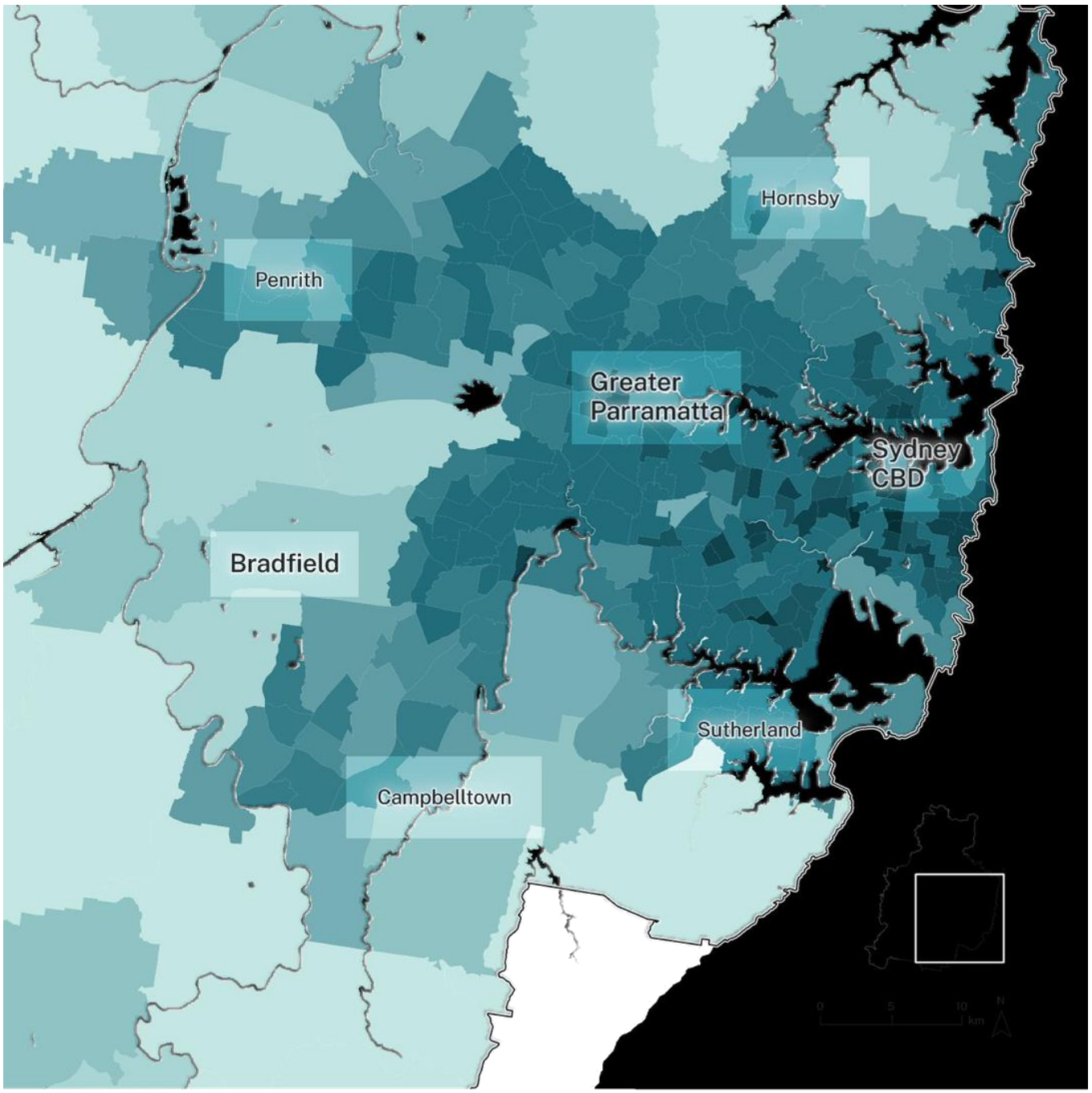

Figure 3: Population density in 2025

Sydney region boundary

POPULATION DENSITY (2025 SQUARE KILOMETRE) BY SA2

<50 | 50–100 | 100–250 | 250–500 | 500–1,000 | 1,000–1,500 | 1,500–2,500 | 2,500–5,000 | 5,000–7,000 | 7,000–10,000 | >10,000

Where SA2s have very small populations the model uses Collapsed SA2s. These are referred to as SA2s throughout this plan for consistency with the Australian Statistical Geography Standard.

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A growing and changing region

This draft Sydney Plan is shaped by the many drivers that guide land use planning — charting a path for a globally competitive and sustainable Sydney that supports a growing population and a dynamic economy (Figure 4).

Population

In 2025, the Sydney region is home to 5.3 million people. By 2045, it will be home to 6.5 million people, a 23% increase.

The drivers of population growth have evolved, and overseas immigration is now the biggest contributor. Almost half the region's residents were born overseas and most people who arrive in NSW from overseas settle in Sydney. This makes up for the loss of people moving to regional areas and interstate. It also offsets declining birth rates and sustains productivity through a sufficiently large labour force.

Sydney's population is ageing. Nearly half a million more people will be 65 or older by 2045 and people aged 85 or older will double. By contrast, people under 20 will represent a smaller share of the population in line with broader national demographic changes. While older people will increase faster than working aged people, Sydney's working age population is expected to grow by almost 19% over the next 20 years.

Population growth will continue across Sydney, with the highest population densities remaining in the east (Figure 3). Population will continue to be highest in the east of the city due to existing infrastructure over the next 20 years and beyond, while the west is expected to see an increase in growth in the long term as new areas become more serviced and more liveable.

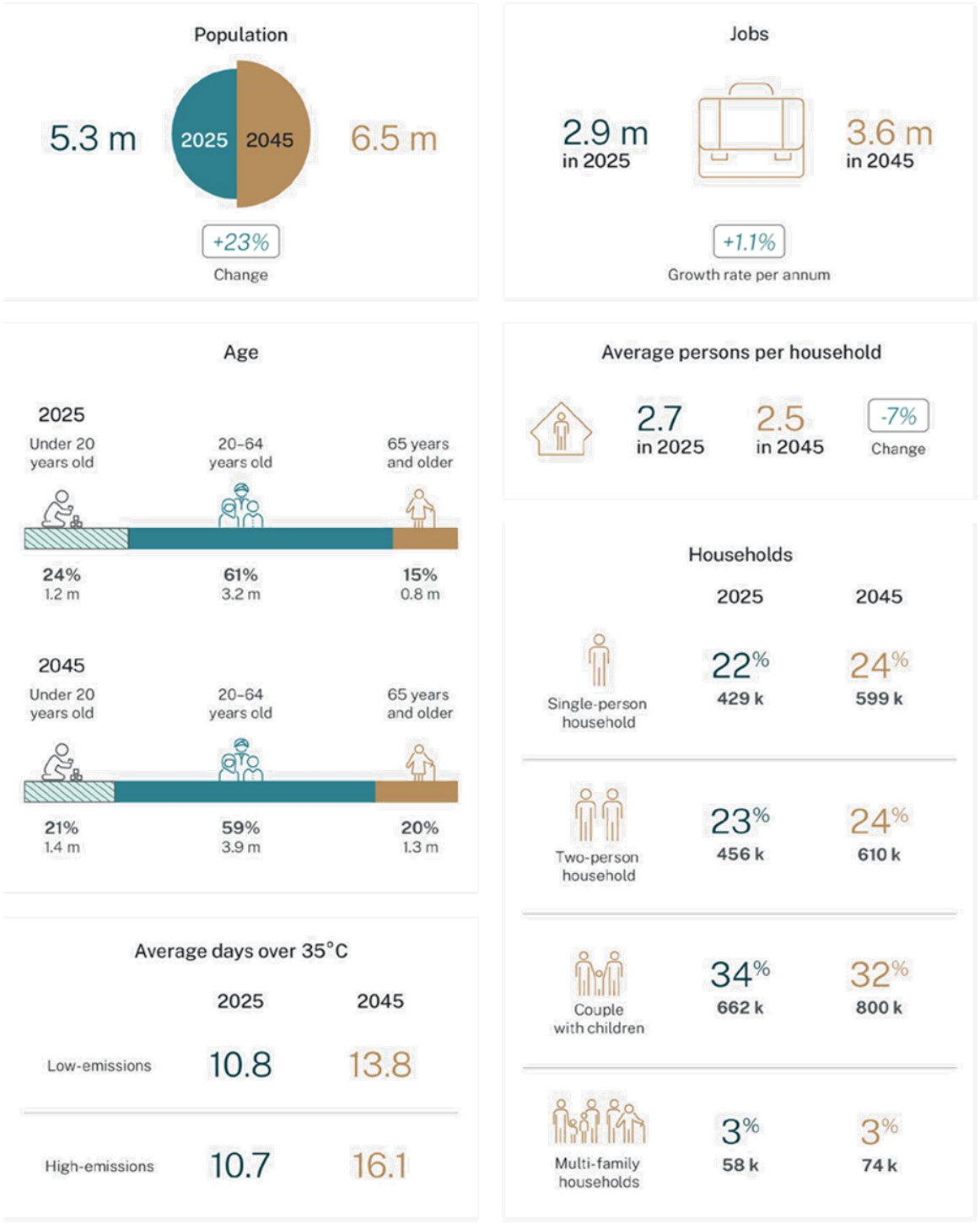


The Urban Development Program (UDP) monitors land supply and development, assisting in coordinated delivery of infrastructure to support new housing.

Where relevant, the plan makes reference to the same areas that are used to coordinate the UDP. This includes Eastern Sydney (north), Eastern Sydney (south), Central Sydney, and Western Sydney (see Appendix C for a list of LGAs in each UDP area).

Introduction

Figure 4: Sydney snapshot



Source: DPHI 2025; NARCliM2.0 2025

Employment and the economy

Sydney boasts Australia's largest local economy, generating billions of dollars annually and influencing economies beyond its geographic boundaries (Figure 5). In 2024, it accounted for around 19% of Australia's economy.

Sydney is a centre for global financial markets, highly diversified industries and leading education facilities. Its growing workforce includes highly skilled local and international workers employed in a range of sectors (Figure 6). Attracting and retaining talent will maintain competitiveness and drive innovation. Employment is expected to grow by around 700,000 jobs over the next 20 years across the Sydney region.

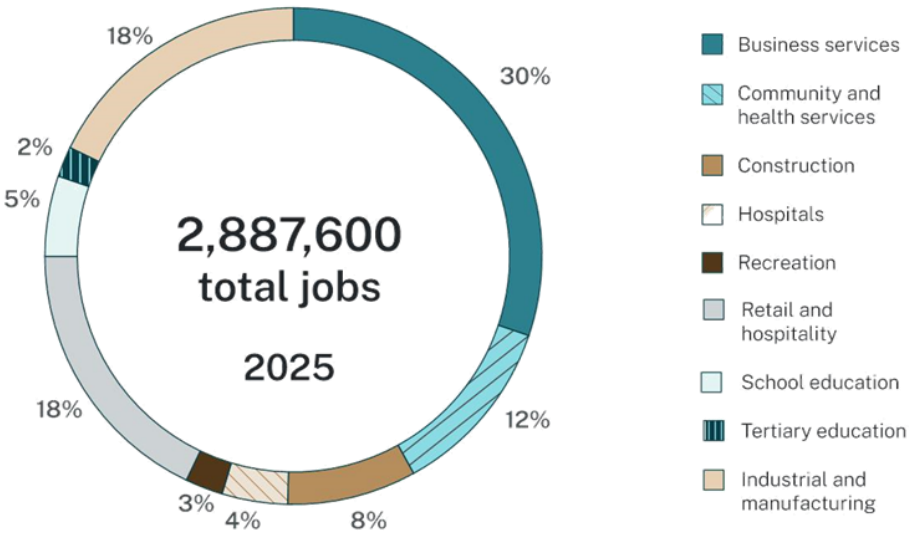
Western Sydney's size, growth and strength in manufacturing, construction, warehousing, and transport and logistics contribute to its $79 billion input to Sydney's economy. Despite this, historical growth patterns and Sydney CBD's economic role mean most jobs, including 75% of Sydney's business services jobs, are in the region's east.

Sydney's geographic location allows for connections across the state, nationally and internationally. It serves as a major international hub along the eastern seaboard to support the state and nation's global trade and investment.

Figure 5: Gross regional product in 2025 ranked by economic region
Source: REMPLAN 2025



Figure 6: Employment by industry group in Sydney in 2025
Source: DPHI 2025



Housing and lifestyle

People love Sydney's natural beauty and outdoor spaces, the region's culture and entertainment, its diverse and inclusive communities, and its economic opportunities and world-class infrastructure.

A growing and changing population, and a significant housing affordability gap, affects the choices of Sydney's households. For example, households are getting smaller, more families are choosing apartment living and people's preferences are changing as they age (Figures 7 and 8).

Accessibility to a choice of affordable housing, jobs and services have an impact on the opportunities available to people. While commute times vary across the region, imbalances in housing and location of jobs extend these commutes for many people, particularly for communities in the west.

Figure 7: Household population change in Sydney
Source: ABS 1981 and 2021; DPHI 2025

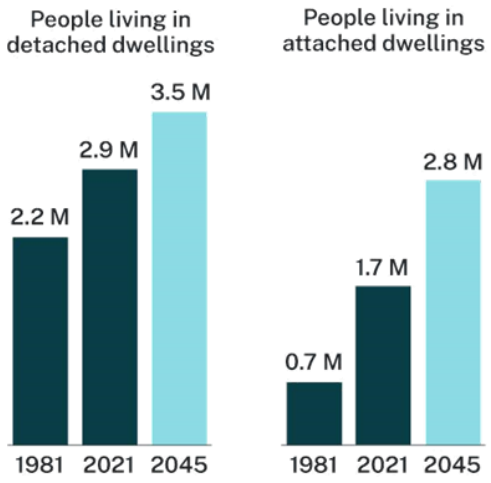


Figure 8: Average persons per household change in Sydney Source: ABS 1981 and 2021; DPHI 2025

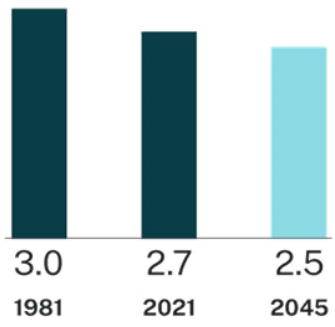
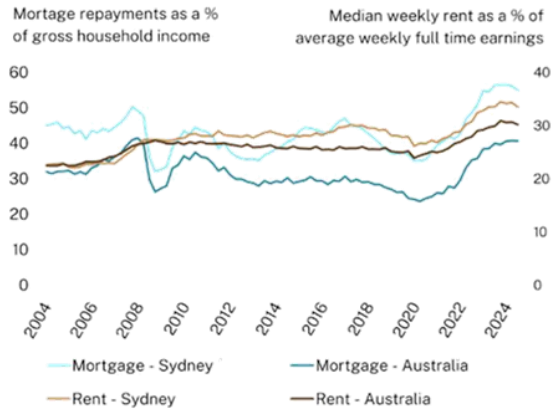


Figure 9: Housing affordability
Source: DPHI 2025



The cost of living and house prices also influence quality of life. Housing prices across the region rose by 57% over the 10 years to 2025. Housing affordability is significantly worse in Sydney compared to the rest of Australia. A lack of supply is driving up prices making both home-ownership and renting increasingly unaffordable (Figure 9).

To meet the demands of population growth and change, as part of the National Housing Accord, the NSW Government has committed to a statewide target of delivering 377,000 new homes between 2024–2029, of which Sydney contributes 264,000 homes.

Natural environment and climate

Sydney is a biodiverse region. Its natural resources and ecosystems include scenic landscapes, coasts and waterways, rural areas, native vegetation and drinking water catchments. Parks, beaches and public spaces connect people with nature within the urban environment.

Population and economic growth coupled with changes in climate will continue to challenge the resilience of the region. There is a clear need to maintain a growth pattern that is disaster resilient and adaptive to change.

Sydney is expected to experience more frequent extreme heat days, intense rainfall events and droughts - with impacts more acute in the west. These natural hazards will present ongoing risks to the natural and built environment, which underscores the need to continue to build resilience and adaptation into our communities.

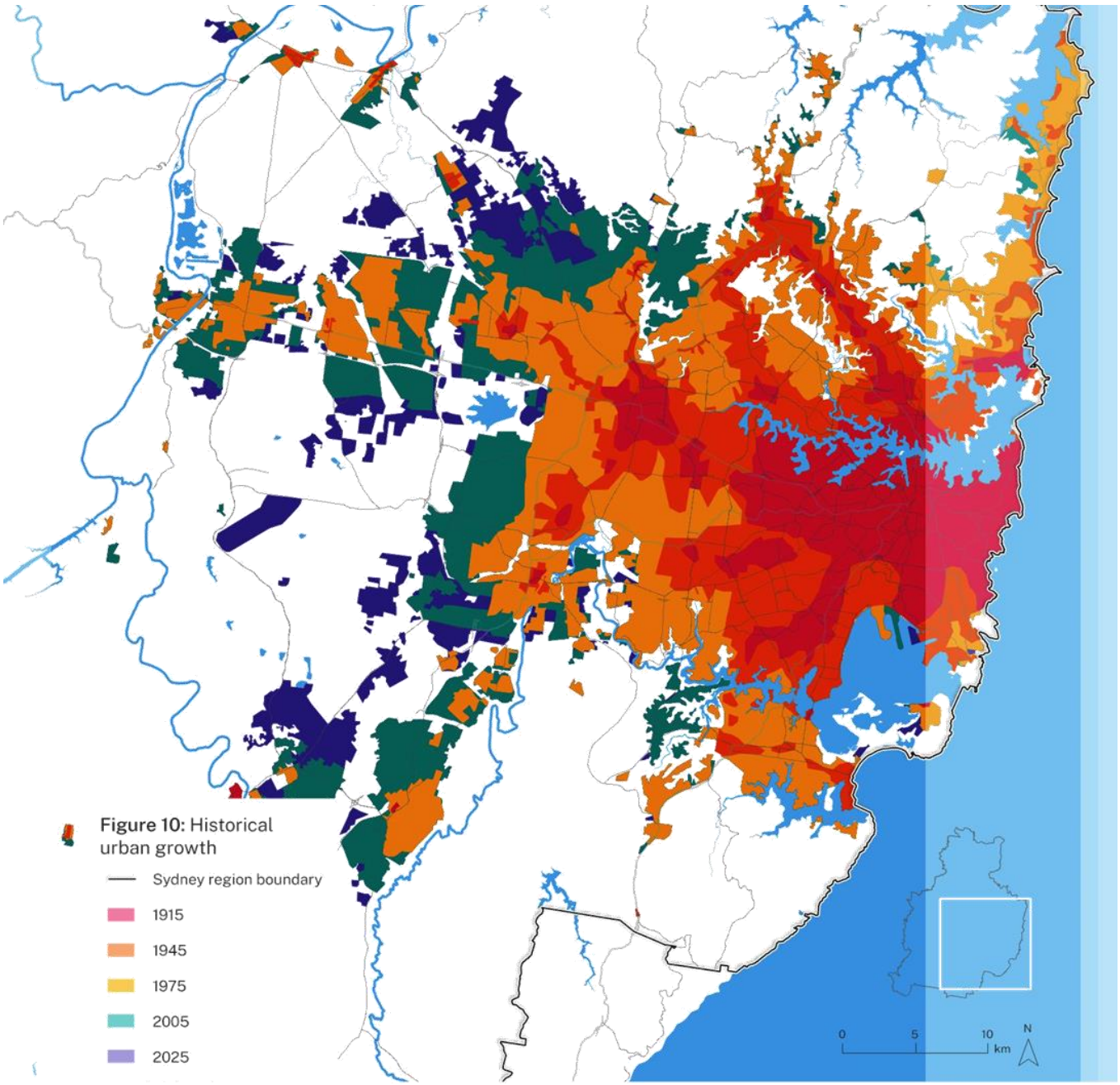


Figure 10: Historical urban growth

Urban growth pattern

Sydney's growth pattern has been strongly influenced by its natural borders: the Hawkesbury River to the north, Woronora Plateau and national parks to the south, Sydney Harbour and the Pacific Ocean to the east and the Blue Mountains to the west.

With many parts of the region not limited by natural boundaries, urban expansion has occurred due to population increases and the growth pattern over the past decades that was heavily influenced by the use of private cars (Figure 10). Dispersed settlement patterns have created challenges for access, equity and the environment.

This plan focuses on providing homes and jobs for Sydney's growing population, centred around better utilising infrastructure and rebalancing future growth to reduce the urban sprawl of the Sydney region ever outwards. The greatest share of existing infrastructure and amenities is in the east of the city. The future urban settlement pattern will focus on rebalancing housing growth in established areas in the east and build out to the west over time as areas become serviced and liveable.

The network of connected centres across the Sydney region creates an opportunity to develop new housing in areas that offer a range of economic and social assets alongside local facilities. In a similar approach, planning for industrial lands will focus on accessibility to key freight routes.

The Sydney Plan

Sydney is a leading global city, particularly in its economic influence and as a gateway to Australia. The Sydney Plan sets out a clear future for the region as it grows and develops.

Sydney will be a thriving and resilient region. It will offer diverse housing, access to quality jobs, and opportunities for all residents to prosper.

As the population continues to grow, the region will be strategically rebalanced to maximise the use of existing infrastructure. Strong housing growth will be concentrated in the east. As greenfield areas in the west become serviced and liveable, further growth to the west may be facilitated. Medium and high-density housing will reshape many urban areas around public transport corridors — expanding housing choices, encouraging walkable neighbourhoods and strengthening community connectivity.

A network of forty-three interconnected centres will distribute a large share of jobs and services across the region, anchored by three CBDs – Sydney CBD, Greater Parramatta and Bradfield. New jobs in Sydney will grow rapidly. This will open additional opportunities in business services, education, health and manufacturing industries to become even more accessible in the west as new transport infrastructure comes online.

Both employment and residential centres will be focal points that support density and a mix of economic, cultural and entertainment activities – day and night.

Sydney will continue to attract investment and high-value economic activities that flow from its position as a national and global gateway facilitated by an international port and working harbour – all connected from east to west by well-located industrial lands along key freight routes.

Sydney's iconic beaches, rivers, national parks and abundant open spaces will remain a major drawcard for both residents and visitors. Combined with the city's temperate climate, these natural assets offer significant opportunities to enhance resilience by harnessing the benefits of the environment. A network of tree canopy, bushland, rivers, creeks and parklands in urban and non-urban areas provide natural cooling and broader environmental benefits. The region's resilience will be further strengthened by preserving and managing these assets and proactively planning for natural hazards and climate-related events.

Sydney's urban landscape sits within a diverse, natural and productive belt (Figure 11). The plan proposes a draft urban footprint for Sydney (Appendix J) that will establish a boundary for urban development bordered by these natural assets. Focusing growth within the urban footprint will protect key environmental areas, manage land uses on the fringe and promote sustainable growth in the right locations.

Planning processes will continue to promote the spiritual significance of land, along with Aboriginal culture and economic self-determination.



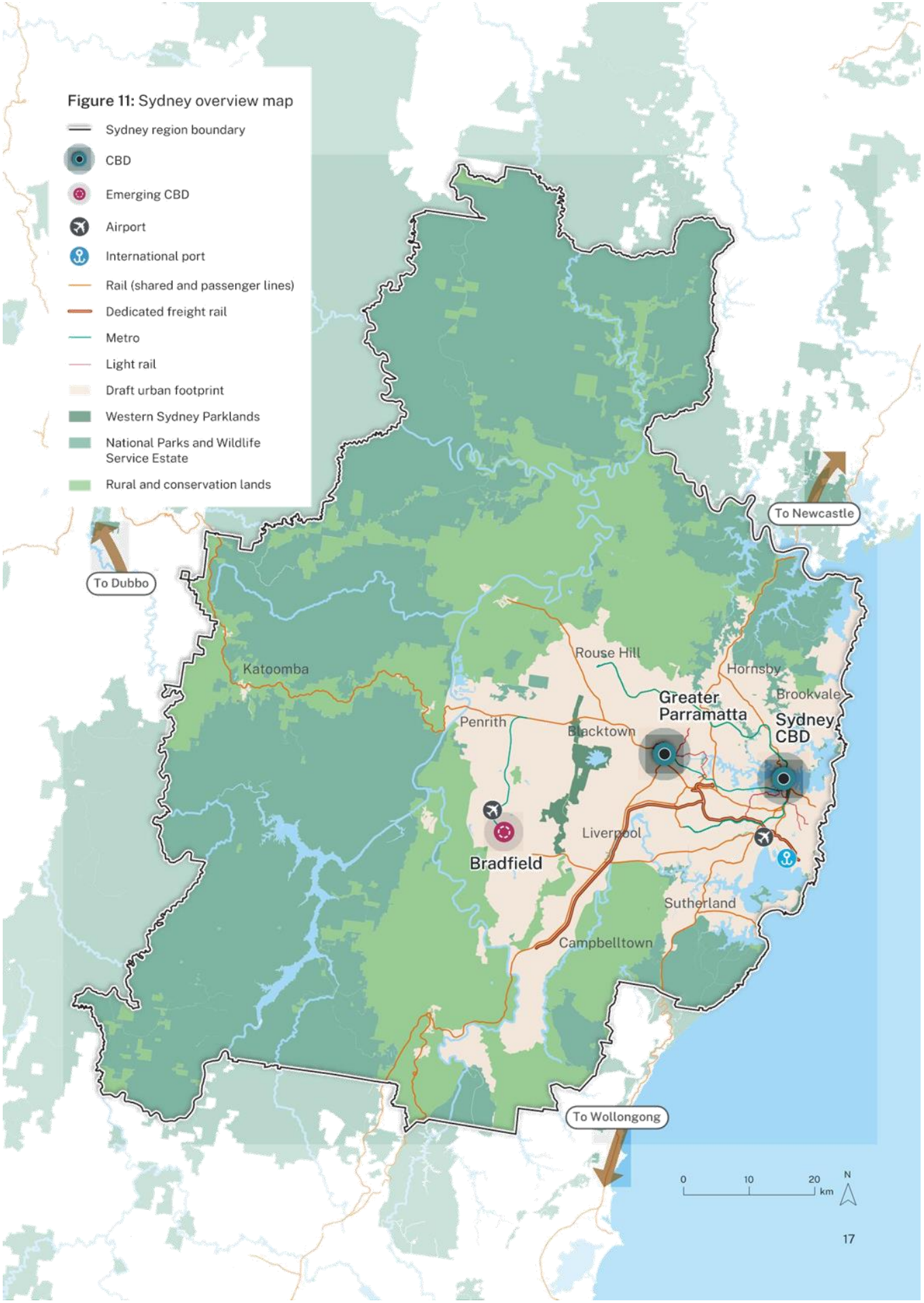


Figure 11: Sydney overview map
Sydney region boundary
CBD
Emerging CBD
Airport
International port
Rail (shared and passenger lines)
Dedicated freight rail
Metro
Light rail
Draft urban footprint
Western Sydney Parklands
National Parks and Wildlife Service Estate
Rural and conservation lands
To Dubbo
To Newcastle
To Wollongong
Katoomba
Rouse Hill
Hornsby
Brookvale
Greater Parramatta
Sydney CBD
Penrith
Blacktown
Liverpool
Bradfield
Sutherland
Campbelltown
0
10
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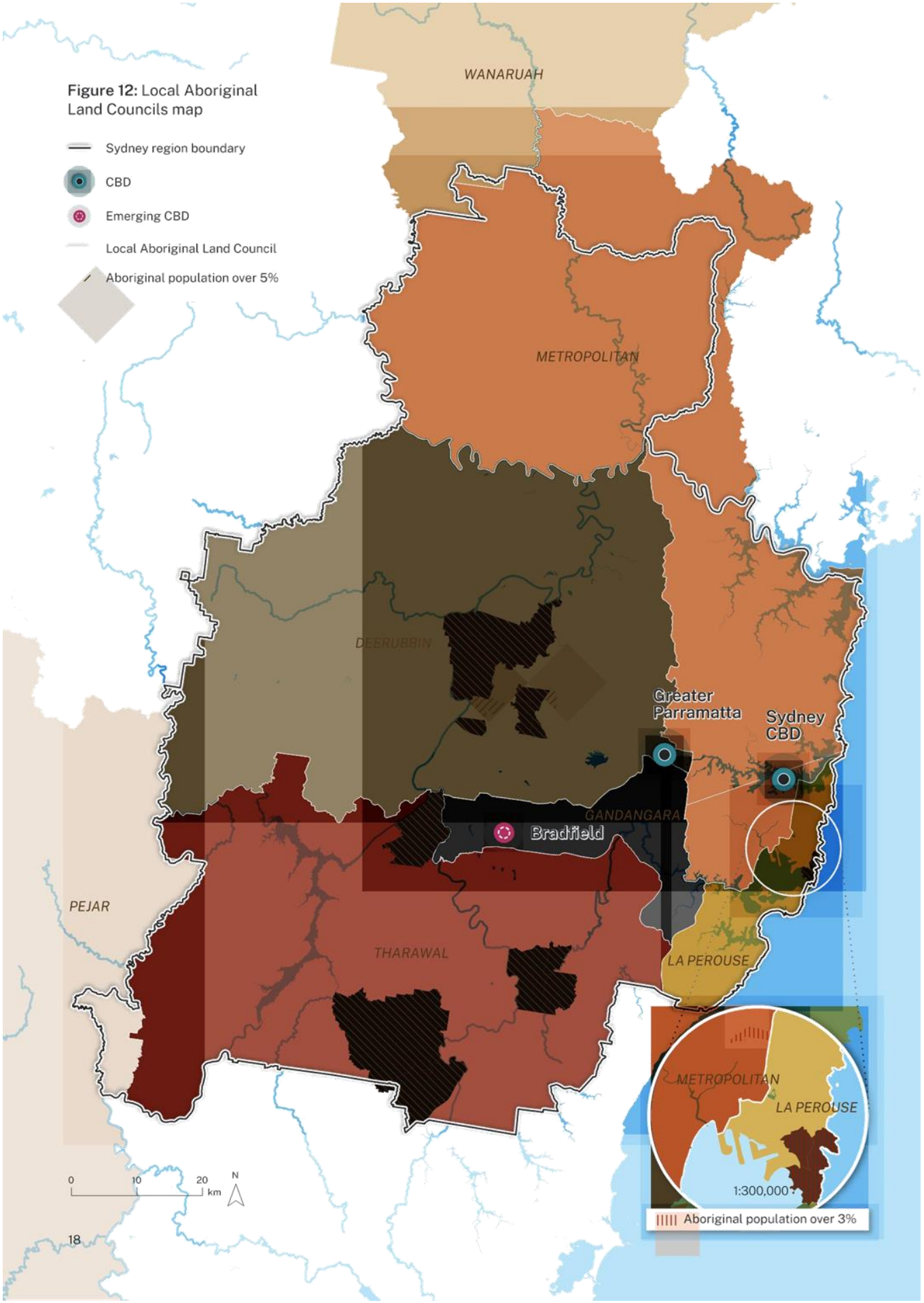
Figure 12: Local Aboriginal Land Councils map
Sydney region boundary
CBD
Emerging CBD
Local Aboriginal Land Council
Aboriginal population over 5%
WANARUAH
METROPOLITAN
DEERUBBIN
Greater Parramatta
Sydney CBD
GANDANGARA
Bradfield
PEJAR
THARAWAL
LA PEROUSE
METROPOLITAN
LA PEROUSE
1:300,000
Aboriginal population over 3%
0 10 20 km
N
18

Priorities

Aboriginal outcomes

Aboriginal peoples have lived and cared for this region for thousands of years. With their diverse community needs, as Sydney grows, strong consideration is required to balance environmental, economic, social and cultural outcomes. These outcomes should be informed by historic and contemporary issues faced by Aboriginal peoples, their culture, and relationship with Country - which refers to land, seas and waterways.

In 2025, 26% of Aboriginal peoples who reside in NSW live in the Sydney region, primarily in western Sydney (Figure 12). As the population is projected to increase and housing affordability remains a challenge, Aboriginal land use planning can provide an appropriate response to keep local Aboriginal people on Country.

Aboriginal landowners[2] face unique land development challenges ranging from environmental and cultural issues, economic and zoning limitations, and the competing interests of existing uses compounded by community expectations for Country.

Self-determination through economic empowerment enables social, cultural and environmental outcomes

It is widely recognised there is an existing economic gap between Aboriginal peoples and the broader community of NSW. To address this disparity, improved coordination by Government is required to increase economic participation for Aboriginal peoples.

Strategic planning can offer an array of economic development opportunities, by embedding co-design within the planning lifecycle for land claimed under the *Aboriginal Land Rights Act 1983* (ALRA) or land determined through the *Native Title Act 1993*.

The ALRA states 'as a result of past Government decisions the amount of land and waters set aside for Aboriginal persons has been progressively reduced without compensation.' In response, the NSW Government administers the Aboriginal Land Planning Framework to help Local Aboriginal Land Councils (LALCs) achieve their land use aspirations.

Enabling Country in planning

Country is commonly observed as central to Aboriginal people's identity and sense of belonging. Co-design is required to facilitate culturally respectful exchange of local knowledge and allows Aboriginal peoples to make decisions on issues that directly impact them, who they represent and their Country.

The NSW Government's State-led rezoning program, informed by engagement with Aboriginal communities, stimulates increased understanding of Country to deliver on Aboriginal land use planning.

Equally, rezoning unlocks planning at a local level and can further inform responsibilities - particularly where many Councils incorporate Aboriginal cultural heritage in local environmental plans, embedding a requirement for assessing building, site and place design.

Certainty for Aboriginal land planning

The NSW Government is committed to working in partnership with Aboriginal landowners, including to deliver on Closing the Gap commitments.

Within the Sydney region, while currently only pursued by existing LALC's, in future there may be Prescribed Body Corporates also wanting to pursue Aboriginal land use planning options. LALC's prepare Land Planning Strategies, such as Community Land and Business Plans, recognising the land use objectives and priorities, approved by its members. Planning authorities must consider these strategies when assessing planning applications.

More certain Aboriginal land planning can be achieved by:

- facilitating suitable land development and activation;
- contributing to NSW State Government Closing the Gap Targets 9 and 15;
- implementing the ALRA, *Native Title Act 1993*
- balancing environmental values alongside economic, housing, social and cultural expression objectives and needs by Aboriginal peoples.

2 See the Glossary in Appendix C for further definitions

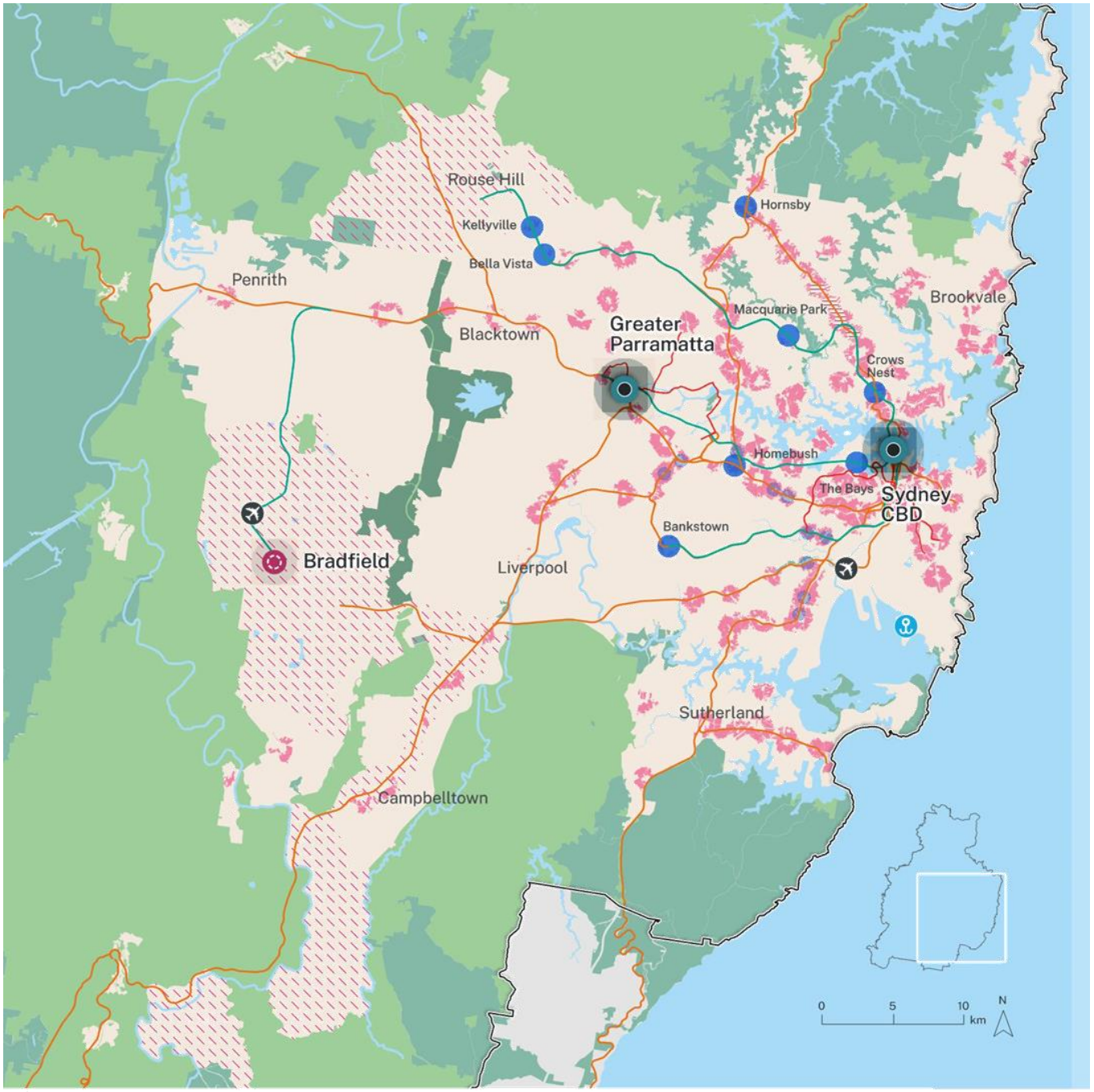

Figure 13: Planned housing growth

- Sydney region boundary
- CBD
- Emerging CBD
- Transport Oriented Development Accelerated Precinct*
- Transport Oriented Development Area*
- Airport
- International port
- Rail (shared and passenger lines)
- Metro
- Light rail
- Indicative Low and Mid-Rise Housing Area*
- Low and Mid-Rise Housing Exclusion Area
- Growth area
- Draft urban footprint
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

Refer to the Transport Oriented Development Program and Low and Mid-Rise Housing Policy

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Priorities: Housed

Sydney will grow to a population of 6.5 million by 2045. This plan aims to give all Sydney residents access to diverse, well-located and affordable homes.

There are currently around 2 million homes in Sydney for its population of 5.3 million people. Housing supply (Figure 14) has not kept up with demand. Population growth and smaller households push up demand, while supply is not always feasible due to macroeconomic conditions including interest rate increases, high construction costs and labour shortages.

As a result, house prices have increased and rental vacancies are low. The limited availability of low-rise attached and medium-density housing across the region (Figure 15) is also an issue.

The cost of housing is a barrier for people to enter the housing market; addressing this is a complex economic and social challenge that needs cooperation from Government and the private sector. Some aspects can be addressed through land use planning; other aspects require broader interventions.

The rising cost of living and complexity of needs drive demand for social and affordable housing.

This plan mandates the 5-year housing targets and encourages Councils to consider policies which increase dwelling mix and housing choice.

The NSW Government has already introduced significant housing reforms to address Sydney's housing challenges – focused on increasing housing supply, particularly in well-located areas, and streamlining the planning process (Figure 13). Key initiatives include the 5-year housing targets, Low and Mid-Rise Housing Policy, Infill Affordable Housing Reforms and the Transport Oriented Development Program. This plan gives effect to existing housing reforms and provides further reform direction for housing and other land use interventions to support growth.

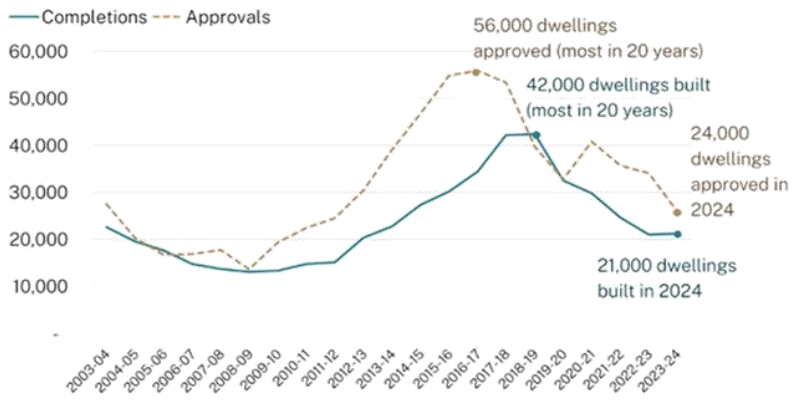


Figure 14: Historical net completions and building approvals in Sydney from 2004 to 2024
Source: Sydney Water, ABS 2025

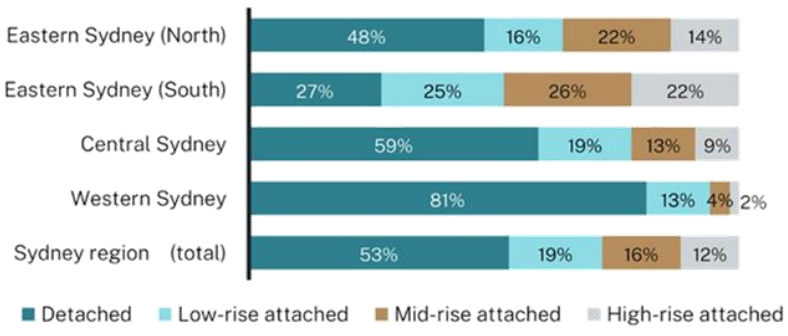
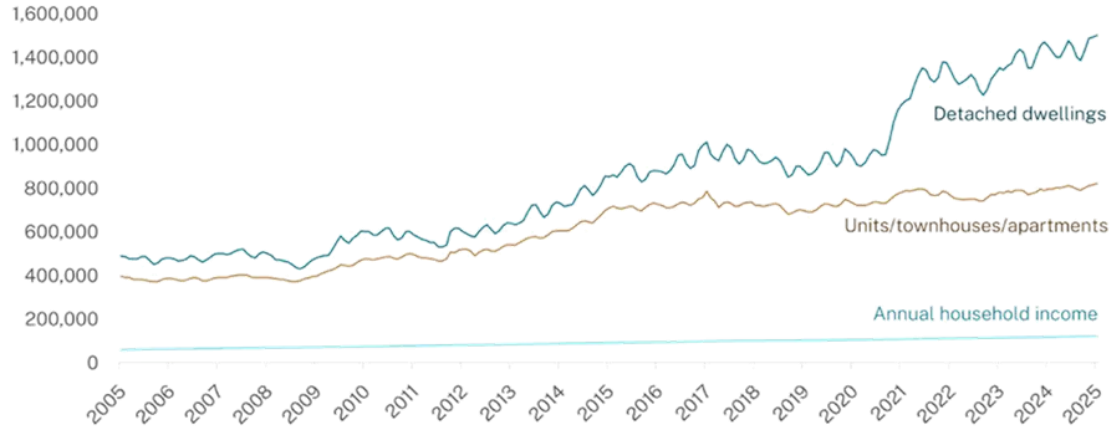


Figure 15: Composition of housing types in Sydney in 2024 by UDP area
Source: DPHI 2025

Priorities: Housed

Figure 16: Median house prices and annual income in Sydney
Source: Cotality 2025; ABS 2025; DPHI 2025



More housing supply to bring down cost and wait times

More housing is needed in areas that offer capacity for greater density. Focusing new housing in areas near jobs and public transport makes it easier for people to access work, transport, and goods and services.

Figure 16 shows the gap between annual household income and median house prices. In 2005, the purchase price for a detached house was more than 8.4 times annual household income; by 2025, it is more than 12 times. There is less volatility for apartments, units and townhouses, with the purchase price being 6.8 times annual income in both 2005 and 2025. This type of housing remains a more affordable entry point.

Meeting this plan's housing targets for all 33 LGAs will require the combined effort of the NSW Government, Councils, the development industry and communities.

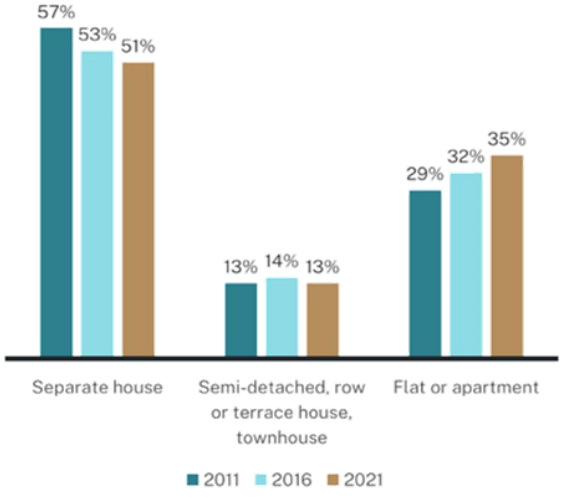
Greater housing diversity and more choice

Increased housing diversity will offer more housing choices at different price points, helping to address changing needs in terms of housing tenure, size and preferences. Offering a range of housing options, including housing that meets the unique needs of Aboriginal peoples will promote social inclusivity, allow people to live in their local areas as they get older and address housing affordability.

Housing diversity and choice is not just about different housing forms; it is also about dwelling mix, particularly in mid and high-rise development. As household preferences change (Figure 17) and more families with children choose apartment living, larger scale developments need to offer more choice and a higher proportion of apartments with 3 or more bedrooms.

Increasing housing diversity and choice right across the region will improve affordability and meet the needs of a growing and changing population.

Figure 17: Change in housing types in Sydney
Source: ABS 2011, 2016 and 2021



People living near jobs, services and amenities

Urban renewal – or infill development – makes the best use of the existing and planned transport network and other infrastructure for housing development and density. This is already occurring around Metro stations and through the NSW Government's Transport Oriented Development Program and Low and Mid-Rise Housing Policy. This type of development will generally occur in the east of the city.

Housing development will continue in western Sydney's established greenfield precincts and emerging centres as new infrastructure comes online. Greenfield development will continue to provide an ongoing source of housing supply. Its sequencing and coordinated delivery will be enhanced through improved monitoring and infrastructure planning.

Many infill areas of Sydney still have high growth capacity and can provide more housing, density and services. Infill development, coupled with staged delivery of infrastructure and services in greenfield areas, will enable high growth right across the region in the medium and long term. The In-fill Affordable Housing provisions provide opportunities for the delivery of new, affordable housing in well-located areas to meet the needs of a wide range of households on very low to moderate incomes.

Housing development around established and planned transport hubs – such as Metro, rail or light rail stations or rapid bus routes – suit increased density and will enable more people to live close to transport, jobs, services and amenities.

More affordable and secure housing

Demand for social and affordable housing continues to exceed the available supply. In 2025, more than 35,500 households are on the social housing waiting list in the Sydney region yet the amount of social housing as a proportion of the housing market has steadily declined over recent years.

Rental stress is evident in every LGA of Sydney. In western Sydney, where average rental prices are the lowest and access to jobs, services and transport are limited, levels of rental stress are the highest.

Affordable rental housing is housing that provides an important safety net for people who cannot afford to pay for housing on the private rental market. Although the supply of affordable rental housing is growing, there are currently only 6,718 dwellings across the Sydney region that meet the criteria for affordable rental dwellings – meaning they are available below market price or that rent can be set so that a household does not pay more than 30% of their gross income on rent.

Rental stress is directly impacting essential workers who often need to live further away from their jobs due to housing costs. Increasing the supply of dedicated key worker accommodation will ease the pressure on essential workers by providing them with greater, well-located, housing choice and security.

Increasing the supply of social and affordable housing in places where people want to live, and where it is accessible to those who need it most, will help people to live closer to where they work. The NSW Government has introduced several reforms to increase the supply of social and affordable housing including enabling state housing agencies to deliver projects more efficiently. It has also committed to build 8,400 new social housing homes and $450 million for a key worker housing program across Sydney.

In addition to the NSW Government's reforms to encourage affordable housing in infill areas, other reforms are required to enable a consistent and sustainable supply of affordable and social housing. These reforms also need to respond to the unique needs of Aboriginal peoples who wish to remain on Country and retain their strong connection to the land.





Figure 18: Sydney's employment network

- Sydney region boundary
- CBD
- Commercial centre
- Retail centre
- Emerging CBD
- Emerging commercial centre
- Emerging retail centre
- Airport
- International port
- Rail (shared and passenger lines)
- Dedicated freight rail
- Metro
- Light rail
- Ferry
- Rapid bus
- Employment land
- Draft urban footprint
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

Note: Bays Precinct is under review

24

Priorities: Prosperous

Increasing the number of jobs in the region will promote economic growth, improve people's lives and help to provide equitable access to employment opportunities.

This plan provides guidance on employment growth across the region so that Sydney's highly skilled workforce has access to well-connected, productive and rewarding jobs.

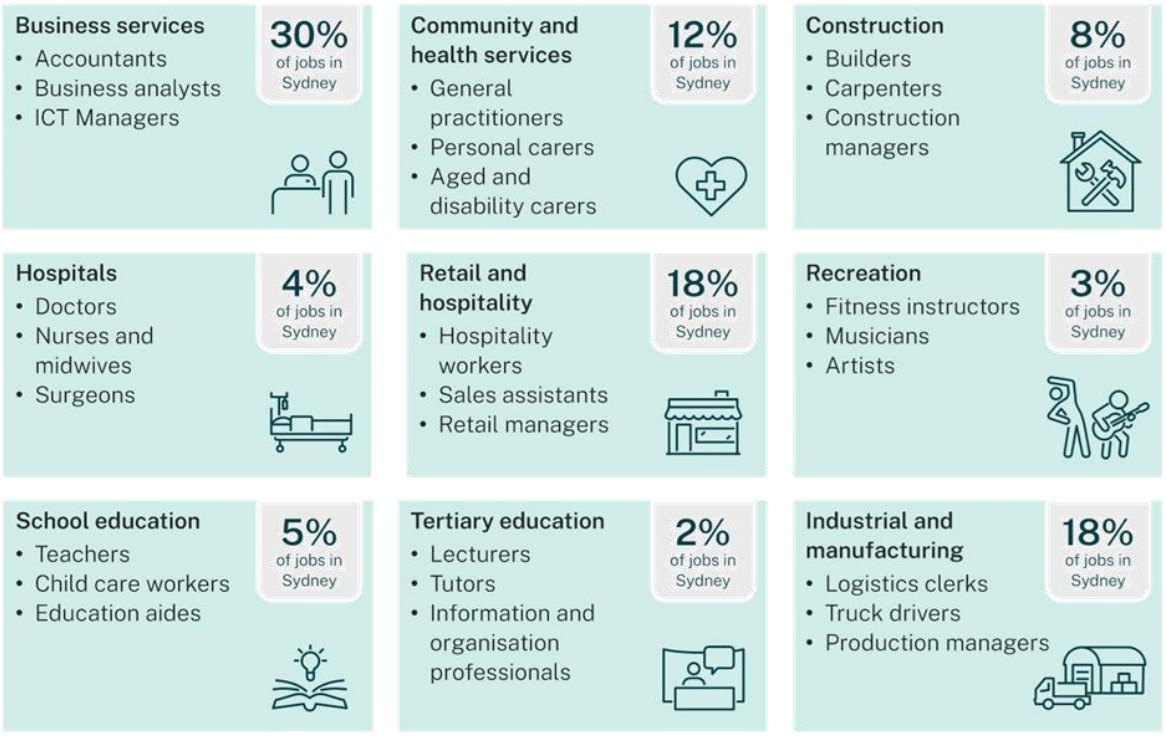
The Sydney region is the largest regional economy in Australia, with an average annual growth rate of 4% over the 10 years to 2021. This rate is 4.6% in western Sydney reflecting significant freight and logistic sectors and substantial public and private investment, including Western Sydney Aerotropolis. Over the next 20 years, the Sydney region's role as a global city will continue to grow supporting jobs growth and economic investment.

Sydney comprises key state and national infrastructure such as Port Botany, Sydney International Airport and Western Sydney International Airport (from 2026). These are connected through freight corridors that service state and global economies and support regional and local supply chains that attract investment, grow businesses and provide goods and services (Figure 18).

In 2025, Sydney supports 2.89 million local jobs, mainly in business services, retail and hospitality, and industrial and manufacturing (Figure 19). Most jobs in the city's east are business services. Western Sydney is home to more than 250,000 workers in more service-oriented jobs including retail and hospitality, community service and construction.

Since 2016, the number of jobs in the Sydney region has increased by around 17% (more than 410,000) with business services alone increasing by 170,000. A 24% increase in jobs numbers is projected over the next 20 years in a range of different job sectors. Supporting Sydney's highly skilled workforce will drive economic growth and increase living standards. Land use planning will support jobs growth, as different industries have different requirements in terms of location, investment and infrastructure support.

Figure 19: Sydney's industry categories and percentage of total jobs in 2025 Source: DPHI 2025



Priorities: Prosperous



Case study: Western Sydney Aerotropolis

Western Sydney Aerotropolis is an emerging key driver for economic growth and change in western Sydney. At around 11,200 hectares, it is a generational opportunity creating a thriving economic hub set to provide thousands of new jobs closer to home.

With the cornerstone Western Sydney International Airport, the Aerotropolis will deliver world class jobs in future focused industries such as advanced manufacturing, freight and logistics, technology, research, training and education.

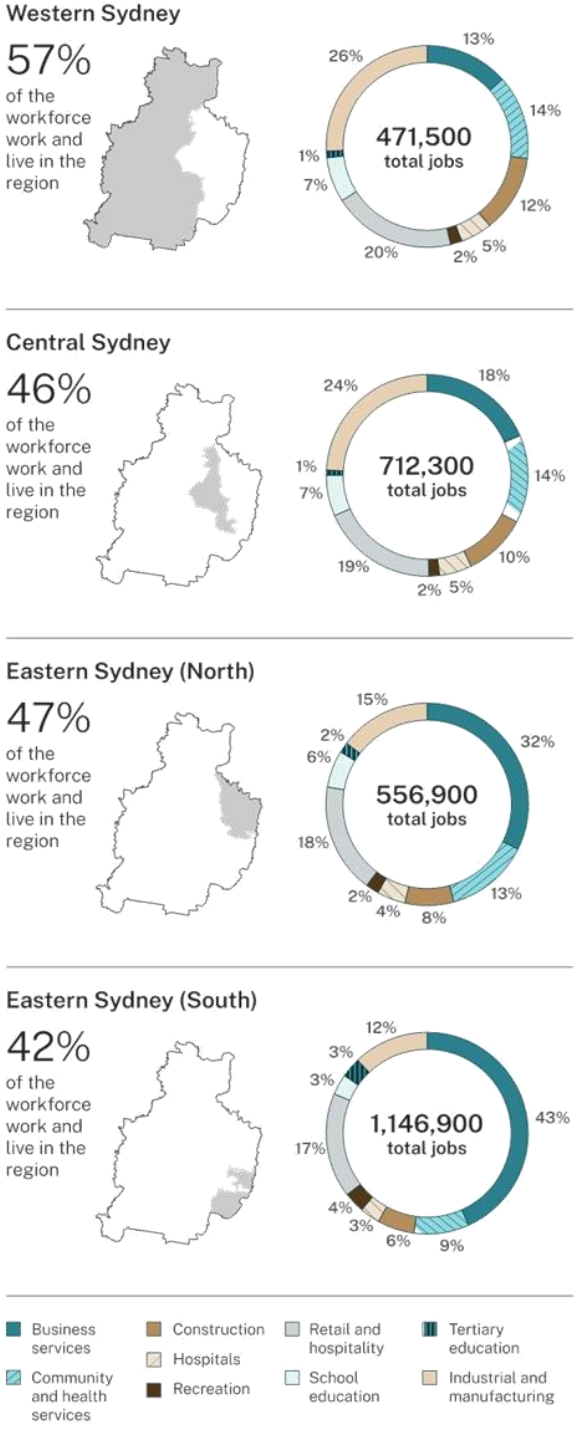
Bradfield City Centre is at the heart of the Aerotropolis, a vibrant hub for innovation, sustainability and economic growth. It will ultimately accommodate 10,000 homes and 20,000 jobs. With the opening of the first Advanced Manufacturing Readiness Facility building in early 2025 and second building underway, Bradfield attracts both local and global partners to western Sydney.

Western Sydney International Airport will service domestic, international and freight flights 24 hours a day, increasing Sydney's air cargo by around 33% from 2026. The Western Sydney International Cargo Precinct is expected to support more than 19,000 direct and indirect jobs across the precinct and connected supply chain, upon opening, each year.





Figure 20: Job breakdown and containment
Source: DPHI and REMPLAN 2025



More jobs in the right places

More jobs are needed near where people live. In the short term, jobs growth close to existing transport infrastructure will improve how people can get to work. As new public transport options open, jobs and housing should be located to maximise this infrastructure investment.

Sydney's workforce is geographically dispersed, with different industries having different spatial patterns (Figure 20).

- **Business service jobs** are mainly located in centres.
- **Health and education jobs** are located around hospitals and tertiary education facilities and in residential and retail centres (for example, at primary schools or medical centres).
- **Service-oriented jobs** such as retail or community services tend to grow in line with population growth.
- **Industrial and manufacturing jobs** are often clustered in industrial lands outside of centres.

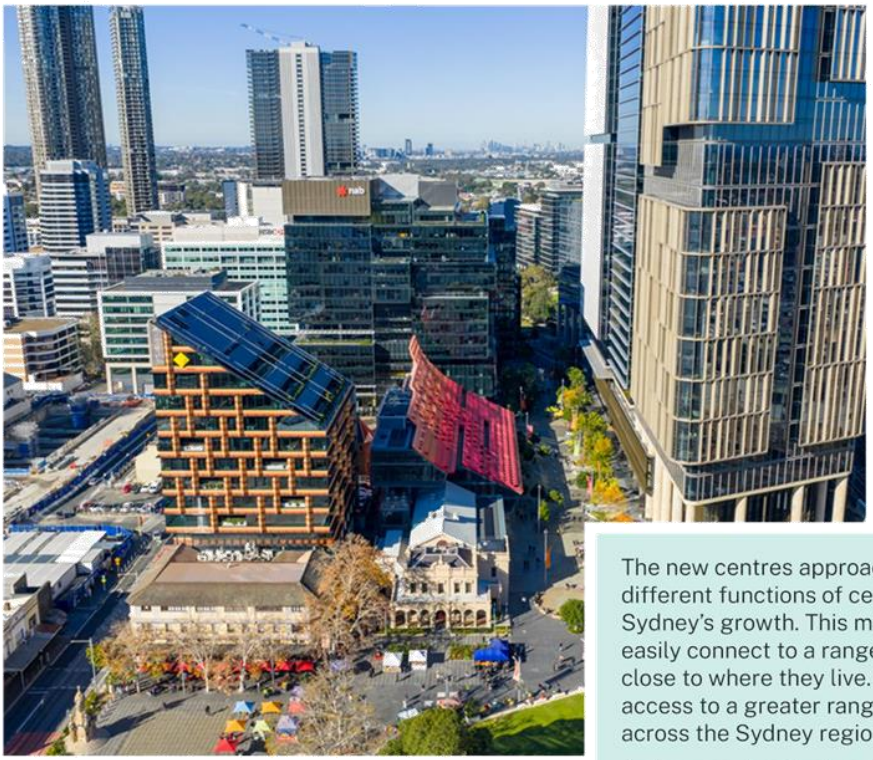
Workers in eastern Sydney have access to more jobs in a wider range of industries. A historic imbalance (Figure 21) means that people living in western and central Sydney are 13% more likely to travel by car to work than those in the city's east and 14% less likely to work from home.

The workforce population and skillset of residents in western and central Sydney is strong and diverse. This plan will rebalance jobs growth in a range of industries throughout Sydney.

Figure 21: Historical jobs growth by area
Source: DPHI 2025



Priorities: Prosperous



The new centres approach articulates the different functions of centres to support Sydney's growth. This means people can more easily connect to a range of jobs and services close to where they live. It also gives businesses access to a greater range of skilled workers across the Sydney region.

A strong network of centres with defined roles (Figure 22) will guide land use planning decisions to support more jobs and floor space capacity to accommodate expected growth over the next 20 years.

A network of centres

Sydney's urban structure has developed over time from a region focused around one CBD, to a network of centres that support different local areas and the broader regional economy. Centres function as a network served by public transport. This means people can more easily access everyday needs, jobs and education.

Centres drive business activity and jobs growth. Businesses benefit when operating close together within a cluster and can target the right workforce. In turn, workers can make decisions around where to live based on their knowledge of job locations.

The nature of each centre may evolve as the city grows. Since 2020, the way people traditionally used centres for work and retail has shifted. For many, work is more flexible and hybrid. Shared workspaces have increased and large office tenants may need less floor space. Online retail has reduced demand for shopfront floor space while increasing demand on freight and logistics in industrial lands.

While demand for retail will remain as the population grows, the profile of demand has changed. Many centres are evolving from primarily shopping destinations to mixed-use spaces incorporating dining, entertainment and community hubs. They are vibrant and active areas that attract people.

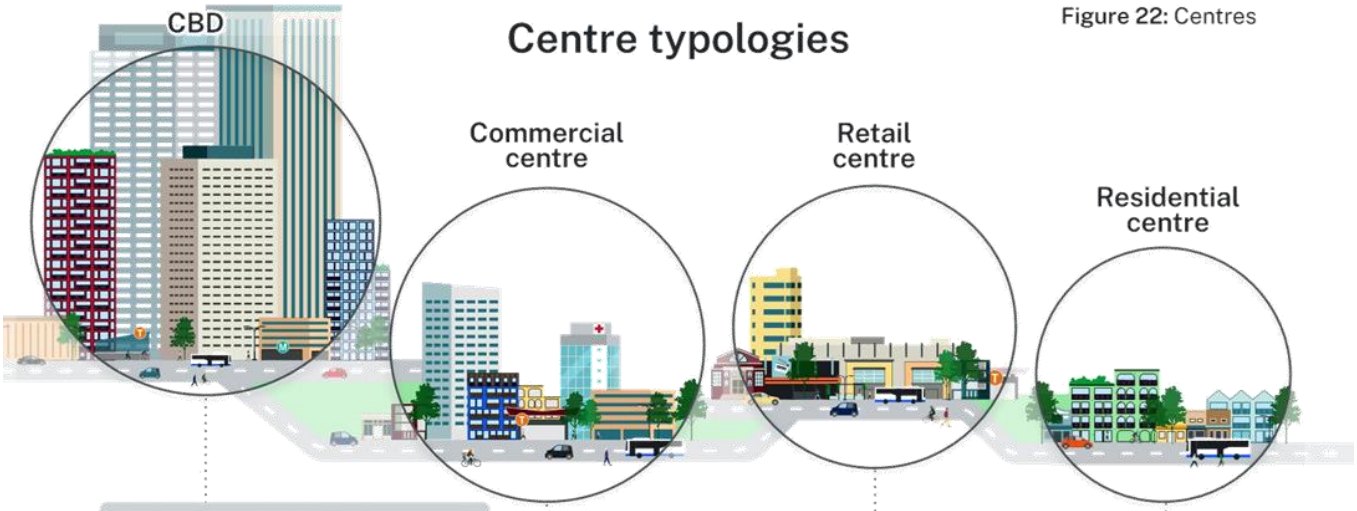
Jobs in centres have greater accessibility by public transport. Around 50% of Sydney's jobs are in centres in 2025, contributing 66% to the region's total gross value added. There is a greater proportion of jobs in centres in the city's east; jobs are more dispersed away from centres in other areas (for example, only 30% of western Sydney's jobs are in centres).

Jobs outside of CBD, commercial and retail centres are spread throughout Sydney. Industrial and manufacturing jobs are typically located near key freight routes, while some sectors like health and education — such as primary schools — are also found outside these centres, serving local communities.

When jobs are located in or near centres, both businesses and workers benefit from being part of a connected network. This boosts economic growth by improving transport access to a variety of jobs close to where people live. Additionally, businesses can specialise more effectively, improve job matching, and collaborate to drive innovation and productivity.

Figure 22: Centres

Centre typologies



Employment/residential land use ranges

80/20 | 70/30 | 50/50



CBDs have a very high employment focus to attract commercial and other specialised jobs (accommodating over 80,000 jobs).

They offer mass public transport options and feature the highest concentration of social, cultural and civic infrastructure.



Commercial centres offer a high volume of commercial and specialised jobs (in the order of around 25,000) and serve a wide catchment across the Sydney region.

These centres have a high concentration of social, cultural, civic and transport infrastructure. Some commercial centres have major health or education facilities servicing a broad catchment.



Retail centres are major service-oriented centres. They offer on average, 6,000 to 10,000 jobs.

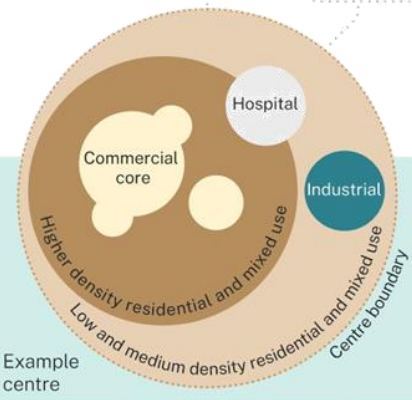
These centres offer a range of social, cultural, civic and transport infrastructure mostly serving local catchments. Some retail centres may offer specialised services, such as health facilities.



Residential centres offer local, service-oriented jobs alongside higher density housing. The Low and Mid-Rise Housing Policy will see more residential centres as places for housing close to transport and jobs.

These centres offer plenty of shops, frequent buses and a mix of residential zoned land within a short walk. Councils should focus on these centres providing sufficient employment space to serve the local community.

Emerging centres are projected to transition between centre typologies due to public investment and strategic vision. Investments may include hospitals, transport, or broader public investment and attraction.



Commercial cores of **CBDs** and **Commercial centres** need to be prioritised for productive employment uses as they supply necessary employment floor space and other key attributes to support jobs growth, job accessibility and agglomeration.

CBDs and commercial centres may have more than one commercial core due to clustering of centres. A commercial core serves as the focal point of a broader centre, with other supporting land uses, jobs and potentially residential development outside the central core.

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Priorities: Prosperous

Productive industrial lands

Sydney's industrial lands[3] are vital to Sydney's productivity, underpin supply chains and provide essential services such as last-mile delivery, data centres, warehousing and local manufacturing. They represent just 2% of the Sydney region.

In 2024, industrial related activities contributed approximately $90 billion to the Sydney economy.

Unlocking and securing the supply of serviced and competitive industrial land can drive investment and innovation, create jobs and support housing construction.

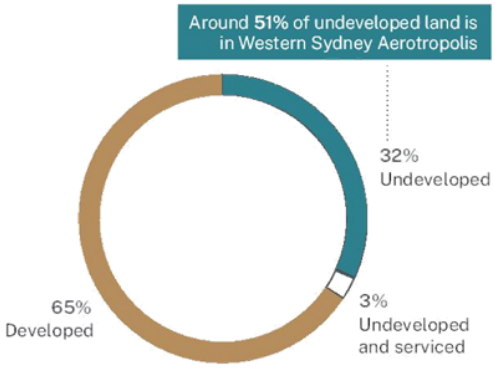
Sydney's industrial land supply is one of the most constrained in Australia with only a small supply of serviced and undeveloped industrial land available (Figure 23). Demand for industrial land in Sydney is high, with some areas seeing almost zero vacancies. The supply constraint is contributing to escalating prices and lowering supply.

In 2023, 228 ha of undeveloped industrial lands were developed, 43% higher than the long-term average since 2008. This suggests there is between 2 and 4 years of zoned and serviced industrial lands supply.

This shortfall combined with high demand increases operational costs. These can be passed on, affecting the prices of goods and cost of construction.

Industrial precincts connect across Sydney via import and export nodes, land, facilities and infrastructure (Figure 24). They support essential services that have different location requirements.

Figure 23: Industrial land supply
Source: DPHI 2024



Online retail and last-mile delivery is driving demand for warehouse space in locations close to consumers. Warehouse designs are also changing, with more automation driving demand for larger facilities. Large format freight and logistics are mainly located in western Sydney. Industrial land in the region's east provides first and last-mile logistics close to denser population areas.

Supply of industrial land is critical to manufacturing. Local manufacturing helps to provide local jobs and improve economic resilience. This increases demand on industrial land across the region. Most local manufacturing growth is expected in western Sydney in areas such as the Advanced Manufacturing Readiness Facility at Bradfield City Centre.

Productive rural lands

Rural areas cover around 16% of the region and provide many essential goods to the city. Key rural industries are agriculture, mining and tourism. Rural areas are mostly situated outside the draft urban footprint but are connected to urban areas through industries and supply chains that provide food, construction materials and other products for the region. Managing the interface between urban and rural areas can help to realise the full potential of this land.

Sydney produces much of the state's ornamental horticulture products, such as cut flowers and turf, with these functions concentrated in Hornsby, The Hills and Hawkesbury LGAs. Food production –particularly poultry, mushrooms and various vegetables– is clustered in Camden, Wollondilly and Penrith LGAs.

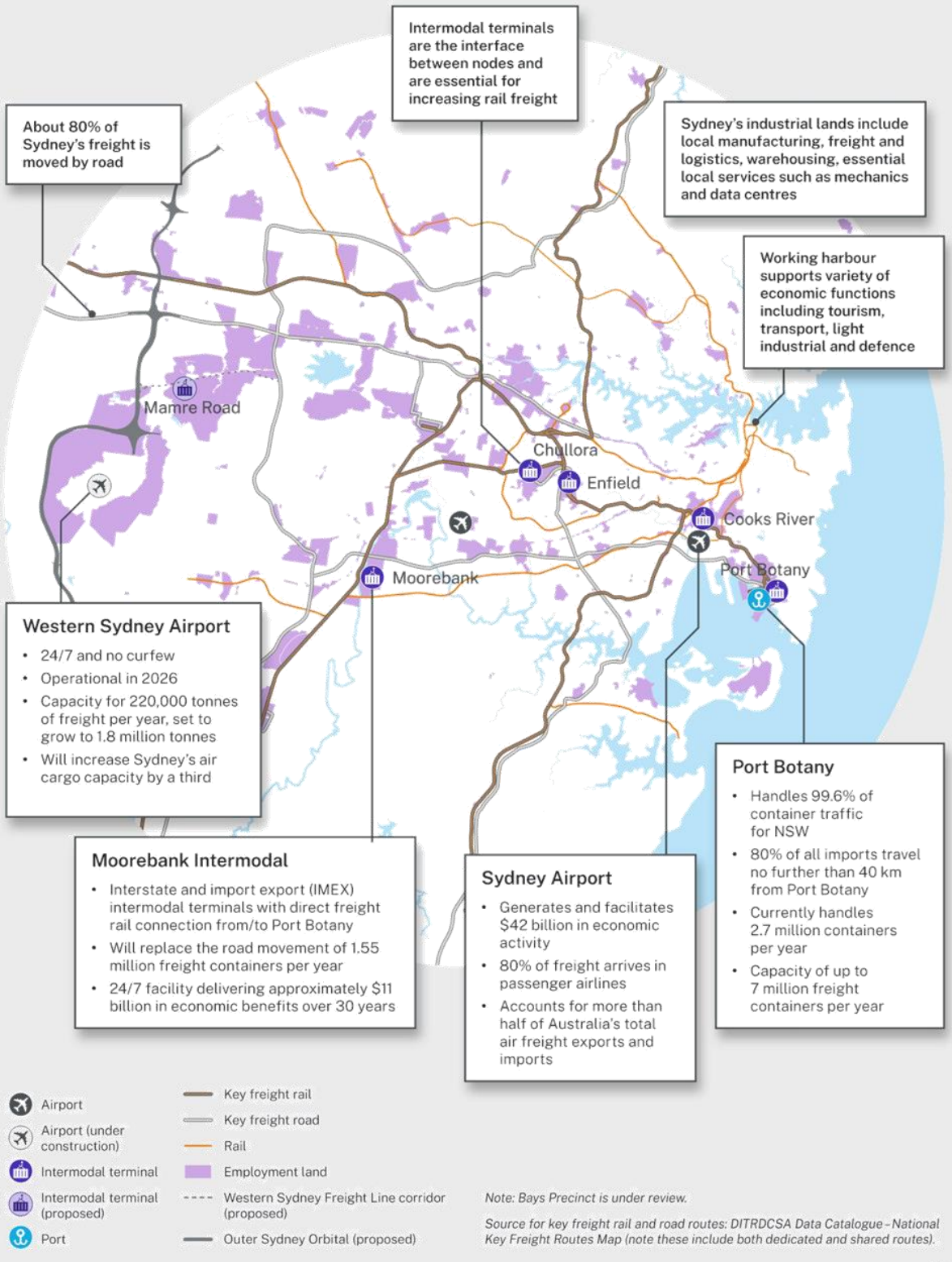
Rural industries need to locate within the Sydney region:

- due to the large local consumer base and labour supply
- to take advantage of agricultural technology and research institutes
- to meet transport and supply chain needs.

The take up of land used for more traditional rural uses in Sydney is changing. Innovation and technological advancements have allowed businesses to establish other productive uses, such as industrial uses. The opening of Western Sydney International Airport and the new connections to Bradfield City Centre and Agribusiness Precinct in Luddenham will offer unprecedented opportunities to link Sydney's rural lands to the world. The Agribusiness Precinct will accommodate new businesses and industries related to integrated logistics, air freight, integrated intensive production, food innovation, fresh product and pharmaceuticals.

3 Industrial land is land zoned for industrial or similar purposes in planning instruments, and land monitored under the Employment Lands Development Monitor.

Figure 24: Network of current industrial lands



Note: Bays Precinct is under review.

Source for key freight rail and road routes: DITRDCSA Data Catalogue – National Key Freight Routes Map (note these include both dedicated and shared routes).



Figure 25: Connected Sydney

- Sydney region boundary
- CBD
- Emerging CBD
- International airport
- Domestic airport
- Port
- Intermodal terminal
- Intermodal terminal (proposed)
- Railway station
- Metro station
- Light rail stop
- Ferry stop
- Bus stop
- Rail (shared and passenger lines)
- Dedicated freight rail
- Metro
- Light rail
- Ferry
- Rapid bus
- Future rapid bus route
- Motorway
- Committed and funded motorway
- Draft urban footprint
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

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Priorities: Connected

This plan is underpinned by access to transport. As the region grows, communities and businesses will rely on transport networks to move people and goods. Land use planning can create a compact, transport oriented city where new housing and jobs are delivered alongside existing and planned public transport, linked with local walking and cycling connections.

Jobs and housing around public transport

Significant investment has and is still being made in Sydney's public transport network. In many centres capacity still exists on the network. This plan strengthens coordination of infrastructure provision to encourage more housing and jobs near existing and planned infrastructure (Figure 25).

Focusing housing development within a close (30-minute) public transport journey from key centres and destinations encourages sustainable travel and reduces urban sprawl. This includes development in centres with existing transport and infrastructure capacity or centres served by new or improved public transport.

Compact, walkable urban form promotes active travel

Land use planning and the design of infill and greenfield areas must create urban environments that are attractive, convenient, and safe. This makes places more accessible, healthy and liveable. It means less congestion, more activity on the streets and it enhances connections to blue and green infrastructure, for example, parks and waterways.

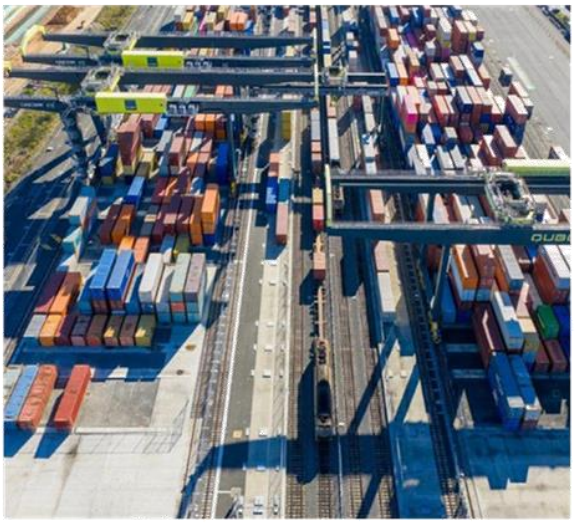
Establishing walkable links with greater access to amenity and services, streets, parks, and walking trails will improve local connectivity. These should be supported by tree canopy and understorey planting. Walking and cycling routes should be co-located within existing green infrastructure corridors, where possible. Additional measures in urban environments such as parking controls or travel demand management strategies can also promote walking and cycling.

The freight network connects industrial lands

Freight, from big businesses to farmers, retailers and consumers, contributed in 2022–23 around $74.3 billion to the NSW economy. Land use planning integrates efficient road and rail networks with state and regionally significant industrial lands to support productivity across the region, state and nationally. Identifying future industrial lands linked to current and future rail and road corridors will ensure the ongoing high productivity of the city.

Councils also need to plan for localised, urban freight functions such as retail and service deliveries, construction logistics and waste management when considering access and managing locally significant industrial lands.





Credit for top image: Transport for NSW

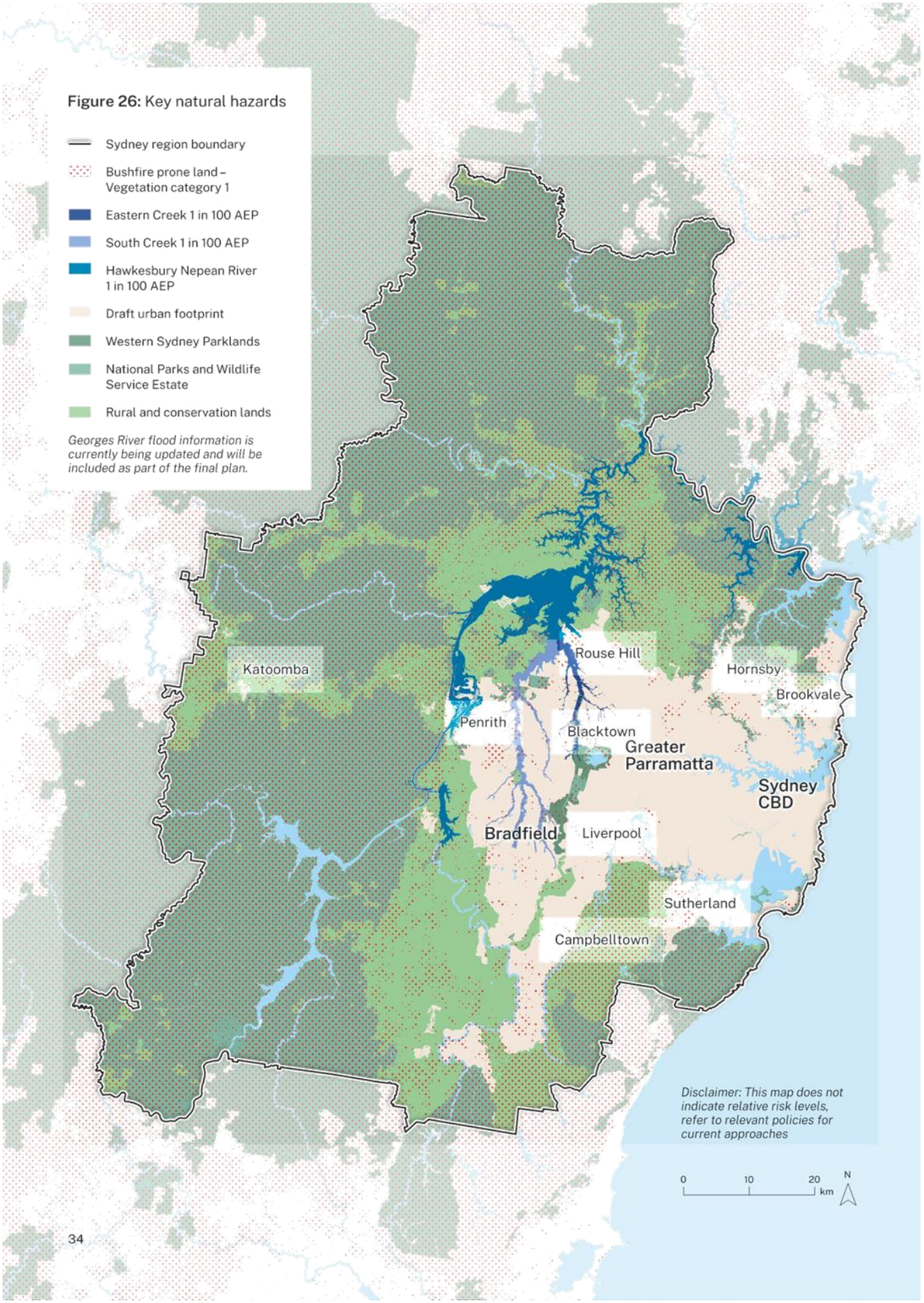


Figure 26: Key natural hazards
Sydney region boundary
Bushfire prone land – Vegetation category 1
Eastern Creek 1 in 100 AEP
South Creek 1 in 100 AEP
Hawkesbury Nepean River 1 in 100 AEP
Draft urban footprint
Western Sydney Parklands
National Parks and Wildlife Service Estate
Rural and conservation lands
Georges River flood information is currently being updated and will be included as part of the final plan.
Katoomba
Rouse Hill
Hornsby
Brookvale
Penrith
Blacktown
Greater Parramatta
Sydney CBD
Bradfield
Liverpool
Sutherland
Campbelltown
Disclaimer: This map does not indicate relative risk levels, refer to relevant policies for current approaches
0
10
20
km
N
34

Priorities: Resilient

Sydney is known for its unique and diverse natural environment. The natural environment is important for clean water, air, green and blue spaces and the wellbeing of the people who live there.

Healthy natural environments can better withstand and mitigate the impacts of natural hazard events and stressors. Land use planning will continue to:

- strengthen the capacity to plan for, recover from and adapt to hazard events and chronic stressors
- protect, enhance and restore the region's precious natural assets
- support continued connection to Country.

Natural hazards affecting different areas in Sydney include bushfires, floods, storms, droughts, extreme heat and coastal inundation and erosion (Figure 26). As the city grows, the region's sensitive ecosystems, iconic coasts and waterways, important rural lands and drinking water catchments, must be carefully managed.

Natural assets and biodiversity

Around 93% of the region is within the Sydney Basin Bioregion, which provides habitat for more than 200 threatened plant and animal species. Protected areas support biodiversity, help to build the resilience of ecosystems, and provide opportunities for people to enjoy the natural environment.

Regional conservation planning means biodiversity values are identified upfront. Infrastructure or other land uses can then be planned to avoid and minimise impacts on biodiversity and reduces assessment and offsetting costs. For example, the *Cumberland Plain Conservation Plan* assessed 200,000 ha in western Sydney and identified 11,164 ha of land which was biodiversity certified as suitable for urban development. A further 4,513 ha of high biodiversity value land avoided from development, and a further 27,200 ha of strategic conservation area, from which suitable offsets will be sourced to offset the biodiversity impacts of future urban development on the Cumberland Plain.



Priorities: Resilient

Table 1: Projected annual mean climate variations in Sydney
Source: NARCliM2.0

	Baseline	Projections (absolute values)			
		Low-emissions scenario		High-emissions scenario	
Variables	1990–2009	2015–2034 (2025)	2035–2054 (2045)	2015–2034 (2025)	2035–2054 (2045)
Average temperature (°C)	16.1	16.7	17.1	16.7	17.6
Maximum temperature (°C)	22.2	22.8	23.2	22.8	23.8
Number of hot days	8.2	10.8	13.8	10.7	16.1
Number of cold nights	19.2	14.7	12.2	15	9.2
Average rainfall (mm)	916	835	853	877	796
Severe fire weather days	1.7	1.9	2.3	2	2.8

Resilience to natural hazards

Land use planning applies a risk-based approach when considering exposure and vulnerability to natural hazards. Risk-based approaches consider each area's environmental, social and economic characteristics and the opportunities and capacity to prepare, respond and recover. Resilience planning by Councils responds to current and future local conditions and hazards.

Locating new development within the urban footprint will reduce communities' exposure to bushfire risk, which is higher on Sydney's urban fringe in national parks, Crown land, public reserves and rural properties.

The Sydney region includes two high-risk flood catchments: the Hawkesbury-Nepean and Georges River catchments. The Hawkesbury-Nepean Valley is one of the highest risk catchments in NSW as its geography enables rapid, deep and widespread flooding. Overland flooding affects areas across the urban footprint, creating challenges for increasing development in some areas.

Along Sydney's 115 km coastline, 20 LGAs sit within the coastal environment area. Land use planning aims to manage the impacts of coastal hazards including inundation, erosion and shoreline recession on coastal properties.

Table 1 shows a trend towards higher temperatures, more hot days, fewer cold nights and more days with high fire risk in Sydney.

Heat vulnerable communities can be found across Sydney, Figure 27 notes the highest concentrations of heat vulnerable populations. Adopting locally targeted cooling measures that respond to the conditions such as integrating water, greening and cool materials into urban design is needed to reduce the impact of heat and strengthen resilience to climate change. Increasing the urban tree canopy in public and private areas can help to reduce urban heat. The region's tree canopy coverage varies between suburbs, particularly in denser urban areas.

Sustainable built environment

Well designed, energy-efficient buildings, infrastructure, public spaces and precincts can help mitigate the effects of climate change and accelerate the transition to net zero emissions. Land use planning can support the built environment alongside policy, controls, legislation such as *State Environmental Planning Policy (Sustainable Buildings) 2022* and Council-level sustainability controls.

Councils are at the forefront of climate change adaption and responding to shocks and stressors. Since 2018, 23 Sydney Councils have prepared local resilience or sustainability plans. Local planning that responds to local conditions and community needs can support resilience, climate change adaptation and the transition to net zero.

With drought conditions in almost half of the last 20 years, integrated water cycle management and water sensitive urban design should be incorporated to support the sustainable management of urban water resources, enhance the health of urban waterways, and contribute to more liveable environments.

Of the around 171,000 new homes built since 2018, 41% have been within 800 m of a train station. This approach encourages sustainable transport modes, lowers the cost of transitioning to new technology, reduces reliance on private vehicles and reduces emissions.

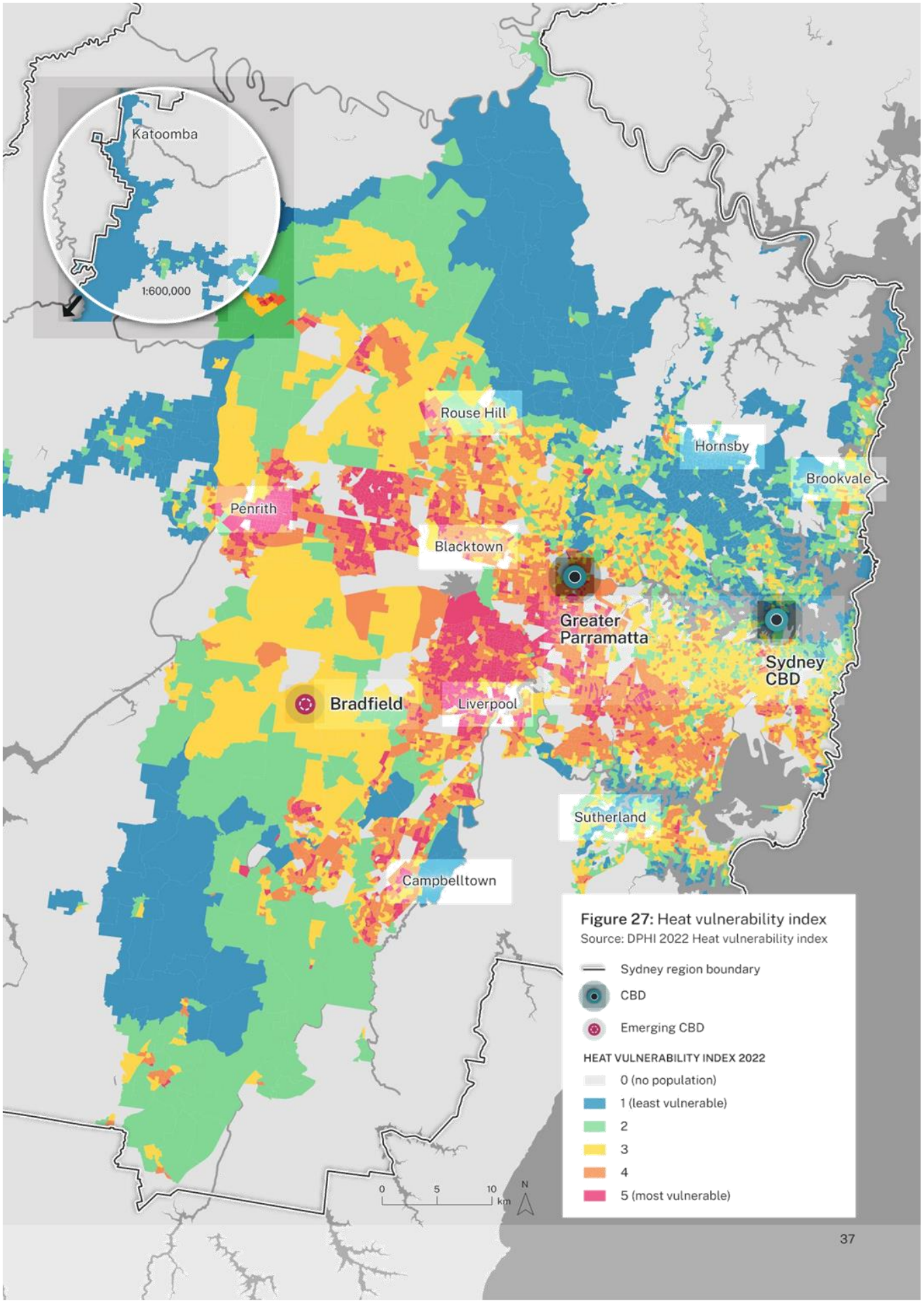


Figure 27: Heat vulnerability index
Source: DPHI 2022 Heat vulnerability index

- Sydney region boundary
- CBD
- Emerging CBD

HEAT VULNERABILITY INDEX 2022

- 0 (no population)
- 1 (least vulnerable)
- 2
- 3
- 4
- 5 (most vulnerable)



Figure 28: Open space precincts

- Sydney region boundary
- National park
- Botanic garden
- Waterway
- Metropolitan open spaces
- Draft urban footprint
- Open space
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

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Priorities: Liveable

People experience Sydney in diverse ways, particularly through its public life and cultural events. With warm summers and mild winters, the region is well-suited to outdoor dining, festivals, walking and cycling, swimming and year-round sports. Sydney also benefits from high air and water quality, supporting a healthy and thriving urban environment.

Improving access to housing, transport, and employment directly enhances quality of life. People also need access to health, education, and cultural services. Land use planning can support creating places where people genuinely want to live by supporting the development of well-designed and inclusive communities.

As Sydney grows, prioritising housing supply in areas where people can access amenities benefits residents. Over the medium to long term, it is important to prioritise the delivery of social and cultural infrastructure outside of these areas to complement housing growth.

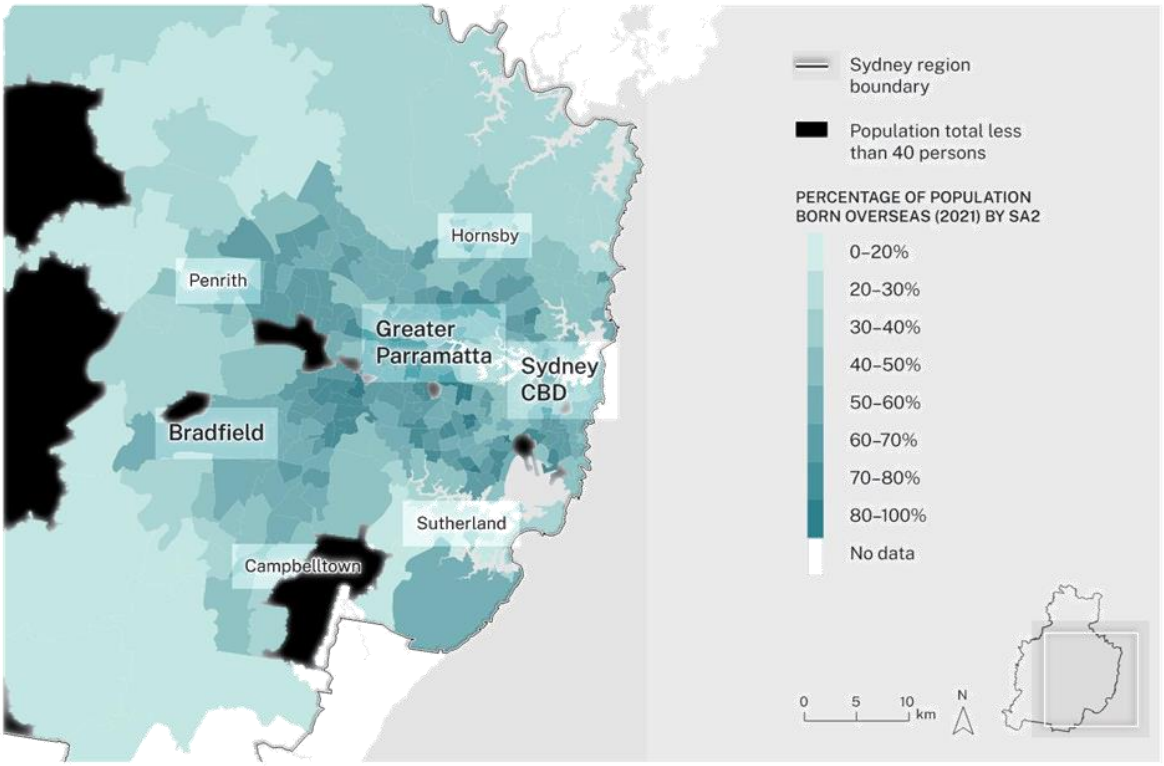
Diverse and changing communities

In 2021, nearly 45% of residents in Sydney were born overseas (Figure 29), with higher proportions in the geographical centre, like Parramatta, Cumberland and Fairfield LGAs making it one of the most culturally diverse cities in the world. This rich cultural mix is reflected in its neighbourhoods, languages, and cultural festivals.

Sydney's changing communities are also reflective in its age demographics, with around 15% of Sydney's population aged 65 and over. Additionally, 3% of households were classified as multi-family, indicating multiple families living under one roof.

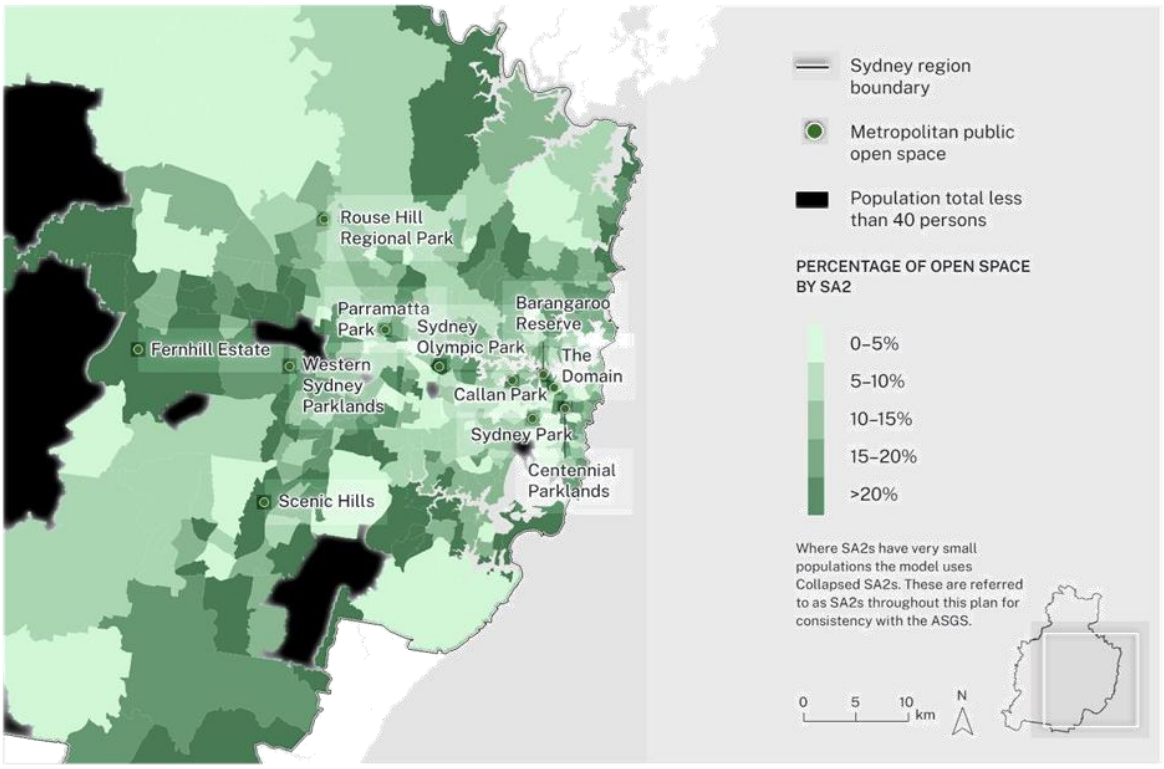
Different groups of people use places in distinct ways. Tumbalong Park in Darling Harbour is a prime example of a public space that supports Sydney's diverse communities. It features the Chinese Garden of Friendship and accessible open space, hosting a variety of events throughout the year — from cultural festivals to major international events such as Vivid Sydney.

Figure 29: Percentage of people born overseas in Sydney Source: ABS 2021



Priorities: Liveable

Figure 30: Public open space provision in Sydney 2025 Source: DPHI 2025



As the way we use places changes, it is important that land use planning adapts to meet these changing needs. Land use planning should aim to locate social and cultural infrastructure in areas that people can get to or live nearby. Public spaces should be designed to include everyone, promoting social connections and a sense of belonging among diverse communities.

Access to open space, infrastructure and services

While Sydney features vibrant and liveable communities, not all residents enjoy equal access to key social infrastructure such as schools, community facilities and open space. Open space[4] is infrastructure that is essential for communities and creating great places to live. It encompasses parks, natural areas and linkages, waterways and foreshores, and recreation trails for walking and cycling.

The existing provision of public open space and social infrastructure varies across Sydney (Figure 28). Central Sydney has relatively low open space provision (Figure 30). Eastern Sydney is generally well serviced for metropolitan public open space but in the west, this has not grown in alignment with population growth. There is an unique opportunity as western Sydney grows to plan and provide new metropolitan public open space and other social infrastructure. Providing additional open space within infill developments can be challenging due to the land constraints and the high cost of land acquisition. It demands innovative solutions to providing open space such as integrating open space into development.

4 Open Space refers to RE1, C2 and C3 zones, Callan Park, Rouse Hill Regional Park, and Western Sydney Parklands

Vibrant communities

Land use planning can influence the type of attractive, busy urban areas where people want to live, stay, gather and play. Local urban design and planning supports cultural and community participation to form rich and diverse neighbourhoods.

In 2025, 1.27 million people regularly worked at night across NSW accounting for 28.8% of all workers. Of these, 867,000 people in Sydney regularly work at night. Local areas should be designed, built and managed to encourage people of all ages and abilities to get around, offering choices of leisure, transport, exercise or other forms of street life – both day and night.

Sydney accounts for around 43% of NSW live music venues with ongoing and regular performance programming. Key clusters are in the Sydney CBD, Inner West and Parramatta. Thoughtful land use planning can create opportunities for new venues in suitable locations, helping to activate local areas and boost surrounding businesses.

Culturally rich areas such as Burwood, Fairfield and Lakemba showcase authentic experiences alongside transport, entertainment and community and cultural facilities.

Planning provisions like those for special entertainment precincts can protect and enhance these facilities, celebrate unique local character and enable day and night-time economic uses.



Infill development of the former Flour Mill industrial site in Summer Hill illustrates how adaptive reuse, coupled with well-designed public spaces, can foster vibrant and connected communities.



Case study: White Bay Power Station

White Bay Power Station pays tribute to Sydney's industrial history near the harbour in the Bays West precinct. The adaptive re-use of the power station as a vibrant cultural and community hub is a great example of urban renewal in Sydney. It provides transformed spaces to support the arts, culture and creative industries for a growing community near a future Metro station.

Image credit: Anna Kucera

Note: Bays Precinct is under review.



Priorities: Coordinated

Growth needs to be coordinated, well-managed and planned ahead of development. A coordinated approach between NSW Government agencies, local government and industry allows the timely delivery of utilities, transport, schools, health, waste and other essential infrastructure and services.

Previous infrastructure lags and faster than anticipated growth in some areas, especially greenfield precincts in western Sydney, means land has been developed for new housing or employment uses without the right infrastructure in place. This impacts communities and hinders investment in new businesses that cannot access the right services and facilities.

Prioritising growth in areas supported by infrastructure

The NSW Government will continue to maximise existing and planned infrastructure to drive sustainable settlement patterns, prioritising areas where infrastructure capacity exists or where investment can unlock land for new home and employment opportunities.

In 2023, the NSW Productivity and Equality Commission found that the cost of providing infrastructure and services for greenfield development could be up to $75,000 more per home compared to infill development.

Infrastructure cost differences across areas are primarily driven by local traffic congestion and wastewater expenses, with school facilities and green space costs also contributing.

Housing development in inner-ring suburbs — close to employment and public transport — generates less than half the additional congestion cost compared to development in outer suburban areas.

Water and wastewater infrastructure is also costlier further inland, especially in hilly or sensitive environments. Costs average $13,000 per dwelling in established areas south of Sydney Harbour, rising to $42,000 in outer suburbs like Hornsby.

Continued State-led rezonings and planning reforms unlock land for new and additional housing, jobs and business opportunities across infill precincts. Prioritising growth around centres or areas supported by existing and planned transport hubs expands the regions' development potential while managing the costs of providing infrastructure to development.

The NSW Government has already introduced a number of reforms aimed at driving housing and jobs growth around existing and planned infrastructure.

The Transport Oriented Development Program and Low and Mid-Rise Housing Policy support more homes close to existing centres and economic opportunities, while the 5-year housing targets begin to rebalance future growth strategically around existing infrastructure to capitalise on these investments and benefits that these bring to local communities. Additionally, the In-fill Affordable Housing provisions are aimed at delivering more homes in well-located areas for households on very low to moderate incomes.

Infrastructure for growing communities

Better coordination of infrastructure, services and land use planning will enable NSW Government agencies and Councils to resolve issues and make the right decisions on infrastructure staging, investment and provision.

Planning for new and enhanced infrastructure includes both enabling and supporting infrastructure.

Some infrastructure in Sydney is already at capacity. For example, the region's landfill capacity for household waste will likely be exhausted by 2030. The region will require an extra 1.1 million tonnes of capacity each year, rising to 1.4 million tonnes from 2040.

The Urban Development Program (UDP) and Employment Land Development Program (ELDP) help to align infrastructure planning with projected growth. These programs identify, prioritise and sequence state-funded infrastructure to support housing (UDP) and priority employment areas (ELDP).

Engagement and coordination with infrastructure agencies, utilities, Councils and the development industry, as well as monitoring, inform the UDP and ELDP. Councils rely on the programs to:

- guide infrastructure decisions and align investment to service areas where the NSW Government leads the planning process.
- inform reviews of strategic plans, including contributions plans.



Enabling infrastructure refers to projects that are required to unlock development. These projects will vary according to the specifics of existing infrastructure provision and the type and scale of development proposed. These could include water, wastewater, roads and schools.

Supporting infrastructure refers to projects that support the development of liveable, productive and sustainable communities such as open space, and health services.



Responses

RESPONSE 1:
Implement Sydney housing targets

Housing targets set expectations for where most new housing will be located. They guide Councils and the NSW Government in planning for new housing and supporting infrastructure and send a signal to the market where development is likely to occur.

Figure 31 identifies the 5-year housing targets that respond to the National Housing Accord and identifies the requirement for accelerating delivery above the current pipeline of supply.

The plan for Sydney's housing over the next 20 years is to rebalance population around infrastructure. This includes revising existing plans and accelerating them to intensify housing development, including higher density, at Metro stations closer to central Sydney. Western Sydney will continue to develop housing areas within established greenfield precincts and emerging centres as new investment comes online.

Councils will need to review their local plans to incorporate the targets. If Councils do not provide for housing capacity in local plans, the NSW Government will undertake this work through a State-led process. Councils should plan for the feasible number of homes in their local area to meet their housing targets, not just the theoretical capacity. This means building a bigger pipeline of potential homes to ensure their targets can be met. Providing adequate feasible capacity for housing within a LGA is essential to deliver homes and meet housing targets. Research has shown that not all land available for housing is developed so the pipeline of opportunities needs to be significantly larger to make sure targets can be achieved.

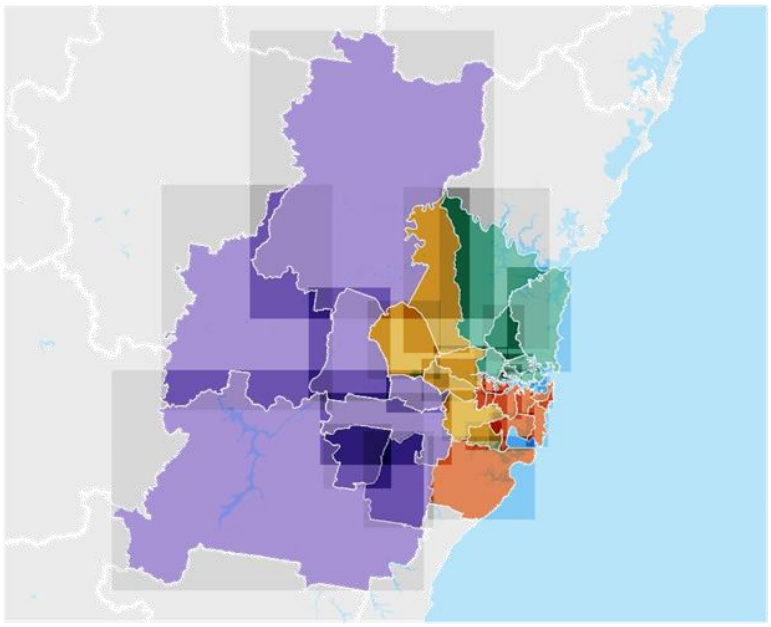
Complementary to land use changes, Councils should assess development applications in line with the benchmarks set out in the Ministerial Statement of Expectations to help speed up delivery of new homes.

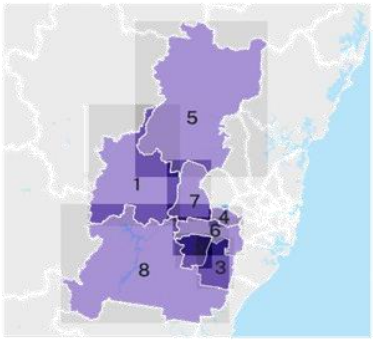
The NSW Government will also enhance monitoring frameworks to track housing development and make sure Councils complete reviews within a reasonable timeframe.

Government and Council actions for Response 1

	NSW Government actions	Timing
1.1	Develop and implement a revised housing supply and diversity monitoring framework	2026–27
1.2	Continue to investigate and implement new statutory provisions to fast track assessment of Council-led housing proposals	2026 and ongoing
1.3	Lead planning interventions to increase housing supply if Councils fail to meet housing target requirements	2026 and ongoing
	Council actions	**Timing**
1.4	Review and update local strategic planning and local environmental plans to align with the Sydney Plan and provide sufficient feasible capacity to meet housing targets	2027 and ongoing

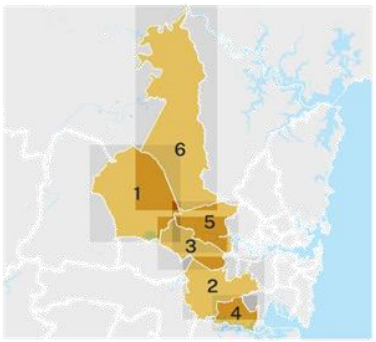
Figure 31: Housing Targets





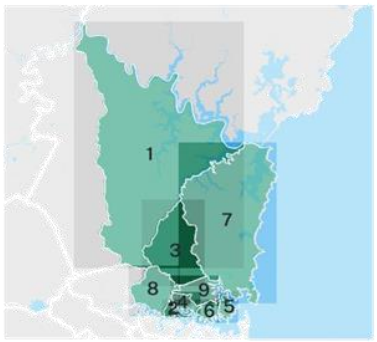
Western Sydney

	LGA	2024–29 target
1	Blue Mountains	600
2	Camden	10,200
3	Campbelltown	10,500
4	Fairfield	5,900
5	Hawkesbury	1,300
6	Liverpool	16,700
7	Penrith	8,400
8	Wollondilly	5,500



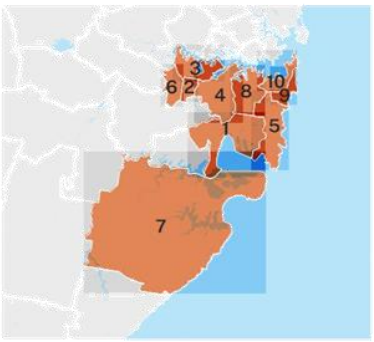
Central Sydney

	LGA	2024–29 target
1	Blacktown	21,400
2	Canterbury–Bankstown	14,500
3	Cumberland	12,200
4	Georges River	6,300
5	Parramatta	19,500
6	The Hills	23,300



Eastern Sydney (North)

	LGA	2024–29 target
1	Hornsby	5,500
2	Hunters Hill	400
3	Ku-ring-gai	7,600
4	Lane Cove	3,400
5	Mosman	500
6	North Sydney	5,900
7	Northern Beaches	5,900
8	Ryde	11,600
9	Willoughby	3,400



Eastern Sydney (South)

	LGA	2024–29 target
1	Bayside	10,100
2	Burwood	3,300
3	Canada Bay	5,000
4	Inner West	7,800
5	Randwick	4,000
6	Strathfield	3,500
7	Sutherland	6,000
8	Sydney	18,900
9	Waverley	2,400
10	Woollahra	1,900

Responses

RESPONSE 2:
Increase housing diversity and choice

A mix of housing types is required to accommodate housing needs and a changing population. The Low and Mid-Rise Housing Policy and Transport Oriented Development Program will provide the greatest opportunity to increase housing diversity and more choice to residents. Using existing infrastructure for new developments is cost effective, reducing public spending for new roads, utilities and services.

Figure 32 shows housing typologies accommodated under the Low and Mid-Rise Housing Policy and Transport Oriented Development Program. Housing diversity and choice is not just about different housing forms, it is also about dwelling mix, particularly in mid and high-rise development.

Many Councils already utilise planning provisions that promote a mix of housing types and sizes for medium and high-density residential development. While demographic profiles vary across the region, a common theme is the need for more diverse apartment types.

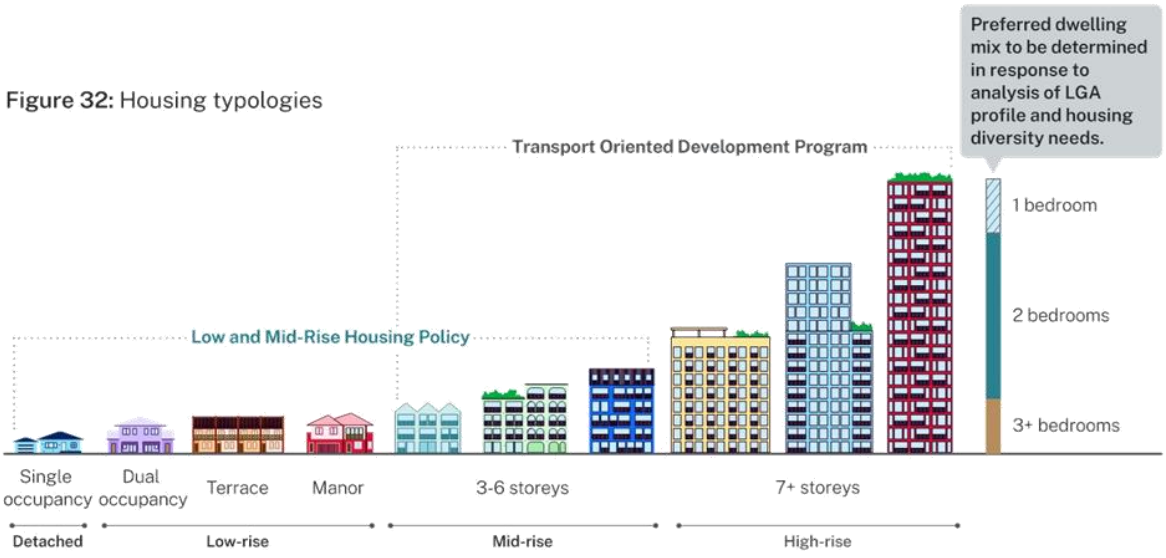
As the plan is implemented and current policies monitored, there may be a need to consider new locations suitable for the Low and Mid-Rise Housing Policy to maintain housing supply.

The plan identifies high growth areas in parts of the region earmarked for significant change in the next 20 years (Figure 33). These infill and greenfield precincts represent areas where major housing growth is well underway and where the Transport Oriented Development Program and Low and Mid-Rise Housing Policy applies. Changes in infrastructure delivery may result in additional areas being investigated by the NSW Government or other precincts brought forward as a higher priority.

The Transport Oriented Development Program will provide significant additional housing capacity over the life of the program. Councils should continue to plan around train stations and major bus interchanges and investigate other high-density options to meet housing targets.

A pipeline of State-led or assessed rezonings to unlock significant new housing in infill areas has already been identified (Appendix D). The State-led rezoning program may also be expanded in the future if required. Location decisions will be based on many factors, including feasibility and whether Council planning can help to meet the housing targets.

Figure 32: Housing typologies



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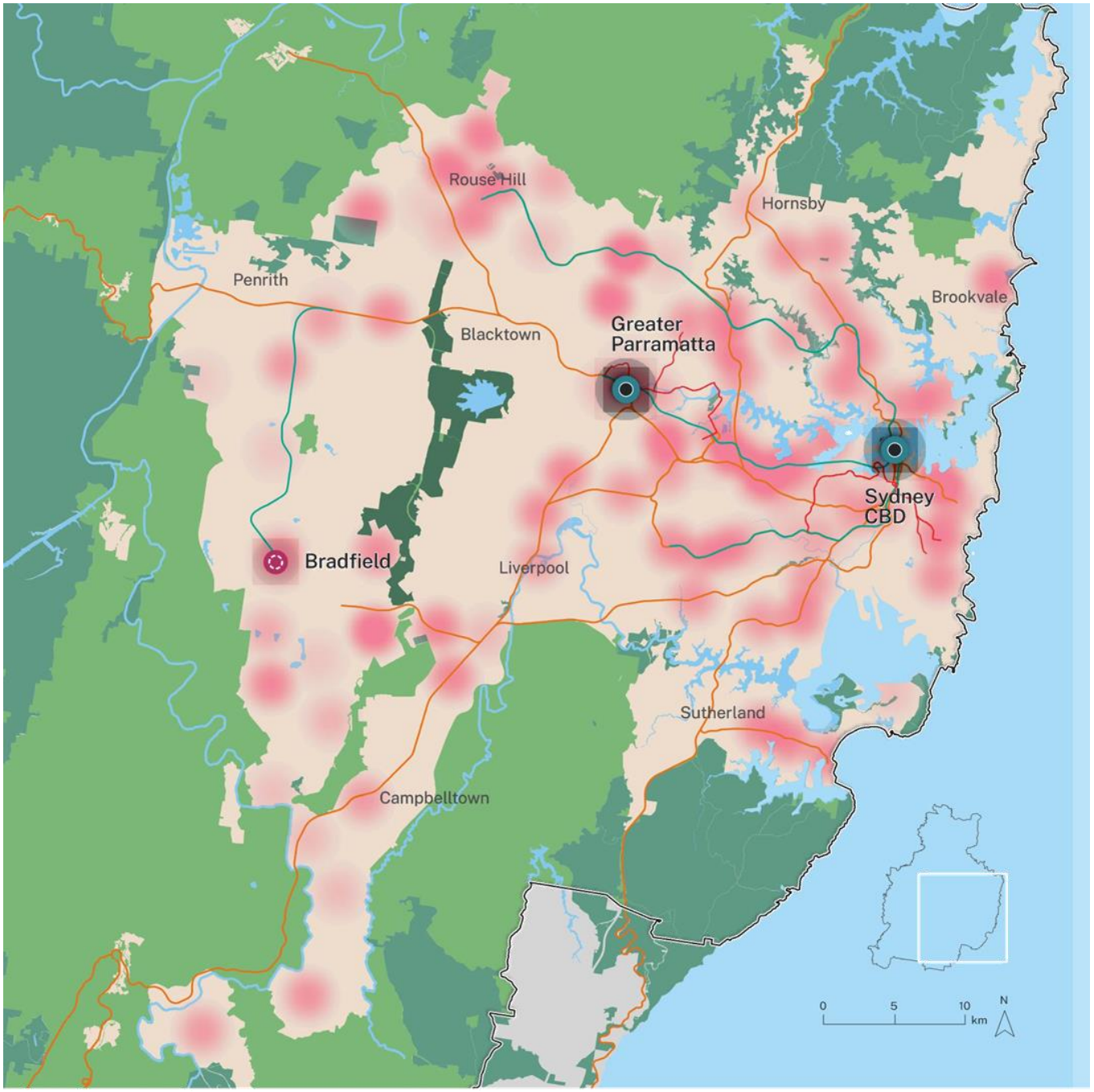

Figure 33: High growth capacity housing areas

- Sydney region boundary
- CBD
- Emerging CBD
- Rail (shared and passenger lines)
- Metro
- Light rail
- Growth capacity: HIGH → LOW
- Draft urban footprint
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

Note: Bays Precinct is under review.

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Responses

Case study: Belmore and Lakemba

In April 2024, at the request of Canterbury-Bankstown Council, Belmore and Lakemba were announced as stations under the Transport Oriented Development Program.

Canterbury-Bankstown Council took the opportunity to plan an alternative approach for Belmore and Lakemba. It exhibited masterplans that were site-specific, considered local context and covered a much broader area than the Transport Oriented Development Areas.

The result was the potential delivery of significantly more homes than proposed under the Transport Oriented Development Program. This is a good example of a Council taking the initiative to bring about change using a locality-based approach.



Council housing options for the Belmore–Lakemba stations precinct in lieu of original Transport Oriented Development Program proposal.



Source: City of Canterbury Bankstown 2024

Government and Council actions for Response 2

	NSW Government actions	Timing
2.1	Review development standards for dual occupancy development to establish a consistent approach across NSW	2026
2.2	Complete master plans and State-led rezoning precinct studies for priority Metro West, Sydney Metro–Western Sydney Airport, Stage 2 light rail and rapid bus networks	2027–28 and ongoing
2.3	Investigate planning control incentives relating to housing diversity and requirements for family-friendly apartments in mid and high-rise residential development	2026
2.4	Update guidance to consent authorities, industry and the community to make sure the Apartment Design Guide is being used flexibly to achieve positive objectives evaluated through merit assessment	2026
2.5	Investigate further opportunities for low rise attached housing	2027
	Council actions	**Timing**
2.6	Review local environmental plans, local contribution plans and development control plans relating to Low and Mid-Rise Housing Areas designated under the Low and Mid-Rise Housing Policy	2026
2.7	Identify areas outside Low and Mid-Rise Housing Areas that can accommodate more diverse housing choice based on public transport connections to stations	2026–27
2.8	Review minimum lot size requirements for dual occupancies outside Low and Mid-Rise Housing Areas	2026–27
2.9	Consider more ways to provide high density development around stations and other transit hubs, where appropriate and feasible	2026–27

RESPONSE 3:
Secure the supply of affordable housing

Surplus Government-owned land can be leveraged to fast track affordable and social housing supply. This is already occurring at Explorer Street in Eveleigh and the WestConnex dive site in Annandale.

The NSW Government has established inclusionary zoning in priority locations under the Transport Oriented Development Program to provide affordable housing. The Transport Oriented Development Accelerated Precincts each have a base rate requirement for 3% of housing provided to be affordable. On key sites within these precincts and based on feasibility, higher rates of up to 18% affordable housing are required. This affordable housing is required to be delineated in perpetuity and managed by a registered community housing provider.

In other Transport Oriented Development Areas, the NSW Government has introduced a 2% mandatory affordable housing contribution in perpetuity for development projects with a minimum gross floor area of 2,000 sqm. This rate will increase over time to reflect market conditions. The In-fill Affordable Housing reforms are also aimed at encouraging developers to boost affordable housing and deliver more market housing.

In the short term, the Department will expedite local strategic planning for affordable housing, increasing certainty and streamlining affordable housing provisions in the medium to long term. Every Council must have an affordable housing contribution scheme in place by 2027.

Case study: Waterloo South Precinct



The rezoning of Waterloo South has increased social and affordable housing to 50% across the precinct, delivering more than 1,000 new social homes and over 600 affordable homes. The Waterloo South redevelopment aims to deliver more and better social, affordable and private housing, with community and green spaces which prioritise the health and wellbeing of social housing tenants. The project capitalises on the new Waterloo Metro station meaning residents have easy access to services and amenities.

The NSW Government is working with the local Aboriginal community and partner community housing providers to identify opportunities to improve outcomes for Aboriginal people. This includes 20% of all new social homes and 15% of all new affordable homes to be dedicated to Aboriginal people.



Government and Council actions for Response 3

	NSW Government actions	Timing
3.1	Deliver an Affordable Housing Contribution Scheme toolkit to support Councils to fast-track the preparation and adoption of an affordable housing contribution scheme	2026–27
3.2	Maximise the affordable housing outcomes delivered under Transport Oriented Development and infill affordable housing programs by creating more flexible arrangements for contributions	2029
	Council actions	**Timing**
3.3	Prepare and adopt an affordable housing contribution scheme	2027
3.4	Identify surplus Council-owned land for affordable housing	2027

Responses

RESPONSE 4:
Grow well-located jobs

An additional 820,900 jobs are forecast in Sydney by 2044 (Figure 34), distributed throughout the Sydney region, aligning workforce and land use opportunities with infrastructure investment (Figure 36). Jobs across the region aim to improve access to opportunities for everyone-including disadvantaged groups, Aboriginal communities, and people with diverse skills-by supporting jobs close to where they live (Figure 35).

Employment guidance for centres and at a UDP area scale is provided in Appendix E. Delivering jobs in centres, particularly corporate and service-oriented jobs, aims to increase accessibility by public transport. Jobs growth can also focus on areas outside of centres where:

- construction and industrial industries serve vital functions, such as logistics and transport
- health and education industries are significant job drivers and facilitate jobs growth both in and out of centres.

Forecasts for employment in centres and for UDP areas can:

- inform public infrastructure investment decisions
- support the network of centres by distributing jobs across centres
- guide strategic planning decisions on appropriate zonings
- enable businesses to make investment decisions and target specific workforces

Some areas of Sydney also function within a network, with development and different land uses forming corridors serviced by transport infrastructure. These areas vary in role, scale and function. They contain centres that benefit from connectivity – centres that can specialise and grow in targeted industries, leveraging infrastructure and supporting high density housing and employment areas. An example jobs corridor is at Figure 37.

Figure 34: Total jobs by industry group in Sydney in 2044 Source: DPHI 2025

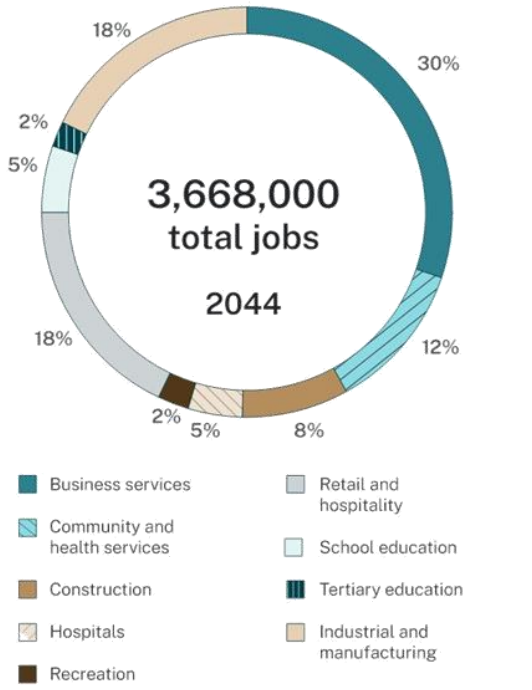
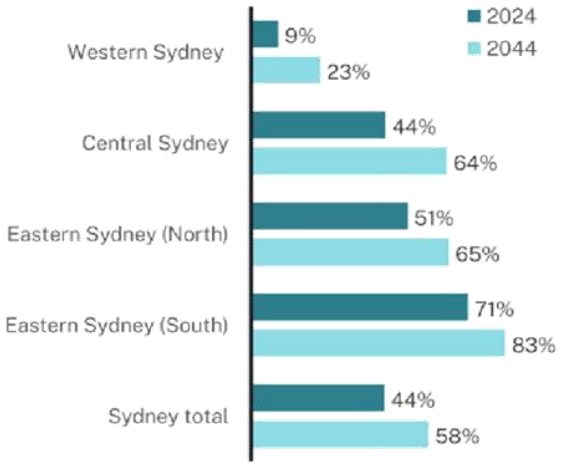
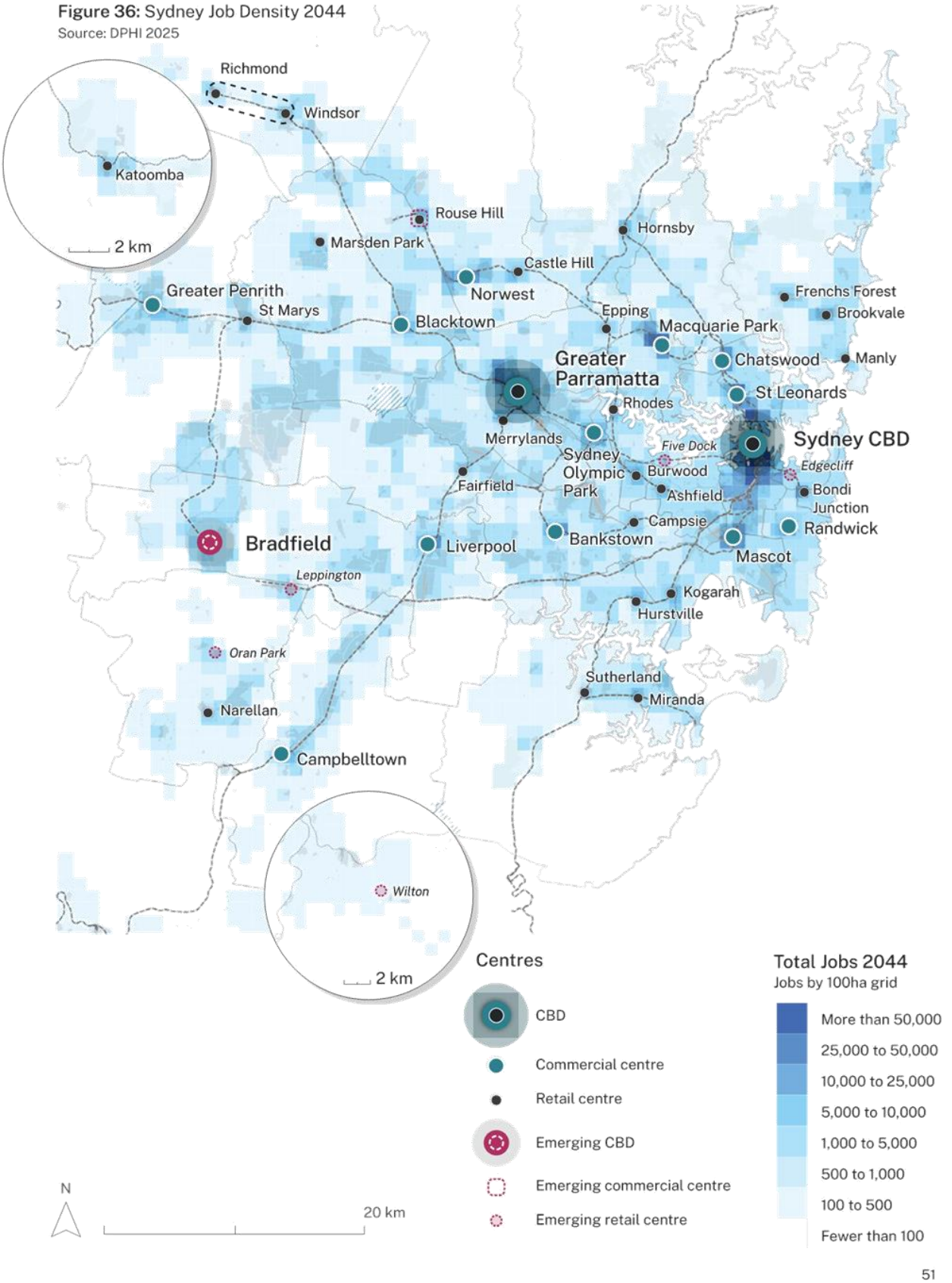


Figure 35: Percentage of population with access to more than 50,000 jobs within 30 minutes via public transport Source: DPHI 2025



Responses

Figure 36: Sydney Job Density 2044
Source: DPHI 2025



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Responses

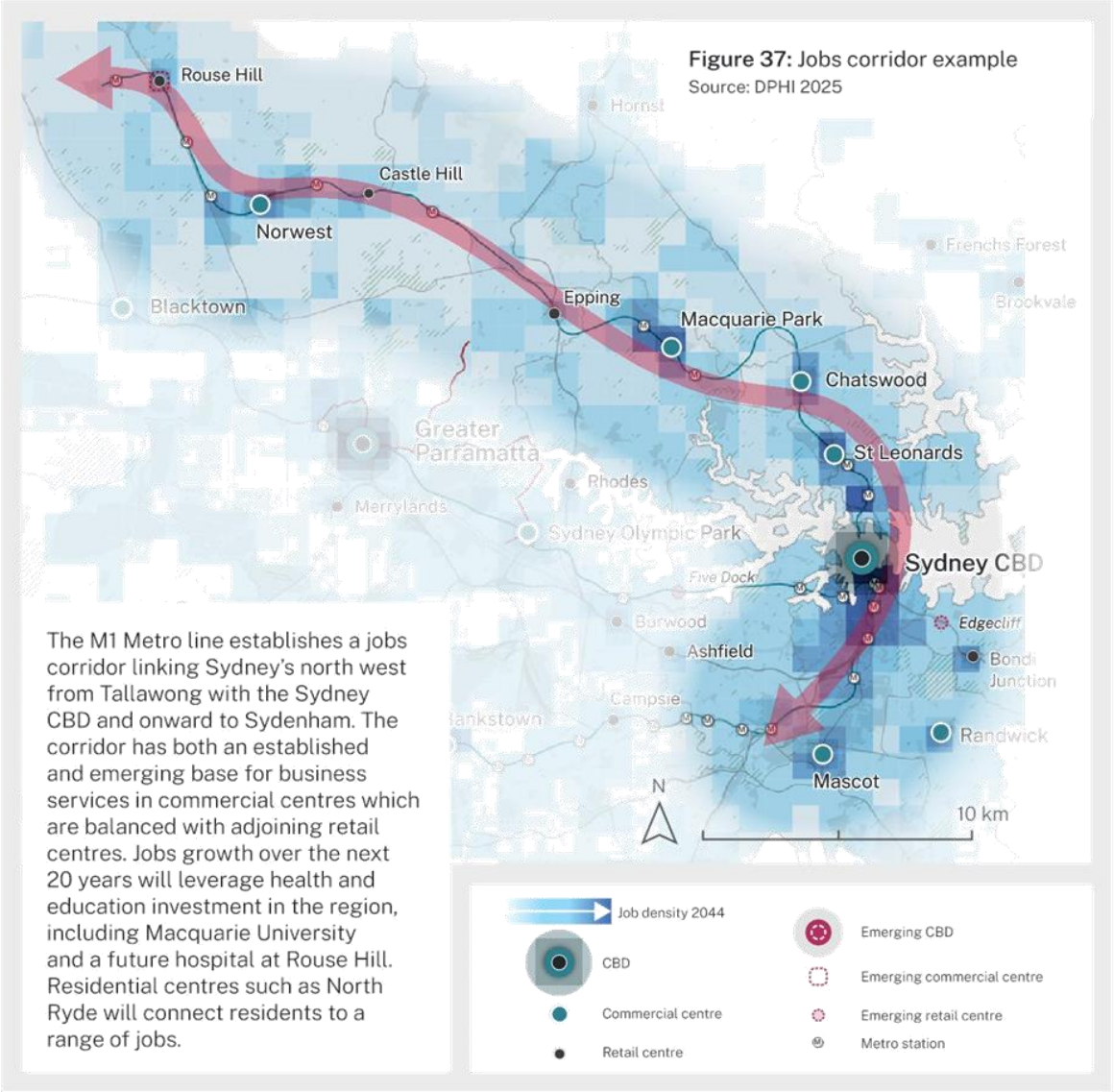

Figure 37: Jobs corridor example
Source: DPHI 2025

Government and Council actions for Response 4

	NSW Government actions	Timing
4.1	Finalise the centres policy including guidance on mixed-use or residential zoned land in and around a commercial core	2025–26
4.2	Review and update employment zone planning policy for centres	2025–26
	Council actions	**Timing**
4.3	Review and update planning controls for E1 and E2 zones within the identified Low and Mid-Rise Housing Areas to increase floor space for goods and services to meet the needs of new residents and to consider shop top housing	2027
4.4	Investigate and implement revised statutory provisions to enable new jobs in and out of centres, including responding to infrastructure availability	2026 and ongoing

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RESPONSE 5:
Align infrastructure to planned growth

A growing population requires a range of infrastructure, and timely infrastructure delivery is a key part of planning for any community. By appropriately sequencing state-funded infrastructure to enable and support housing growth, the delivery of this infrastructure can be staged for when communities need it most.

The Housing and Productivity Contribution (HPC) applies to residential, commercial and industrial development and helps fund state infrastructure. The UDP and ELDP inform recommendations for HPC funding through the Sydney Infrastructure Opportunities Plan (IOP), which identifies state infrastructure projects required to support the development of new housing and employment lands. Projects identified in the IOP may also be delivered by developers as 'works-in-kind'.

The UDP will monitor the supply of land across each UDP area and coordinate the sequencing of enabling and supporting infrastructure investment. This will support a strong pipeline of development ready land supported by appropriate infrastructure. Operating on an annual cycle, the UDP brings together NSW Government agencies, Councils, utility and industry stakeholders to coordinate housing supply and infrastructure delivery. This process informs NSW Government infrastructure investment and the allocation of funds from the HPC.

Councils collect contributions to support the provision of local infrastructure such as open space and walking or cycling connections. Councils understand local infrastructure capacity, plan for and prioritise new and upgraded infrastructure and must do so efficiently with a limited source of funding.

Regional and local scale infrastructure such as schools, community facilities, waste facilities, and cemeteries and crematoria requires consideration early in land use planning, to:

- protect existing infrastructure sites from encroachment and land use conflict
- identify new sites for uses that have specific requirements
- identify sites and planning pathways for additional capacity in line with growth and changing needs of communities.

Government and Council actions for Response 5

	NSW Government actions	Timing
5.1	Develop and annually update the Sydney Infrastructure Opportunities Plan	Ongoing
5.2	Publish best practice guidance for Councils when planning for and providing local infrastructure	2026–27
	Council actions	**Timing**
5.3	Use UDP and ELDP data to inform infrastructure planning at the local level	2026 and ongoing
5.4	Regularly review infrastructure contributions plans to reflect infrastructure priorities and staging through the UDP and ELDP	Minimum every 4 years, aligned to Council delivery programs
5.5	Review infrastructure schedules to reflect land use planning directions and current works and land acquisition costs	Minimum every 2 years from 2026
5.6	Identify specific planned infrastructure works to be delivered within Council delivery programs and operational plans	2026 and ongoing

Responses

RESPONSE 6:
Create a more vibrant Sydney

The vibrancy of centres is shaped by land use planning that support their role as focal points for social, cultural and economic activity. Planning for centres must consider community infrastructure and how people will access:

- public transport
- opportunities to walk, cycle or be active
- quality public spaces
- later trading of venues.

Land use planning should also consider built, natural and cultural heritage. This means incorporating shared or diverse histories and stories in planning and design through art or Aboriginal storytelling. As greenfield areas grow and mature, vibrancy can be boosted through a variety of civic and cultural activities both day and night, facilitated by land use planning.

Initiatives such as special entertainment precincts can encourage going-out districts with extended trading hours or favourable sound controls for venues. This is already happening at the Enmore Road Special Entertainment Precinct.

As Councils plan for new housing, they should also reimagine employment and mixed-use zones — considering planning controls that leverage the energy and diversity of incoming residents to create vibrant, integrated communities. This should aim to enhance existing infrastructure and facilities and respond to community needs (Figure 38).

In the short term, cultural and recreational opportunities will be identified and barriers removed to support local vibrancy. In the medium to long term, the Department will work across Government and with Councils to plan for and develop cultural infrastructure.

Case study: Lakemba night markets

The Lakemba night markets celebrate cultural diversity, inclusivity, and a vibrant local community. The event started in 2012 with a single barbecue stand on Haldon Street during Ramadan and has been under Council management since 2017. Stalls are allowed to operate from 6pm–2am. Government support has enabled the markets to grow in scale, supporting road closures, public transport interventions and power for stallholders, making it Australia's largest Council-run event.





Image credit: Destination NSW

Figure 38: Key elements of a vibrant neighbourhood in Sydney



1. Access to public transport options
2. Local night time economy that is accessible and safe for everyone
3. Mix of housing types such as mixed use and medium to high density
4. Consider amenity impacts when planning for new sensitive development adjacent to existing vibrant areas
5. Walkable urban forms
6. Extended trading hours
7. Outdoor usable spaces
8. Mitigation of noise impact on sensitive land uses (e.g. healthcare clinics, aged care facilities and schools) to minimise land use conflicts

Government and Council actions for Response 6

	NSW Government actions	Timing
6.1	Activate key arts and entertainment precincts, and promote cultural institutions, state-owned performance venues and cultural festivals through flexible zoning controls, active street frontage requirements and expedited planning pathways	2026–29
6.2	Consult with Councils and communities to establish special entertainment precincts where appropriate in State-led rezonings and state significant development	2026–29
	Council actions	**Timing**
6.3	Establish special entertainment precincts where appropriate to accommodate critical community, arts, cultural and retail uses as part of Council-led precinct planning	2026–29

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Responses

RESPONSE 7:
Grow and connect public open space

There is a significant inequity in communities' access to public open space across Sydney. Improving connections to existing open space and progressing opportunities to provide new open space will improve this over time. In 2030, about 73% of the population will live in areas that offer over 2 hectares of open space per 1,000 people (Figure 39). However, without intervention, this figure is projected to fall to 67% by 2045 (Appendix F).

Working together, the NSW Government and Councils can increase the supply and connectivity of land zoned for public open space. Over the next 5 years this should focus on areas with lower open space provision and significant population growth pressure, such as Burwood, Bankstown and Hornsby (Figure 39).

Working alongside local planning, State-led rezoning can increase open space areas and improve accessibility to open spaces network. However, as urban growth continues, there should be no reduction in total area of existing public open space. Planning should prioritise the allocation of more land for public recreation. Appendix F provides additional information on planning for open space over the next 20 years.

Partnerships with Aboriginal peoples must inform the open space location, design and management to authentically embed Aboriginal perspectives, knowledge, values and heritage.

To inform local planning, the Department will set reasonable and achievable open space targets for each LGA.

In greenfield areas, early consideration and identification of land for metropolitan public open spaces is required to support the growing population. This includes key opportunities at Scenic Hills, Rouse Hill and Penrith Lakes. In infill areas, new developments should consider the provision of open space and explore opportunities such as delivery of innovative public open space and expand areas adjoining existing open space. Appendix F provides mapping to guide investment for the provision of open space to 2045.

The blue-green grid provides an opportunity to improve access to public open space by connecting waterways and green infrastructure with centres, public transport, walking and cycling routes and residential areas.

Councils lead the detailed planning and provision of blue-green grid connections in collaboration with NSW Government agencies. Several Councils are implementing local strategies and others continue to plan and implement works to enhance priority corridors.

Land use planning and infrastructure investment mechanisms to support the blue-green grid include additional local clauses in local environmental plans, setback provisions in development control plans, direct investment in open space, urban greening and planning agreements.

Appendix G provides mapping to guide coordination and investment for projects that increase access to public open space and contribute to the improvement of the blue-green grid.

Government and Council actions for Response 7

	NSW Government actions	Timing
7.1	Review and refine the identified network of high priority blue-green grid corridors	2026–29
7.2	Deliver projects and programs to create or expand metropolitan public open space	2026–29
7.3	Provide open space provision guidance and targets	2026–27
	Council actions	**Timing**
7.4	Review Councils' existing and future open space provision and identify local opportunities to align with NSW Government's open space outcomes	2027–29

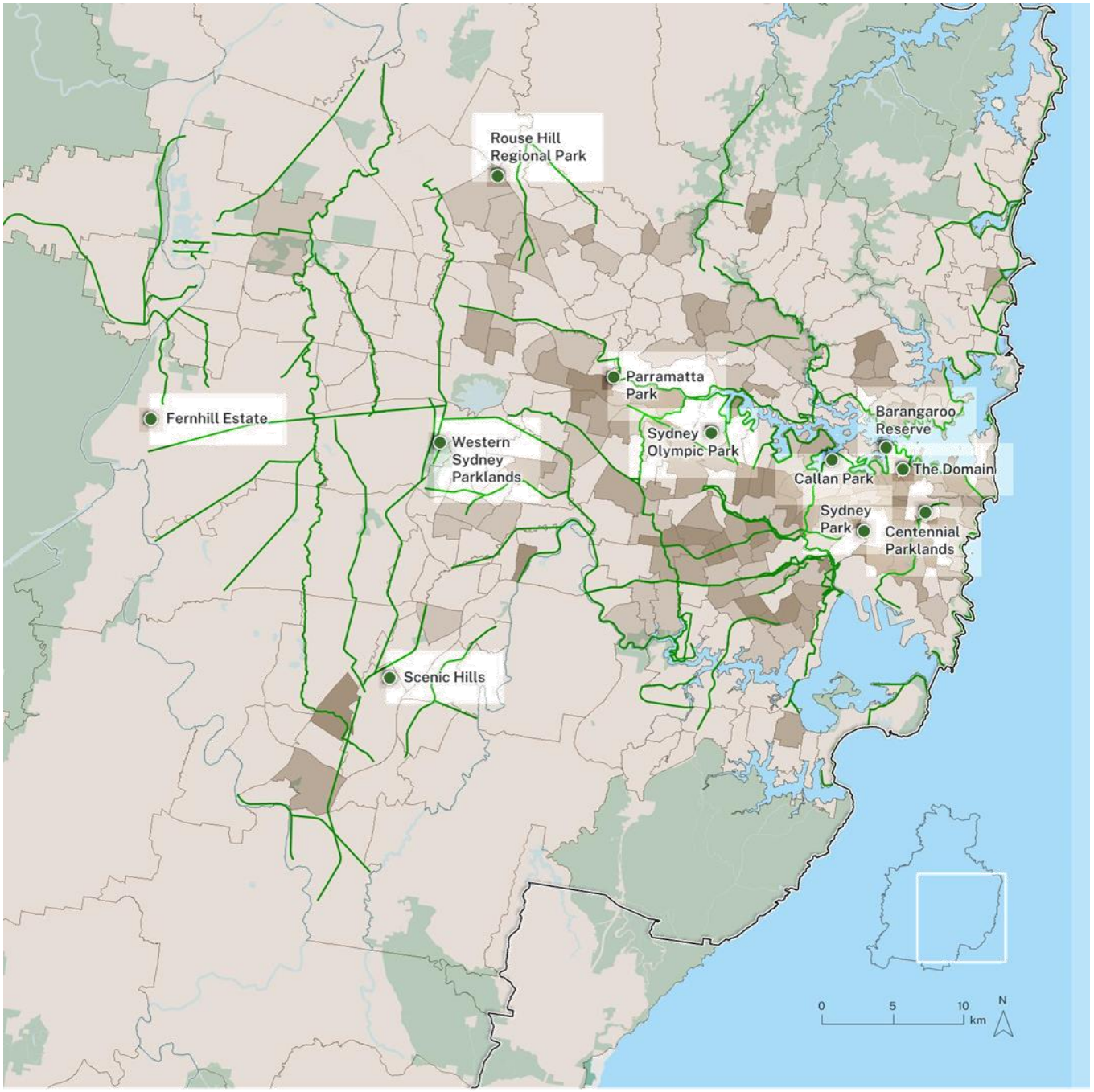

Figure 39: 5 year high priority open space map

Sydney region boundary
Blue-green grid
Metropolitan public open spaces
National Parks and Wildlife Service Estate

OPEN SPACE HA/1000 POPULATION PROJECTED TO 2030 BY SA2

<1 ha
1–2 ha
2–3 ha
>3 ha

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Responses

RESPONSE 8:
Secure an ongoing pipeline of productive industrial lands

Industrial lands in Sydney have different roles and functions. They are essential to service the growing population and to support the broader state and national economy. The NSW Government introduced a new policy of categorising industrial lands to support strategic planning so that industrial areas are able to operate effectively and remain competitive.

This plan implements the draft *Statewide Policy for Industrial Lands* (draft statewide policy) as it applies to Sydney (Figure 40, Table 2 and further detail at Appendix H). The draft statewide policy aims to:

- respond to the changing needs of industry
- support the diversification, adaptation and intensification of industrial lands.

It includes three categories of industrial lands:

- **State significant** industrial lands are critical infrastructure of state or national significance. Examples include Port Botany, Sydney and Western Sydney Airports.
- **Regionally significant** industrial lands are essential to supply chains and broader city functions such as waste. Examples include Silverwater, Kurnell and Alexandria.
- **Locally significant** industrial lands serve the local area and support local uses urban services such as mechanics or last-mile delivery.

The ELDP identifies priority employment areas – zoned land that, once serviced, will increase the supply of development-ready industrial lands. This includes land in Western Sydney Aerotropolis where up to 5,000 ha of serviced employment land can be developed by 2040 if transport and water-related projects are properly coordinated.

A serviced employment land supply rate in the range of 250 ha per year is required to support a healthy pipeline in the Sydney market

Table 2: Summary of Sydney's industrial lands in each category

Category	% of Precincts	Area (Ha)	% of Area
State	3%	3,594	16%
Regional	56%	18,745	81%
Local	41%	733	3%
Total	100%	23,072	100%

Bays Precinct is identified as state significant and is under review.

Government and Council actions for Response 8

	NSW Government actions	Timing
8.1	Investigate interventions to support the intensification of significant industrial lands	2026
8.2	Update the Employment Lands Development Monitor to align with categorisation	2026
8.3	Review the industrial lands categorisation every 2 years	From 2027
8.4	Identify potential new industrial land	2027
8.5	Publish Sydney's priority employment areas and investment program	2026
8.6	Track the supply pipeline to support timely investment and rezoning decisions	2026 and ongoing
	Council actions	**Timing**
8.7	Review locally significant industrial lands in line with the draft statewide policy and incorporate into future local planning	2026 and ongoing
8.8	Update local zoning of industrial lands to be consistent with the statewide policy	2026–27

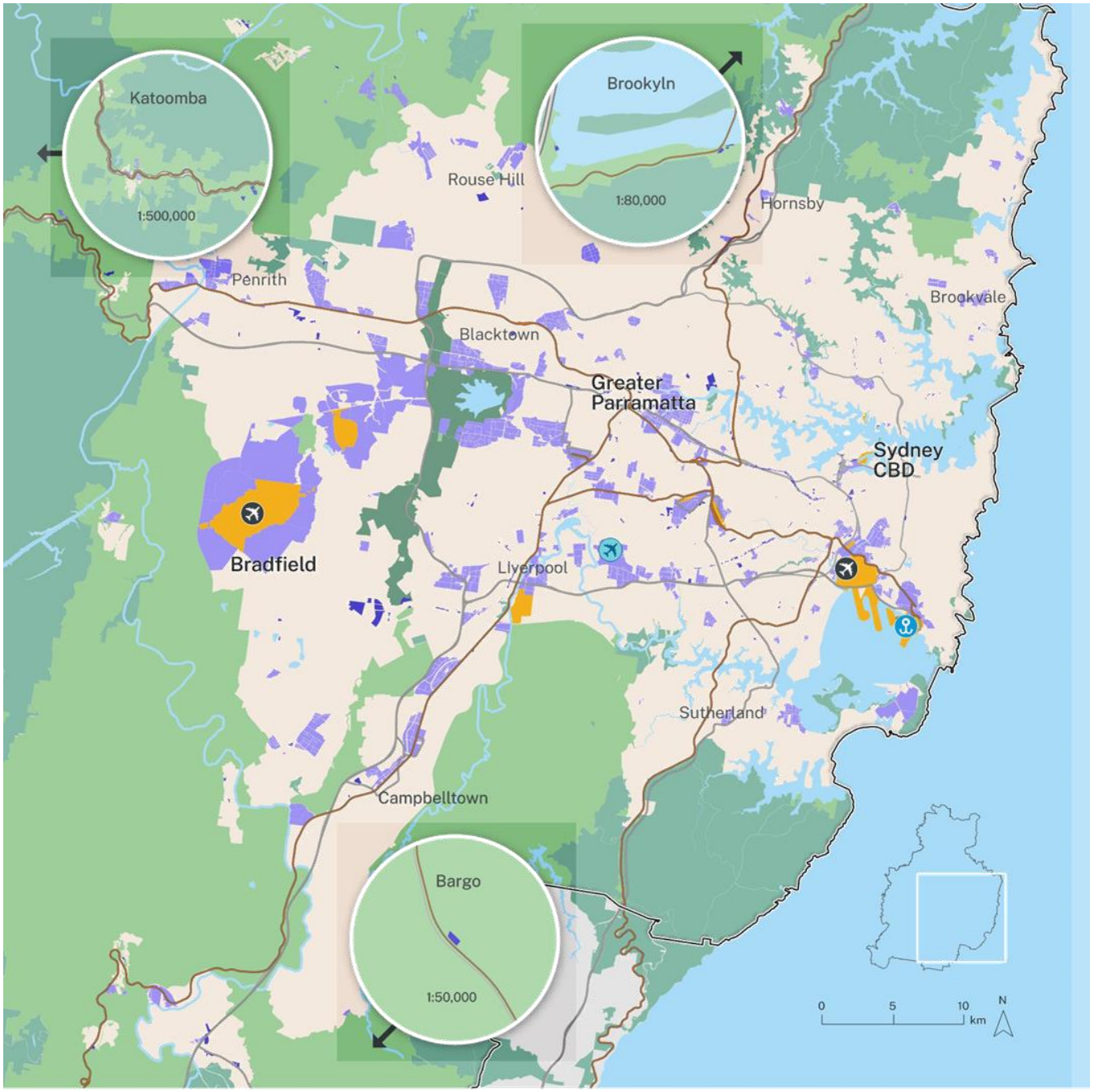

Figure 40: Industrial lands

- Sydney region boundary
- International airport
- Domestic airport
- Port
- Key freight rail
- Key freight road
- Motorway

INDUSTRIAL LANDS CATEGORIES

- Locally significant
- Regionally significant
- State significant

Bays Precinct is identified as state significant and is under review.

- Draft urban footprint
- Western Sydney Parklands
- National Parks and Wildlife Service Estate
- Rural and conservation lands

Note: DPHI's 2024 Employment Land Development Monitor precincts form the basis of the draft industrial land categorisation alongside the principles and criteria established within the Draft Statewide Policy for Industrial Lands. Source for key freight rail and road routes: DITRDCSA Data Catalogue – National Key Freight Routes Map (note these include both dedicated and shared routes).

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Responses

RESPONSE 9:

Minimise the impact of natural hazards to communities

Applying a risk-based framework to land use and infrastructure planning decisions is essential to protect people, communities and built environments from natural hazards. New development should occur where natural hazard risk has been assessed as tolerable. This will:

- reduce public costs for providing infrastructure to support climate adaptation
- help manage the increased costs of home and contents insurance to households over time
- maintain level of risk for existing communities in areas with high natural hazard risk by reducing pressure on key evacuation routes
- avoid or reduce service disruption during a crisis and provide effective recovery and emergency management.

Aboriginal cultural knowledge and land management practices support the health of Country. Where possible, this knowledge should be respectfully incorporated and utilised in risk-based planning, without impacting redevelopment opportunities for Aboriginal landowners. Any application of risk-based frameworks on land owned by Aboriginal landowners should consider Aboriginal peoples' economic participation, housing, social and cultural expression needs.

Local Councils are primarily responsible for understanding and managing flood risk to their communities. They do this with the support of NSW Government through developing and implementing flood risk management plans, as outlined in the Flood Risk Management Manual and its supporting Toolkit.

Following the State Disaster Mitigation Plan, the NSW Reconstruction Authority will develop a Disaster Adaptation Plan (DAP) for the Hawkesbury-Nepean Valley to address flood risk for communities in the catchment. The DAP will need to be taken into account in the preparation of strategic plans as well as in the assessment of development proposals. Appendix I contains flood planning principles that should be applied to strategic planning and development decisions in parts of the Sydney region not covered by a DAP or until a DAP is released.

Mitigation against urban heat requires green infrastructure, water in the landscape, cool building and paving materials, and passive cooling design of buildings and urban design. The Department's Cooler Places resources provides guidance to Councils and industry that should be adopted in



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early planning and design alongside consideration of spatial data, urban context, local climate, and community vulnerability.

The NSW Coastal Management Framework responds to coastal management challenges and opportunities and provides statutory direction for sustainably managing the NSW coastal zone. Planning proposals within the coastal zone must be consistent with local coastal management programs and any study or assessment that identifies land affected by a current or future coastal hazard.

Following the 2020 NSW Bushfire Inquiry, the Department, NSW Rural Fire Service and NSW Reconstruction Authority developed a draft NSW Bush Fire Policy for Land Use Planning and supporting Bush Fire Prone Land Package. When finalised the package will provide requirements for planning proposals on or near bush fire prone land.



Government and Council actions for Response 9

	NSW Government actions	Timing
9.1	Implement relevant land use planning directions outlined in the Hawkesbury-Nepean Valley DAP	2026–27
9.2	Develop and release guiding principles for building back better after natural disasters	2026
9.3	Develop and release resilience assessment package to support building resilient communities and guide the considerations of natural hazard risk in settlement planning	2026
9.4	Develop and release guidance for considering tolerable natural hazard risk in planning decisions	2026
	Council actions	**Timing**
9.5	Review hazard studies using up-to-date, local place-based data on current and future exposure and vulnerability to hazards to inform land use and infrastructure planning decisions	2026 and ongoing
9.6	Relevant Councils to implement coastal management programs and associated planning actions	2026 and ongoing
9.7	Relevant Councils to prepare DAP implementation plans that outline how the Hawkesbury Nepean Valley DAP will be implemented through local strategic planning	2026–27

Responses

RESPONSE 10:
Sequence planned growth in greenfield areas within the urban footprint

While the 5-year housing targets to June 2029 focus on infill development, greenfield development in western Sydney will supply land for new housing and employment to 2045 and beyond.

The region's 6 greenfield growth areas offer substantial capacity within current zoning to respond to the region's housing and employment needs (Figure 41). However, this can only occur if the right infrastructure is in place to meet demand and allow orderly development.

This plan categorises precincts in greenfield areas based on their status and readiness for development (Figure 42). While land is serviced when there is access to water, wastewater, roads and electricity, land becomes development ready when enabling infrastructure is in place to support its planned future use.

Given the existing rezoned capacity, and the relatively high costs and complexity of servicing greenfield areas, expanding additional development fronts in these locations does not represent a sustainable or efficient planning approach in the near term.

To support the orderly progression of land to being development ready, the Department will prepare a medium-term sequencing plan for Sydney's strategy identified greenfield precincts. This approach will provide certainty for Government, Councils and industry to plan and invest.

Precinct status categories

Strategy identified – areas identified through strategic plans for potential future or more intense development (uplift), subject to investigations into their suitability for development. These areas may be serviced or unserviced.

Rezoned – areas investigated and rezoned for urban development or uplift with enabling infrastructure needs identified. Areas may be rezoned in part or in whole and may be serviced or unserviced.

Staging – areas where new and/or upgraded infrastructure is planned, staged and provided to unlock development, and where detailed site planning is needed to resolve outstanding issues. Staging may occur concurrently with rezoning, and areas may be serviced or unserviced.

Development ready – areas with enabling infrastructure in place and all key planning issues resolved, where construction can commence.

Proposals to rezone greenfield land within a strategy-identified greenfield precinct must respond to the principles in Appendix J. These principles will inform assessments of planning proposals and all relevant proposals until the medium-term sequencing plan for Sydney's greenfield land is finalised.

Not all land in the urban footprint is suitable for development and all proposals are subject to detailed investigations to assess risks, constraints and to determine capacity.

Figure 41: Housing completions and remaining rezoned dwelling potential
Source: DPHI 2025



Government action for Response 10

	NSW Government actions	Timing
10.1	Develop a medium-term sequencing plan for greenfield precincts in Sydney	2027–28 and ongoing

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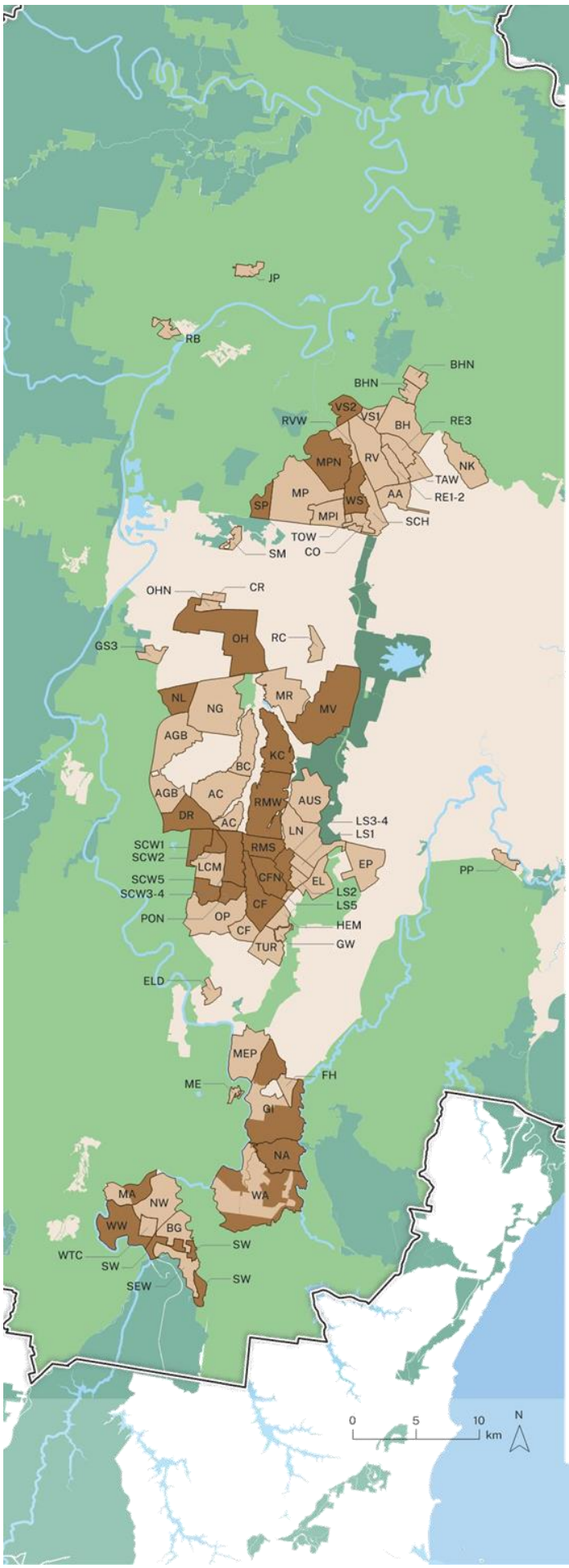

Figure 42: Greenfield precincts overview

Label	Precinct Name
AA	Alex Avenue
AC	Aerotropolis Core
AGB	Agribusiness
AUS	Austral
BC	Badgerys Creek
BG	Bingara Gorge
BH	Box Hill and Box Hill Industrial
BHN	Box Hill North (Gables)
CF	Catherine Fields
CFN	Catherine Fields North
CO	Colebee
CR	Caddens Road
DR	Dwyer Road
EL	East Leppington
ELD	Elderslie
EP	Edmondson Park
FH	Mount Gilead (Figtree Hill)
GI	Gilead
GS3	Glenmore Park Stage 3
GW	Gledswood
HEM	The Hermitage
JP	Jacaranda Ponds, Glossodia
KC	Kemps Creek
LCM	Lowes Creek Marylands
LN	Leppington North
LS1	Leppington Stage 1
LS2	Leppington Stage 2
LS3-4	Leppington Stage 3 and 4
LS5	Leppington Stage 5
MA	Maldon
ME	Menangle (Wollondilly)
MEP	Menangle Park
MP	Marsden Park
MPI	Marsden Park Industrial
MPN	Marsden Park North
MR	Mamre Road
MV	Mount Vernon and Horsley Park
NA	North Appin
NG	Northern Gateway
NK	North Kellyville
NL	North Luddenham
NW	North Wilton

Label	Precinct Name
OH	Orchard Hills
OHN	Orchard Hills North
OP	Oran Park
PON	Pondicherry
PP	Pleasure Point
RB	Redbank
RC	Ropes Creek Precinct
RE1-2	Riverstone East Stage 1 and 2
RE3	Riverstone East Stage 3
RMS	Rossmore (SWGA)
RMW	Rossmore (WSA)
RV	Riverstone
RVW	Riverstone West
SCH	Schofields
SCW1	South Creek West Precinct 1
SCW2	South Creek West Precinct 2
SCW3-4	South Creek West Precincts 3 and 4
SCW5	South Creek West Precinct 5
SEW	South East Wilton
SM	St Marys (Central Precinct)
SP	Shanes Park
SW	South Wilton
TAW	Tallawong Station
TOW	Townson Road
TUR	Turner Road
VS1	Vineyard Stage 1
VS2	Vineyard Stage 2
WA	West Appin
WS	West Schofields
WTC	Wilton Town Centre
WW	West Wilton

Sydney region boundary
Draft urban footprint
Western Sydney Parklands
National Parks and Wildlife Service Estate
Rural and conservation lands

GREENFIELD PRECINCT STATUS

Rezoned
Strategy identified

63

Responses

RESPONSE 11:
Manage land uses beyond the urban footprint



The rural and conservation areas outside Sydney's urban footprint, formerly known as the Metropolitan Rural Area, contain productive uses that play important roles for the region including agriculture, logistics, tourism and critical infrastructure such as waste and recycling facilities. Much of this land is subject to natural hazards and environmental protections.

These lands are not waiting for urban development. Rural industries, mining and other facilities outside the urban footprint play important roles that support the efficient function of the region, including contributing to net zero commitments. These facilities and uses have specific location requirements such as buffer zones to appropriately separate residential uses and sensitive environmental areas, and avoid land use conflicts.

Most zoned rural land is used for productive rural purposes and should be protected from fragmentation and urban encroachment. Some rural lands could transition to other productive uses if existing uses are no longer viable, and if land can be serviced and development ready.

Any future land uses must consider required infrastructure investments and compatibility with existing settings and land uses.

Higher priority land uses include those that:

- support a transition to higher value add productive industries
- leverage opportunities such as the Western Sydney International Airport
- are integral to supply chains or
- are integral to the growth of Sydney such as providing fresh food and construction materials.

Urban development outside of the urban footprint is generally not supported. The existing urban footprint has sufficient land to accommodate projected growth over the coming years. Appendix J maps the draft urban footprint that will be finalised in collaboration with Councils and NSW Government agencies. Until then, the Metropolitan Rural Area identified in the *2018 Greater Sydney Region Plan* will apply.

New urban investigation areas may be identified by the NSW Government or Councils if needed. Any Council-proposed areas must first be approved by the Department against the principles in Appendix J.

More flexible planning approaches and partnerships with Aboriginal landowners and communities can support economic outcomes for their rural land holdings.

Government and Council actions for Response 11

	NSW Government actions	Timing
11.1	Undertake a Sydney rural lands study to map productive uses, critical infrastructure and important supply chains beyond the urban footprint	2026–27
11.2	Investigate planning policy interventions to increase the productivity of rural lands including through agribusiness innovations, diversification and the inclusion of new productive uses	2027–29
11.3	Finalise the urban footprint mapping and associated strategic policy	2027
	Council actions	**Timing**
11.4	Relevant Councils to review the interface between the urban and rural lands to inform the urban footprint	2026

RESPONSE 12:
Protect and enhance the natural environment

Planning for resilience requires a long-term approach to protecting and enhancing Sydney's waterways, biodiversity, bushland, rural lands and connected green spaces and corridors. Aligning planning controls with contemporary environmental management approaches early in the planning process will provide pathways to protect the range of natural assets and areas with biodiversity values within Sydney (Figure 43). Earlier and better alignment of planning controls and environmental management approaches should consider how best to integrate natural assets and biodiversity within Sydney's urban environment.

Land use planning can protect what is left and restore what is degraded to improve the natural environment. Landscape-scale approaches to protect and enhance waterways and biodiversity contribute to nature positive aims set by the NSW Government.

Biodiversity certification of strategic conservation plans provides benefits by identifying areas of highest biodiversity and land suited to urban development. This approach can be applied to growth areas or corridors for major infrastructure projects. This strengthens protections that apply to the region's sensitive environmental values while giving certainty for developers.

Urban greening provides multiple social, environmental and economic benefits. To enable a healthy and connected natural environment, the NSW Government has set a target to increase tree canopy across Sydney to 40% by 2036. This goal has been set to reduce urban heat, enhance biodiversity and achieve the proven health and wellbeing benefits that are experienced by those living in communities with at least 30% canopy cover.

Councils should use spatial data to develop urban greening targets for both public and private land, identify blue-green grid connections and develop actions that respond to local conditions. Urban forest strategies can use urban heat and heat vulnerability data to set priorities for areas characterised by low canopy cover and high heat vulnerability. With canopy coverage varying across suburbs, Councils should lead the strategic planning of local urban forests to maximise the cooling benefits of trees and green cover.

Coast and waterway health is subject to pressures from urbanisation and is vulnerable to pollution. Land use planning can protect and manage the impact of development on sensitive waterways, coastal environments, drinking water catchments and stormwater infrastructure. Planning approaches should consider integrated water cycle management, water sensitive urban design, and landscape restoration to improve ecosystem health, wastewater and stormwater management, and ensure access to water for recreation.



Government and Council actions for Response 12

	NSW Government actions	Timing
12.1	Update tree canopy capture data and mapping for Sydney	Every 2 years
12.2	Develop an urban greening guide for Sydney	2026
	Council actions	**Timing**
12.3	Develop locally appropriate canopy and greening targets	2026–30

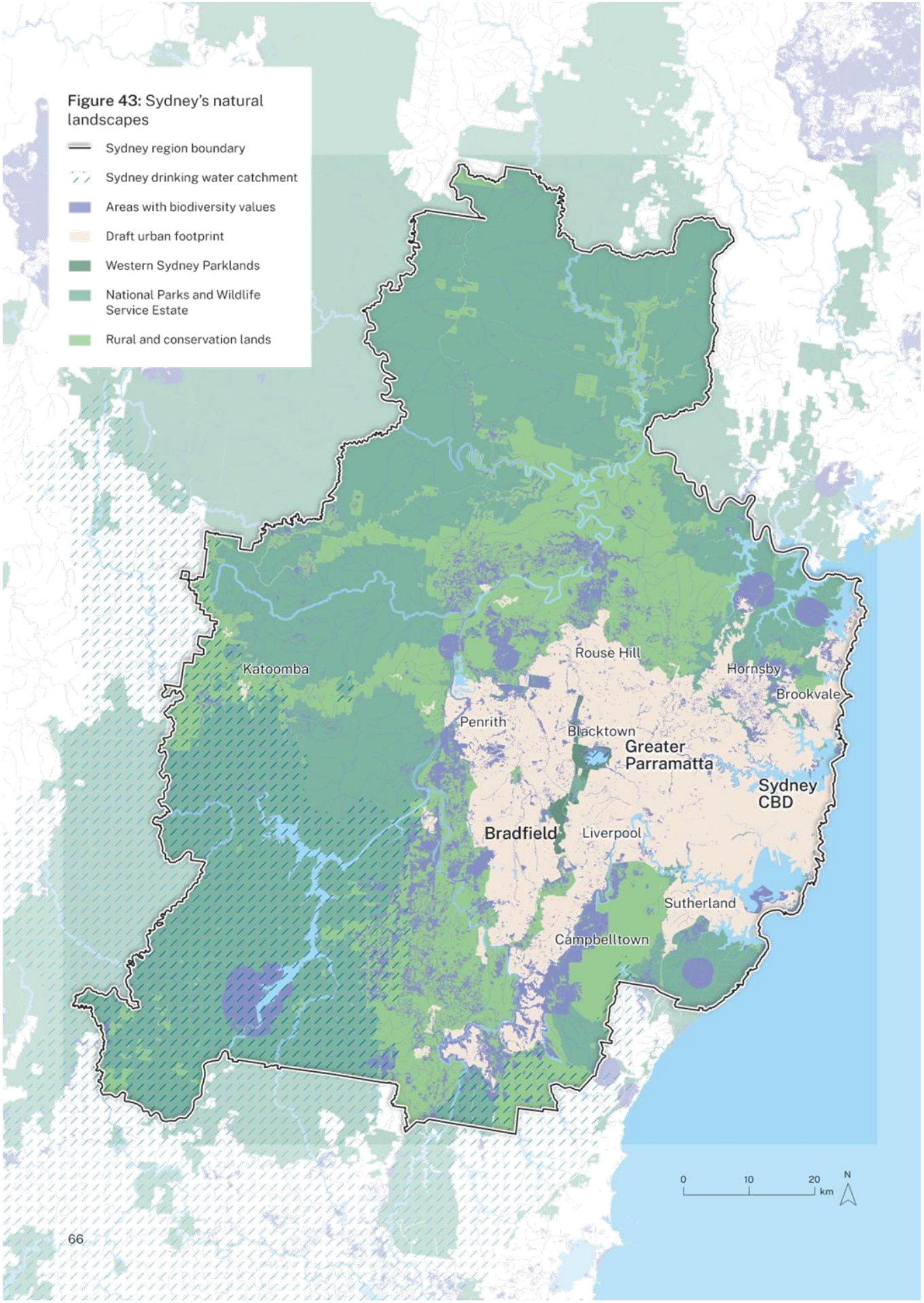
Figure 43: Sydney's natural landscapes
Sydney region boundary
Sydney drinking water catchment
Areas with biodiversity values
Draft urban footprint
Western Sydney Parklands
National Parks and Wildlife Service Estate
Rural and conservation lands
Katoomba
Rouse Hill
Hornsby
Brookvale
Penrith
Blacktown
Greater Parramatta
Sydney CBD
Bradfield
Liverpool
Sutherland
Campbelltown
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66

Implementation

The Sydney Plan and technical appendices are a framework for decision-making and strategic planning. The plan will be implemented through:

- updates to planning instruments, policies and programs
- updated research by the Department
- State-led rezonings.

Implementation will inform:

- updates to local strategic planning and local environmental plans
- infrastructure planning, sequencing and investment decisions
- the assessment of planning proposals by the NSW Government and Councils.

Councils should start to implement actions from the Sydney Plan once finalised. In due course, directions from the plan should be incorporated into local strategic planning statements; updates to local environmental plans can address short-term matters.

The technical appendices provide guidance, principles and information for Government, Councils and proponents to implement the plan. These will be updated in line with changes in Government policy and announcements.



Governance

A strong governance structure allows for transparent decisions based on evidence and analysis, stakeholder engagement and monitoring and evaluation.

Collaboration is central to implementing the plan, including:

- collaboration with Councils infrastructure agencies and industry through the UDP and ELDP
- collaboration with infrastructure and funding agencies
- local planning and collaboration with Councils.

The Department will work across Government to finalise and inform the allocation of HPC funds and support staged delivery of infrastructure.

Monitoring and evaluation

A monitoring, evaluation, reporting and learning (MERL) framework will inform implementation and align with the broader strategic planning framework. The proposed state land use plan will outline state-level priorities and success indicators to guide monitoring and evaluation activities. Additional Sydney-specific indicators will be developed and included in the final plan.

The UDP will monitor housing completions and the supply of residential land. The ELDP and ELDM will track the pipeline of zoned and development-ready employment land. Updated local strategic planning statements and local environmental plans, as well as ongoing Council programs and collaboration with the Department and other NSW Government agencies, will also contribute to the MERL framework.

This plan outlines the short-term land use planning-related actions for the NSW Government and Councils with a view to the 20-year horizon. Actions will be updated periodically to reflect projects and programs as they are confirmed and incorporate the learnings from monitoring and evaluation. Appendix B summarises the actions contained in this plan.

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Department of Planning,
Housing and Infrastructure

NSW GOVERNMENT

Postal Address:
Department of Planning,
Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Street Address:
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Summary of actions

Response	Responsibility	Action		Timing
Response 1: Implement Sydney housing targets	NSW Government	1.1	Develop and implement a revised housing supply and diversity monitoring framework	2026–27
		1.2	Continue to investigate and implement new statutory provisions to fast track assessment of Council-led housing proposals	2026 and ongoing
		1.3	Lead planning interventions to increase housing supply if Councils fail to meet housing target requirements	2026 and ongoing
	Council	1.4	Review and update local strategic planning and local environmental plans to align with the Sydney Plan and provide sufficient feasible capacity to meet housing targets	2027 and ongoing
Response 2: Increase housing diversity and choice	NSW Government	2.1	Review development standards for dual occupancy development to establish a consistent approach across NSW	2026
		2.2	Complete master plans and State-led rezoning precinct studies for priority Metro West, Sydney Metro – Western Sydney Airport, Stage 2 light rail and rapid bus networks	2027–28 and ongoing
		2.3	Investigate planning control incentives relating to housing diversity and requirements for family-friendly apartments in mid and high-rise residential development	2026
		2.4	Update guidance to consent authorities, industry and the community to make sure the Apartment Design Guide is being used flexibly to achieve positive objectives evaluated through merit assessment	2026
		2.5	Investigate further opportunities for low rise attached housing	2027
	Council	2.6	Review local environmental plans, local contribution plans and development control plans relating to Low and Mid-Rise Housing Areas designated under the Low and Mid-Rise Housing Policy	2026
		2.7	Identify areas outside Low and Mid-Rise Housing Areas that can accommodate more diverse housing choice based on public transport connections to stations	2026–27
		2.8	Review minimum lot size requirements for dual occupancies outside Low and Mid-Rise Housing Areas	2026–27
		2.9	Consider more ways to provide high density development around stations and other transit hubs, where appropriate and feasible	2026–27

Response	Responsibility	Action		Timing
Response 3: Secure the supply of affordable housing	NSW Government	3.1	Deliver an Affordable Housing Contribution Scheme toolkit to support Councils to fast-track the preparation and adoption of an affordable housing contribution scheme	2026–27
		3.2	Maximise the affordable housing outcomes delivered under Transport Oriented Development and infill affordable housing programs by creating more flexible arrangements for contributions	2029
	Council	3.3	Prepare and adopt an affordable housing contribution scheme	2027
		3.4	Identify surplus Council-owned land for affordable housing	2027
Response 4: Grow well-located jobs	NSW Government	4.1	Finalise the centres policy including guidance on mixed-use or residential zoned land in and around a commercial core	2025–26
		4.2	Review and update employment zone planning policy for centres	2025–26
	Council	4.3	Review and update planning controls for E1 and E2 zones within the identified Low and Mid-Rise Housing Areas to increase floor space for goods and services to meet the needs of new residents and to consider shop top housing	2027
		4.4	Investigate and implement revised statutory provisions to enable new jobs in and out of centres, including responding to infrastructure availability	2026 and ongoing
Response 5: Align infrastructure to planned growth	NSW Government	5.1	Develop and annually update the Sydney Infrastructure Opportunities Plan	Ongoing
		5.2	Publish best practice guidance for Councils when planning for and providing local infrastructure	2026–27
	Council	5.3	Use UDP and ELDP data to inform infrastructure planning at the local level	2026 and ongoing
		5.4	Regularly review infrastructure contributions plans to reflect infrastructure priorities and staging through the UDP and ELDP	Minimum every 4 years, aligned to Council delivery programs
		5.5	Review infrastructure schedules to reflect land use planning directions and current works and land acquisition costs	Minimum every 2 years from 2026
		5.6	Identify specific planned infrastructure works to be delivered within Council delivery programs and operational plans	2026 and ongoing

Response	Responsibility	Action		Timing
Response 6: Create a more vibrant Sydney	NSW Government	6.1	Activate key arts and entertainment precincts, and promote cultural institutions, state-owned performance venues and cultural festivals through flexible zoning controls, active street frontage requirements and expedited planning pathways	2026–29
		6.2	Consult with Councils and communities to establish special entertainment precincts where appropriate in State-led rezonings and state significant development	2026–29
	Council	6.3	Establish special entertainment precincts where appropriate to accommodate critical community, arts, cultural and retail uses as part of Council-led precinct planning	2026–29
Response 7: Grow and connect public open space	NSW Government	7.1	Review and refine the identified network of high priority blue-green grid corridors	2026–29
		7.2	Deliver projects and programs to create or expand metropolitan public open space	2026–29
		7.3	Provide open space provision guidance and targets	2026–27
	Council	7.4	Review Councils' existing and future open space provision and identify local opportunities to align with NSW Government's open space outcomes	2027–29
Response 8: Secure an ongoing pipeline of productive industrial lands	NSW Government	8.1	Investigate interventions to support the intensification of significant industrial lands	2026
		8.2	Update the Employment Lands Development Monitor to align with categorisation	2026
		8.3	Review the industrial lands categorisation every 2 years	From 2027
		8.4	Identify potential new industrial land	2027
		8.5	Publish Sydney's priority employment areas and investment program	2026
		8.6	Track the supply pipeline to support timely investment and rezoning decisions	2026 and ongoing
	Council	8.7	Review locally significant industrial lands in line with the draft statewide policy and incorporate into future local planning	2026 and ongoing
		8.8	Update local zoning of industrial lands to be consistent with the statewide policy	2026–27
Response 9: Minimise the impact of natural hazards to communities	NSW Government	9.1	Implement relevant land use planning directions outlined in the Hawkesbury-Nepean Valley Disaster Adaptation Plan (DAP)	2026–27
		9.2	Develop and release guiding principles for building back better after natural disasters	2026
		9.3	Develop and release resilience assessment package to support building resilient communities and guide the considerations of natural hazard risk in settlement planning	2026
		9.4	Develop and release guidance for considering tolerable natural hazard risk in planning decisions	2026

Response	Responsibility	Action		Timing
	Council	9.5	Review hazard studies using up-to-date, local place-based data on current and future exposure and vulnerability to hazards to inform land use and infrastructure planning decisions	2026 and ongoing
		9.6	Relevant Councils to implement coastal management programs and associated planning actions	2026 and ongoing
		9.7	Relevant Councils to prepare DAP implementation plans that outline how the Hawkesbury Nepean Valley DAP will be implemented through local strategic planning	2026–27
Response 10: Sequence planned growth in greenfield areas within the urban footprint	NSW Government	10.1	Develop a medium-term sequencing plan for greenfield precincts in Sydney	2027–28 and ongoing
Response 11: Manage land uses beyond the urban footprint	NSW Government	11.1	Undertake a Sydney rural lands study to map productive uses, critical infrastructure and important supply chains beyond the urban footprint	2026–27
		11.2	Investigate planning policy interventions to increase the productivity of rural lands including through agribusiness innovations, diversification and the inclusion of new productive uses	2027–29
		11.3	Finalise the urban footprint mapping and associated strategic policy	2027
	Council	11.4	Relevant Councils to review the interface between the urban and rural lands to inform the urban footprint	2026
Response 12: Protect and enhance the natural environment	NSW Government	12.1	Update tree canopy capture data and mapping for Sydney	Every 2 years
		12.2	Develop an urban greening guide for Sydney	2026
	Council	12.3	Develop locally appropriate canopy and greening targets	2026-30







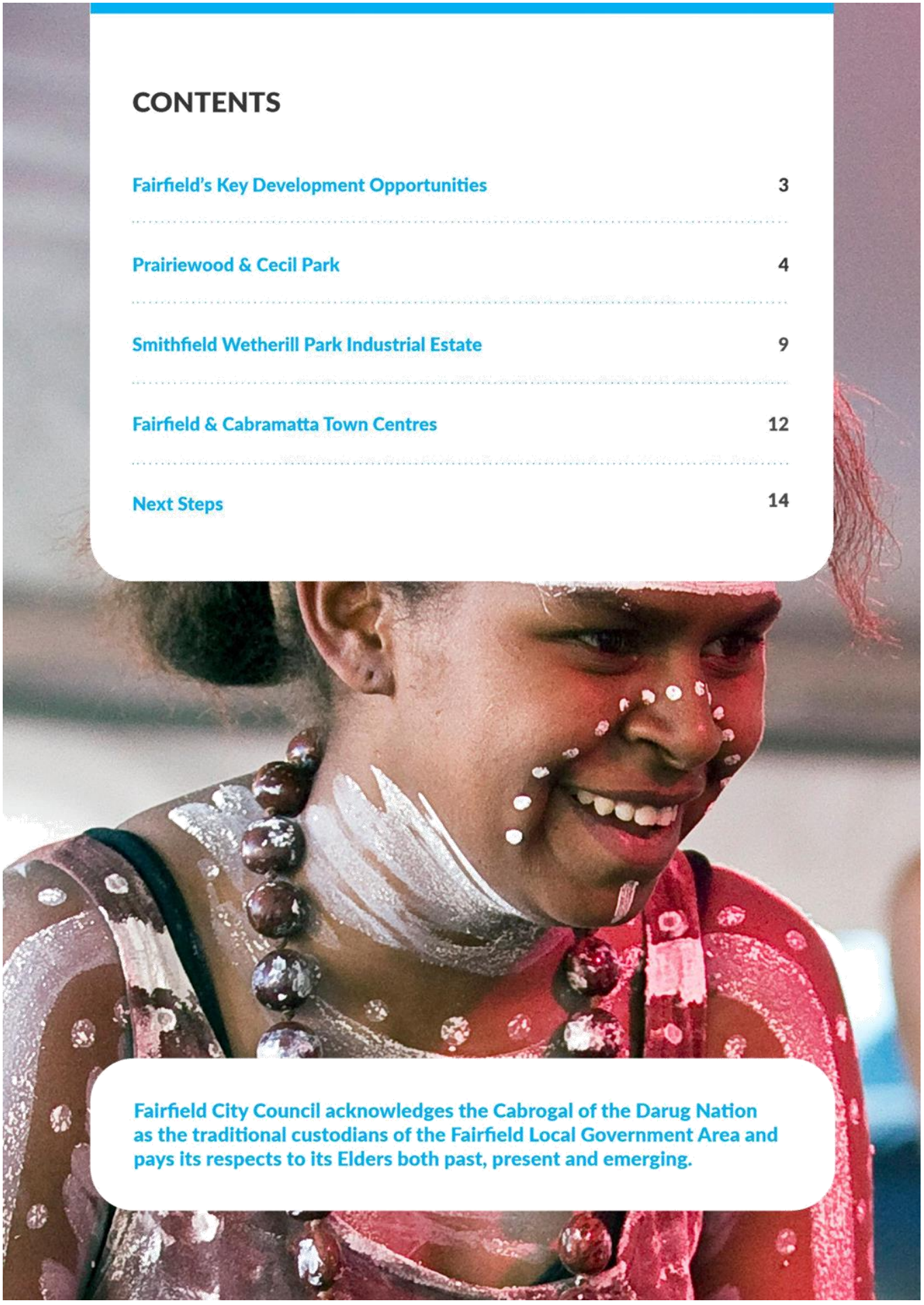






Fairfield City Infrastructure and Place Prospectus

FairfieldCity
Celebrating diversity



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Next Steps 14

Fairfield City Council acknowledges the Cabrogal of the Darug Nation as the traditional custodians of the Fairfield Local Government Area and pays its respects to its Elders both past, present and emerging.

Fairfield's Key Development Opportunities

FAIRFIELD CITY'S KEY ECONOMIC NEEDS

Fairfield City is a community of 200,000+ residents of great diversity and aspirations. Located approximately 20km west of the Sydney CBD and 6km to the east of the Western Sydney Airport it consists of three broad areas:

- An **Eastern Area**, featuring the Fairfield, Smithfield and Cabramatta centres, supporting 132,000 people, 25,000 jobs and $4.2B a year of production locally.
- A **Central Area**, featuring Smithfield-Wetherill Park Industrial Estate, Fairfield Hospital and Prairiewood and Bonnyrigg centres, supporting 75,000 residents, 30,000 jobs and $5.3B a year of production locally.
- A **Western Area**, featuring Horsley Park and Cecil Park Urban Investigation Area and Western Sydney Parklands, with 4,000 residents, 5,500 jobs and $800M a year of production locally.

Over the past decade or so, Fairfield's economy has seen several welcome developments:

- Local economic growth has outpaced NSW overall
- Local jobs growth also outpaced the statewide rate.

But welcome trends should not deflect from uncomfortable truths. In terms of per capita expenditure on public transport infrastructure, tertiary education facilities and opportunities for job progression, Fairfield remains Sydney's most disregarded and overlooked LGA - and by a lot. In the context of Sydney, nowhere needs extra opportunities and investment from Federal and State Governments nearly so much as Fairfield does.

Implications of underfunding are clearest in the 'kitchen table' economics of jobs and incomes, seen below. There is little surprise that Sydney's west is disadvantaged relative to its centre and east. However, few know just how much Fairfield trails even the west's other neighbouring disadvantaged areas:

- Fairfield has Sydney's highest unemployment and lowest incomes.
- Against Canterbury, Liverpool, Campbelltown or Blacktown, Fairfield incomes are $140 - $328 a week lower (-22% to -40%), with unemployment 21-50% more likely.
- Against eastern and northern LGAs, Fairfield's workers are 2 - 3 times more likely to be without work, with just 30-50% of their incomes.

This scale of entrenched deficiencies in access to adequate public transport (including access to the Western Sydney Airport), opportunities for job progression and education relays social costs over generations, burdening individuals and society for lifetimes and beyond. Cutting the 'negative externalities' down can help make NSW both a fairer and more productive place.

Put plainly: Fairfield offers NSW's clearest case for integrated economic policies to cut disadvantage – and one already neglected and de-prioritised for far too long.

The means of addressing Fairfield's position is **greater access to opportunity**, via multiple levers.

Education is critical in affording better prospects, as more schooling means higher incomes. Yet even against nearby areas, Fairfield residents are three times more likely to have left at Year 8 or earlier, or not be schooled at all.

Beyond school, higher education magnifies gains. Workers in Sydney's west with degrees earn 2.5 times the incomes of Year 10-12 school leavers. Yet Fairfield remains the west's only LGA of its scale without an established local university campus.

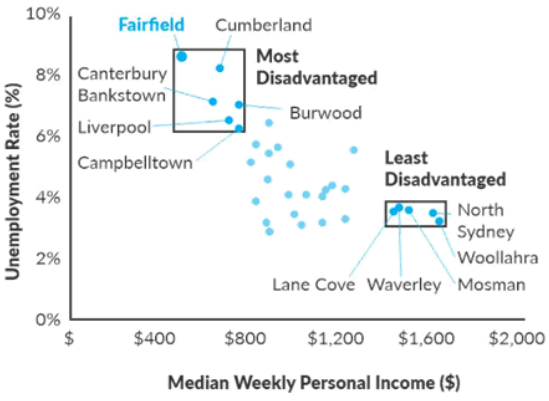
FOSTERING FAIRFIELD'S NEW OPPORTUNITIES: TRANSFORMING PLACE, PRECINCT & ACCESS BEYOND

To foster further local growth, Fairfield has identified five priority precincts, outlined on the following pages. These precincts offer Fairfield's disadvantaged the greatest potential for local access to growth in incomes and jobs.

But as well as local opportunities, Fairfield's disadvantaged also deserve better access to Sydney precincts further afield, presently frustrated by transport network constraints.

Emerging precincts like that at Westmead &and the new airport should offer many opportunities, but few in Fairfield will access them easily. Transport network investment (including public transport infrastructure) is needed to transform access to wider opportunity.

Sydney's Most & Least Disadvantaged LGAs: Labour Market Outcomes



Prairiewood & Cecil Park

PRODUCTIVE ALREADY, WITH UPSIDE POTENTIAL

Prairiewood precinct is in the north of Fairfield's Central Area in a corridor bound by Polding Street and Smithfield Road (refer to map page 6).

The precinct includes Fairfield Hospital and other health facilities, a school and a shopping centre, and significant community lands and facilities. Today, these uses support 2,800 jobs and $250 million a year in local production.

About three-quarters of these jobs relate to three core population-serving activities: retail; accommodation and food services; and health and social services. On a smaller scale, business numbers in other sectors have also grown rapidly, like in construction (+16% in two years) and professional services (up more than one-third).



PRAIRIEWOOD'S SCALE & TRANSFORMATIVE POTENTIAL

Given the deficiencies in job and income potential referred to previously, Prairiewood precinct is especially notable for its development potential for housing and employment.

The precinct consists of more than 100Ha of mostly publicly owned land, lending a lot of scope for new housing and job- intensive precinct opportunities. As a site within a broader urban transformation corridor, Prairiewood precinct's uses could potentially include:

- New residential areas
- Enterprise corridors
- Community, cultural, educational and health precincts.

Potential yields from comparable examples across Sydney include:

- Camellia-Rosehill (200Ha, 15,400 jobs/10,000 dwellings)
- Rhodes (1,100 jobs/4,200 dwellings)
- Randwick Health and Education (60Ha, 15,500 jobs)
- Macquarie Park (120Ha, 20,000 jobs/7,650 dwellings)
- Hills Showground precinct (94Ha, 3,500 jobs/ 1,620 dwellings).

'CITY SHAPING' TRANSPORT ARTERIES & NEW MARKET LIFEBLOOD

These examples reflect Prairiewood's scope and potential to not only provide local jobs, but also increase access to opportunity in other forms. This might include:

- Providing an efficient mass transit gateway to emerging precincts, such as at the new Airport, Westmead and beyond
- Addressing Fairfield's lack of an established university campus
- More public services tailored to the needs of disadvantaged groups
- Upgrading the existing health precinct.

Whether for jobs, education, housing or other social outcomes, Prairiewood's potential for truly transformative outcomes requires investment in an arterial transport link such as the Parramatta to Western Sydney Airport railway (the true 'Metro West') which is already in State planning strategies.

The 2018 joint State and Federal Western Sydney Rail Needs Study outcomes identified Prairiewood as an anchor station on the East-West Rail Link corridor between Greater Parramatta and the new airport. The Future Transport Strategy further set a 'city shaping' vision for Prairiewood, with a supporting listing to reserve the East-West corridor in Infrastructure Australia's Infrastructure Priority List.

In the 2023 NSW Budget $550 million has been allocated for the expansion of the Fairfield Hospital. This will lead to a significant investment in healthcare infrastructure. Fairfield City Council sees this significant investment as a catalyst for healthcare precinct development focused on community services which align with the socio-economic needs of Fairfield LGA and the broader Western Sydney.

The precinct also incorporates major district recreation and cultural facilities associated with the Fairfield Showground and Leisure Centre (Aquatopia) which already host an extensive range of sporting and cultural events including major festivals throughout the year.



For Fairfield, the East-West Rail Link offers greatest merit if integrated with Sydney Metro West at Westmead. This 'city shaping' rail investment network profile would offer Fairfield workers four gains in access to opportunity:

- Uplift in Prairiewood's local opportunities, reflecting greater potential and catalysed development
- Greater direct regional access via stations to:
  - the new Airport's growth
  - Westmead's growth
- Greater indirect regional access, likely including Sydney's two major jobs hubs, Greater Parramatta and eastern harbour CBD, via Sydney Metro West
- Participating in rail network and precinct construction.

However, the economic virtues of the East-West Rail Link are not limited to Fairfield's disadvantaged workers alone.

As well as partial gains from the East-West Rail Link's reference project, extending the Link beyond Westmead via a new spur to Epping and Macquarie Park could:

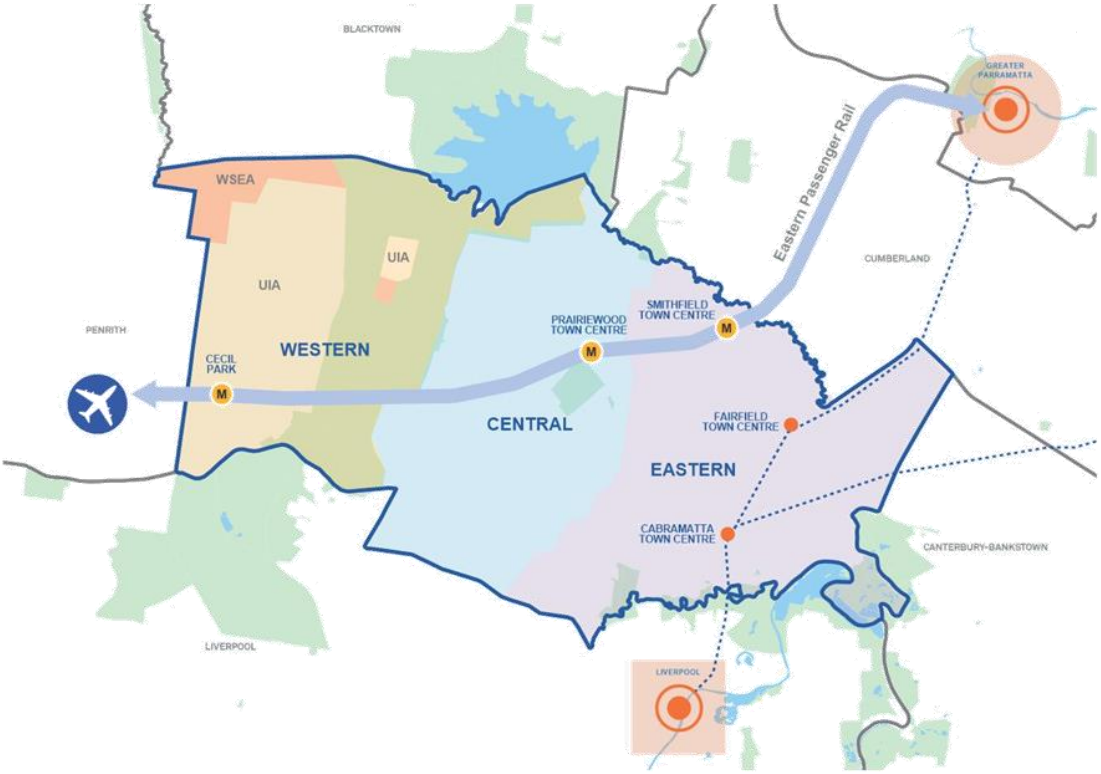
- Complete a clear 'missing link' in its Greater Parramatta's arterial public transport network
- Support western connectivity between Sydney Metro's West and North West lines
- Network together a 'knowledge corridor' of complementary existing and future precincts.

Lastly, the East-West Rail Link can play a critical role in the commercial success of the new airport. With an East-West Rail Link in place, the airport would secure:

- More revenue from easterly commuter demand from Greater Parramatta
- A much more secure labour supply suited to its demands, sourced from Fairfield workers and elsewhere east, grateful for the opportunity.

In the interim, until such time as major east-west rail services are provided connecting Fairfield residents to the broader region, there is an urgent need for provision of additional bus services (including rapid bus upon opening of the Western Sydney Airport), to ensure access for the general community and workforce of Fairfield work and lifestyle opportunities in the region.





FOSTERING A NEW CENTRE AT CECIL PARK

Transport for NSW's detailed evaluations of the East-West Rail Link also strongly support the concept of a new station at Cecil Park, in Fairfield City's Western Area.

This would create a new centre of significant scale, incorporating housing, business and job opportunities leveraging proximity to the airport and Parramatta.

Council, in conjunction with the Greater Cities Commission, has prepared a draft Structure Plan (next page) for the Horsley Park/Cecil Park UIA in the Western Area that could unlock land for future housing. Comprising approximately 1,575 hectares the precinct has the potential for 20,000+ dwellings. This area of the City is also ideally located to take advantage of other major infrastructure being planned/constructed (e.g. M12 Motorway) to support the Western Sydney Airport and Aerotropolis.

"Intelligent Prairiewood investment strategy can significantly increase local residents' access to jobs, education, housing and other social outcomes by leveraging public investment to catalyse private markets"


Smithfield-Wetherill Park
Industrial Estate

Smithfield-Wetherill Park Industrial Estate

SYDNEY'S GREATEST HUB OF TRADITIONAL INDUSTRIAL ACTIVITIES

The Smithfield-Wetherill Park Industrial Estate is in the north of Fairfield City's Central Area, adjoining Prairiewood to its south, with Prospect Reservoir and M4 to its north and Western Sydney Parklands and M7 to its west.

The Industrial Estate is Fairfield's leading economic precinct by a large margin. At close to 800 hectares, it accounts for around 8% of Fairfield City's land area, while contributing almost a third of local economic production.

SIGNIFICANCE TO FAIRFIELD CITY

The value of local production undertaken in the Industrial Estate exceeds $2.6 billion a year, generating the profits and incomes critical to the prosperity and living standards of the businesses and workers engaged in its activities.

No other area of Fairfield City more closely reflects the traditional strengths of Fairfield's economy. Two- thirds of all the economic gains made in Fairfield in the decade to 2020-21 related to just four of its industries. Together, these four critical industries are most heavily concentrated in the Industrial Estate, accounting for more than 60% of its 18,000 jobs:

- manufacturing (5,000 jobs)
- construction (2,600 jobs)
- logistics (1,800 jobs)
- wholesale trade (1,600 jobs).

Other significant activities are also supported within the Industrial Estate, including retail (supporting 950 jobs), administrative services (800 jobs), professional services (550 jobs) and utilities and accommodation and food services (350 jobs each).

One of the most remarkable features of the Industrial Estate is its extensive clustering of relatively large-scale successful businesses. ABS data reflects that at June 2022, 179 of the businesses located in the precinct had annual revenues of $10 million or more, led by:

- wholesale trade (49 businesses)
- manufacturing (40 businesses)
- construction (36 businesses)
- logistics and admin services (10 businesses each).

Additionally, the precinct's recent business count profile suggests a growing complementary supply chain of services that appear to be co-locating alongside its traditional leading industries. In just the two years to June 2022:

- the precinct's number of logistics and financial services businesses earning $10 million or more a year in revenue a year doubled
- the precinct's businesses counts in financial services, rental and property services, professional services and administrative services grew by between 6% and 23%, skewed towards high-revenue businesses.



THE INDUSTRIAL ESTATE IN A CITY-WIDE CONTEXT

While not so large a job centre as Sydney's major CBD areas or Macquarie Park, Smithfield-Wetherill Park Industrial Estate is underappreciated for its significance.

The significant role of the Industrial Estate in Sydney's economy is most clearly seen in the context of city-wide job concentrations of its four major most critical industries:

- **The Industrial Estate is Sydney's most significant manufacturing precinct**, with 12% more jobs than the next largest precinct, Macquarie Park.
- Numerous construction sites in the eastern CBD areas make them the city's most significant construction precincts by employment. However, **beyond the eastern CBD construction zones, the Industrial Estate trails only Lalor Park-Kings Langley for construction industry jobs.**
- Macquarie Park is Sydney's most significant wholesale trade precinct by a large margin, trailed by the eastern CBD areas and their surrounds. However, **the Industrial Estate and nearby Western Sydney Employment Area support the most wholesale trade jobs in Sydney outside the eastern clusters**.
- Sydney's top 12 precincts for logistics jobs either:
  - are located at in the eastern corridor between Sydney CBD, airport and port, or
  - have direct motorway access and/or direct freight rail network access.
- **The Industrial Estate has the most logistics jobs among Sydney precincts outside the eastern CBD, port and airport corridor and beyond direct access to motorway or freight rail networks.**

FUTURE DEVELOPMENT NEEDS

The precinct's successes are underpinned by its strong industrial base, central location both in Sydney and broader east coast markets, supported by generally good access to nearby motorway networks. Four directions can support the Estate's further prosperity.

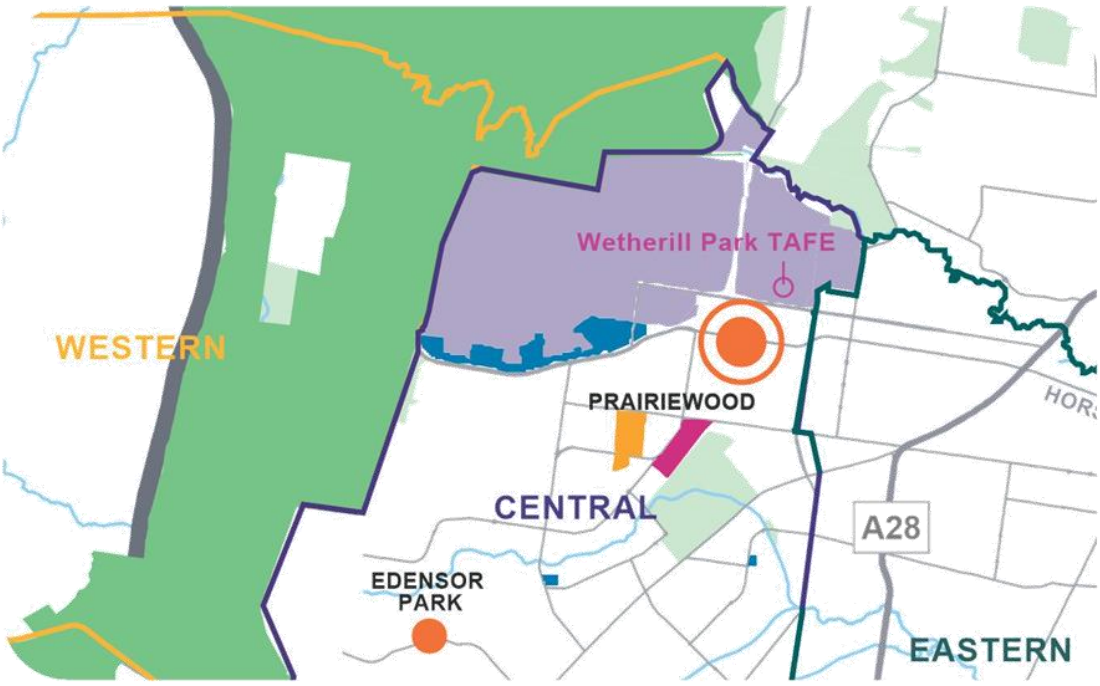
Much faster progress is required on The Horsley Drive's upgrade. The 2023-24 State Budget continued the long delays since planning began in 2015, despite TfNSW statements suggesting works would begin in early 2023. With less than $800,000 spent in 2022-23, just $2.8 million allocated in 2023-24 and no planning application lodged, works appear unlikely to begin anytime soon.

Provision of the Southern Link Road as a critical freight corridor (connected to Victoria St) is critical for an efficient link from industrial areas in Fairfield to the Aerotropolis intermodal facility to reduce pressure on the existing road network and sustain industrial activity in existing industrial estates.

Supply chain disruptions, global trade policy shifts and favourable exchange rates have prompted a resurgence in domestic manufacturing. State and Federal Governments have met this with new policy approaches, although major precincts like the Industrial Estate are unaddressed. New approaches to partnership for the Industrial Estate should be explored, with focus on opportunities in crossovers between its dual strength manufacturing and construction, like School Infrastructure NSW's record delivery program.

Lastly, more engagement and research is required to understand the precinct's emerging supply chains. Further growth in these areas can afford local residents greater opportunities and job diversity while increasing state and national productive potential.

"Smithfield-Wetherill Park is Sydney's most significant manufacturing precinct"



Fairfield & Cabramatta Town Centres



FAIRFIELD CITY CENTRE

Fairfield City Centre is in Fairfield City's eastern area, close to its north-eastern boundary.

The centre supports a range of social amenities. Across the 43 hectares at the core of the centre, Fairfield features a wide range of services, cultural, dining, food facilities and infrastructure.

Access to, from and within Fairfield centre is considerably enhanced by its train station and active transport links. Compared to suburbs further west, Fairfield also enjoys relatively good connectivity with neighbouring centres along the T5 Cumberland line, including Parramatta, Westmead, Liverpool and Campbelltown.

Zoning in Fairfield centre predominantly provides for commercial and mixed uses, appropriate to its heavy focus on 'population-serving' activities. Health care, food and general retail and social assistance employ the greatest number of people in the centre.

Much of the low density residentially zoned land on the periphery of the centre is already zoned for medium rise housing. The obstacle to the realisation of this housing supply (up to 18,000 dwellings) is the viability of development. Investment into the centre is needed to improve viability and create a mutually beneficial jobs and housing cycle.

Altogether, Fairfield City Centre supports more than 2,550 jobs, yielding a total of $270 million a year in local production.





CABRAMATTA TOWN CENTRE

Cabramatta Town Centre is also located in the Fairfield City's eastern area, relatively close to the south-eastern border with the Liverpool LGA.

The core of Cabramatta centre is around 21 hectares, or around half the size of Fairfield's core. Cabramatta is especially well-known for its food culture, but also supports a wide variety of services and social amenities.

As for Fairfield centre, Cabramatta's connectivity to and from adjoining centres is significantly better than for suburbs and centres further west, thanks to its train station and T5 Cumberland line access. Cabramatta enjoys wider connectivity again through T3 line's connections to centres like Bankstown and the harbour CBD.

Cabramatta centre's zoning is mostly for mixed uses, as well as enterprise corridor uses on the southern side of Cabramatta Road. Financial and insurance services are the largest contributor to production in Cabramatta centre, with retail its largest employer.

Altogether, Cabramatta centre supports more than 2,300 jobs and $258 million in local production annually.

COMMON THEMES & POINTS OF DIFFERENCE

Comparison of the Fairfield and Cabramatta centres reflects similar scale and function in terms of commercial services, facilities and public transport connections, but also key differences in composition, drivers of growth and needs for development.

A key commonality is their shared significance of the centres to Fairfield City's night-time, cultural and visitor economy. As well as easy access for visitors from neighbouring areas via public transport, both host distinctive events and representing the city's diversity and food culture very effectively.



While both centres are squarely focused on population services, a distinction lies in the sources of demand and industry composition across the precincts:

- Fairfield's population-serving strengths are oriented towards government-led sectors like public administration, education and health care and social assistance.
- Cabramatta's population-serving strengths are much more market-oriented, as for retail, accommodation and food services, with a much stronger local job count in these activities than in Fairfield centre (900 to 560).

Another difference comes in the composition of local enabling supply chains. Both have around 550 jobs in these industries, although with different emphasis:

- Cabramatta has 150 extra workers in finance, property, telecommunications and professional services
- Fairfield has 130 extra workers in logistics and administrative and support services.

The relocation of government agencies to Fairfield City Centre would build upon the role and function of the centre and have a gentrifying effect.

PRECINCT ENHANCEMENT PRINCIPLES

The urban design principles for each centre identify key directions for further enhancing their amenity and productivity.

For Fairfield City centre, the key directions feature:

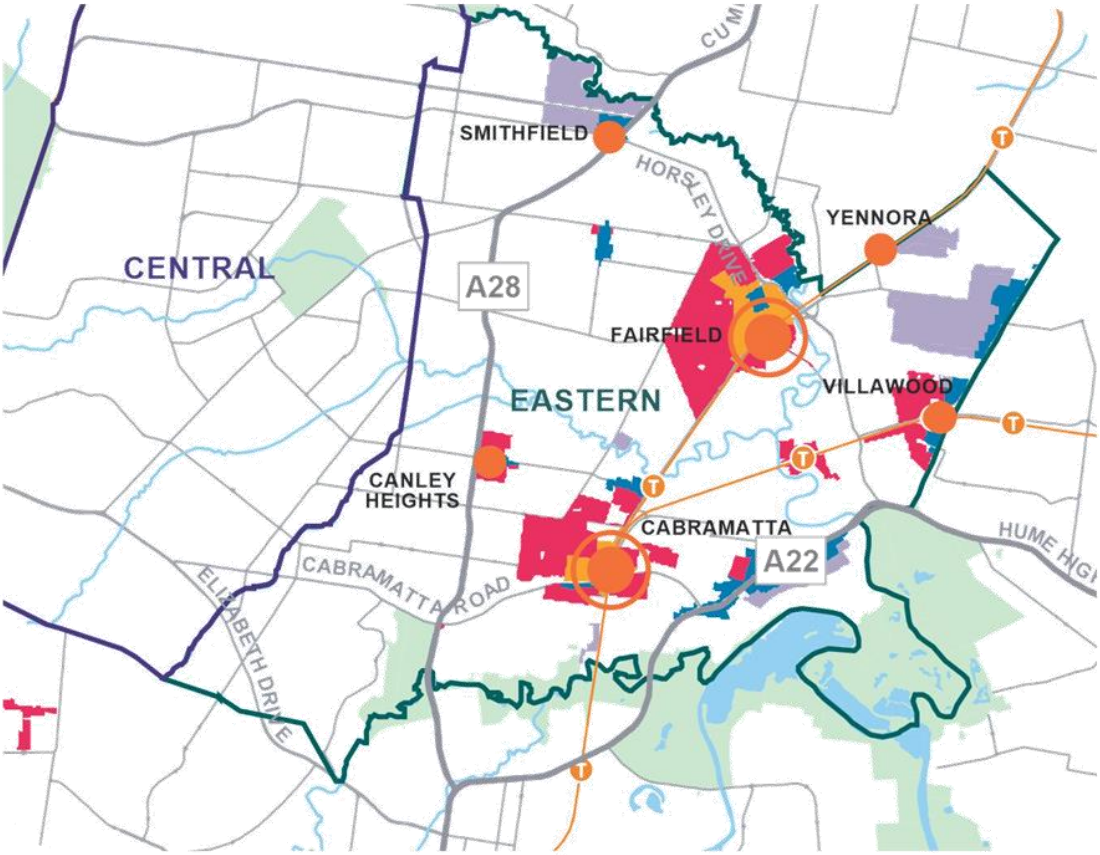
- Reinforcing Ware St as its heart, focused on retail and entertainment
- Encouraging residential development through shop top housing
- Making Barbara St a boulevard for transitioning from the core into residential uses
- Creating more spaces for business start-ups and social enterprises
- Supporting local businesses and the night time economy
- Integrating multi-level car parking with housing and other uses.

For Cabramatta centre, the key directions feature:

- Protecting John St as Cabramatta's primary retail high street
- Upgrading the public domain and streetscape to enhance its active transport and tourism potential
- Developing multi-storey car parking on the periphery of the centre's core
- Retaining the enterprise corridor on Cabramatta Road
- Developing commercial and retail anchors in the centre's opportunity sites to the north and east.

Implementation of these directions can best be achieved in partnership with the NSW Department of Planning, NSW Government Architect and related agencies.





"Fairfield and Cabramatta centres reflect similar scale and function in terms of commercial services, facilities and public transport connections, but also key differences in composition, drivers of growth and needs for development"

Next Steps

THE WAY FORWARD FOR FAIRFIELD

Correcting the longstanding policy neglect of Fairfield's social and economic disadvantage should be viewed as a matter of urgency, efficiency and fairness.

To tackle the extreme deficiencies in public transport, tertiary education and opportunities for job progression in Fairfield's community, all levels of government should adopt an integrated policy and investment strategy. This strategy should focus on measures affording easier access to better opportunities, both locally and across Sydney region.

To develop and progress such a strategy, Fairfield City Council should collaborate with the other levels of government.

The NSW and Commonwealth governments will bring the financial means and policy levers needed to implement transformative changes required.

The strategy should adopt priority measures for Fairfield's leading precincts as its cornerstones for greater local access to opportunity, set out below.

PRAIRIEWOOD & CECIL PARK PRECINCT PRIORITIES

1. Jointly investigate transformative land uses within the Prairiewood precinct to increase local access to jobs and opportunity, including:
   a. Intensified health and education uses, including a university campus
   b. Public and social services hub
   c. Business park
   d. Complementary residential uses
   e. Cultural and recreation hub.
2. Expedite a revised business case for the East-West Rail Link including a Prairiewood station, specifically accounting for:
   a. Its 'city shaping' development potential
   b. Constraints in Westmead's public transport network
   c. Potential additional station locations within Cumberland LGA
   d. The new airport's need for access to a suitable labour pool and easterly demand for Parramatta
   e. Opportunities to integrate the markets of the new airport and Greater Parramatta.
3. Renew planning activity for Cecil Park, accounting for the greater development potential offered by a new railway station.

SMITHFIELD-WETHERILL PARK PRECINCT PRIORITIES

1. Funding the expedited delivery of The Horsley Drive upgrade.
2. Collaborate with Transport for NSW to fund, plan and develop a rolling program of projects for cutting congestion on Smithfield-Wetherill Park Industrial Estate's access to the M7 and M4, considering the state, regional and local road networks including extension of the Southern Link Rd onto Victoria St in Wetherill Park.
3. Engage with Investment NSW and the Commonwealth Department of Industry to develop:
   a. A rapid supply chain opportunities analysis to identify potential high-yield industries well-suited to the precinct
   b. Related opportunities to co-invest in precinct activity.
4. Engage with School Infrastructure NSW to explore ways of exploiting the precinct's location and dual strengths in manufacturing and construction to increase Fairfield's participation in the record schools investment program
   - One specific opportunity for investigation is the precinct's potential as a hub of Schools Infrastructure NSW's Modern Methods of Construction program.

FAIRFIELD & CABRAMATTA CENTRE PRECINCT PRIORITIES

1. Collaborate with the NSW Department of Planning, NSW Government Architect and related agencies to develop and invest in a place investment program for each of Fairfield and Cabramatta centres.
   - Priority initiatives for each centre should reflect the strategic priorities identified through Council's recent urban design processes.
2. Strengthen Fairfield's cultural and brand identity for place through enhancing the ambition of arts, culture and night time economy and events initiatives.
3. Identify opportunities to re-locate more government jobs into Fairfield centre.
4. Investigate Cabramatta centre's opportunities to:
   a. Magnify and accelerate development of its northern and eastern re-development opportunity sites
   b. Foster stronger growth in its emerging professional services cluster of enabling industries.

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 4**

SUBJECT: Fairfield Showground Local Approvals Policy

FILE NUMBER: 19/15813

PREVIOUS ITEMS: 77 - Public Exhibition - Fairfield Showground Local Approvals Policy - Outcomes Committee - 12 Aug 2025

REPORT BY: Kerren Ven, Senior Strategic Land Use Planner

RECOMMENDATION:

That the Fairfield Showground Local Approvals Policy as approved by the Chief Executive of the NSW Office of Local Government, be adopted.

SUPPORTING DOCUMENTS:

AT-A ⇩	Fairfield Showground Local Approvals Policy (as approved by the Chief Executive of the NSW Office of Local Government)	22 Pages
AT-B ⇩	Section 162 Approval Instrument	1 Page
AT-C ⇩	Letter from the NSW Office of Local Government	1 Page

CITY PLAN

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

SUMMARY

Pursuant to the Council resolution of 26 August 2025 (Outcomes Committee Item 77), the draft Fairfield Showground Local Approvals Policy (LAP) was placed on public exhibition from 5 September 2025 to 17 October 2025.

No submissions were received and Council subsequently endorsed the draft Policy for referral to the NSW Office of Local Government (OLG) for approval.

The Chief Executive of the OLG has now approved the LAP allowing Council to formally adopt the Policy, which is recommended in this report. The LAP allows specified events held at the Showground to proceed without the need for a separate local activity approval.

Background

The purpose of the LAP is to streamline the approvals process for existing and future activities at the Fairfield Showground that are consistent with the current Fairfield Showground Plan of Management and section 68 of the Local Government (LG) Act 1993.

The Policy makes nominated activities at the Showground exempt from requiring approval under section 68 of the LG Act 1993. This is supported by clear processes that are in place to ensure events at the Showground run smoothly and be scheduled properly.

Pursuant to the resolution of the 26 August 2025 Council meeting, the LAP was referred to the OLG on 22 October 2025 following public exhibition, requesting its approval.

The OLG has now granted consent under section 162 of the LG Act. The consent remains valid until 12 months after the next local government elections, scheduled for September 2028. At that time, Council will be required to seek a new approval.

CONCLUSION

The NSW Office of Local Government has granted consent for the adoption of the Fairfield Showground Local Approvals Policy. This will streamline specified events held at the venue without needing a local activity approval.

It is recommended that Council adopt the LAP contained in Attachment A of this report. The Policy will come into effect immediately following Council's endorsement.

Kerren Ven
Senior Strategic Land Use Planner

Authorisation:
Executive Strategic Planner
Manager Strategic Land Use Planning
Director City Strategy

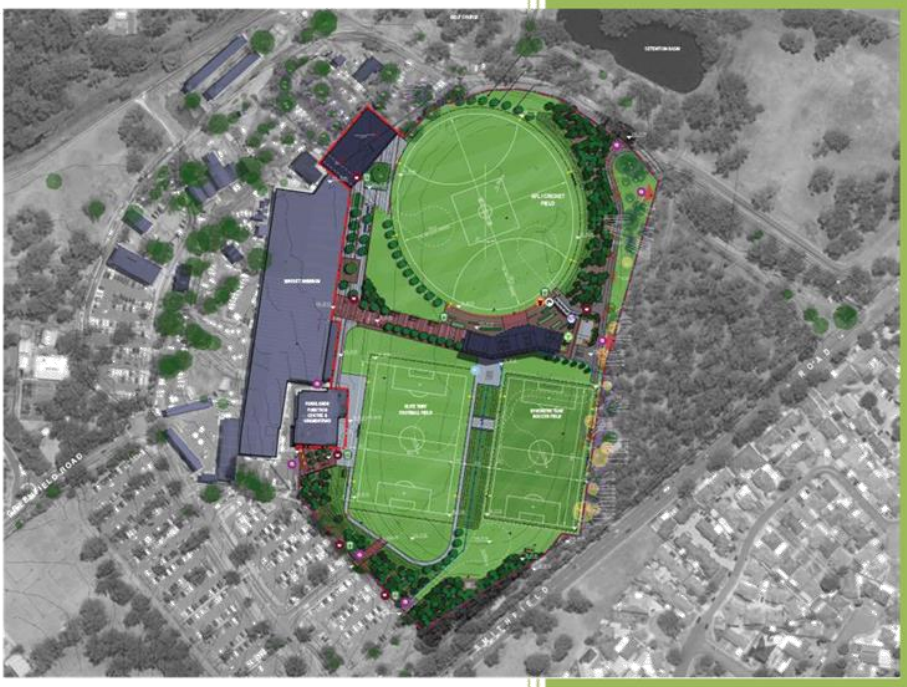
Outcomes Committee - 10 February 2026

File Name: **OUT10022026_8.DOCX**

***** END OF ITEM 4 *****

Fairfield Showground

Local Approvals Policy



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FAIRFIELD CITY COUNCIL – Strategic Land Use Planning	
POLICY NO 0-126	**Fairfield Showground Local Approvals Policy**

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SECTION 1 - INTRODUCTION

BACKGROUND & HOW THIS POLICY WORKS

In 2018, Council adopted a range of amendments to the Fairfield Showground Plan of Management (POM) to reflect a new master plan prepared for the site that will see the Showground evolve into a major recreation and events hub.

Works associated with the master plan will result in the capacity of the site growing to accommodate a range of new or expanded activities (including festivals, community activities, community and sporting events) that are authorised under the new POM and permissible on the site under relevant provisions of the Fairfield LEP 2013.

This policy has been prepared in accordance with provisions of section 158 of the Local Government (LG) Act 1993, which allows Council to prepare a local approvals policy, removing the requirement for an approval from Council under s.68 of the LG Act for a range of specified activities (e.g. musical or other entertainment for the public) taking place on community land.

These exemptions are subject to a number of specified criteria (as set out in this policy) relating to particular activities being met. Section 2 contains the key components of this policy relevant to obtaining either an exemption or approval from Council to comply with the requirements of the three parts of s.158 the LG Act that Council must address as follows;

How to Use this Policy - Section 2 Parts 1,2 & 3

Part 1: ***Activities exempt from Council approval***	Outlines the circumstances where an approval is not required from Council for specified activities on the Showground site.
Part 2: ***Criteria where Council approval is required***	Sets out criteria that Council must address for approving or rejecting a particular activity not qualifying as an exempt activity under Part (above) and subject of an application under s.68 of the LG Act
Part 3: ***Other Matters relating to Council approvals***	Sets out matters that must be satisfied for both exempt and approved s.68 activities under Part 1 & 2 (above)

FAIRFIELD CITY COUNCIL – Strategic Land Use Planning	
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OBJECTIVES

This policy seeks to:

a) Encourage recreational, social and cultural activities at Fairfield Showground that enhance the vitality and cosmopolitan character of the site;

b) Support and encourage public and private activities whilst ensuring public safety, amenity and public property are protected;

c) Establish a fair and transparent framework for activities and outline the criteria for those activities where approval is required without adversely impacting on the amenity of the Showground or surrounding neighbourhood.

LEGISLATIVE CONTEXT

This policy has been prepared to address other relevant legislation, including;

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Fairfield Local Environmental Plan 2013*
- *Occupational Health and Safety Regulation 2001*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *Work Health and Safety Act 2011.*

LAND TO WHICH THIS POLICY APPLIES

This Local Approval Policy applies to land to which the Fairfield Showground POM 2018 applies as shown in Figure 1. This includes the Parklands Function Centre, central arena, grandstands, amenity buildings, under cover awning structures and surrounds including the Deerbush Park and Nalawala community complex and nursery.



Figure 1. Location of Fairfield Showground

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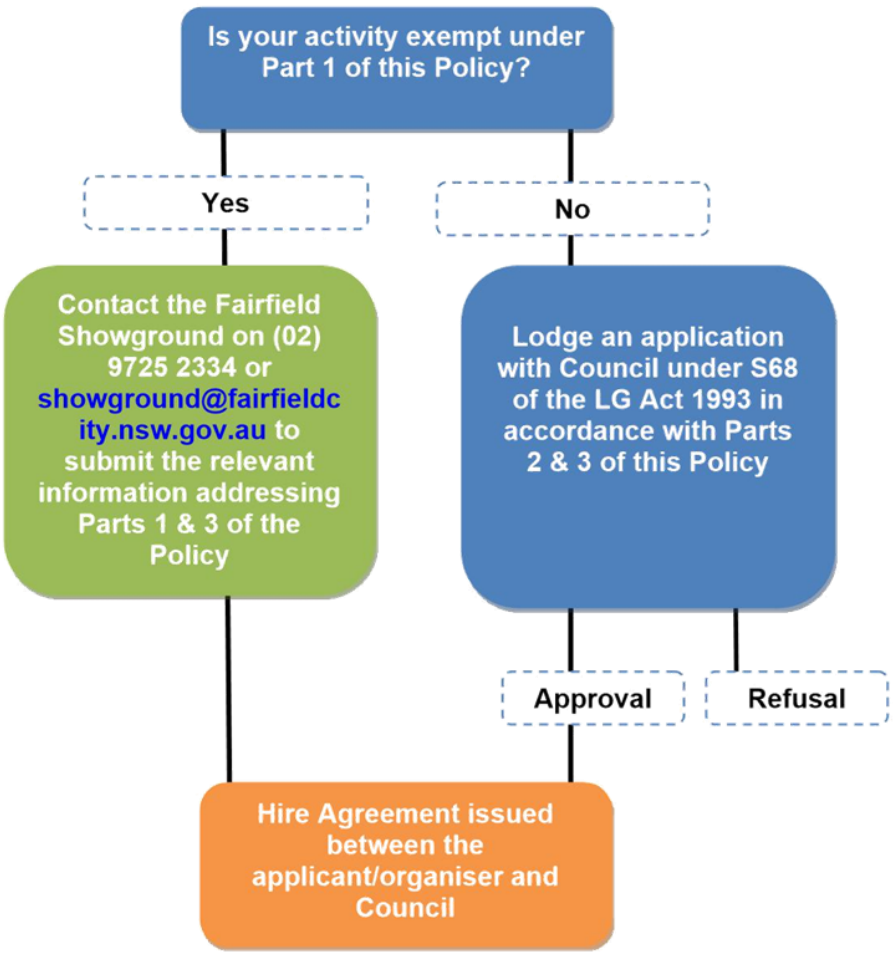
ROLE OF COUNCIL

Council has 2 roles in considering activities at the Fairfield Showground. As the landowner, Council will enter into a hire agreement with proponents for exempt/approved activities at the Showground. The requirements and conditions for hire agreements are set out in Part 3 of this Policy.

Council also has a regulatory role in approving certain activities under s.68 of the LG Act on the Showground site. Some activities are exempt from the need for that approval as set out in Section 2 - Part 1 of this Policy.

See under Section 2 - Part 2 to determine whether an application for approval is required. Contact Council for more information. The following flow diagram shows how the above processes work.

Exemption and approval process



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UNSUITABLE ACTIVITIES AT FAIRFIELD SHOWGROUND

Council will not consider the following activities on the site:

- Activities that are considered to significantly impact or damage the local flora and fauna.
- Activities that are considered unsafe and/or have inappropriate impacts on the community.

DEFINITIONS

Activity/Term	Definition
Amusement Device	Means device for amusement purposes that is high risk plant.
Authorised Person	An appropriate delegated employee of Fairfield City Council or police officer.
Busker	A person who actively provides a performing arts act with the intention of receiving a donation from the public.
Event	Refers to a range of occasions for recreation eg. ceremonies, competitions, meetings, conventions, festivals, parties, sporting events, cinematics, concerts and exhibitions.
Exempt	Is an activity or activities that comply with the standards specified and requirements of Section 2, Part 2 of this Policy.
Function Centre	Means a building or place used for the holding of events, functions, conferences.
Hire Agreement	A contract agreement that grants a right to occupy and use land under a license, lease, hire agreement or permit for a particular purpose.
Market	An open-air area, or existing building used for the purpose of selling, or offering goods or materials for sale by independent stall holders for an intermittent or occasional basis.
Mobile Food Vending Vehicle	Is the carrying out of the retail sale of food, drinks and related products on community land from a mobile outlet such as a food truck, van, cart or other similar vehicle.
Outdoor Training	The use of a qualified trainer to provide guidance and instruction of fitness activities.
Recreational activity	Means an activity whether indoor or outdoor used for the purpose of recreation that include gymnasium, tennis, sporting activities or the like open to the public.
Temporary structures	Include open and enclosed structures that can be dismantled and removed off-site that include food trucks, circus tents, stalls and stages.

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SECTION 2 - POLICY

PART 1: ACTIVITIES EXEMPT FROM APPROVAL UNDER S.68(1) OF THE LG ACT

The following activities are exempt from the need to obtain an approval under s.68 of Local Government Act 1993 subject to compliance with relevant requirements of Part 1 & 3 of this Policy.

S68(1) Table Approvals	Exempt Activities
Part A – Structures or places of public entertainment • Install a manufactured home, moveable dwelling or associated structure on land	• Busking • Markets that include food markets, night markets, Saturday markets, bazaar markets etc. • Events and festivals that may occur over several days *Examples include cultural ceremonies, trade shows, car shows, trailer boat shows, exhibitions, concerts, carols, rodeo shows, Easter show, fair or circus, corporate parties, outdoor cinemas etc.* • Community club training or meetings with agreement with Council *Example of existing club meetings held at Fairfield Showground include Central Cumberland Racing Pigeon Federation Inc, Deerbush Dog Training Club, Fairfield and District Gemstone Club Inc, Fairfield Poultry Club and Rare Breed Society, Pigeon Fanciers Society of NSW, Sydney Wyandotte Fanciers Aust and the Australian Pouter and Cropper Club, Western District Live Steamer Co-op Ltd and Western Sydney Cycling Club.* • Wedding or corporate functions • Annual waste disposal drop off held by Fairfield City Council • Organised sporting events that include outdoor training, fun runs, school carnivals, obstacle courses etc.
Part C – Management of waste • Place a waste storage container in a public place	
Part D – Community land • Engage in a trade or business • Direct or procure theatrical, musical or other entertainment for the public • Construct a temporary enclosure for the purpose of entertainment • For fee or reward, play a musical instrument or sing • Set up, operate or use a loudspeaker or sound amplifying device • Deliver a public address or hold a religious service or public meeting	
Part F – Other activities • Install or operate amusement device • Use a standing vehicle or any article for the purpose of selling any article in a public place	

***Note: Any activities not listed as exempt under the Policy and or does not comply with the exempt criteria will require an application for approval from Council.**

FAIRFIELD CITY COUNCIL – Strategic Land Use Planning	
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EXEMPT PROVISIONS

Exempt activities must comply with Part 1 and Part 3 of this Policy.

Hours of Operation

The hours permitted for activities to be exempt are specified in the table below.

Activity	Exempt hours of operation
Markets	**Monday to Sunday:** 5:00am to 10:00pm
Events	**Friday and Saturday:** 9:00am to 11:00pm A maximum of 5 festival/ events within each calendar year may operate until 12:30am the next day, subject to a Council resolution. (all amplified noise must cease at 10:00pm) **Sunday:** 9:00am to 10:00pm (all amplified noise must cease at 10:00pm)
Functions within Parklands or other buildings	**Monday to Sunday:** 9:00am to 1:30am
Sporting events	**Monday to Sunday:** 9:00am to 10:00pm

- At the end of each day of the activity, all customers have 1 hour to locate off site.
- Cleaning activities must be completed within 1 hour once customers have located off site.
- Dismantling of any structures or amusement devices must be completed and removed off site by 12:00am midnight.
- Lighting (including flood lighting) at the Showground is managed by Council staff and will be switched off at the end of the activity each day, in accordance with the approved hours of operation for an activity.

Vehicle Parking & Transport



The Fairfield Showground can be accessed from the main primary entrance along Smithfield Road or from the secondary entrance at Moonlight Road with formal car spaces and overflow parking areas available for activities.

A Parking Plan must be provided demonstrating that parking for activities will be maintained predominantly on site and minimise impact on the surrounding streets.

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Noise Amplification

Noise operation of activities or events that involve amplified noise must be conducted to avoid unreasonable noise or vibration in accordance with the *Protection of the Environment Operations Act 1997*; and must not cause interference to the surrounding neighbourhood.

All activities must comply with the *Event Noise Management Plan, S180086RP2, Rev A prepared by Resonate Consultants dated 27 June 2019* as detailed below:

- Noise emissions from any amplified stage is to be set to an allowable maximum level measured at relevant distances from the Front of House mixing desk as shown in the table below:

Distance (m)	Adjustment (dB)	Mixing Desk Level (dB(C))		
		Category 1 (up to 300 attendees)	Category 2 (up to 2,000 attendees)	Category 3 (2,000+ attendees)
20	+2	82	87	102
25	+1	81	86	101
30	-	80	85	100
35	-1	79	84	99
40	-2	78	83	98

- Noise mitigation measures must be implemented in order to minimise the potential noise impact to surrounding areas through the following:
  - Equipment selection
  - Event management such as noise monitoring by an acoustic engineer
  - Community notification
  - Procedures for noise complaints etc.

Signage

Signage must be provided for events to demonstrate directions and designated areas such as:

- Toilet facilities
- Waste & recycling receptacles
- Designated smoking area
- Customer Service Centre etc.

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Temporary Structures

Temporary structures must be installed, constructed and commissioned in a manner that ensures that the structure is without risk to health and safety of persons for its proper use.

It is the constructors, installers and commissioner's responsibility to:

- Ensure the structure having regard to the information provided by the designer, manufacturer, importer or supplier, and competent person, to install the structure under the Australian Building Code Board Standards for Temporary Structures 2015
- Consult and provide all relevant safety information to subcontractors engaged to build, maintain and use the structure
- Have competent people undertake this work
- Manage risks of construction
- Not restrict any vehicular, pedestrian access or utility service to or from the land or entry to any building on the land
- Not have the structure located within the canopy of, or result in damage to, any tree growing on the land or on adjacent land and not result in any damage to public property on the land or on adjacent land
- Ensure sign-off from engineers on temporary structures

Amusement Devices

Amusement devices must comply with the relevant provisions under the Local Government Regulation 2021 and Work Health and Safety Regulation 2017.

All devices must comply with the following:

- The ground or surface on which the device is erected on is sufficiently firm to sustain the device while it is in operation and is not dangerous for any other reason
- Amusement devices must be registered with SafeWork NSW under the Work Health and Safety Regulation 2017
- The device is to be or has been erected in accordance with all conditions (if any) relating to its erection set out in the current certificate of registration issued for the device under that Regulation
- That there exists for the device a current logbook within the meaning of Chapter 5 of that Regulation, and
- Evidence of a contract of insurance or indemnity that indemnifies to and not less than $10,000,000.00 for each device.

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Food Related Businesses

Activities associated with food businesses must comply with *the Food Act 2003, Food Regulation 2015, Australia New Zealand Food Standards Code* and the NSW Food Authority *Guidelines for Food Businesses at Temporary Events*.

Prior to an event, all food related businesses must obtain a Food Safety Supervisor Certificate from the NSW Food Authority and submit a Food Business Registration Form to Council with evidence of an inspection of being undertaken by Council.

Food that is prepared or sold on site must:

- Set up on sealed ground, unsealed floor surface must be covered with suitable material, away from drainage lines, toilet and garbage areas to avoid cross contamination and maintain stall cleanliness,
- Multi day events that remain omitted to trading regardless of weather conditions require floor coverings that must be easily cleaned and non-absorbent, and
- Open side stalls must not face prevailing winds to prevent dust, odour and insect problems.

Advertising Signage

Temporary advertising signs must comply with *Appendix C – Advice for Designing Advertising Signs of the Fairfield Citywide Development Control Plan (DCP) 2024*.

Advertising signage must not be displayed earlier than 14 days before the event and must be removed within 2 days after the event.

Other Relevant Approvals

All associated activities that require a license from a relevant authority are to be obtained prior to the event or activity such as for the service of liquor, animal welfare and fireworks *(refer to Part 3 of the Policy)*.

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PART 2: CRITERIA FOR APPROVAL OR REFUSAL OF OTHER ACTIVITIES

This section focuses on the criteria and matters Council will have regard to in determining whether to approve or refuse an activity that does not qualify an exempt activity under Part 1 of this policy.

Relationship with Section 68 Local Activity Approval

Activities not eligible under the exemption provisions of Part 1 of this policy may still be considered for approval from Council under Section 68 of the Local Government Act 1993 (listed in Appendix A of the Policy).

DEVELOPMENT ACTIVITY PROVISIONS

Hours of Operation

If the activity is proposed outside those hours identified in Part 1, an Event Plan of Management must be submitted to Council as part of an application demonstrating how the activity will not affect the amenity of the surrounding area in terms of noise and traffic (*refer to Part 3, Event Plan of Management for detailed requirements).*

Transport and Parking

Activities that have more than 8,000 people in attendance a day will require a Traffic Management and Control Plan (TMCP) to be submitted as part of an application. The TMCP must:

- Identify the number of estimated attendees and vehicles parking on site at one time for the duration of the entire activity
- Include strategies to minimise the impact of overflow parking on surrounding streets to ensure the safety of the activity does not disrupt normal traffic
- Address the organisers responsibilities with respect to traffic management
- Specify how traffic and parking conditions will be managed
- Provide details of the traffic control provider and organiser for the activity

Noise Management

If noise amplification is proposed that exceeds the levels identified in Part 1, then an acoustic report prepared by a qualified acoustic consultant is to be submitted as part of an application and must comply with Part 4, Division 7 of the *Protection of the Environment Operations (Noise Control) Regulation 2017* that must address the following:

a) Noise measurements taken at the most sensitive noise locations

b) Verification that noise levels at the nearest potentially affected receiver comply with all relevant assessment criteria and the Acoustic Report

c) Complaints handling system and register of all complaints received from local residents in relation to the operation of the activity

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d) Recommendations to how noise emissions can be satisfactorily reduced to comply with the assessment criteria and recommendations provided shall be implemented fully.

Signage

Temporary advertising signage that does not comply with *Appendix C – Advice for Designing Advertising Signs of the Fairfield Citywide Development Control Plan (DCP) 2024* will be assessed on merit and must address the *State Environmental Planning Policy (Industry and Employment) 2021*.

Notification

All applications for approval require Council to notify the affected properties within a 200-metre radius of the subject site in accordance with Council's Community Engagement Strategy 2040.



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PART 3: OTHER MATTERS RELATING TO APPROVALS

This section of the Policy requires all activities (whether or not exempt under Part 1 or requiring an approval under Part 2) to submit the following documentation to Council as part of the hire agreement for consideration. It is the applicant/ organiser's responsibility to enter into an agreement with Council for the use of the site 6 weeks before operation of the activity.

Hire Agreement

A Hire Agreement over community land between the event organiser and Fairfield City Council for the duration of an activity is required under the LG Act 1993.

All activities must be consistent with the guidelines that meet the requirements under the Local Approvals Policy and the Fairfield Showground Plan of Management.

All conditions outlined in the Fairfield Showground Hire Agreement shall be strictly complied with. The approval will automatically become void if any of the conditions outlined in the Policy or Hire Agreement are breached.

Public Liability Insurance

A current public liability insurance policy must be provided and in force at all times that the agreement is in operation for the activity. The following conditions apply:

- Public risk insurance to the minimum value of $20,000,000.00 (twenty million dollars) must be taken out by the event organiser noting Fairfield City Council as an interested part.

- Public risk insurance to a minimum value of $10,000.00 (ten million dollars) for each device must be taken out by the event organiser or amusement device operator noting Fairfield City Council as an interested party.

  Note: Failure to comply with this condition will not permit an activity to occur on Council land.

Notification to Relevant Authorities

The applicant/ organiser is responsible to notify the relevant authorities such as the local Police, Fire Brigade, emergency services prior to entering into an agreement with Council. All conditions set by the relevant authorities must be met.

Liquor License

If the event wishes to serve alcohol on community land, a liquor license must be obtained from Service NSW. To obtain a liquor license for an event, the event organiser must apply through Service NSW website at https://www.service.nsw.gov.au/transaction/apply-limited-liquor-licence-single-function.

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Fireworks Approval

In pursuant to Council's Public Fireworks Display & Associated Street Processions Policy, a license must be obtained for the display of fireworks under the NSW Explosives Act 2003 and must comply with the following conditions:

- A Notification to Council of Outdoor Firework Display form must be submitted to Council.
- Three (3) adults must be available at all times during the display to maintain crowd control and provide safety distances.
- Crowds are to be kept 30 metres away using a protective barrier endorsed by SafeWork NSW.
- Crowds for firecrackers are to be kept away at distance of 6 metres.
- Remove all fireworks that fail to explode immediately and arrange safe disposal by having 2 large buckets of water and 2 adults available to dispose of any non-exploded fireworks/crackers immediately after and destroy any unexploded/unfired fireworks.
- Nearby parked vehicles shall be protected in a suitable manner (non-flammable material) so as to prevent damage to paintwork by firecrackers.
- Activities shall not interfere with pedestrian and vehicular traffic.
- No waste papers or the like are to litter Council's streets or footpaths and shall be removed off-site.
- Ensure that a first aid kit is available.
- Council requires a minimum of $20 million Public Liability Insurance.
- The event organiser must advise the public/adjoining properties within a 200-metre radius by letter box drop or newspaper advertisement 1 week before the fireworks display if the fireworks are to be displayed after 9pm.
- Permission is automatically cancelled in the event of a total prohibition on the lighting of fires in the open being proclaimed.

For more information on obtaining a Fireworks License, visit the SafeWork NSW website at https://www.safework.nsw.gov.au/licences-and-registrations/licences/explosives-and-fireworks-licences/fireworks.

Animal Management

Activities that involve animal welfare such as zoos or circuses must obtain a license, permit or approval by NSW Department of Primary Industries under *Part 3 of the Exhibited Animals Protection Act 1986*.

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For more information, visit the NSW Department of Primary Industries website at https://www.dpi.nsw.gov.au/animals-and-livestock/animal-welfare/exhibit/licensing/getting-approval-to-exhibit.

Event Plan of Management

An Event Plan of Management is to be provided to Fairfield City Council 6 weeks prior to an activity that addresses a range of considerations such as:



- Accessibility
- Transport management
- Safety and security
- Lighting
- Risk & Emergency
- First Aid
- Waste management
- Amenity facilities
- Temporary structures
- Amusement operator requirements
- Service of food or liquor
- Signage/ advertising
- Advertising promotion
- Fireworks

The event plan must include a site plan that provides an overview of the event of where structures will be staged, displayed entrances and exits, facilities, and approvals needed for the event.

Accessibility

When planning an event, it is a legal requirement to consider the access needs of people with a disability. Promoting an event's accessibility may also be an attractive prospect for supporting partners or sponsors.

Things to consider making your event accessible include:

- Wheelchair access,
- Hearing loops or Auslan (sign language),
- Special parking areas for people with a disability,
- Accessible toilet facilities,
- Special viewing areas,

- Large printed information etc.

Safety & Security

The event organiser is responsible to provide appropriate measures such as security to ensure the safety of the public. Crowd management security measures must be put in place that include:

- Details safety or security officers with provided roles and responsibilities of security staff,
- Identification of authorised personnel,
- A Risk Management Plan detailing the procedures, actions and steps to minimise risks.
- information of the emergency services and location of emergency area for access and when required

Structures

It is the event organiser or manager's responsibility to:

- only use the structure for the purpose for which it was designed,
- maintain the structure as necessary to prevent safety hazards to people in or near it,
- obtain necessary information that is required to use and maintain the structure safely,
- Ensure workers who work at, inspect and maintain the structure are provided with all necessary information to work safely.

Lighting

If the event occurs past 7:00pm, areas that are not lit require non-permanent lighting on site that does not result in lighting pollution to nearby properties.

Risk & Emergency

A Risk Management Plan is required for all activities held at the Fairfield Showground to ensure that all patrons and attendees enjoy the activity in a safe and secure environment.

A Risk Management Plan must include:

- Identifying hazards
- Assessing risks
- Implement controls and actions to remediate
- Monitor performance

The event organiser is liable if inadequate safety control measures were in place and not managed appropriately.

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First Aid

All activities must have qualified first aid officers and adequate facilities on site to administer first aid in the event of a potential emergency.

Waste Management

Waste services must be set in place with a management plan in place detailing how waste will be managed on site that includes:

- The types of waste storage available for the activity. Details of what waste it can store, quantity of volume it may hold and location of those waste storage.
- Details of frequency of emptying the waste storage and operational issues such as how waste vehicles will be able to access the area of the event.
- Recycling receptacles to divert waste from landfill.
- Signage to assist in waste separation.

Note. A cleaning deposit is required. The deposit is refundable once the location/site has been cleaned to Council's satisfaction upon completion of the display.

The organiser is responsible for supplying bins for rubbish generated at the event site and surrounding area.

- Adequate waste service and facilities such as garbage disposal and collection services must be provided on site.
- The site must be kept and left in a clean and tidy condition. Rubbish is to be removed from the site at the completion of the event.
- The activity must be conducted to not interfere with the amenity of the surrounding area.

Council may provide standard rubbish wheelie bins at the event site and collect the bins post event in accordance with Council's Fees and Charges Policy. Damaged bins will be charged to the organiser.

Toilet Facilities

Adequate number of toilet facilities must be provided to accommodate the number of expected attendees. If there are not enough permanent toilet facilities, the event organiser may require portable toilet facilities to be provided on site.

Where Council public amenities are being used during an event a cleaning fee/bond is required as part of an event.

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Advertising and Promotion

It is recommended that a Marketing or Communications Plan be taken into consideration for promoting an event. Social and digital media are important to event marketing and communications.

Planning ahead assists organisers in selecting the most appropriate platform and conversation to have with the event audience.

Access for Emergency Services

Clear passage for emergency vehicles must be provided.

Noise Amenity

Music, noise or occupation of the activity must be controlled at all times to not distract or disturb nearby residents in accordance with *Protection of the Environment Operations Act 1997*. Any direction of Council in this regard shall be complied with immediately.

Work Health and Safety

Activities are required to comply with the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2017 administered under SafeWork NSW.

This is to ensure that safe systems are implemented for risk management. Further information can be found on SafeWork NSW website at https://www.safework.nsw.gov.au/home.

Lodgement of an Application

In assessing applications, additional information may be needed if information provided is unclear. It is recommended that an activity be lodged to Council 6 weeks before the event. An application may be rejected within 14 days of receipt if it is not clear as to the approval sought or the application is not easily legible.

Determination

Once determined a notice will be issued advising whether the application has been approved or refused. In the event that the activity approved time and date lapses, the event organiser can seek to lodge a new application or alternatively request to modify / extend an existing application.

Refund

Limited refunds may apply depending on the level of assessment associated with the application. Cancellation fees also apply for some bookings.

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Fees and Charges

The fees and charges payable under this document will be applied as prescribed under the Annual Fees and Charges available on Council's website.

Record of Approval

A record of approvals is required to be kept under s113 of the *Local Government Act 1993*. This record is available to the public.

Enforcement Action

An approval may be revoked or modified in any of the following circumstances:

a) if the approval was obtained by fraud, misrepresentation or concealment of facts

b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the council not to have granted the approval (or not to have granted it in the same terms)

c) for any failure to comply with a requirement made under the Local Government Act 1993 relating to the subject of the approval

d) for any failure to comply with a condition of the approval

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SECTION 3 - GOVERNANCE

RELATED POLICIES/PROCEDURES

Policy Number	0-059 – Approval of Public Fireworks Display and Street Processions
Policy Number	Fairfield Showground Plan of Management adopted April 2018
Policy Number	Fairfield City Council Disability Inclusion Action Plan 2022-2026
Policy Number	Fairfield Citywide Development Control Plan 2024

RESPONSIBILITY

Policy Owner	Leisure Centres and Showground Management

VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
01	12 May 2020	Council	Nil
02	TBA	Council	Local approvals policy review.

The management of Council reserves the right to cease, modify or vary this Policy and will do so in accordance with Council's established consultation processes.

REVIEW DATE

This Policy will be reviewed in conjunction with the Fairfield Showground Plan of Management and Part 3 of the Local Government Act 1993.

AUTHORISATION

This Policy was adopted by Council resolution on 12 May 2020 Item No 37 in Council's Outcomes Committee File No. 19/15813.

FAIRFIELD CITY COUNCIL – Strategic Land Use Planning	
POLICY NO 0-126	**Fairfield Showground Local Approvals Policy**

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APPENDIX A – SECTION 68 LOCAL ACTIVITIES

TYPES OF ACTIVITIES	PROVISIONAL CONTROLS
Part A – Structures or places of public entertainment	1. Install a manufactured home, moveable dwelling or associated structure on land
Part B – Water supply, sewerage and stormwater drainage work	1. Carry out water supply work 2. Draw water from a council water supply or a standpipe or sell water so drawn 3. Install, alter, disconnect or remove a metre connected to a service pipe 4. Carry out sewerage work 5. Carry out stormwater drainage work 6. Connect a private drain or sewer with a public drain or sewer under the control of a Council or with a drain or sewer which connects with such a public drain or sewer
Part C – Management of Waste	1. For fee or reward, transport waste over or under a public place 2. Place waste in a public place 3. Place a waste storage container in a public place 4. Dispose of waste into a sewer of the Council 5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility 6. Operate a system of sewerage management (within the meaning of Section 68A)
Part D – Community land	1. Engage in a trade or business 2. Direct or procure theatrical, musical or other entertainment for the public 3. Construct a temporary enclosure for the purpose of entertainment 4. For fee or reward, play a musical instrument or sing 5. Set up, operate or use a loudspeaker or sound amplifying device 6. Deliver a public address or hold a religious service or public meeting
Part E – Public roads	1. Swing or hoist goods across or over any part of a public road by means of lift, hoist or tackle projecting over the footway 2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang with an article beneath an awning over the road
Part F – Other activities	1. Operate a public car park 2. Operate a caravan park or camping ground 3. Operate a manufactured home estate 4. Install a domestic oil or soil fuel heating appliance, other than a portable appliance 5. Install or operate amusement devices 6. (Repealed) 7. Use a standing vehicle or any article for the purpose of selling any article in a public place 8. (Repealed) 9. (Repealed) 10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations

Local Government Act 1993

Section 162 Consent Instrument

Under section 162 of the *Local Government Act 1993* I, Brett Whitworth, Deputy Secretary Local Government, do give my consent to Fairfield City Council's adoption of the Part 1 exemptions contained in section 68(1) of the *Local Government Act 1993*, as set out in the Schedule to this Instrument.

Signed this 13th day of November 2025.



Brett Whitworth
Deputy Secretary
Local Government

Office of Local Government Consent No: 151

Schedule

Fairfield City Council's Local Approvals Policy 2025 (Fairfield Showground) - Exemptions under Part C, Part D and Part F of the Table to section 68(1) of the *Local Government Act 1993*

Department of Planning, Housing and Infrastructure

Office of Local Government

Our Ref: A984198

Mr Bradley Cutts
General Manager
PO Box 21
FAIRFIELD NSW 1860

Via email: mail@fairfieldcity.nsw.gov.au

Dear Mr Cutts,

I am writing regarding Fairfield City Council's application for my consent under section 162 of the *Local Government Act 1993* (the Act) to adopt Part 1 of Council's draft Fairfield Showground Local Approvals Policy 2025 (LAP).

I am pleased to advise that I have determined to grant my consent under Section 162 of the Act for Council's adoption of the LAP, including the exemptions relating to Part C, Part D and Part F of the Table to Section 68(1) of the Act. I have enclosed the signed Instrument of Consent for your records.

This consent will remain in effect until either the exemption provisions are changed or until 12 months after the next local government ordinary elections. In the event that it becomes necessary for Council to vary these provisions, my consent can be obtained by the submission of a fresh application.

Please note that the exemptions relating to Part A and Part F(5) have been referred to the Planning Group within the Department of Planning, Housing and Infrastructure (DPHI Planning) under section 745 of the Act. DPHI Planning will contact Council directly if additional information is required.

Should you have any questions, Amy Paton, Principal Assessment Officer, at OLG can be contacted on [redacted] or by email at statutory.applications@olg.nsw.gov.au

[redacted]

13 November 2025

Brett Whitworth PSM
Deputy Secretary
Office of Local Government
CC: Kerren Ven, Strategic Land Use Planner, [redacted]
Encl: Instrument

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au
Locked Bag 3015 NOWRA NSW 2541
www.olg.nsw.gov.au

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 5**

SUBJECT: Compliance and Enforcement Policy - Building Control and Land Use

FILE NUMBER: 15/07779

REPORT BY: Reuben Sinai, Co-ordinator Compliance

RECOMMENDATION:

That:

1. The Compliance and Enforcement Policy - Building Control and Land Use (Attachment A of the report), be adopted.

2. The Compliance and Enforcement Policy - Food Safety in Fairfield City (Attachment B of the report) and Local Orders Policy (Attachment C of the report), be rescinded.

SUPPORTING DOCUMENTS:

AT-A ⇩	2025 DRAFT Building Control and Land Use Policy	21 Pages
AT-B ⇩	Food Safety in Fairfield City Policy	15 Pages
AT-C ⇩	Local Orders Policy	46 Pages

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

The purpose of this report is to advise that a policy review was conducted in consultation with key stakeholders of Council's current policies relating to the regulatory compliance and enforcement function undertaken through the Building Control and Compliance Division and Public Health and Environment Division. These operational units sit within the City Development and Compliance Group and undertake compliance and enforcement tasks involving fire safety, building occupant safety, private swimming pool safety, retail food businesses and land use compliance.

The Compliance and Enforcement Policy - Building Control and Land Use adopted by Council on 12 October 2021 required a review to adequately address current industry practice and the changing environment of judicial interpretation, as well as changes in community expectations. This Policy did not include reference to retail food inspections.

The Compliance and Enforcement Policy - Food Safety in Fairfield City (Food Safety Policy) was adopted by Council on 12 March 2013 and was due for review on 12 March 2018 (Attachment B of the Report). An Internal Audit Report recommended that the Food Safety Policy be reviewed. The Public Health and Environment's Division's compliance and enforcement activities have been incorporated into the Draft Compliance and Enforcement Policy - Building Control and Land Use (Attachment A of the Report).

Prior to the adoption of the original Compliance and Enforcement Policy - Building Control and Land Use on 14 April 2015 (Original Building Control Policy), Council previously relied upon a Local Orders Policy which was adopted in December 2008 (Attachment C of the Report). The Local Orders Policy contains information that is inconsistent with changes in legislation and was superseded by the Original Building Control Policy.

Practice	Reason	Example
Superseded practices.	Identified through dealings with our Solicitors and through judicial precedence.	"Best industry practice" changes made comprising changes based on legal advice as well as most effective legal proceedings to be taken to achieve best outcomes.
Legislative updates.	Numerous changes to Acts and Regulations that are involved with Council's day-to-day enforcement and compliance processes.	Terminology and legal references have been updated in the Environmental Planning and Assessment Act through regulatory changes.
Procedural changes.	More discretionary processes introduced allowing diversity in actions able to be taken. More 'checks and balances' built into processes to ensure procedural fairness and more transparency in decision making.	Clearer process in identifying the "appropriate party" to be prosecuted for breaches of the Act such as only fining 1 owner rather than all owners if admission of guilt received by Council. Commencement of certain actions rely on the concurrence of the Coordinator Compliance/Divisional Manager.
Review of Enforcement Policy - Food Safety in Fairfield City.	Council re-entered into its partnership agreement with the NSW Food Authority under the Instrument of Appointment as an Enforcement Agency dated 25 June 2024.	Inclusion of retail food inspections.

Council requires a Compliance and Enforcement Policy that provides for a number of considerations including:

- Consistency and transparency in our regulatory role;
- Reflects current legal practices and judicial interpretations;
- Provides for 'best practice' in the regulatory area;
- Demonstrates how we meet the broader community expectations;
- Provides assistance with any third-party reviews that may be undertaken of our processes; and
- Assistance and clarity to stakeholders on how Council undertakes its regulatory role in this operational area.

Public Exhibition

The draft Compliance and Enforcement Policy - Building Control and Land Use was placed on public exhibition from 5 September 2025 to 24 October 2025 (inclusive).

Submissions

During the exhibition period, no submissions were received from members of the community.

Consultation and Implementation

The draft Compliance and Enforcement Policy - Building Control and Land Use was endorsed by Council's Executive Leadership Team on 14 January 2026.

Following adoption, the Policy will be accessible on Council's intranet site, website and Stellar Library. In addition, applicable Forms and Quality Management procedures will be updated and staff awareness and training will be delivered.

CONCLUSION

It is recommended that the 2025 Draft Compliance and Enforcement Policy - Building Control and Land Use (Attachment A of the Report), be adopted and the Compliance and Enforcement Policy - Food Safety in Fairfield City (Attachment B of the Report) and the Local Orders Policy (Attachment C of the Report), be rescinded.

Reuben Sinai
Co-ordinator Compliance

Authorisation:
Manager Building Control and Compliance
Director City Development

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_6.DOCX**

***** END OF ITEM 5 *****

FAIRFIELD CITY COUNCIL - CITY DEVELOPMENT	
POLICY NO. 0-066	**Compliance and Enforcement - Building Control and Land Use**

SECTION 1 - INTRODUCTION

BACKGROUND

Fairfield City Council (Council) is an enforcement authority under a large range of legislation that requires Council staff to make decisions about appropriate compliance and enforcement action, when non-compliance is identified.

PURPOSE

This Policy:

1. Ensures that Council's regulatory functions are exercised consistently and without bias, in accordance with its obligations under Section 8 of the *Local Government Act 1993* (NSW).
2. Assists those employed by Council in responding promptly, consistently and effectively in relation to allegations of unlawful activity whilst ensuring that the principles of natural justice are respected.
3. Provides information for all internal and external stakeholders about Council's position in relation to the enforcement of compliance with legislation including the circumstances which will be considered when assessing different enforcement options and
4. Ensures that Council best exercises its discretion as to the appropriate allocation of resources when determining whether to take enforcement action consistent with the public interest, its policy objectives and current regulatory issues.

SCOPE

Building Control and Compliance staff that deal with written or verbal requests or complaints alleging unlawful activity and those staff members who are involved in the enforcement of relevant legislation are responsible for implementing this Policy.

DEFINITIONS

Word/Term	Definition
ARA	Appropriate Regulatory Authority as defined by the POEO Act or as otherwise determined by Council.
Authorised Officer	Staff member of Council authorised under legislation and by internal delegations to carry out compliance action on behalf of Council.
Investigation Officer	A person appointed as an investigation officer under Section 9.14 of the *Environmental Planning and Assessment Act 1979* (NSW) by a council (a council investigation officer).
CAN	Court Attendance Notice issued and filed in accordance with the *Criminal Procedure Act 1986* (NSW). A CAN may be used to commence summary proceedings in the local court. A CAN

FAIRFIELD CITY COUNCIL - CITY DEVELOPMENT	
POLICY NO. 0-066	**Compliance and Enforcement - Building Control and Land Use**

Word/Term	Definition
	specifies the offence and its essential particulars as well as the address of the court where the matter is to be heard.
Caution	A warning given instead of a penalty to somebody who has done something unauthorised or illegal, advising that enforcement action will follow if it is repeated. (Less serious than a reprimand).
Caution Guidelines	Caution Guidelines under the *Fines Act 1996* issued by the Attorney General of NSW.
Class 4 proceedings (Land and Environment Court)	Proceedings are of two types: • *civil enforcement*, usually by government authorities, of planning or environmental laws to remedy or restrain breaches; or • *judicial review* of administrative decisions and conduct under planning or environmental laws.
Class 5 proceedings (Land and Environment Court)	Proceedings involve summary criminal enforcement proceedings, usually by government authorities prosecuting offences against planning or environmental laws.
Complainant	In the context of this Policy means a person lodging a request.
Complaint	A person's statement of dissatisfaction with a particular regulatory matter. This may be expressed to Council by either verbal or written means.
Council	Fairfield City Council.
Defendant	The accused person against whom criminal proceedings are brought.
EPA	NSW Environment Protection Authority.
EPA Act	*Environmental Planning and Assessment Act 1979* (NSW).
Estoppel	A legal rule that prevents a person from later denying something that another person may have previously relied on or acted upon. Councils must be aware of this where the conduct of the Council could lead people to act in reliance on council's actions or inactions that have led to a reasonable expectation that Council is not concerned about the conduct in question. For example: • Has the Council previously notified the owner/occupant/individual that the council would not be acting? • Has the matter previously been brought to the attention of Council, yet no action was taken? • Has the council contributed to an owner/occupier/individual acting upon a reasonable expectation that no action would be taken?
Fines Act	*Fines Act 1996* (NSW).
Food Act 2003	*Food Act 2003* (NSW).
GIPA	*Government Information (Public Access) Act 2009* (NSW).
ICAC	Independent Commission Against Corruption established under the *Independent Commission Against Corruption Act 1988* (NSW)

FAIRFIELD CITY COUNCIL - CITY DEVELOPMENT	
POLICY NO. 0-066	**Compliance and Enforcement - Building Control and Land Use**

Word/Term	Definition
	and *Independent Commission Against Corruption (Commissioner) Act 1994* (NSW).
Informant	The person whom brings about criminal proceedings.
LG Act	*Local Government Act 1993* (NSW).
PIN	Penalty Infringement Notice.
Principal Certifier	In relation to building or subdivision work this refers to the certifier appointed as the principal certifier for the building work under section 6.6(1) or for the subdivision work under section 6.12(1) of the *Environmental Planning and Assessment Act 1979* (NSW).
Procedural Fairness	The procedures used by a decision-maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making decisions. Council considers it highly likely that a decision-maker who follows a fair procedure will reach a fair and correct decision. The term procedural fairness is thought to be preferable when talking about administrative decision-making because the term natural justice is associated with procedures used by courts of law. However, the terms have similar meaning and are commonly used interchangeably. For consistency, the term procedural fairness is used in this Policy document.
POEO Act	*Protection of the Environment Operations Act 1997* (NSW) (**POEO Act**) is the key piece of environment protection legislation administered by the EPA. The object of the Act is to achieve the protection, restoration and enhancement of the quality of the NSW environment.
Public Health Act 2010	*Public Health Act 2010* (NSW).
Reprimand	A rebuke or censure given instead of a penalty to somebody who has done something unauthorised or illegal, advising that enforcement action will follow if it is repeated. (More serious than a caution.
Request	A person's request to Council to investigate an alleged breach.
Revenue NSW	Formerly known as the State Debt Recovery Office.
Roads Act	Roads Act 1993.
Statute Barred	Proceedings are prohibited from being commenced because of a statutory time limited within which such proceedings must be commenced.
Technical breach	A minor divergence from the terms of an Act, Regulation, Order, Development Consent or other document or direction, but is not a failure to comply with an order or direction of any Court which may be contempt of court upon such a judgement.
Unlawful activity	Any activity or work that has been or is being carried out: • Contrary to the terms and conditions of a development consent, approval, permit or licence;

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Word/Term	Definition
	• Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on land; • Contrary to a legislative provision regulating a particular activity or work; • Without a required development consent, approval, permit or licence; • Contrary to legislation in relation to which Council is the appropriate regulatory authority; and • Includes any activity, place or structure that is a risk to public health and safety, but excludes any parking or traffic offences, which are dealt with in accordance with the Australian Road Rules.

LEGISLATIVE CONTEXT

Name
Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2021
Local Government Act 1993 and Regulations
Roads Act 1993
Swimming Pools Act 1992
Fines Act 1996
Food Act 2003
Boarding Houses Act 2012
Protection of the Environment Operations Act 1997
Public Health Act 2010
Office of Director of Public Prosecutions (NSW) – Prosecution Guidelines
NSW Ombudsman - Enforcement Guidelines for Councils
Attorney General of NSW - Caution Guidelines under the *Fines Act 1996*

STAKEHOLDERS

The Mayor, Councillors, Council Officers and the Public.

SECTION 2 - POLICY

OBJECTIVE AND GOALS

The aim of the policy is to establish clear guidelines for the exercise of the discretion the Council must use in dealing with unlawful activity, considering all relevant information including the available evidence, cost to the community, the circumstances of the individual case and public policy and precedent considerations.

POLICY STATEMENT

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1. Responsibility

All complaints alleging unlawful activity should be logged in Council's electronic records system as soon as possible upon receipt and directed to a responsible officer in the appropriate Division. Details of all instances of unlawful activity identified by staff in the course of their duties should be recorded in the appropriate electronic record keeping system. Council staff responsible for the investigation of a matter is responsible for keeping a full and complete record of their actions, including reasons for all decisions made in relation to an investigation.

Council staff dealing with the investigation of unlawful activity is also responsible for ensuring that any other unlawful activity, particularly as it relates to life or fire safety, identified during their investigation is immediately brought to the attention of the appropriate area. For example, an investigation of an alleged unlawful use of premises should include consideration and review to determine whether appropriate documentation is being submitted regarding the fire safety of those premises, with appropriate action being taken if necessary.

2. Responding to Unlawful Activity

Council will make every effort to ensure that all Customer Service Requests about alleged unlawful activity are recorded and actioned in a timely manner. Confidentiality of information will be dealt with in accordance with Council's Privacy Management Plan and all relevant legislation including the *Privacy and Personal Information Protection Act 1998* (NSW) and the *Government Information (Public Access) Act 2009* (NSW).

3. Framework for Prioritising CRMs

High
- Public health and safety issues/property issues (eg. fire safety, unstable building)
- Unauthorised demolition
- Unauthorised residential uses
- Unauthorised works or uses with major amenity impacts.

Medium
- Unauthorised use (commercial/industrial)
- Unauthorised work
- Non-compliance with DA

Low
- Old unauthorised works
- Minor unauthorised building works e.g. air-conditioning units, fences.
- Stormwater

4. Investigating Unlawful Activity

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All matters regarding alleged unlawful activity will be reviewed to determine whether the matter requires investigation. Where a complaint is made, staff will obtain adequate information in relation to the complainant's concerns (and may make follow up enquiries with them where required). Further enquiries or investigations will not be undertaken where an initial review by a staff member identifies that:

- The matter has already been investigated and resolved or it has been determined that no further action will be taken in the absence of new information;
- Council has no jurisdiction in relation to the matter, ie. Council is not the appropriate regulatory authority (ARA). In relation to such matters, it may be appropriate for Council to bring the matter to the attention of the appropriate regulatory authority. For example, a report may be made to SafeWork NSW in relation to workplace safety issues on building sites or reports to the Department of Climate Change, Energy, the Environment and Water in relation to environmental offences; or
- The activity is identified as being lawful without the need for an investigation (for example, where an approval exists for an activity, and it is clear the activity is being carried out consistently with that approval).

When considering whether a complaint warrants inquiry or investigation Council is to consider a range of factors including:

- Is the complaint premature? Does it relate to an unfinished aspect of work still in progress?
- Based on the information available, is the activity permissible without any consent or approval?
- If the activity is permissible, is there a consent or approval in place and have all conditions been complied with?
- Has a development application, building identification certificate application or other appropriate application been lodged in relation to the activity?
- Is the complaint trivial, frivolous, or vexatious?
- What is the extent of delay between events referred to by the complaint and their notification to Council and reasons given for such delay?
- Is the activity having a significant detrimental effect on the environment or does it constitute a risk to public health, safety, and amenity?
- Have there been previous complaints about the subject premises or this person or organisation?
- Does the complaint have special significance in relation to existing enforcement priorities?
- Given the circumstances of the complaint, are there significant resource implications in relation to any investigation and any subsequent enforcement action?
- Overall, is it in the public interest to investigate the complaint?

Where a decision is made not to investigate a complaint for 1 or more of the reasons listed above, this decision should be recorded along with the reasons for that decision. The Complainant will be advised of the decision and the reasons for making that decision unless such notification is impossible ie. anonymous Complainant.

Complaints where Council is not the Principal Certifier

Where a complaint alleging either building or subdivision works are not progressing in accordance with a development consent or complying development certificate, you must establish whom the Principal Certifier appointed for the project is. Where it is found that the Council is not the Principal Certifier, the complainant is to be advised of this in the first instance by either telephone or other written method. The details of the Principal Certifier are to be provided to the complainant and the process outlined by the Department of Fair Trading on complaint management by a private Principal Certifier explained. Council, where appropriate can contact the Principal Certifier and advise them of the complaint being mindful to protect the identity of the complainant. Should Council consider it appropriate in the circumstances of the investigation, a complaint will be lodged with Fair Trading regarding the conduct of the Private Certifier.

5. Taking Enforcement Action

When determining whether to take enforcement action and the level of enforcement action that is appropriate, in relation to a particular case of verified unlawful activity, staff should consider all the circumstances of the case including:

- The seriousness of the breach, including whether the breach is merely technical or "trivial" in nature;
- When the unlawful activity was carried out and for how long, including whether the breach is continuing;
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- The need for general and specific deterrence;
- Whether the breach can be easily remedied;
- Any circumstances of hardship affecting the complainant or the person who is the subject of the complaint;
- Any mitigating or aggravating circumstances;
- Any prior warnings that have been issued to the person or previous enforcement action taken against the person;
- The degree of responsibility of the alleged offender;
- Whether an educative approach would be more appropriate than a coercive approach;
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- The prospects of success if the proposed enforcement action were challenged in court;
- What action would be proportionate and reasonable;
- What would be in the public interest; and
- Any precedent that may be set by not taking enforcement action.

Prior to taking enforcement action, Council Officers should always turn their mind to the criteria outlined above in undertaking an objective consideration of the evidence that has been gathered during their investigation. Staff must never allow their actions to be used purely to pursue the agendas of external parties or interest groups. Enforcement action should never be undertaken by staff purely as a means of appeasing a virulent complainant in circumstances where the application of the criteria in this policy would otherwise indicate that enforcement action should not be taken.

Where there is sufficient evidence to issue a penalty notice, the staff member may instead elect to issue a formal caution if such an approach is considered appropriate under the Caution Guidelines under the *Fines Act 1996* issued by the Attorney General of NSW (the "Caution Guidelines").

In addition to this, Council may adopt guidelines that determine specific circumstances where an activity that may otherwise be unlawful will not be the subject of enforcement action.

Any Council policy or guideline that does not specifically state otherwise should be read in conjunction with this Compliance and Enforcement Policy.

An example of such guidelines is the NSW Food Authority's 'Regulation of Retail Food Businesses - Guidelines for the Appointment of Enforcement Agencies'.

The NSW Food Authority administers the *NSW Food Act 2003* (NSW). Fairfield City Council has re-entered into a partnership agreement with the NSW Food Authority (the Authority) under the Instrument of Appointment as an Enforcement Agency of 25 June 2024. The Authority has appointed the Council to undertake those obligations set out in Category "B" in respect to its food regulation role as an enforcement agency under the *NSW Food Act 2003, as amended.*

As an enforcement agency, this instrument of appointment is subject to the following conditions under section 111B of the *Food Act 2003* (NSW):

1) inspect retail food businesses for compliance with the national food safety standards in the Australia New Zealand Food Standards Code; and
2) comply with the operating protocols for enforcement agencies (including the Guidelines for the appointment of enforcement agencies; and
3) make authorised officers available to regularly participate in networking meetings and undertake professional development.

It is the duty of Council to exercise the functions conferred or imposed under the *Food Act 2003* (NSW), or delegated to it under that Act, for the purposes of section 111D of that Act.

6. Options for Dealing with Unlawful Activity

Where an investigation confirms an instance of unlawful activity there are a number of approaches that Council may take in accordance with the appropriate authorisations and legislation. Those options include, but are not limited to:

- Taking no action based on a lack of evidence or because it is appropriate regarding the matters set out above. Where no action is taken the reasons for that decision should be documented and any complainant will be advised of the decision;
- Warning or counselling the person who is the subject of the investigation to educate them as to the relevant legal requirements (for example, by issuing an inspection report or warning letter outlining the identified unlawful activity and advising of required remedial action where appropriate);
- Obtaining written undertakings from the appropriate person that steps will be taken to address the concerns (for example, the lodging of a development application within a reasonable period);
- Serving a notice of proposed order, followed by an order where appropriate, under relevant legislation requiring works to be done or for a use to cease or to otherwise address the unlawful activity. This may include acting under the relevant sections of the *Local Government Act 1993* (NSW), the *Environmental Planning & Assessment Act 1979* (NSW) or the *Protection of the Environment Operations Act 1997* (NSW), *Food Act 2003* (NSW) and the *Public Health Act 2010* (NSW).
- Issuing a Compliance Cost Notice (usually in conjunction with an order) that enables recovery of costs associated with investigating unlawful activity and achieving compliance under some legislation.
- Issuing a formal caution in relation to a penalty notice offence under Section 19A of the *Fines Act 1996* (NSW) and in accordance with the Caution Guidelines;
- Issuing a penalty notice, where available; and
- Carrying out the works specified in an order under the *Local Government Act 1993* (NSW) or *Environmental Planning and Assessment Act 1979* (NSW) at the cost of the person served with the order. In this regard, it is preferrable to have a Court order allowing Council authority to carry out the required works.

Council has the option of commencing legal proceedings in certain circumstances where the unlawful activity is of sufficient seriousness to warrant such action. Legal proceedings will be commenced in accordance with the principles outlined in this Policy.

The options outlined above are not mutually exclusive. The approach adopted will depend entirely on the individual circumstance of the matter, with public safety being always the key concern. Where appropriate, Council staff may take an escalating approach to resolving the matter. For example, staff may issue of a warning letter which, if not successful in resolving the issue, may be followed by statutory notices and orders and, if compliance cannot otherwise be achieved, potential enforcement proceedings in Court. Where a staff member is contemplating giving a caution instead of a penalty notice, they must have regard to the Caution Guidelines and all other enforcement guidelines referenced in this Policy. All enforcement action will be monitored to ensure that steps are being taken within appropriate timeframes for the matter. Complainants will be kept up to date as to decisions that are made in relation to compliance action where possible.

7. Options for Legal Proceedings

Where an investigation has been undertaken and unlawful activity has been identified there are several approaches which Council may take. A decision as to the appropriate compliance action will ordinarily have been made by an authorised officer in accordance with this policy prior to the matter being referred for the consideration of legal proceedings. Except in cases of urgency or in circumstances where proceedings are considered the best way to obtain compliance, legal proceedings will be commenced only after other forms of compliance action have been taken and the unlawful activity is continuing.

Legal proceedings that Council may commence in relation to enforcement action include, but are not limited to:

- Commencing proceedings in the Land and Environment Court to remedy or restrain a breach of legislation, including enforcement action seeking compliance with a statutory order or the commencement of injunctive proceedings where necessary;
- Issuing a Court Attendance Notice alleging that an offence has been committed against nominated legislation for determination in the Local Court;
- Commencing proceedings for the prosecution of a criminal offence in Class 5 of the Land and Environment Court's jurisdiction; and
- Carrying out the works specified in an order under the *Local Government Act 1993* (NSW) or *Environmental Planning and Assessment Act 1979* (NSW) at the cost of the person served with the order, with proceedings being commenced to recover those costs where appropriate.

8. Legal Proceedings

Where matters are referred to the appropriate Co-ordinator or Manager for the consideration of enforcement action, they will assess whether a recommendation should be made to commence legal action. The officers will evaluate, considering the public interest and Council's policies and priorities, whether legal action should be initiated. Council will commence legal proceedings in accordance with the delegations of the appropriate Co-ordinator or Manager and other appropriately delegated officers.

The Decision to Commence

Prior to recommending the commencement of proceedings, the solicitor responsible for a matter must be satisfied that the available evidence establishes a case to the required standard of proof.

Where a criminal prosecution is contemplated, the evidence should disclose, at the least, the existence of a *prima facie* case and having regard to the need to achieve the criminal standard of proof – that is that the elements of the offence be proved beyond reasonable doubt.

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For civil enforcement proceedings there should be sufficient evidence to indicate that Council will be able to establish the elements of the case on the balance of probabilities. In recommending that civil enforcement proceedings be commenced in relation to a particular matter, the solicitor must form an opinion that there are reasonable prospects of success should the matter proceed to a defended hearing. Proceedings should not be commenced where there are no reasonable prospects of success.

A solicitor's recommendation for the commencement of proceedings requires consideration of the relative seriousness of the matter, including any life or fire safety factors or environmental harm involved. The recommendation to commence must contain a consideration of all factors relevant to Council's prospects of success, bearing in mind the primary importance of ensuring the safety of the community and the environment.

The dominant factor in the exercise of Council's discretion to commence proceedings is the public interest, including Council's duty to ensure the safety of its residents and visitors. The decision should be considered in the context of all the enforcement options available to Council to ensure that the approach taken is that which is most likely to achieve the desired outcome and is consistent with the factors listed below. Court proceedings should be commenced only where this is the appropriate strategic response, and it is in the public interest to do so. The factors to be considered in making this determination may include:

- The seriousness of the breach, including the harm or potential harm to the environment, public health, safety, or amenity caused by the breach;
- The availability or efficacy of any alternatives to legal proceedings (including any other means by which the breach can be remedied);
- Whether the offender has been dealt with previously by non-prosecutorial means;
- Whether the breach is a second or continuing offence;
- Whether the issue of Court orders is necessary to prevent a recurrence of the offence;
- The number of complaints about the unlawful activity, the number of complainants and whether complaints have been received from the emergency services or other public authorities;
- The prevalence of the type of unlawful activity and the need for deterrence, both specific and general, as well as the extent of Council's resources diverted to achieving compliance;
- The age, physical or mental health or any special illness of the alleged offender and any other mitigating circumstances in Council's knowledge;
- The potential length and expense of court proceedings;
- Any potential counter-productive outcomes of taking proceedings;
- The likely outcome in the event of conviction, regarding the sentencing options available to the court; and
- Whether the consequences of criminal conviction would be unduly, harsh or oppressive in the circumstances.

Council will not undertake enforcement action and court proceedings for any improper purpose. A decision on whether to take legal proceedings will not be influenced by:

- Any form of unlawful discrimination, such as race, religious beliefs, and gender;
- Personal empathy or dislike towards the offender; or
- Political affiliations or any other associations of any of the persons involved in the matter including the offender, the complainant and any staff member involved in making decisions relating to the matter.

9. The Appropriate Party

It will often be the case that enforcement action or legal proceedings could be commenced against more than 1 person in relation to the same incident. In most cases it may not be appropriate for enforcement action to be taken or legal proceedings to be commenced, against every person who may be liable for the unlawful activity.

When determining the appropriate person to be the subject of proceedings the investigating officer, and the solicitor where appropriate should consider the following:

- Who is primarily responsible for the acts or omissions giving rise to the alleged offence or the circumstances giving rise to the unlawful activity?
- What was the role of the party against whom it is proposed to commence proceedings?
- The effectiveness of any Court orders which may be made against the proposed defendant or respondent; and
- Whether there is any evidence that the proposed defendant was the person who undertook (or directed) the unlawful activity and formed the relevant intent.

Corporations may also be liable for unlawful activity. When an offence is committed by employees, agents, or officers of a corporation in the course of their employment, proceedings will ordinarily be commenced against the corporation. However, where the evidence discloses that the unlawful activity occurred because the employee, agent or officer embarked on the activity of their own volition outside the scope of their employment, proceedings may be instituted against the employee, agent, or officer and not against the corporation.

Some legislation provides that employees of corporations are also liable for offences committed by their employers in their absence in certain circumstances and in these cases, proceedings may be commenced against both parties. It is also important to consider whether there can be effective implementation of a compliance program against the corporation.

In determining whether proceedings should be commenced against an employee of a corporation or business, factors include:

- Whether the employee knew or should have known that the activity in question was unlawful;
- The seniority of the employee and the scope of their employment duties;
- Whether liability is imposed on the employee in the circumstances under the relevant legislation; and

- Whether the employee had, given their seniority and employment duties, taken reasonable steps to draw the attention of the employer or other relevant persons to the unlawful activity.

10. Penalty Notices

Penalty Infringement Notices (PINs) are a way of imposing a fine on a person or persons who an authorised officer believes is guilty of an offence without commencing criminal proceedings against them. Generally, PINs are appropriate where:

- The breach is not serious or ongoing, the degree of harm is low;
- The facts appear undeniable;
- The imposition of the penalty is likely to provide a practical and viable deterrent; and
- There are no aggravating factors.

Authorised officers can issue PINs in accordance with their statutory responsibilities and delegations, this policy and any guidelines or operating procedures put in place by the manager of the relevant unit.

Penalty Infringement Notices are not appropriate where the breach is ongoing or where the prescribed penalty is not adequate to address the severity of the offence. For example, repeated issuing of PINs is not appropriate where there have been ongoing instances of unauthorised activity such as out of hours trading. Council Officers should also consider whether it is appropriate to issue a formal caution as an alternative to issuing a PIN in appropriate circumstances and in accordance with the 'Guidelines for Cautions under the *Fines Act 1996*' issued by the Attorney General of NSW.

Where an authorised officer proposes (after investigating a complaint and assessing the circumstances of the matter in accordance with the criteria outlined above) to issue a Penalty Infringement Notice, the issue of that notice should only be in circumstances where the authorised officer is satisfied that there is sufficient evidence to establish that the offence was committed.

In circumstances where it is proposed to issue a PIN based on information provided only by a complainant (ie. a person who is not a Council Officer) the matter should undergo a full assessment by an appropriate Co-ordinator or Manager prior to the issue of the PIN. The evidence must include a statutory declaration signed by the proposed witness and confirmation that the witness is prepared to give evidence in court if necessary.
Wherever possible it should also include objective evidence demonstrating the offence, for example, photographs. Council staff should be particularly cautious when issuing Penalty Infringement Notices based only on evidence provided by a complainant. Where the appropriate Co-ordinator or Manager is uncertain as to whether the issue of a Penalty Infringement Notice is warranted, the matter should be referred to Council's legal representatives for advice.

Recipients of Penalty Infringement Notices can elect to have the matter dealt with in court. More information as to how court-elected penalty notices are dealt with can be found on the Revenue NSW website: (http://www.revenue.nsw.gov.au/fines).

Who Must Be Served?

The Penalty Infringement Notice must be served on the person or persons who appear to have committed the offence. The person served must be an individual or an incorporated body (such as a company or body corporate).

Legislation allows service of a Penalty Infringement Notice on all owners of private property as is the case for example on a residential property where both husband and wife are joint owners. Council Officers must determine that a *prima facie* case exists on all relevant owners/directors prior to issuing them with a PIN. Just because they are joint owners is not legally sufficient to issue all owners with a PIN.

The difficulty faced when issuing Penalty Infringement Notices is attributing cause for the offence when 2 or more owners exist. Accordingly, a PIN for each of the owners is issued. Once advice is provided by 1 of the parties that they caused the offence and arrangements are made for payment of the fine, Council can withdraw the fine to the other party.

Official Caution

A caution is an enforcement tool available under the provisions of the *Fines Act 1996* (NSW). A caution can be used when a Penalty Infringement Notice could be issued for the breach, but the investigations officer elects to issue a formal caution instead based on their analysis of the circumstances. This may include instances where a company has an excellent track record, the breach results in no harm, the impact on the integrity of the planning system is low, or where an incident is promptly rectified by the responsible party, or when a simple action can bring about compliance. The seriousness of the breach would need to be on the low end of the scale of harm to the community or the environment and the offender has had good performance to date. This written caution would outline that further breaches can lead to escalating enforcement action, such as issuing a Penalty Infringement Notice.

Official cautions are to be issued in accordance with the Caution Guidelines under the Fines Act 1996 issued by Attorney General of NSW.

11. Criminal Proceedings

Criminal proceedings are most appropriate where:

- There is serious culpability or aggravating factors present; or
- Where the unlawful activity is not of an ongoing nature such that civil enforcement proceedings seeking Court orders requiring that the person cease the unlawful activity are considered necessary.

Criminal proceedings can be commenced in the Local Court (via a Court Attendance Notice) or in the Land and Environment Court (Class 5 proceedings). Criminal proceedings cannot be commenced in relation to an offence where a Penalty Infringement Notice has been issued and finalised in relation to the same offence. Criminal proceedings in the Local Court or the Land and Environment Court can be issued following approval by the Coordinator Compliance or Manager Building Control and Compliance.

When determining in which jurisdiction criminal proceedings should be commenced, staff will assess the objective seriousness of the alleged offence, the public interest, the appropriate sentence range, and any benefit from a rapid resolution of the matter in the Local Court. Criminal proceedings under the *Environmental Planning and Assessment Act 1979* (NSW) should not be commenced where civil enforcement proceedings for a breach of an Order or a breach of an Act are underway or where the Court has made orders pursuant to such proceedings.

Charges – Criminal Proceedings

Where criminal proceedings are commenced, the charges laid should adequately reflect the nature and extent of the unlawful activity disclosed by the evidence. The key aim should be to provide the court with the basis on which to impose an appropriate penalty.

In some circumstances where charges are laid, as part of the discussions between the defence and the prosecuting officers prior to the hearing, the defendant may indicate a willingness to plead guilty to some, but not all, of the charges. In these circumstances it may be appropriate for Council to agree to proceed with some but not all the charges.

Any submissions made on behalf of the defendant to plead guilty to some of the charges will be appropriately assessed, considering the benefits including the significant cost and time benefits in the matter not proceeding to defended hearing. Any proposal of this nature should only be agreed to if it can be demonstrated that the remaining charges adequately reflect the nature of the conduct of the defendant and those charges will provide the basis for an appropriate sentence in all circumstances of the case. A decision to agree to a plea of guilty in these circumstances must be approved by the Director.

Representations – Criminal Proceedings

Defendants in criminal proceedings are entitled to make representations to prosecuting authorities in relation to matters before the Court. All representations will be considered, and a recommendation made as to whether proceedings should continue in the circumstances. The Defendant is to be notified in writing of the outcome of their representations before the next occasion the matter comes before the court wherever practicable.

12. Civil Enforcement Proceedings

Civil enforcement proceedings are most appropriate in situations where Council's objective is to secure an undertaking that an ongoing unlawful activity will cease or that works be undertaken to remedy an unsatisfactory situation.

Civil enforcement proceedings are commenced in Class 4 of the Land and Environment Court. Such proceedings will, in most cases, be taken to enforce a statutory Order already issued by Council that has not been complied with. Proceedings may be commenced without prior action where there has been a direct breach of legislation that is of sufficient seriousness, for example where there is a significant risk to public health, safety or amenity, or the offences have been carried out by a repeat offender.

In most circumstances where Council is considering civil enforcement proceedings, a letter of demand will be sent to warn the person against whom legal proceedings are anticipated, both that proceedings will be commenced unless the unlawful activity is addressed within a specified period and that Council will seek orders to recover its costs of any such proceedings. Council may commence proceedings without a letter of demand in circumstances where there is a serious risk to health or safety such that urgent action is required or if Council is otherwise satisfied that the unlawful activity will not be addressed without court orders and there is strategic benefit in commencing proceedings without sending a letter of demand.

Civil enforcement proceedings can be taken in relation to ongoing breaches of the legislation, regardless of whether criminal proceedings have previously been taken in relation to the issue. In taking civil enforcement proceedings, Council will ordinarily be seeking that the Court issue orders requiring the respondent to the proceedings to do, or cease from doing, certain things. Council will also seek orders that the costs incurred in bringing the proceedings be borne by the respondent. In certain circumstances, Council may seek orders from the Court enabling it to go onto private property and undertake certain works itself. Such orders will only be obtained where there is no other means of achieving the desired public benefit.

Where proceedings are commenced, Council will continue to attempt to resolve the issue as quickly as possible, which includes attempting to resolve proceedings efficiently and with minimal costs incurred.

The Coordinator Compliance or Manager Building Control and Compliance can authorise the commencement of Class 4 proceedings. In certain circumstances where an injunction is sought Council may be required to give an undertaking as to damages. Such an undertaking can only be given by the Manager Building Control and Compliance in consultation with the Director on behalf of Council.

13. Contempt Proceedings

Where a Court order is not complied with, the respondent can be charged with contempt of court. Where a person is found guilty of contempt the consequences can be significant and may involve the possibility of imprisonment or sequestration of property.

In all circumstances where orders of the Court have not been complied with Council will consider whether it is appropriate to take contempt proceedings. Unless there has been a significant change in the circumstances that founded the decision to initiate the Class 4 proceedings, Council is likely to commence contempt proceedings.

Contempt proceedings require evidentiary proof at a standard higher than the "balance of probabilities" standard required for civil enforcement proceedings and is closer to the standard of "beyond reasonable doubt" for criminal proceedings. Where a solicitor is recommending the commencement of contempt proceedings, they should be confident that the evidence will meet the higher standard of proof.

Contempt proceedings may only be commenced with the approval of the appropriate Co-ordinator and Manager where appropriate. As contempt proceedings may result in imprisonment careful consideration must be given to all the public interest factors involved and the possible sentencing recommendations that will be put to the Court.

14. Report Broader Matters to Council

Council officers may take prospect of success advice from the Council's solicitor and/or counsel.

Where a decision to take compliance or enforcement action may impact upon Council policy, undermine, or abandon a strongly held position or result in extreme costs with an inherent risk of the proceedings failing, based on prospects of success advice, Council Officers may elect to report the matter to Council.

The decision to proceed with such proceedings will then be subject to a resolution of Council having a full understanding of all elements of the compliance and enforcement matter.

15. Service Standards

Taking and recording customer request

All customer requests and complaints are recorded by Council in accordance with the *State Records Act 1998* (NSW).

All persons who make an action request about alleged unlawful activity will be acknowledged in writing (where return details are available) within 48 hours of the allocation of the complaint to an investigation officer.

Assessment

A request for compliance and enforcement action will be assessed in accordance with this Policy and in particular considering the 'Framework for Prioritising CRMs' contained in Section 3 of this Policy and the person making the request will be advised of how the matter will proceed within a reasonable time commensurate with the priority of the complaint.

Investigation

Where Council Officers have determined to formally investigate the request and any allegations made by the request, Council Officers will endeavour to have the investigation proceed within 2 days of that determination where practical, or otherwise within a reasonable period of time in the circumstances.

16. Determination of Appropriate Enforcement Action

Council will determine the most appropriate enforcement option(s) having regard to the nature and seriousness of the breach and the public interest.

Council will weigh up the public interest or benefits that will be served against the cost to the Council, and the community, of taking enforcement action.

In considering the 'public interest' Council will have regard to whether the unlawful activity;

- will impact on a significant number of people;
- will impact on disadvantaged or marginalised groups;
- is indicative of a systemic flaw;
- is individual in nature but often occurs;
- has attracted sustained public attention and no alternative resolution is proposed or likely; and
- flouts Council's authority.

17. Case Management

Council will ordinarily:

- avoid litigation, wherever possible (but not at the expense of deterring breaches);
- not commence any litigation where it is statute barred or estoppel exists;
- ensure that we weigh up the public interest or benefits that will be served against the cost to the Council, and the community, of taking compliance and enforcement action;
- act with complete propriety, fairly and in accordance with the highest professional standards;
- not cause unnecessary delay in the handling of litigation;
- act consistently in the handling of litigation;
- not take advantage of a person who lacks the resources to litigate;
- not rely on technical issues unless the interests of the Council would be prejudiced by the failure to comply with a particular requirement;
- not undertake or pursue proceedings or appeals unless the Council believes that it has reasonable prospects for success, and it is justified in the public interest; and
- seek to limit legal costs to Council and the other party.

This does not prevent:

- enforcing costs orders or seeking to recover costs;

- relying on claims of legal professional privilege or other forms of privilege and claims for public interest immunity;
- pleading limitation periods;
- seeking security for costs;
- opposing unreasonable or oppressive claims or processes;
- requiring opposing litigants to comply with procedural obligations; or
- moving to strike out untenable claims or proceedings.

18. Review of Compliance and Enforcement Decisions

Where a compliance or enforcement decision is to be reviewed, a more senior officer of Council than the officer who made the decision will undertake the review. Where a compliance or enforcement decision of the General Manager is to be reviewed it will be reviewed by the Council.

19. Verbal and Anonymous Complaints

Verbal Requests

Verbal Requests will only be accepted where there is an immediate risk or disturbance and includes the following categories:

- Swimming pool safety.
- Fire safety of buildings.
- Matters of a serious threat to public health or safety that requires urgent attention.
- Dangerous/unsafe buildings.
- Unauthorised earthworks or filling that is in progress.

Anonymous Requests/Complaints

Anonymous requests for investigations are frequently found to be unsubstantiated and result in resources being wasted. Contact names, addresses and phone numbers are important to confirm information or, if necessary, obtain additional information to allow investigations to be properly conducted.

Anonymous requests for disputes and grievances following investigation have frequently been found to be because of a neighbourhood dispute or involve issues that Council should not be a party to. Management will determine if the complaint is to be investigated if there is sufficient relevant information received to investigate the complaint.

Anonymous requests will only be accepted in the following categories:

- Swimming pool safety.
- Matters of a serious threat to public health or safety.
- Dangerous/unsafe buildings with immediate threat to life.

If a decision is made not to investigate a complaint, this decision must be recorded along with the reasons for that decision.

20. Dealing with Unreasonable or Vexatious Complaints

Unreasonable or vexatious complainants will be dealt with in accordance with Section 13 of Council's Complaints Management Policy (Policy No. 0-014).

In principle, Council Officers will approach such complaints by:

- Conducting an initial assessment: A designated officer will conduct a preliminary assessment to determine if a complaint is unreasonable or vexatious based on the available evidence.
- Provide written notification: If the complaint is provisionally deemed unreasonable or vexatious, the complainant will be notified in writing. This notification will include the reasons for the decision and allow the complainant a specified period to respond and provide further information.
- Review the response: The designated officer will review any response from the complainant to make a final determination.
- Make a final decision: If the complaint is still deemed unreasonable or vexatious after the review, the complainant will be informed in writing that the complaint will not be investigated and the matter will be closed. If the complaint is determined to be legitimate, the standard complaints handling process will be followed.
- Record keeping: All complaints including those deemed unreasonable or vexatious will be recorded in Council's records management system.

21. Delegations

The delegations to Council officers relevant to this Policy are included in Council's Delegation Register.

SECTION 3 - GOVERNANCE

RESPONSIBILITY

Policy Owner	Coordinator Compliance

RISK

There is a risk to Council and any Officer of Council authorised under legislation to carry out compliance action without transparency and structure to Council's regulatory response should a breach of the law be alleged.

FAIRFIELD CITY COUNCIL - CITY DEVELOPMENT	
POLICY NO. 0-066	**Compliance and Enforcement - Building Control and Land Use**

Council is the responsible regulatory authority under several Acts and Regulations. There are expectations set by external authorities on how Council and its regulatory Officers are to conduct themselves. This Compliance and Enforcement Policy sets in place a structure for Council and Council Officers to follow, as well as clearly identifying Council's processes to relevant stakeholders.

VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
001	14 April 2015	Outcomes Committee	
002	12 October 2021	Outcomes Committee	General update
003	10 February 2026	Outcomes Committee	General review

The management of Council reserves the right to cease, modify or vary this Policy and will do so in accordance with Council's established consultation processes.

REVIEW DATE

Council reserves the right the right to cease, modify or vary this Policy and will do so in accordance with Council's established consultation processes.

This Policy will be reviewed every 5 years from the date of Council approval, or earlier where required by law.

AUTHORISATION

This Policy was adopted by Council resolution on 10 February 2026 by Council's Outcomes Committee (Item XX).

DRAFT

FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
Doc Number 0-062	**COMPLIANCE AND ENFORCEMENT POLICY – FOOD SAFETY IN FAIRFIELD CITY**

1. BACKGROUND

The NSW Food Authority is responsible for food safety across the entire food industry throughout New South Wales, from primary production to point-of-sale. Before the Authority was established, responsibility for food regulation in NSW was divided across a number of State agencies and Councils played a major part in the administration of the Pure Food Act 1908 and Regulations. The introduction of the Food Act 2003 saw the consolidation of the administration of the food safety activities in the Food Authority.

Enforcement of the Food Act 2003 is essential for the effective management of food safety risks and the prevention of misleading conduct in connection with the sale of food. Accordingly the NSW Food Authority and the Council, in partnership, is committed to ensuring there is a high level of compliance with the Food Act and Regulations.

Fairfield City Council has entered into a Partnership Agreement with the NSW Food Authority and the Authority has appointed and delegated to the Fairfield City Council to undertake a range of responsibilities to administer the provisions of the Food Act. It has developed protocols to guide Council in the administration of its responsibilities under that Partnership.

It is reasonable and prudent, not only for the sake of transparency, for compliance and enforcement guidelines to be formulated for the benefit of the owners or operators of food businesses and for those Authorised Officers of the Council involved in inspections of food premises and the administration of the compliance and enforcement procedures. Clear messages of the types of actions, the decision making processes, the obligations; and the available means of redress, serve to overcome any doubt any perceptions not based on factual information.

Council has a clear objective of having all foods transported, stored, prepared and consumed in the City of Fairfield protected at all times from contamination or any hazards. It can achieve this objective through the provision of resources to administer the provisions of the Food Act 2003, its Regulations and the Food Safety Standards. These latter documents contain a myriad of requirements all designed to obtain and maintain high food safety standards.

Complaints or information about breaches of the Food Act can be lodged with Fairfield City Council or the NSW Food Authority.

Fairfield City Council can be contacted on:
E-mail: mail@fairfieldcity.nsw.gov.au
Telephone: 02 9725 0222
Facsimile: 02 9757 4708

FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
Doc Number 0-062	**COMPLIANCE AND ENFORCEMENT POLICY – FOOD SAFETY IN FAIRFIELD CITY**

The NSW Food Authority can be contacted on:
E-mail: contact@foodauthority.nsw.gov.au
Telephone: 1300 552 406
Facsimile: 9647 0026

Fairfield City Council or the NSW Food Authority cannot give legal advice but may be able to offer you practical information.

2. OBJECTIVES

2.1 Scope

The NSW Food Authority administers the NSW Food Act 2003. Fairfield City Council has entered into a Partnership Agreement with the NSW Food Authority and the Authority has appointed the Council to undertake those obligations set out in Category "B" in respect to its food regulation role as an enforcement agency under the *NSW Food Act 2003, as amended.*

Categories are not mentioned in the legislation and food enforcement activities are categorised by the NSW Food Authority merely to identify the various responsibility levels that Councils may elect to undertake. *Category "B"* in respect to Fairfield City Council's regulation and responsibility role includes the intended standards food regulation responsibility and:

(a) urgent food safety matters;
(b) urgent food recall investigations;
(c) annual reporting on food regulation activities;
(d) routine inspection and enforcement of the retail and food service sector;
(e) medium and low risk food complaint investigations;
(f) investigation of single-case foodborne illness investigations

Mandatory protocols providing detail around these Council responsibilities have been formulated.

The partnership's objectives are:

- safer food for consumers – reduce the impact of foodborne illness caused by the retail food sector
- strengthen the food safety response capacity of NSW State and Council
- better use of Council's and the State government resources, including avoiding duplication of food regulation services.

FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
Doc Number 0-062	**COMPLIANCE AND ENFORCEMENT POLICY – FOOD SAFETY IN FAIRFIELD CITY**

This policy sets out the Council's policy on compliance and enforcement that will facilitate the effective achievement of the regulatory goals of the Food Act in a manner that is:

- authorised by law;
- procedurally fair;
- accountable and transparent;
- consistent; and
- proportionate.

The policy recognises that most food businesses want to comply with the law and produce food that is safe, correctly described, labelled and advertised. The compliance and enforcement role of the Council is to protect consumers from the minority, who flout the law or act irresponsibly, endangering or defrauding consumers and imposing unfair competition on compliant food businesses. It is anticipated that as a consequence of this policy, food businesses will consider that compliance is an everyday part of business activity. Australian Standard AS3806-1998 *Compliance programs* provides principles for the development, implementation and maintenance of effective compliance programs.

Breaches of the *NSW Food Act, 2003* are classified as criminal offences and penalties up to $550,000 and/or two years imprisonment apply. The range of offences under the Act and Regulations vary greatly in their seriousness and accordingly a variable range of penalties and enforcement options that are available under the Act and Regulations. This policy describes the options that are available and provides details of the matters that will be considered in their application toward achieving the objects of the Food Act, 2003. This policy also sets out the principles the Council will apply in its compliance and enforcement activities.

2.1.1 Objectives

The objectives of this policy are:

- to provide transparency to consumers and industry on how the Council will make decisions on enforcement action;
- to guide decision making and action by our staff in the use of enforcement options;
- to use regulatory implements in such a way as to best achieve our organisational objectives.

The Council of the City of Fairfield administers the provisions of the NSW Food Act 2003 as it applies to the retail sector in the City under a Partnership

Agreement with the NSW Food Authority. The objects of the Food Act 2003 as defined in Section 3 of the Act include the following:

- to ensure food for sale is both safe and suitable for human consumption.
- to prevent misleading conduct in connection with the sale of food,
- to provide for the application in this State of the Food Standards Code.

2.1.2 Compliance and Enforcement Principles

As regulators we will endeavour to:

- act in the public interest;
- act consistently, impartially and fairly according to law;
- promote consistency through effective liaison with field staff and the adherence to policies and procedures;
- ensure we do not discriminate on the basis of race, religion, sex, national origin or political association;
- ensure that enforcement action is taken against the right persons for the right offence;
- ensure that all relevant evidence is placed before the courts or appeals tribunals;
- make food businesses aware of their legal obligations through the widest possible dissemination of information;
- make legislation available to industry through links on our website;
- explain the benefits of compliance to food businesses and discuss specific compliance failures or problems;
- we will provide advice on mechanisms that can be used by food businesses to improve compliance;
- we will confirm our advice in writing when requested and provide written advice in a clear and simple manner, explaining what and why remedial work is to be undertaken, over what time scale and ensuring legal requirements are explained;
- we will advise those we regulate of their right of appeal where provided by law;
- we will provide alleged offenders with an opportunity to discuss the circumstances of their case;
- seek the support of industry leaders to influence compliance levels.

The Council will not exempt, or give any special consideration to public sector organisations or their employees (involved with retail of foods) in the enforcement of the Food Act or Regulations.

2.1.3 Decision Making Criteria

Each case will be considered individually and the appropriate enforcement action to be taken determined on the particular circumstances of the case.

The Prosecution Policy of the Commonwealth states:

> *"The objectives previously stated – especially fairness and consistency – are of particular importance. However, fairness need not mean weakness and consistency does not mean rigidity. The criteria for the exercise of this discretion cannot be reduced to something akin to a mathematical formula; indeed it would be undesirable to do so. The breadth of the factors to be considered in exercising this discretion indicates a candid recognition of the need to tailor general principles to individual cases" (1)*

The following issues need to be considered and balanced in making a decision as to the type of enforcement action, if any, that is applied:

- the knowledge of the alleged offender as to the consequences of their actions;
- the degree of care taken by the alleged offender to ensure they did not commit an offence;
- the capability of the alleged offender to understand, cope and comply with the relevant requirements;
- the alleged offender's antecedents and background, including culture and language ability;
- the openness, honesty and cooperation demonstrated by the alleged offender;
- the contrition demonstrated by the alleged offender;
- any mitigating or aggravating circumstances;
- the culpability of the alleged offender and role played by other parties that may have contributed to the offence;
- the timeliness, the staleness, duration and magnitude of the offence;
- the totality of offences that may have been allegedly committed;
- the proportionality of the selected enforcement option so that the action will not be unduly harsh or oppressive;
- the prevalence of the alleged offence within the industry and any need for a deterrent effect;
- the difficulty and resources expended by the Council in investigating and proving the elements of the particular offence or the type of offence;
- the efficiency and cost to the Council of the compliance and enforcement option that is used;

- whether the enforcement action required to achieve the objectives of the Act are appropriate;
- whether or not the enforcement action would be perceived as counterproductive – for example, by bringing the law into disrepute;
- whether or not the offence is of considerable general public concern;
- the necessity to maintain public confidence in the enforcement of the Food Act;
- the existence of any risk to public health and the nature and extent of that risk;
- the extent to which consumers have been defrauded;
- the need to protect the consumers either in or visiting the City of Fairfield.

The overriding consideration in taking enforcement action will always be the public interest.

(1) Commonwealth Director of Public Prosecutions 2004, *Prosecution Policy of the Commonwealth*.

2.1.4 Privacy and Access to the Policy

The Council must observe the Information Protection Principles set out in the *Privacy and Personal Information Protection Act,* 1998.

This legislation does provide in certain circumstances for information to be shared with other public sector agencies for law enforcement purposes and accordingly the Council will share such information where appropriate.

Reasons for decisions regarding compliance and enforcement action will generally be made available where consistent with the *Privacy and Personal Information Protection Act,* 1998. Reasons will not be given in any case where the information may cause harm to an informant, witness, or the alleged offender, nor in circumstances which would significantly prejudice the administration of justice.

The introduction of the Government Information (Public Access) Act 2009 provides that the public is entitled to view or obtain a copy, free of charge, of the policy. This has replaced previous access provisions under Section 12 of the Local Government Act.

3. DEFINITIONS

The objectives of the *NSW Food Act 2003* as defined in Section 3 of the Act include the following:

(a) to ensure food for sale is both safe and suitable for human consumption,
(b) to prevent misleading conduct in connection with the sale of food,
(c) to provide for the application in the State of the Food Standards Code.

The *Food Standards Code* means the *Australian New Zealand Food Standards Code* as defined in the Food Standards Australia New Zealand Act, 1991 of the Commonwealth of Australia. Section 21 of the Food Act 2003 provides for the enforcement of the Food Standards Code which has requirements relating to:

- labelling and advertising;
- substances added to foods (food additives, vitamins and minerals, processing aids, identity & purity);
- contaminants and residues (metals & toxicants, environmental residues, packing materials, moisture absorbers, mould inhibitors, promotional materials, graphics, prohibited & restricted plants, fungi);
- food requiring pre-market clearance (novel foods, foods produced using gene technology, food irradiation);
- microbiological and processing requirements;
- food product standards;
- food safety standards (food safe programs, food safety practices and food premises and equipment; and
- primary production standards.

4. STAKEHOLDERS

- Fairfield City Council Staff employees – (full/part time), contractors, trainees
- Fairfield City Councillors
- The Mayor of Fairfield City
- The Community of Fairfield City
- The NSW Food Authority.

5. APPLICATION AND IMPLEMENTATION

A range of compliance and enforcement options are available to Authorised Officers. This section gives guidance on when these options may be applied. The decision making criteria outlined in Section 2 will be considered in deciding which, if any, enforcement action is appropriate in each case.

5.1 Types of Compliance and Enforcement Action

The compliance and enforcement options available to Authorised Officers include:

- verbal advice;
- warning letters;
- the issue of statutory Improvement Notice which requires cleaning, repair, replacement, revision of food safety program, implementation of a food safety program or implementation of the Food Safety Standards;
- the issue of a Prohibition Order which controls certain activities where there is failure to comply with an Improvement Notice or to prevent or mitigate a serious danger to public health;
- the seizure of food, vehicles, equipment, and labelling or advertising materials which do not comply with a provision of the Act or Regulations;
- the issue of a Penalty Notice;
- the institution of proceedings in the Local Court;
- the institution of proceedings in the District Court;
- request for court orders for corrective advertising by a person found guilty of an offence;
- publication of the names of offenders immediately after conviction.

5.1.1 Verbal Advice and Warnings

Authorised Officers will routinely give advice on compliance to food businesses. This advice will relate to principles of food safety and which explain the benefits of compliance or the purpose of the law. Verbal warnings should normally only be given for extremely trivial offences, where the offence is only of a technical nature or where there is insufficient evidence to justify a warning letter. Verbal advice may also be given through the Council's "Getting Fresh" food safety training seminars, the attendance at which may be suggested to the food business operator/owner. Attendance at these seminars is voluntary and is not compulsory.

5.1.2 Written warnings

Where there is evidence that minor breaches of the Food Act have occurred, warning letters may be issued at the discretion of the Authorised Officer.

Warning letters may be inappropriate where there are a large number of minor offences on one occasion within one food business. Similarly warning letters will not normally be issued for a series of offences within a relatively short period of time or in those cases where warning letters have previously been issued. The

totality of the offences should be considered in deciding the appropriate course of action. Where significant non-compliance is evident, more significant enforcement action may be appropriate.

Warning letters will detail the exact nature of the offence, required remedial action, cite relevant clauses of the legislation, specify the maximum penalty for the offence and the intention of the Council to enforce the legislation.

Warning letters will be followed-up within 3 months to ensure the required actions have been taken.

Further written warnings will not be issued for a subsequent similar offence except in exceptional circumstances.

5.1.3 Improvement Notices

Authorised Officers may serve Improvement Notices under Section 57 of the Food Act. An Improvement Notice is an order that may require, in relation to premises, food transport vehicles or equipment, cleaning, repair, replacement, and relating to the handling of food, revision of a food safety program, implementation of a food safety program or implementation of the Food Safety Standards. The orders may also require food to be handled in a specified way or for a specified purpose.

Improvement Notices should be issued with the same considerations as for a warning letter but should also only be used where there is an intention to proceed to a Prohibition Order following non-compliance with that Improvement Notice. In other circumstances a warning letter or other enforcement options should be considered.

An Improvement Notice must specify the specific legislative provision to which it relates and may specify the particular action to be taken by a person. The Improvement Notice must specify the date by which compliance must be achieved. While extension of the date of compliance is at the discretion of the Authorised Officers, extensions of time for compliance will not be granted for matters related to cleaning or food handling without the prior approval of the Manager Environment and Health or managerial levels above that Manager.

Appeals concerning Improvement Notices will be considered by the Manager Environment and Health.

Improvement Notices must be served on the proprietor of the food business. The person on whom an Improvement Notice has been served must be provided with a copy of the Improvement Notice upon request. Should the proprietor wish to seek an extension of time for compliance, that request must be in writing stating

the reasons the extension is being sought. That request is to be submitted to Council before the date of compliance as indicated in the Notice.

Improvement Notices are differentiated from warning letters in that they are a statutory notice that may lead to the issue of a Prohibition Order under Section 60 of the Food Act.

The issue of an Improvement Notice does not preclude the issue of a Penalty Infringement Notice nor the institution of court proceedings in circumstances where these types of actions may be warranted.

5.1.4 Prohibition Orders

Prohibition Orders may be issued where an Improvement Notice has been issued and there has been a failure to comply with the Improvement Notice by the date of completion **or** where the issue of a Prohibition Order is necessary to prevent or mitigate a serious danger to public health.

A Prohibition Order will take a form that prohibits the handling of food on specified food premises, vehicle or equipment, or that food is not to be handled in a specified way or for a specified purpose. It should be noted that Section 4 of the Food Act defines food handling very broadly, including activities such as collection, transporting, storing or displaying food. Breach of a Prohibition Order will normally result in prosecution.

A Prohibition Order will remain in place until a Certificate of Clearance is issued following a written request for an inspection. An inspection will be undertaken within 48 hours of a written request being made by the proprietor of the food business to the Council or to the Authorised Officer who made the order. If an inspection is not made within 48 hours of the written request for an inspection, a Certificate of Clearance is deemed to have been granted.

Section 65 of the Food Act provides for appeal to the Administrative Decisions Tribunal (ADT) if there is a refusal to issue a Certificate of Clearance. Section 66 of the Act provides for compensation to be paid if there were no grounds for the making of the Prohibition Order.

Prohibition Orders may only be issued by Fairfield City Council's City Manager being a duly authorised delegate under Section 109E of the Food Act. A brief of evidence sufficient to prove all elements of a prosecution will be the normal standard required prior to the issue of a Prohibition Order.

5.1.5 Seizure Powers

Authorised Officers have power under Section 38 of the Food Act to seize food, vehicles, equipment, and labelling and advertising materials which the Authorised Officer reasonably believes do not comply with a provision of the Act or Regulations or which there is evidence that an offence has been committed.

While seizures are undertaken to collect evidence or to prevent further offences being committed, they effectively impose a penalty upon the person from whom the food, vehicle, equipment and labelling or advertising materials is seized. The impact of a seizure should be considered in the application of any other enforcement action.

Persons from whom items are seized must be provided with a statement that describes the items seized, states the reasons for the seizure and the address at which the items will be held.

Where it becomes evident that there has been no contravention of the Food Act or Regulations in relation to items which have been seized they are to be returned as soon as possible to the person from whom the items were seized.

The person from whom items have been seized must also be informed of their right under Section 52 to appeal within 10 days of the seizure to a Local Court for an order disallowing the seizure. Compensation may be paid if there has been no application to a Local Court and no contravention of the Act or Regulations had occurred in relation to the seized items.

5.1.6 Penalty Notices

A Penalty Notice is a notice referred to in Part 3 of the Fines Act 1996 to the effect that the person to whom it is directed has committed a specified offence and that, if the person does not wish to have the matter dealt with by a court, the person may pay the specified amount for the offence within a specified time.

A penalty notice is issued under Section 120 of the Food Act. The notice requires payment of a specified monetary penalty, unless the person alleged to have committed the offence elects to have the matter dealt with by a court.

When an Authorised Officer during an inspection of premises, vehicles or equipment, detects or observes conditions or circumstances that gives rise to the potential for the issue of a penalty notice, verbal advice will be given, at that time, to the person allegedly responsible for the alleged offence that a penalty notice may be issued for that alleged offence.

Prior to a penalty notice being issued, Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence to the standard required for prosecution. Further than establishing a prima facie case there must also be a reasonable prospect of a conviction being secured if the alleged offender chooses to have the matter heard in a court. That brief is to be submitted to the Manager Environment and Health for consideration and authorisation for the penalty notice to be issued.

When a decision has been made that a penalty notice is to be issued, that notice will be forwarded by post or hand delivered to the person alleged to have committed the offence. The penalty notice is to be accompanied by a written advice giving the reasons for the issue of the penalty notice in that instance and also providing advice and information as to the means or requirements for the remedying or rectification of that condition or circumstance that gave rise to the penalty notice.

The decision making criteria outlined in Section 2.1.3 will be considered in the issue of a penalty notice. Penalty notices provide a cost effective and efficient method of dealing with offences and will generally be sufficient response to breaches of the Food Act. Penalty notices should not be used where the penalty is considered totally inadequate for the offence or where the penalty is likely to have no impact on the proprietor of the food business. Penalty notices are not available for the serious offences contained in Part 2, Division 1 of the Food Act. These relate to the handling of food in a manner that a person knows will render, or is likely to render, the food unsafe or where the food is handled in a manner that the person ought reasonably to know is likely to render the food unsafe. Other serious breaches such as assault of an Authorised Officer, breach of a Prohibition Order, interference with seized items or numerous simultaneous offences should generally proceed by way of prosecution.

If payment of the amount specified in the penalty notice is not made and the person does not elect to have the matter dealt with by a court, a penalty enforcement order may be made against the person by the State Debt Recovery Office (SDRO). If the person does not pay the amount (including enforcement costs) within 21 days, enforcement action authorised by the Fines Act may be taken in the same way as action may be taken for the enforcement of a fine imposed on a person after a court hearing for the offence.

Representations may be made to the SDRO immediately upon receipt of a penalty notice detailing any mitigating circumstances that the recipient of the penalty notice may deem to submit in any request for the penalty notice to be cancelled or waived. The decision in respect to any such representations is made by the SDRO.

A penalty notice enforcement order, issued by the SDRO, may, on application to the SDRO, be annulled by that Office or, if the Office refuses the application, by a Local Court. If the order is annulled, the alleged offence is to be heard and determined by the Local Court.

A payment of a penalty notice is not an admission of liability and the person is not liable to any further proceedings for the alleged offence. It should be noted that the fines collected by the penalty notice procedures by the SDRO are forwarded to the Council after deduction of the processing fee by the SDRO.

Penalty notices issued since 3 May 2008 may be eligible for publication on the NSW Food Authority's internet website. It should be noted that the decision as to whether the particulars of a business being the subject of a penalty notice are to be published on that list rests entirely with the NSW Food Authority. The particulars that are included in the published list include name of the place of the business, the name of the person on whom the notice was served, the suburb, the Council area where the alleged offence occurred, the penalty notice number, the details of the alleged offence, and the date of the offence. These details remain on that website for a period of twelve months. Those eligible for publication on this site are added progressively each week. People listed in the register on this website or with an interest in a business listed can apply to the NSW Food Authority to add, correct or remove information if a business has been sold or disposed of after an alleged offence, or a correction needs to be made. The NSW Food Authority has a *Penalty notice publication protocol* that can be accessed on its website.

5.1.7 Prosecution

Prior to any prosecution being launched Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence to the standard required for prosecution. That brief is to be submitted to the Manager Environment and Health for consideration and authorisation for the prosecution to proceed. The resources available for prosecuting are finite and should not be expended pursuing inappropriate cases. The decision making criteria outlined in Section 3 will be considered in making a decision to prosecute.

Prosecution will normally be reserved for the more serious breaches. Matters heard in Local Courts cannot attract the full penalties under the Food Act. Where offences are knowingly committed with intent to defraud or risk injury to consumers, consideration will be given to having matters heard before the Supreme Court.

While the Food Act provides that proceedings must be commenced within 6 months for matters relating to food samples and 12 months for other matters, all matters should be prepared for hearing as quickly as possible.

The Food Act extends liability to a wide range of persons who may be involved in some way with contraventions of the Act or Regulations, including employees, proprietors, and individual directors of companies. Where the Council has selected prosecution as the appropriate option, the Council will not necessarily proceed against all those who may be potentially liable under the legislation.

Prosecutions are eligible for publication on the NSW Food Authority's internet website. The particulars that are included in the published list include trade name of the place of the business, the name of the convicted, the suburb, the Council area where the alleged offence occurred, the date of the offence, and the decision of the Court. These details remain on that website for a period of two years.

This policy provides information as to the processes and actions that will be followed in the majority of cases dealt with under the Food Act 2003, however due to the variety of circumstances that may be encountered through the range of inspections and enforcement procedures, the policy cannot be used to limit the discretion of the Council to take any enforcement action for the purposes of obtaining high standards of food safety.

The policy is to be interpreted as general guidance on how the Council will undertake enforcement action.

5.1.8 Corrective advertising

Request may be made for corrective advertising by a person found guilty of an offence where there is the potential ongoing risk to public health or where it is considered by the Council that there may have been a deliberate attempt to defraud customers. The advice of the NSW Food Authority will be sought in such cases.

6. RELATED POLICIES/PROCEDURE GUIDELINES

This policy guideline is modelled on the *Compliance and Enforcement Policy* (October 2006) of the NSW Food Authority. Its policy is informed by the *Prosecution Guidelines* of the Office of the Director of Public Prosecutions (NSW), the *Prosecution Policy of the Commonwealth* issued by the Commonwealth Director of Public Prosecutions, the NSW Department of Health *Prosecution Policy and Guidelines*, Australian Standard *AS 3806-1998 Compliance Programs*, The *Table of Eleven* (Tabel van Elf) developed by the Law Enforcement Inspectorate of the Dutch Ministry of Justice in collaboration with the Sanders Institute of the Erasmus University in Rotterdam and the *Enforcement Concordat* developed by the Cabinet Office of the United Kingdom. Some of the clauses have been amended to tailor the policy guideline to meet

the expectations of the Council in the administration of the respective compliance and enforcement activities.

7. RELEVANT LEGISLATION

This section lists legislation that is relevant to this Policy. It includes legislation that identifies Council powers or obligations, or legislation governing the behaviour of other agencies, that impacts on the policy area.

- Government Information (Public Access) Act 2009
- Local Government Act 1993
- Food Act 2003

8. VARIATION

Management of Council serves the right to cease, modify or vary this policy and will do so in accordance with Council's established consultation process.

9. REVIEW DATE

This policy will be reviewed every five years or when a change to governing legislation occurs, whichever sooner.

10. AUTHORISATION

This policy was adopted by Council on 12 March 2013.

FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
Doc Number 0-058	LOCAL ORDERS POLICY

STATUS AND PURPOSE OF THE POLICY

This Local Orders Policy is prepared and adopted under Chapter 7, Part 3 of the Local Government Act, 1993 and the Local Government General Regulation 2005.

The purpose of the Local Orders Policy is to supplement provisions of the Act and the Local Government (General) Regulation 2005 by specifying the criteria which Council must take into consideration in determining whether or not to give an Order under Sections 124 or 125 of the Local Government Act.

GENERAL AIMS OF THE POLICY

The Policy aims:

- To promote an integrated framework for dealing with Orders
- To ensure consistency and fairness in the manner in which the Council deals with Orders
- To encourage and assist effective participation of local communities in decision-making
- To make the Council's policies and requirements for Orders readily accessible and understandable to the public
- To assist Council to fully pursue its charter under Section 8 of the Local Government Act.
- To apply common or consistent requirements and procedures to all types of Orders
- To establish a system of community participation which can effectively resolve disputes and conflicts as they arise
- To use straight forward English and explanatory notes throughout the policy
- To apply the principles of natural justice in the consideration of representation made by affected persons



FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
Doc Number 0-058	LOCAL ORDERS POLICY

- To specify the criteria which the Council must take into consideration in determining whether or not to give an order

COMMENCEMENT OF THE POLICY

The Local Orders Policy commences on 18 December 2008

The Local Orders Policy was adopted by Council on 2 December 2008 (Minute No. 252 Services Committee)

Adoption of the Policy was publicly notified in the Champion newspaper on 17 December 2008

APPLICATION

This Local Orders Policy applies to:

- All land within the Fairfield City Council Local Government Area
- All land taken to be included in the Council area under Section 205 Local Government Act.
- All premises and all areas associated with those premises within the Fairfield City Council Local Government Area
- Any vehicle used for the manufacture, preparation, storage, sale, transportation or other handling or use of food.

Except where otherwise provided or indicated, the Executive Manager, Environmental Standards Department, shall be responsible for the implementation of the provisions of this policy.

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PROCEDURES FOR THE ISSUING OF ORDERS

In accordance with the Local Government Act 1993, Councils are required to observe certain procedures before giving Orders.

1. CRITERIA FOR CONSIDERATION

Listed in the Orders schedule are the types of orders that Council may be involved with, the circumstances under which they may be given and the criteria that must be considered, if any. In areas where it is considered that the circumstances for the particular order are self explanatory no additional criteria has been provided.

NOTE: The giving of an order is not mandatory and is at the discretion of the Council authorised investigating officer whether or not the circumstances meet the applicable criteria for that order. The criteria shall only apply to a person if Council serves an Order under Section 124 of the Local Government Act, to that effect on that person.

If Council decides to give an order Council is required to take the criteria listed in the orders schedule into consideration before giving the order. (Section 131 Local Government Act 1993)

Note: Under Section 126 of the Local Government Act Council may not give an Order in respect to the following land without the prior written consent of the Minister:

- Vacant Crown land
- A reserve within the meaning of the Crown Lands Act, 1989
- A Common

Section 131 Local Government Act requires that if an Order will or is likely to have effect of making a resident homeless, the Council must consider whether the resident is able to arrange satisfactory alternative accommodation in the locality. Is the person is not able to arrange satisfactory alternative accommodation in the locality the Council must provide the person with information as to the availability of satisfactory alternative accommodation in the locality and any other assistance that the Council considers appropriate.

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2. GIVING NOTICE AND REPRESENTATIONS

Section 132 of the Local Government Act requires that the following be carried out prior to issuing an Order:

- Before giving an order, Council must give notice to the person(s) to whom the Order is proposed to be given of its intention to give the Order, the terms of the proposed Order and the period proposed to be specified as the period within which the Order is to be complied with. (*section 132(1) Local Government Act.*

- Council's notice must indicate that the person to whom the Order is proposed to be given may make representations to Council as to why the Order should not be given or as to the terms of or period for compliance with the Order. (*section 132(2) Local Government Act)*

- The notice may indicate that the representations are to be made to the Council or a specified committee of the Council on a specified meeting date or to a specified Councillor or employee of the Council on or before a specified date being, in either case, a date that is reasonable in the circumstances of the case. (*section 132(3) Local Government Act)*

- A person, to whom an Order is proposed to be given, when making representations may be represented by an Australian legal practitioner or agent. *(section 133 Local Government Act)*

- The Council or a specified committee, or specified Councillor or employee of the Council is required to hear and to consider any representations made pursuant to s133. *(section 134 Local Government Act)*

Representations are to be received, heard and considered by the Manager of the issuing officer.

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After hearing and considering any representations made concerning the proposed Order, the Manager concerned may determine:

(a) to give an Order in accordance with the proposed order; or

(b) to give an Order in accordance with modifications made to the proposed Order; or

(c) not to give an Order. (section 135 Local Government Act)

If the determination is to give an order in accordance with modifications made to the proposed order then Council is not required to give notice of the proposed order as so modified. (section 135(2) Local Government Act)

If Council observes the above procedure it is taken to have observed the rules of procedural fairness. (section 130 Local Government Act)

3. CONTENT OF ORDERS

The order must:

- Indicate the things the person must do or refrain from doing.
- State the reasons for the order. It can be within the order or in a separate document but must be given at the same time the order is given except in the case of an emergency order in which case they must be given the next working day. (*section 136 Local Government Act)*
- Specify a reasonable period for compliance. If there is a serious risk to health or safety or an emergency, compliance can be required immediately. (*section 137 Local Government Act)*
- State that the person may appeal to the Land and Environment Court against the order or a specified part of the order and specify the period within which an appeal may be made. (section 138 Local Government Act)

The order may:

- Specify the standard that the premises are required to meet and indicate the nature of the work that, if carried out, would satisfy that standard instead of specifying the things that the person to whom the order is given must do or refrain from doing. (section 139 Local Government Act)

- Clause 99 of the Local Government (General) Regulation 2005 also requires that the following information must be included:

  (a) Any relevant provision of the Local Government Act, local orders policy or regulations made under the Local Government Act that is not being or has not been complied with,

  (b) That it is an offence not to comply with an Order and the maximum penalty for the offence,

  (c) That, if the Order is not complied with, the Council may give effect to the Order and recover the costs of doing so from the person concerned.

4. REVOCATION AND MODIFICATION OF ORDERS

- Council may modify an order given to a person at any time (including a modification of the period of compliance) providing the person agrees to that modification. *(section 152 Local Government Act)*

- Council may revoke an order at any time. *(section 153 Local Government Act)*

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5. AFTER AN ORDER IS GIVEN

There are a number of possible scenarios:

- The person who receives the order complies.
- The owner or occupier of premises complies. If the occupier or manager complies with the order they may deduct the cost (plus interest) from rent payable to the owner or recover the cost in court. (*section 147 Local Government Act)*
- Council can modify the Order if the person agrees to the modification. (*section 152 Local Government Act)*
- Council can revoke the Order. (*section 153 Local Government Act)*
- The person on whom the Order is served may appeal against the order to the Land and Environment Court and seek compensation. (*see sections 180, 181, 182 Local Government Act*)
- Person fails to comply with the Order

It is an offence not to comply with an order. The Local Government Act specifies penalties for such offences and provides mechanisms for enforcement, including Court action for non compliance– see applicable penalties (*section 628 Local Government Act)*

Council may do all such things as are necessary or convenient to give effect to the terms of the Order, including the carrying out of any work required by the Order. Expenses incurred in giving effect to the terms of the Order may be recovered in a Court of competent jurisdiction as a debt due to Council by the person concerned. (*section 678 Local Government Act)*

Council may seek orders of the Land and Environment Court seeking to enforce the terms of the order. *(section 673 Local Government Act)*

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6. PENALTIES FOR NON COMPLIANCE

Penalties for non-compliance with the terms of orders issued by Council if prosecuted are prescribed under section 628 of the Local Government Act.

- The maximum penalty for failure to comply with Orders 3, 5, 7-12 is 50 penalty units in the case of an individual and 100 penalty units in the case of a corporation
- The maximum penalty for failure to comply with Orders 15-17 is 100 penalty units in the case of an individual and 200 penalty units in the case of a corporation
- The maximum penalty for failure to comply with Orders 18-25 and 27-30 is 20 penalty units

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ORDERS SCHEDULE

SECTION 124 AND 125 ORDERS

The following Orders under Sections 124 and 125 of the Local Government Act are set out to indicate:

(a) To do what (action required to be taken).

(b) In what circumstances (restricts the particular circumstances in which an Order may be given).

(c) To whom (the person the Order must be given to).

(d) The criteria to be taken into consideration when determining whether an order is to be given.

ORDER No 1

This Local Orders Policy does not include details or criteria with respect to orders 1 in the table to section 124 Local Government Act as they apply only to buildings in catchment districts. There are no catchment districts in the Fairfield City Council Local Government Area.

ORDER No 2

This Local Orders Policy does not include details or criteria in respect to order No 2 to section 124 of the Local Government Act as these provisions have been repealed.

ORDER No 3

This Local Orders Policy does not include details or criteria with respect to order No 3 in the table to section 124 Local Government Act as they apply only to buildings in catchment districts. There are no catchment districts in the Fairfield City Council Local Government Area.

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ORDER No 4

This Local Orders Policy does not include details or criteria in respect to order No 4 to section 124 of the Local Government Act as these provisions have been repealed.

ORDER Nos. 5(a), (b), (c), (d), (e), (f) and (f)

To do What?

To take such action as is necessary to bring into compliance with relevant standards or requirements set or made or under the Local Government Act 1993 or Local Government Act 1919:

(a) A camping ground, caravan park or manufactured home estate

(b) A moveable dwelling or manufactured home

(c) A building or a temporary structure used as a place of public entertainment

(d) A place of shared accommodation

(e) A hairdressers shop or beauty salon

(f) A mortuary

(g) A water meter, water supply or sewerage system on premises.

In What Circumstances?

Failure to comply with relevant standards or requirements set or made by or under the Local Government Act 1993 or under the Local Government Act, 1919.

To Whom?

Owner, occupier or manager or, in the case of a water meter, water supply or sewerage system in respect of which a defect occurs in work due to faulty workmanship of, or defective material supplied by, a licensed contractor (being the holder of the licence in force under the Home Building Act 1989 authorising

the holder to contract to do the work) within twelve months after the work is carried out or the material is supplied, the licensed contractor.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration

Non compliance with:

Order 5

1. With respect to order 5(a) in its operation as to camping grounds, caravan parks and manufactured home estates and 5(b) in its operation as to moveable dwellings any applicable standards referred to in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

2. Clause 11 Local Government (General) Regulation 2005 – "*Adoption of Building Code of Australia*" AND Schedule 1, Part 1 Local Government (General) Regulation 2005 - :"Management and use of Places of Public Entertainment",

3. Schedule 2, Part 1 Local Government (General) Regulation 2005 – *"Standards of Place of Shared Accommodation"*

4. Schedule 2, Part 2 Local Government (General) Regulation 2005, – *"Standards for Hairdresser Shops"* and Part 3 – "*Standards for Beauty Salons"*

5. Schedule 2, Part 4 Local Government (General) Regulation 2005 - "*Standards for Mortuaries"*.

ORDER No 6

This Local Orders Policy does not include details or criteria in respect to order No 6 to section 124 of the Local Government Act as these provisions have been repealed.

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ORDER No. 7

To do What?

To fence land.

In What Circumstances?

Public health, safety or convenience renders it necessary or expedient to do so and there is no adequate fence between the land and a public place.

To Whom?

Owner or occupier of land.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. The condition, location or use of the land poses a threat to the health, safety and convenience of the public.

ORDER No. 8

To Do What?

To identify premises with such numbers or other identification in such a manner as is specified in the order.

In What Circumstances?

Premises have a frontage to or entrance from a road and there are no markings that can readily be seen and understood from the road.

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To Whom?

Owner or occupier of land.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

Such an order would be served if there is unauthorised use of or duplication of numbers, numbers not in accordance with the street patterns, or no numbers at all or there is confusion in identification of premises and the owner / occupier had not complied with Council's request for rectification.

ORDER No. 9

To do What?

To fence, empty, fill in or cover up a hole or waterhole in a manner specified in the order.

In What Circumstances?

Hole or waterhole is or may become dangerous to life.

To Whom?

Owner or occupier of land.

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Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. The hole or waterhole is directly accessible from a public place or another private property and/or

2. The hole or waterhole is not adequately covered or fenced to the minimum requirements of the Swimming Pools Act, 1992 to prevent direct access to it from a public place or any other private property and,

3. The nature, location and depth of the hole or waterhole is considered to be dangerous to life.

Criteria Does Not Include:

1. Any hole or water hole that falls under the definition of a swimming pool as defined in the Swimming Pools Act, 1992.

ORDER No. 10

To Do What?

To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees.

In What Circumstances?

Land is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions.

To Whom?

Owner or occupier of land.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

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1. Definition of "Article" or "matter" includes but is not limited to:

   i. Disused motor vehicles, caravans, trailers or boats;

   ii. Disused motor vehicle parts, caravan parts, trailer parts or boat parts;

   iii. Disused machinery, equipment and appliances;

   iv. Old, used or second hand materials (including building materials);

   v. Demolition material;

   vi. Sand, soil, rock, blue metal and any other material derived from any extraction or dredging process;

   vii. Any organic or vegetative material;

   viii. Any industrial or commercial waste products;

   ix. Any household rubbish or waste;
   x. Any recycled or composted material;

   xi. Furniture.

2. "*land in the immediate vicinity of a public place*" means any land that immediately adjoins a public place.

3. The article(s) must be visible from the public place.

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ORDER No. 11

To Do What?

To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage.

In What Circumstances?

Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by:

(a) drainage; or

(b) drainage works; or

(c) obstructing a natural watercourse other than by a work constructed or used under a water management work approval granted under Part 2 of the Water Management Act 2000,.

Not being environmental damage arising from premises, works or equipment the subject of a licence issued under the Protection of the Environment Operations Act, 1997 or the subject of a notice or direction issued by the regulatory authority under that Act.

To Whom?

Owner or occupier of land.

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Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

Physical environmental damage must be as a result of the flow of water over any land, discharged from the following sources:

1. Drainage, being a drain or system of drains, whether artificial or natural, which are designed for the carrying of water other than sewage and which includes a natural water course or

2. Drainage works, being any part of the on-site process involved in the construction of a drain or drainage system and which includes, but not limited to site excavation, materials, compiling and any associated buildings works or

3. Obstruction of a natural water course, being the carrying out of building works or the deposition of any material in such a position as to block or restrict the flow of water within or to redirect the flow of water away from a natural water course.

ORDER No. 12

To Do What?

To do such things as are necessary to control the flow of surface water across land.

In What Circumstances?

Other land or a building on the land or other land is being damaged or is likely to be damaged.

To Whom?

Owner or occupier of land.

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Definition:

Surface Water means all water which runs across the surface of the land and which may originate from any source including non-polluted water, water from defective guttering, downpipes or drainage, roof water, water from paved areas, or overflows from swimming pools and water from blocked stormwater drains or pipes, but shall not include seepage or water percolating to the surface arising from excavation within the land that is suffering damage or likely to suffer damage.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. Erosion of land is occurring from the flow of surface water.
2. Physical damage to a building is or has occurred or there is sufficient evidence to suggest that it is likely to occur.
3. Surface water flows across the land boundary onto other land.
4. Situations where this order may apply include but are not limited to:
    i. Water from defective guttering, downpipes or drainage (including underground drainage pipes)
    ii. Water from roofs not fitted with guttering
    iii. Emptying or backwashing swimming pools
    iv. Surface water that has been purposely redirected away from its natural direction of flow towards other land.
    v. The surface water is turbid or otherwise polluted and is flowing across the land boundary.

Criteria Does Not Include:

i. Stormwater runoff which is NOT redirected in any manner (i.e. natural surface flow) and follows existing natural land contours

ii. Surface water runoff occurring in periods of exceptional heavy rain

iii. Stormwater runoff flowing onto and down existing hard surface areas such as driveways, tennis courts, concrete slab or paved areas

iv. Discharges from defective or blocked private stormwater easements

v. Overflows from stormwater absorption pits where contours of land and lack of access prevent direct connection of a building's stormwater drainage system to Council's Stormwater Drainage System

vi. Runoff from any building or development work that is the subject of a Development Consent and has been constructed in accordance with that consent

vii. Any circumstance in which the flow of surface water across land is capable of being regulated by the Department of Environment and Conservation constitutes a circumstance where an Order No. 12 cannot be made.

ORDER No 13

This Local Orders Policy does not include details or criteria in respect to order No 13 to section 124 of the Local Government Act as these provisions have been repealed.

ORDER No 14

This Local Orders Policy does not include details or criteria in respect to order No 14 to section 124 of the Local Government Act as these provisions have been repealed.

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ORDER No. 15

To Do What?

Not to conduct, or to cease conducting an activity on premises (whether or not the activity is approved under the Local Government Act)

In What Circumstances?

The activity constitutes or is likely to constitute:

(a) a life threatening hazard; or

(b) a threat to public health or public safety

and is not regulated or controlled under any other Act by a public authority.

To Whom?

Any person apparently engaged in promoting, conducting or carrying out the activity.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. The activity being carried out is causing or is likely to cause a life threatening hazard or a threat to public health or public safety to any person whether on private or public land.

2. Situations where this order may apply include but are not limited to:

   (a) Use of a defective septic tank or a septic closet on premises after the date specified (in an order No. 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system.

   (b) Construction work on a septic tank or a septic closet on premises after the date specified (in an order No. 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system.

Criteria Does Not Include:

1. Any activity that is covered by any other Act or Regulation.
2. Any activity that is controlled by another authority.

ORDER No. 16

To Do What?

To cease the use of premises or to evacuate premises.

In What Circumstances?

A person to whom order No. 15 is given has failed to comply with the order.

To Whom?

The person to whom order No. 15 is given.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

No additional criteria.

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ORDER No. 17

To Do What?

To leave premises or not to enter premises.

In What Circumstances?

A person to whom order No. 15 is given has failed to comply with the order.

To Whom?

Any person.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

No additional criteria.

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ORDER No. 18

To Do What?

Not to keep birds or animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order.

In What Circumstances?

Birds or animals kept on premises are:

(a) in the case of any premises (whether or not in a catchment district) - of an inappropriate kind or number or are kept inappropriately.

To Whom?

Occupier of premises.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

NOTE: There are no restrictions on the number of birds and animals (excluding horses) that can be kept in the Fairfield City Council local government area in normal circumstances. The standards below apply only where a legitimate problem has been identified relating to the numbers and/or types of birds or animals kept upon a particular premises and which is having a detrimental impact on the health, amenity and safety of others and where an order under section 124 of the Local Government Act is determined to be warranted and is required to rectify the problem.

Where it is considered by the investigating officer that the type or number of the birds or animals is inappropriate for the premises due to the impact occurring, restrictions on numbers and/or types kept as prescribed in the schedule below may be applied. The numbers specified for particular species in the schedule are based on what is considered to be a manageable and generally acceptable number. These numbers may however, be varied by the investigating officer depending on the circumstances.

(See Schedule 2 "*Standards for Keeping Birds and Animals*" Local Government (General) Regulation 2005).

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General Criteria

1. Criteria for issuing an order may include (but is not limited to):

   i. Offensive noise at inappropriate times.

   ii. Odour problems due to proximity of enclosures or poor cleaning.

   iii. Vermin infestation through poor cleaning.

   iv. Risk of physical safety of humans.

Specific Animal Criteria

1. Poultry

(a) Fowl

*(**Definition** – for the purpose of this Local Orders Policy," fowl" shall include domestic fowl or guinea fowl and does not include ducks, geese or turkeys).*

i. No roosters are permitted to be kept;

ii. The number of fowl shall be limited to twenty (20) per premises;

iii. Fowl must not be kept within 4.5 metres (or at such greater distance as may be determined by Council in the particular case) of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.

(b) Poultry (other than fowl)

i. Poultry must not be kept within 30 metres of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.

Poultry - General Requirements

i. The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches. Poultry houses

more than 15.2 metres from a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food and situated on clean sand need not comply with this requirement.

ii. Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to the health of humans.

iii. Control measures for rodents, cockroaches or other vermin are to be conducted on a regular basis and poultry houses are to be maintained free of rodents, cockroaches and other vermin at all times.

iv. Poultry yards must at all times be kept clean and free from offensive odours.

v. Poultry yards must be enclosed to prevent the escape of poultry.

2. Swine, Goats, Sheep

Swine, goats or sheep must not be kept (and animal waste products must not be deposited) within 60 metres of a dwelling, shop, office, factory, church (or other place of public worship), school or public place.

3. Birds (other than Pigeons)

i. Aviaries must not be located within 4.5 metres of a dwelling, public hall, school, or premises used for the manufacture, preparation, sale or storage of food.

ii. Aviaries must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to the health of humans.

iii. Aviaries must at all times be kept clean and free from offensive odours.

4. Pigeons – General Requirements

i. Pigeons must not be kept within 15 metres (or at such greater distance as may be determined by Council in the particular case) from a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.

ii. Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed to *Council approval* on hard paving of a smooth surface, *or* with a suspended floor elevated 0.8 metres above the ground.

iii. Lofts are to be kept clean at all times. Droppings are to be cleaned up daily and disposed of. To minimise odours owners must design and manage lofts to prevent manure becoming wet due to rain or cleaning.

iv. Pigeons must be fed within lofts after exercise. All feed must be kept in vermin proof containers.

v. Racing pigeon's lofts should have adequate visible landing platforms.

vi. Exercising of birds should not occur between 8:00am and 3:30pm.

vii. On no account should birds be allowed to roost on neighbouring buildings. "Open" lofts are not permitted.

Note: The provisions of the "*Policy for the Erection of Pigeon Lofts*" adopted by Fairfield City Council on 26 August 1996 and any subsequent amendments thereto must be complied with.

5. Horses

i. Stables are not to be erected on allotments within an area of less than one (1) hectare.

ii. Stables must be kept no closer than 9 metres from a dwelling, school, shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food.

iii. The floors of any stables must be paved with concrete or mineral asphalt or equally impervious material and must be properly graded to drain.

iv. Horse yards must be enclosed to prevent the escape of horses.

v. Horse yards must not be kept under such condition as to create a nuisance or to be dangerous or injurious to the health of humans.

vi. Horse yards must at all times be kept clean and free from offensive odours.

vii. Where more than one (1) horse is kept on a premises, any conditions of a development consent in force shall also apply.

Note: The provisions of the "*Policy for the Erection of Stables*" adopted by Council on 26 August 1996 and any subsequent amendments thereto must be complied with.

6. Dogs

i. A premises used for the keeping of a dog must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to the health of humans.

ii. A premises used for the keeping of a dog must at all times be kept clean and free from offensive odours.

iii. A premises used for the keeping of a dog should be appropriately fenced to secure the dog/s within the premises.

7. Cats

i. A premises used for the keeping of a cat must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health of humans.

ii. A premises used for the keeping of a cat must at all times be kept clean and free from offensive odours.

8. Rabbits

i. A premises used for the keeping of a rabbit must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health of humans.

ii. A premises used for the keeping of a rabbit must at all times be kept clean and free from offensive odours.

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9. Bees

i. Bee hives shall not be kept on allotments having an area of less than one (1) hectare.

ii. An adequate supply of water is to be provided within the premises where the bees are kept.

iii. Hives are to be located so that flight paths do not interfere with surrounding residents.

iv. Hives are to be located in rear yards only.

v. All hives must be registered with the NSW Department of Primary Industries. The Beekeeping Code of Practice (ref DA!-310 NSW Department of Primary Industries) is to be observed.

vi. Bee hives must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health of humans.

10. Ferrets

i. Ferrets must not be kept within 4.5 metres of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.

ii. Premises used for the keeping of a ferret must at all times be kept clean and free from offensive odours.

11. Miscellaneous

i. Where not specifically noted above, the number of birds or animals to be kept is at the judgment and discretion of the investigating Council officer given the number and type of birds or animals being kept, the conditions under which they are kept and the impact they are causing.

ii. Such animals would be required to be kept under such conditions as to prevent the creation of a nuisance or not to be dangerous or injurious to the health of humans.

iii. The area proposed for the keeping of such animals must at all times be kept clean and free from offensive odours.

iv. Where the keeping of birds or animals on premises is capable of being regulated by the Department of Environment and Conservation, Council may decide against making an order No. 18 if the Department elects to regulate it.

Criteria Does Not Include:

ii. The feeding of wild or native birds and/or animals;

iii. Damage caused by wild or native birds or animals;

iv. The trapping of any wild or native birds or animals;

v. The control of or treatment of termites on private or public land.

ORDER No. 19

To do What?

To use or not to use a tennis court as specified.

In What Circumstances?

Actual or likely annoyance or threat to the safety of neighbours or users of a public place.

To Whom?

Occupier of land.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

i. Tennis courts are not to be used after sunset unless otherwise approved by development consent.

ii. Tennis courts on private property shall not be used for commercial purposes without development consent being issued, i.e. for hire to non residents of the property.

ORDER No 20

This Local Orders Policy does not include details of criteria with respect to order No 20 in the table to section 124 of the Local Government Act as this order type refers to food storage, manufacture, handling and the like.

ORDER No. 21

To do What?

To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.

In What Circumstances?

The land or premises are not in a safe or healthy condition.

To Whom?

Owner or occupier of land or premises.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

Land or premises would be considered not to be in a safe or healthy condition if the safety or the health of the owner or occupier of the land or premises, or members of the community, is detrimentally affected, or conditions, matters or things on the land or premises create or are likely to create a health or safety risk to any person. Action that can be required includes, but is not limited to, the following:

1. The abatement of dampness in walls and ceilings in any property.

2. The repair of leaky roofs and renewal or repair of defective guttering and down piping (*where it causes health and safety issues and not damage – see Order 12).*

3. Provision of adequate wholesome water supply.

4. The renewal of broken window glass and sash cords to render windows capable of being opened top and bottom.

5. The removal of defective floor timbers and stair treads and replacement with sound material.

6. The renewal or repair of waste pipes and sanitary fittings and flush pipe to water closet pans.

7. Renewal or repair of defective sewerage service pipes.

8. Clearing of choked sewerage service pipes.

9. Repair of defective septic tanks, pipes and absorption pits.

10. The removal of the following accumulations which are likely to afford harbourage to vermin or otherwise pose a threat to health and safety to any person:

    i. disused and/or second hand building materials or household fixtures and fittings;
    ii. dilapidated and/or abandoned motor vehicle or ancillary parts and accessories or machinery;
    iii. dilapidated and/or abandoned boats, watercraft, trailers or caravans;
    iv. disused and/or second hand containers, bottles, scrap metal, wastepaper, rags, rubbish or other scrap materials; and
    v. tree trunks, tree stumps, organic material, vegetation or firewood.

11. Provision of suitable facilities for toilet, kitchen sink, bathing and for washing of clothes with hot and cold water provided.

12. Provision of suitable cooking facilities.

13. The control of animal enclosures in so far as their operational aspects in relation to environmental health is concerned.

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14. The removal of trees or branches of trees that are assessed and determined by Council's Officer as being unsafe.

15. The treatment of an untreated swimming pool or excavation where the condition of the water within it is or is likely to be breeding mosquitoes.

16. The boarding up or fencing off of a dilapidated building to prevent unauthorised access where there is a safety issue and order no. 7 cannot be used.

17. Cleaning of garbage containers and waste storage rooms or areas.

18. Disconnection of an electric fence from its energiser or otherwise render it inoperable.

Criteria Does Not Include:

1. Defective retaining walls, buildings or structures that are dilapidated or appear defective if they:

   i. are located on private property; and

   ii. would not impact upon any adjoining public land if they were to collapse; and

   iii. would not pose a threat to health and safety of persons on adjoining public land in any way.

2. Where the condition of land or premises in respect of health or safety is capable of being regulated by the Department of Environment and Conservation.

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ORDER No. 22

To Do What?

To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with the regulations made under the Protection of the Environment Operations Act 1997.

In What Circumstances?

Waste is present or generated on the land or premises and is not being dealt with satisfactorily, and is not regulated or controlled by, or subject to, a licence or notice granted or issued under the Protection of the Environment Operations Act 1997.

To Whom?

Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. Waste is being stored on land or premises for collection by Council not in the approved impervious receptacles with close-fitting lids that are provided for this purpose.

2. Where waste is present on land or premises and is not being properly stored, collected or removed satisfactorily from those premises.

3. Where there is a failure to comply with the provisions of the *'Policy for the Construction of Garbage Storage Bays'* adopted by Fairfield City Council on 26 August 1996 and any subsequent amendments thereto.

4. Where there is a defective on-site sewage management system.

5. Where there is disposal of human waste on site without an approved method of waste disposal.

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ORDER No. 22A

To do what?

To remove or dispose of waste that is on any residential premises or to refrain from keeping waste on those premises.

In What Circumstances?

The waste is, in the opinion of an environmental health officer (within the meaning of the *Public Health Act 1991*), causing or is likely to cause a threat to public health or the health of any individual.

To Whom?

Owner or occupier of the premises.

Criteria:

When determining whether an order is to be given, the following criteria are to be taken into consideration.

No additional criteria.

ORDER No 23

This Local Orders Policy does not include details or criteria with respect to order No 23 to the table to section 124 Local Government Act as it relates to the connection of premises to council's water supply. Fairfield City Council does not provide reticulated water supplies and this order provision is not applicable.

ORDER No 24

This Local Orders Policy does not include details or criteria with respect to order No 24 to the table to section 124 Local Government Act as it relates to the connection of premises to a sewerage system of the council. Fairfield City Council does not provide a sewerage system and this order provision is not applicable.

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ORDER No. 25

To Do What?

Not to use or permit the use of a human waste storage facility on premises after a specified date.

In What Circumstances?

It is necessary for the purpose of protecting public health.

To Whom?

Owner or occupier of premises.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. The human waste storage facility is so defective or poorly designed so as to permit human waste to discharge or overflow from the storage facility in such a manner to be a danger to the health of the public.

Criteria Does Not Include:

1. Where the use of human waste storage facilities is capable of being regulated by the Department of Environment and Conservation, Council may not make an Order No. 25.

ORDER No. 26

This Local Orders Policy does not include details or criteria in respect to order No 26 to section 124 of the Local Government Act as these provisions have been repealed.

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ORDER No. 27

To Do What?

To remove an object or matter from a public place or prevent any object or matter being deposited there.

In What Circumstances?

The object or matter:

(a) is causing or is likely to cause an obstruction or encroachment of or on the public place and the obstruction or encroachment is not authorised by or under any Act, or

(b) is causing or is likely to cause danger, annoyance or inconvenience to the public.

To Whom?

Person causing obstruction or encroachment or owner or occupier of land from which the object or matter emanates or is likely to emanate.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

1. An Encroachment is a trespass upon the property or rights of another.
2. An Obstruction is to interrupt, make difficult or oppose the passage, progress or course of a person.
3. Object or matter is any article, item or thing which is visible and tangible and can include but is not limited to:

   i. advertising sign, advertisement generally;

   ii. motor vehicles or motor vehicle parts;

   iii. caravans or caravan parts;

iv. trailers/boats or trailer/boat parts;

v. machinery, equipment and appliances;

vi. second hand materials including building materials;

vii. demolition materials;

viii. scrap materials;

ix. sand, soil rock, blue metal and any other material derived from any construction or dredging process;

x. any organic or vegetative material;

xi. any industrial or commercial waste product;

xii. any household fixtures, rubbish or waste.

xiii. second hand containers, bottles, scrap metal, waste paper, rags, or rubbish;

xiv. any recycled or composted material.

Criteria Does Not include:

This criterion does not include:

1. The placing of articles on a public place during a designated period of a Council clean up provided these articles do not breach conditions in the circumstances (a) and (b). above.

2. The display of goods on footpaths and public places for which an approval has been obtained from Council and a licence agreement entered into in accordance with the provisions of the Fairfield City Council's "Policy for Display of Goods on Council Owned Footpaths" adopted by Council on 11 March 2003 and any subsequent amendments thereto.

3. The placement of outdoor dining facilities and other items on footpaths and public places for which an approval has been obtained from Council and a licence agreement entered into in accordance with the provisions of the Fairfield City Council's "Policy for Outdoor Dining on Council Owned

Footpaths" adopted by Council on 11 March 2003 and any subsequent amendments thereto.

ORDER No. 28

To Do What?

To take whatever steps are necessary to prevent damage to a public place and to repair damage to a public place.

In What Circumstances?

There is actual or likely damage:

a. by excavation or removal of material from or adjacent to the public place; or

b. by a work or structure; or

c. by surface drainage or irrigation.

To Whom?

With respect to

a. the person responsible for the excavation or the removal of the material.

b. the owner or person entitled to the benefit of the work or structure.

c. the owner or occupier of land from which surface drainage flows or from which spray emanates.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

a. There is no approval issued by Council.

b. The work is not in accordance with approval granted by Council.

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ORDER No. 29

To Do What?

To alter or repair a work or structure on, over or under a public place.

In What Circumstances?

It is in the public interest to do so.

To Whom?

Owner of the work or structure.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

a. The work or structure on, over or under the public way is not in accordance with an approval or is considered unsafe or dangerous.

b. Repairs are required to private services within a public place such as, but not limited to, sewer services and roof water / stormwater pipes that are not covered by lease agreements.

c. Driveway crossings which are not being maintained in a safe condition.

d. Shop awnings which are not being maintained in a safe or sightly condition.

e. Maintenance of underground pipes within a public place.

ORDER No. 30

To Do What?

To comply with an approval.

In What Circumstances?

The approval is not being complied with.

To Whom?

Person entitled to act on the approval or person acting otherwise than in compliance with the approval.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

a. An approval granted by Council under the Local Government Act or Regulations has not been complied with.

b. Conditions of an approval granted by Council under the Local Government Act or Regulations have not been complied with.

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ORDER UNDER SECTION 125 OF THE LOCAL GOVERNMENT ACT

To do What?

To order a person responsible for a public nuisance to abate it.

In What Circumstances?

Where a nuisance consists of interference with the enjoyment of public or private rights. A nuisance is "public" if it materially affects the reasonable comfort and convenience of a sufficient class of people to constitute the public or a section of the public.

To Whom?

The person responsible for causing a public nuisance.

Criteria:

When determining whether an order is to be given the following criteria are to be taken into consideration.

a. The source of the nuisance need not be located on or in a public place.

b. The impact of the nuisance must affect the general public and not a localised group.

Example 1 – Lighting from a private premises impacting upon motor vehicle drivers on a public road.

Example 2 – Any wrongful or negligent act or omission in a public road that interferes with the full, safe and convenient use by the public of their right of passage.

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ADDITIONAL PROVISIONS OF POLICY

1. AMENDMENT OF THE POLICY

The Local Orders Policy incorporates the amendments listed in the table to this clause.

Amendment No.	Date Adopted	Minute No.	Date Commenced	Notified Publicly
Nil				

The Local Orders Policy will be automatically revoked at the expiration of 12 months after the declaration of the poll for the next general Local Government election, unless the Council revokes it sooner.

Note: Automatic revocation of the Local Orders Policy is provided for by section 165(4) of the Local Government Act. The next general Local Government election is expected to be held in September 2008.

Note: Under Section 126 of the Local Government Act Council may not give an Order in respect of the following land, without the prior written consent of the Minister.

- Vacant Crown Land
- A reserve within the meaning of Part 5 of the Crown Lands Act, 1989
- A Common

Further, section 131A Local Government Act requires that if an order will or is likely to have the effect of making a resident homeless, the Council must consider whether the resident is able to arrange satisfactory alternative accommodation in the locality. If the person is not able to arrange satisfactory alternative accommodation in the locality the Council must provide the person with information as to the availability of satisfactory alternative accommodation in the locality and any other assistance that the Council considers appropriate.

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2. COPIES OF CERTAIN ORDERS TO BE PROVIDED TO THE ENVIRONMENT PROTECTION AUTHORITY (DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE)

If Council gives Order No 11, 12, 18, 21 or 25 in respect of land or premises and the land or the land on which the premises are situated is the subject of a contaminated land action, the Council must provide the EPA (Department of Environment and Climate Change) with a copy of the Order and of any modification or revocation of it.

Failure to provide the EPA (Department of Environment and Climate Change) with a copy does not invalidate an Order, modification or revocation.
"Contaminated land action" means a current action under the Contaminated Land Management Act 1997 comprising:

(a) a declaration or Order made under Part 3 of that Act in respect of which the EPA has notified the Council under s59 of that Act, or

(b) a voluntary proposal in respect of which the EPA has notified the Council under s59 of that Act, but which has not yet been fully carried out, or

(c) a notice to maintain remediation action issued by the EPA under s28 of that Act, or

(d) a covenant to maintain remediation imposed by the EPA under s29 of that Act.

(Clause 97 Local Government (General) Regulation 2005).

FAIRFIELD CITY COUNCIL – ENVIRONMENTAL STANDARDS	
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DICTIONARY

Abatement means the summary removal or remedying of a nuisance (the physical removal or suppression of a nuisance) by an injured party without having recourse to legal proceedings.

Act means the Local Government Act, 1993 and Regulations.

Adequate means equal to the requirement or occasion; fully sufficient, suitable or fit.

Article means anything capable of ownership except a living creature.

Clean and Sanitary means the provision of a healthy environment by the exclusion of dust, dirt, vermin and bacteria.

Convenience means a state of affairs in which members of the community can enjoy a public place without aggravation, fear, annoyance or disruption from a source within private property (i.e. non public place).

Danger to the Public means a liability or exposure to harm, injury, risk or peril to the public.

Dilapidated reduced to or fallen into ruin or decay.

Environmental Health Officer means a holder of that office who is:

(a) an officer of the Department of Health, or

(b) an employee of a local authority, or

(c) an employee of a public health organisation within the meaning of the Health Services Act 1997.

Expedient is to promote a proposed or desired object, a means to an end.

Local Government Act means the Local Government Act 1993.

Land includes messuages, tenements and hereditaments, corporeal and incorporeal, of any tenure or description and whatever may be the estate or interest therein.

Land in the Immediate Vicinity of a Public Place means any land either having an allotment boundary to a public place or giving legal access to the public across any other land to a public place.

Likely means probably or apparently going or destined to be.

Matter means the substance or substances of which physical objects, whether solids, liquids or gases are composed.

Necessary means something that cannot be dispensed with.

Physical Environmental Damage means the degrading of existing physical surroundings including the land or water.

Safety means freedom from injury or danger.

Sewage Management Facility means:

a. a human waste storage facility, or
b. a waste treatment device intended to process sewage, and
c. includes a drain connected to such a facility or device.

Sewerage System in relation to any premises means the pipes, fittings and fixtures on the premises, connected to the infrastructure, which are used or intended to be used for the conveyance of sewage from the premises, but does not include a septic tank, an effluent system or a sullage system.

Significant means important; of consequence.

Surface Water means all water which runs across the surface of the land and which may originate from any source including non-polluted water, water from defective guttering, downpipes or drainage, roof water, water from paved areas, discharges or overflows from swimming pools and water from blocked stormwater drains or pipes, but shall not include seepage or water percolating to the surface rising from excavation within the land that is suffering damage or likely to suffer damage.

Threat means a reasonable menace or likelihood of harm.

Waterhole or Dangerous Hole means any hole, pit, quarry, excavation, dam or waterhole which in the opinion of the Council is or may become dangerous to life,

but does not include a swimming pool within the means of the Swimming Pool Act, 1992.

Waste means:

(a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or
(b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or
(c) garbage, being all refuse other than trade waste and effluent,

and includes any other substance defined as waste for the purposes of the *Protection of the Environment Operations Act 1997*, and a substance is not precluded from being waste merely because it is capable of being refined or recycled.

Waste Receptacle means a container approved by Council, used for the retention and storage of waste arising from premises.

Water Supply Pipe means a pipe of approved material which is used to provide water from the Sydney Water water supply system.

Work means any activity, process, task or action and includes a reference to the rebuilding of, the making of alterations to or the enlargement or extension of a work or enclosing a public place in connection with the carrying out of a work.

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 6**

SUBJECT: Major Projects Update - January 2026

FILE NUMBER: 23/34318, 23/13402

REPORT BY: Mark Gray, Major Projects Co-ordinator; Stuart McDougall, Major Projects Co-ordinator; Nina Tran, Project Manager; Mohammad Mamun, Project Manager; Mario Rajanayake, Senior Contracts and Planning Engineer; Suhail Sayeed, Contracts and Planning Co-ordinator; Leisure Scanlan, Contracts and Planning Officer

RECOMMENDATION:

That the change in scope of work for project SP25758 Brenan Park – Construction of New Playground to include additional features for the main play tower and an outdoor basketball court be noted.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

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

SUMMARY

The high-level status of the major projects is shown in the following table.

Project	Status	Summary of Critical or Evolving Risk
Fairfield Showground Community and Events Centre		The State Significant Development Application (SSDA) has completed its public exhibition with response to questions raised due on the 6 February 2026. New amenities toilet block planning approval issued and request for tender released to market. Modifications to access road and car parking planning approval issued and request for tender being prepared.

Project	Status	Summary of Critical or Evolving Risk
Brenan Park		Detailed design and cost management alignment continue with the 50% design review complete and work progressing to the 80% stage. Budget adjustment included in Quarter 2 review.
Mimosa Road Detention Basin		Project is on track with scheduled completion in March 2026.
Avenel Park		The Aboriginal Heritage Impact Permit (AHIP) process is nearing completion.
Bold Park Remediation		Tender released to market with closing date 13 February 2026.

Key:

	Critical risk or issue affecting project delivery
	Evolving risk to be managed
	Project on track

Key actions or activities in the last period:

- Showground's Community and Events Centre
  - Submissions during public exhibition of the State Significant Development Application (SSDA) being assessed for responses to be lodged.
  - The 100% detailed design being finalised.
  - Detailed design for the replacement amenities to maintain operations during construction of the main building released to panel.
  - Construction of the early works for the roads and car parks scheduled for procurement to start in February 2026.

- Brenan Park
  - Councillors reviewed design and inclusions in early December 2025 – scope modified with design development process continuing for resolution of detailed design for tendering.
  - Planning for the request for tender to the panel in early 2026 well advanced.

- Mimosa Road Detention Basin / Powhatan Park Floodlighting
  - The detention basin outlet structure is complete with a March 2026 completion for remaining works (landscaping and creek bank protection).
  - The floodlighting upgrade of Powhatan Park is progressing with the power pole and fixtures ordered (long lead time item) and electrical contractor commencing in February 2026.

- Nelson Park
  - Park was opened in December 2025.

- Bold Park Remediation
  - Release of request for tender for the remediation and park embellishment for release in early 2026.
  - Finalising the lot consolidation at the location.

PROJECT: FAIRFIELD SHOWGROUND COMMUNITY AND EVENTS CENTRE (FCEC)

The Community and Events Centre (SP24913) is a community and events facility integrated with Fairfield Showground's operations.

In November 2023 Council engaged Noel Bell Ridley Smith and Partners (NBRS) as the lead architect for the design development of the Showground facility. Savills Project Management Pty Ltd has been appointed to provide specialist project management services to support project delivery.

Project Status Overview

The project is seeking planning approval while developing the detailed design.

The key tasks and activities in progress are:

- Preparation of supplemental advice in response to questions or queries raised during the SSDA exhibition process.
- Review of Environmental Factors (REF) for a new 2-way circulation service road and car parking on site was approved in January 2026.
- Detailed design for the service road and car parking has commenced.
- The 100% detailed design for the Community and Events Centre is complete with internal review process and stakeholder sign-off underway.
- Request for Tender (RFT) 116-26 – Construction of Ancillary Buildings was released to market on 22 January 2026.
- Preparation of a facility management plan for the new complex and site to balance activities (events, markets, etc.) and site constraints.
- Procurement planning for the delivery of the Community and Events Centre and upgrade of roads and car parking.
- Notification to the Office of Local Government (OLG) under the Capital Expenditure (CAPEX) Guidelines.

Project Scope

The building layout, including dimensions and expected use, are defined and being developed further in the detailed design process. The building footprint displaces 2 existing buildings and an amenities block. A new amenity building (see Figure FCEC 3) is to be delivered before the demolition of the existing facilities. This is to maintain suitable toilet facilities to meet demand arising from the markets and events during construction.

Changes to the existing access road (from 1-way to 2-way) are also required. This is being programmed to occur before the main contractor occupies the footprint for the new facility as part of the strategy to minimise impact on site operations.
A building management system has been included in the project.



Figure FCEC 1: Renders of the new facility.

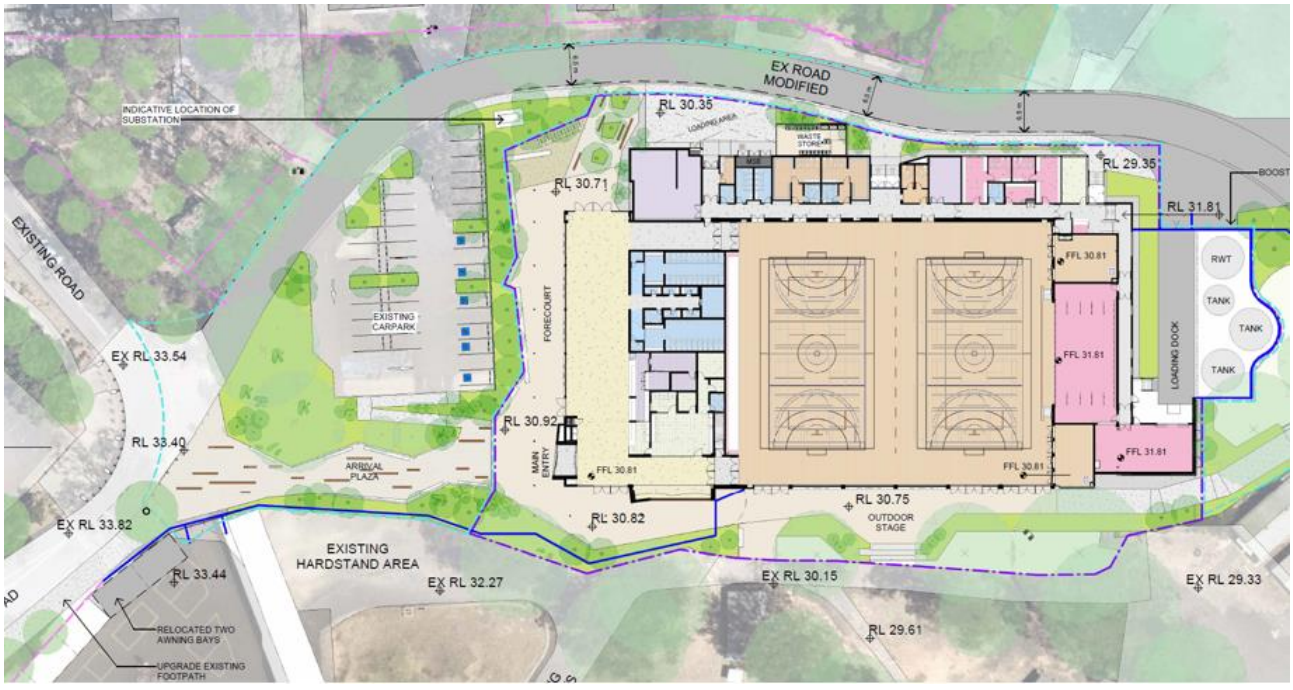


Figure FCEC 2: Site Plan Ground Level.

Project Exclusions

The project includes the concept design for the overflow car park on the adjacent golf course (as the access influences the road layout and parking numbers). However, funding for the design and construction of the overflow parking area and access road/bridge is not included in the project.

Site Master Planning

Council is looking at options for additional site parking, links to overflow parking, increased event and market awning spaces. This includes reviewing the design of the open space between the new centre and market awning to optimise connectivity and functionality of the space. Further advice is expected in early 2026.



Figure FCEC 3: Architectural drawings of new amenities building.

Grant Agreement

Council nominated the Community and Event Centre for the Local Government allocation under the Western Sydney Infrastructure Grants (WSIG) program. A funding deed variation request was submitted for a revised project scope (arising from the change from recreation focus to events/entertainment focus) in May 2025. This variation request was approved in August 2025.

Project Funding

The project involves a significant expenditure of funds to build the new facility. Council adopted the 2025/26 – 2028/29 Delivery Program at its May 2025 Council Meeting. This included the Community and Event Centre funding as follows:

Funding Source	2025/26	2026/27	2027/28	2028/29
General	$33			
Infrastructure Reserve		$2,639	$13,960	
Section 7.11		$1,235		
Section 7.12	$5,000	$3,000	$4,540	
WSIG Grant	$7,500	$13,724		
Total	**$12,533**	**$20,598**	**$18,500**	

Note: Values are in '000's.

A key element of the project funding is the WSIG – Council Allocation of $28 million.

The overall cost of the project is set to not exceed $60 million within the existing scope.

Project Milestones

Key Milestones	Target Date	Status
MAIN FACILITY		
Concept Design Revision	June 2024	Complete
Consultant Reports for SSDA submission	May 2025	Complete
SSDA Lodgement	September 2025	Complete
Expression of Interest (EOI)	September 2025	Complete
Detailed Design Completion	December 2025	Complete
Select RFT for Main Building Construction	March 2026	On Track
Construction Commencement	September 2026	On Track
Construction Completion for Main Building Works	March 2028	On Track
ANCILLARY BUILDINGS/WORK		
Request for Quote (RFQ) Detailed Design	April 2023	Complete
REF Authorisation	September 2023	Complete
REF Modification	December 2025	On track
Contractor Procurement	January 2026	Underway
Commence Replacement of Ancillary Buildings	April 2026	Not Commenced
Construction Completion Ancillary Buildings	September 2026	Not Commenced

Key Milestones	Target Date	Status
ROADS AND CARPARKING		
Concept Design for Carparking	May 2025	Complete
REF Submission	September 2025	Complete
REF Authorisation	December 2025	Complete
Contractor Procurement	March 2026	Not Commenced
Construction Commencement for Roads and Carparking	May 2026	Not Commenced
Completion of Roads and Carparking	August 2026	Not Commenced

Project Status

MAIN FACILITY		
Concept Design		100%
Planning Approval		50%
Detailed Design		100%
Construction		0%
ANCILLARY BUILDINGS		
Concept Design		100%
Planning Approval		100%
Detailed Design		100%
Construction		0%
ROADS AND CARPARKING		
Concept Design		100%
Planning Approval		100%
Detailed Design		80%
Construction		0%

Procurement Activity

The procurement pathway is through an Expression of Interest (EOI) followed by a Selective Request for Tender (RFT), aimed at focusing on good governance and maximising value for money while managing financial and environmental risks.

Stage 1: EOI Release – Invite submissions based on experience, capacity and community project understanding (complete).

Stage 2: Selective RFT – Shortlisted firms invited to submit detailed tenders.

Timing of Stage 2 is dependent on the progress of the SSDA determination. This is a risk-based decision as to when the RFT should be released and relates to whether approval is issued and the proposed conditions of consent.

Project Cost Estimate and Contingencies

Project Commitments	$4,710,000.00
Projects Actuals to 30 January 2026	$3,910,000.00
Project Limit	$60,000,000.00

Budget Summary 2025/2026 Operational Plan

Project (CAPEX) Budget 25/26	$5,051,388.00
Projects Actuals to 30 January 2026	$3,910,000.00
Forecast Expenditure 25/26 (Dec 2025 – Jun 2026)	$2,000,000.00
Budget Position 25/26	Within Budget

Project Risks

The current significant risks for the project are:

- Managing changes to scope and deliverables

  As the project design cycle advances, the impact of changes can be significant on costs, time and performance of the facility. Managing change is an important project control to avoid unwanted cost escalations and delays in delivery timeframes.

- SSDA Process

  The SSDA was submitted in September 2025. While the SSDA process engages the proponent through the design development phase, there remains a risk that the SSDA may be refused, or the proposed conditions may compromise the operation of the facility and/or site in a manner Council finds unacceptable.

- Impact on Showground Operations

  Staging of the works is important to minimise impact on the current operations, events and the Wednesday and Saturday markets.

PROJECT: BRENAN PARK PLAYGROUND

This project's scope is for a new playground at Brenan Park, near the existing community hall on Bourke Street. The project is funded by the NSW Government's Western Sydney Infrastructure Grant with contributions from Council.

The detailed design for the landscape package and the feature play element is progressing with the 80% design documentation due in February. This has identified the deliverables within the existing budget allocation and stretch targets (provision items subject to funding availability within the budget).

Council recently endorsed additional elements to the main play towers and inclusion of a full basketball court. The design teams are currently updating their documentation to accommodate these inclusions. Funding will be allocated for the additional works through the Integrated Planning and Reporting quarterly reporting process in February 2026.

The landscape design is being integrated with the Remediation Action Plan (RAP) requirements.

An adjustment to the grant agreement will need to be sought to reflect the final solution achieved. This is not expected to change the overall deliverables and community outcomes.

On completion of the detailed design, the landscape construction tender package will be released to the Landscape Contractor Panel.

Other Projects in Brenan Park

Council is also programming the construction of an off-leash dog park and improved lighting around the walking path within Brenan Park. Another proposal to look at planting trees to provide colour and shade along the walking path and at the playground, is being examined.

Co-ordination of these works to have them completed in the same timeframe is also being assessed.

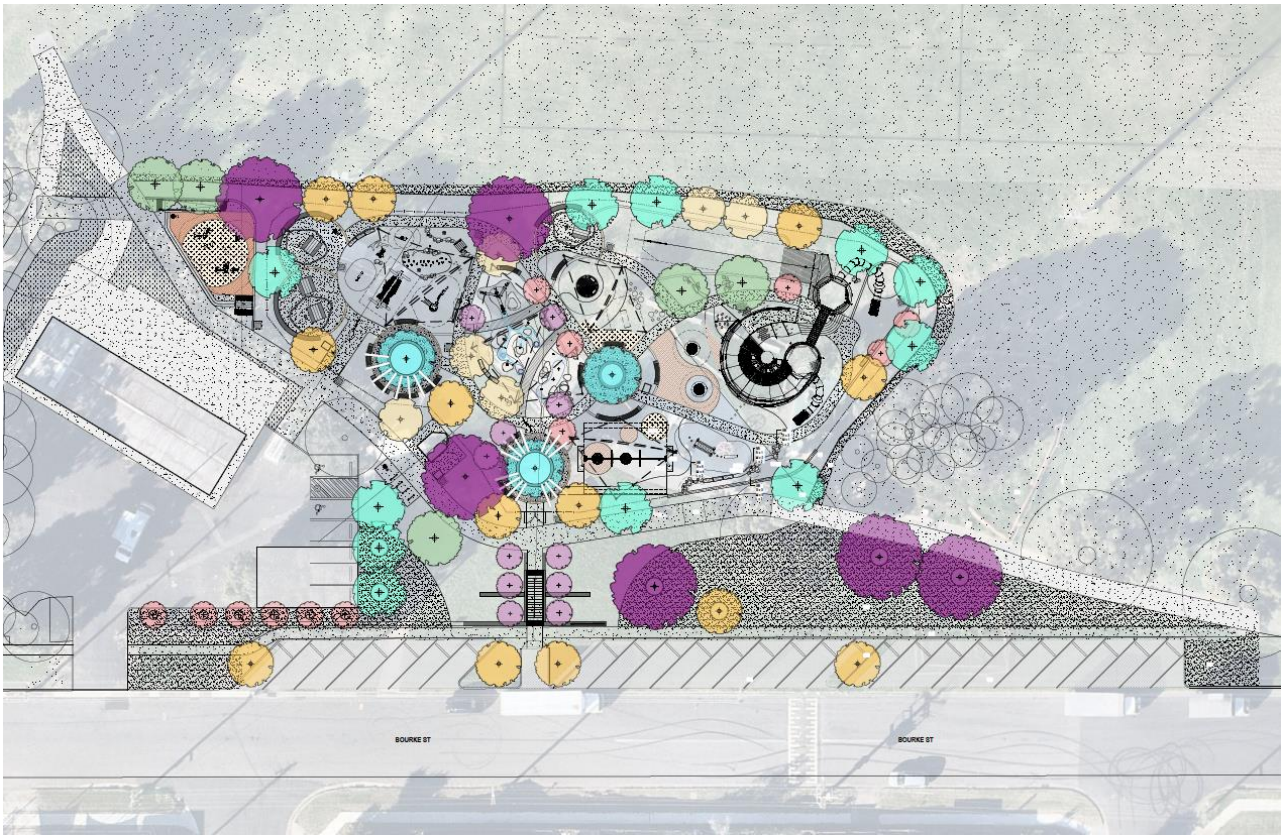


Figure Brenan 1: Playground Site Layout.

Project Milestones

Key Milestones	Target Date	Comment
RAP and Concept Plan Approved	February 2025	Complete
Detailed Design Completion	November 2025	Delayed
Completion of Tender Construction Package	December 2025	On Track
Construction Procurement	December 2025 – February 2026	On Track
Construction Commencement	April 2026	On Track
Construction Completion	December 2026	On Track

Procurement Activity

Procurement falls into 3 main packages:

1. Brenan Park - Main Construction (RFT to be released to market)
2. Main Play Tower (existing contract)
3. Long Lead Play Equipment (RFQs)



Figure Brenan 2: Playground Site Layout.

Project Status

Planning Approval											60%
Detailed Design											70%
RFT Construction											5%
Construction											0%

Project Risks

- Minimising changes to the scope as the project develops.
- Effectiveness of the RAP in managing contamination within forecast costs.

PROJECT: MIMOSA ROAD DETENTION BASIN

The upgrade works at the site include:

- Reconstructing the detention basin walls.
- Increasing the capacity of the culvert under Mimosa Road.
- Repairing the downstream rock revetment to address scour issues along the banks.

These works are being carried out in response to Dam Safety NSW requirements and are partially funded by Australian Government grants.

Project Status

- Earthwork 95% complete.
- Upstream and downstream culverts replacement complete.
- Footpath 90% complete.
- Bank stabilisation works are complete at Orphan School Creek.
- Electric, gas and water reconnection completed.
- Encapsulation pit backfilling completed.
- Mimosa Road reinstate complete.

Design											100%
Construction											90%

Budget Summary

CAPEX Budget	Committals	Actuals	Budget Position
$7,068,334.00	$7,037,806.00	$6,293,997.00	Within budget

Project Timeline

Key Milestone	Target Date	Status
REF Approval	July 2023	Complete
RFT Released to Market	19 September 2023	Complete
Construction Commencement	May 2024	Complete
Construction Completion	March 2026	On Track

Project Risks

- Wet Weather delay.

Powhatan Reserve Lighting

Council has pre-ordered the lighting poles and foundation cages and is awaiting their delivery to the site.

The contractor for the electrical works and installation of the power poles has been appointed and due to commence on site shortly.

PROJECT: AVENEL PARK

The new playground focuses on older youths by including a skate area, multi-purpose courts, exercise equipment and a sprint track. The project is jointly funded by the WSIG program and Council.

The bulk of the playground was completed in November 2024 and opened in early December 2024.

There are a couple of remaining pieces to be installed to complete the gym and exercise node which requires an AHIP to be issued. Excavation pit testing was completed in July 2025 with further advice to be sought from the registered Aboriginal Parties. An Aboriginal Cultural Heritage Assessment Report has been submitted to Heritage NSW for approval.

Once the AHIP is issued, timing for the additional works will be finalised.

PROJECT: NELSON PARK

Nelson Park is partly subsidised by the Local Small Commitments Allocation, NSW Government Funding. The project is an expansion on the existing playground featuring more play equipment, embankment play, a 25m flying fox and a fitness area.

The main issues with this project were the widespread contamination on-site and the design changes from tender to construction.

Project Status

- Practical Completion achieved 17 December 2025.

Design											100%
Construction											100%





Figure Nelson 1: Construction complete 1.

Budget Summary

Project CAPEX Budget	Committals	Actuals	Budget Position
$1,170,000.00	$1,125,321.81	$1,097,413.81	Within budget

Project Timeline

Key Milestone	Target Date	Status
RFT Released to Market	10 December 2024	Complete
Construction Commencement	26 May 2025	Complete
Construction Completion	December 2025	Complete.

PROJECT: BOLD PARK REMEDIATION AND PLAYGROUND RENEWAL

Bold Park is located at 109 Bold Street Cabramatta. The project consists primarily of remediating the site of hazardous material with optional works to install playground equipment.

A Request for Tender was released on Thursday 22 January 2026 and closing Friday 13 February 2026. Tender evaluations will be conducted subject to council's endorsement of the project being delivered at its February council meeting.

The main issues with this project were the widespread contamination on-site and the design changes from tender to construction.

Project Status

- Procurement phase

Design											100%
Procurement											50%
Construction											10%

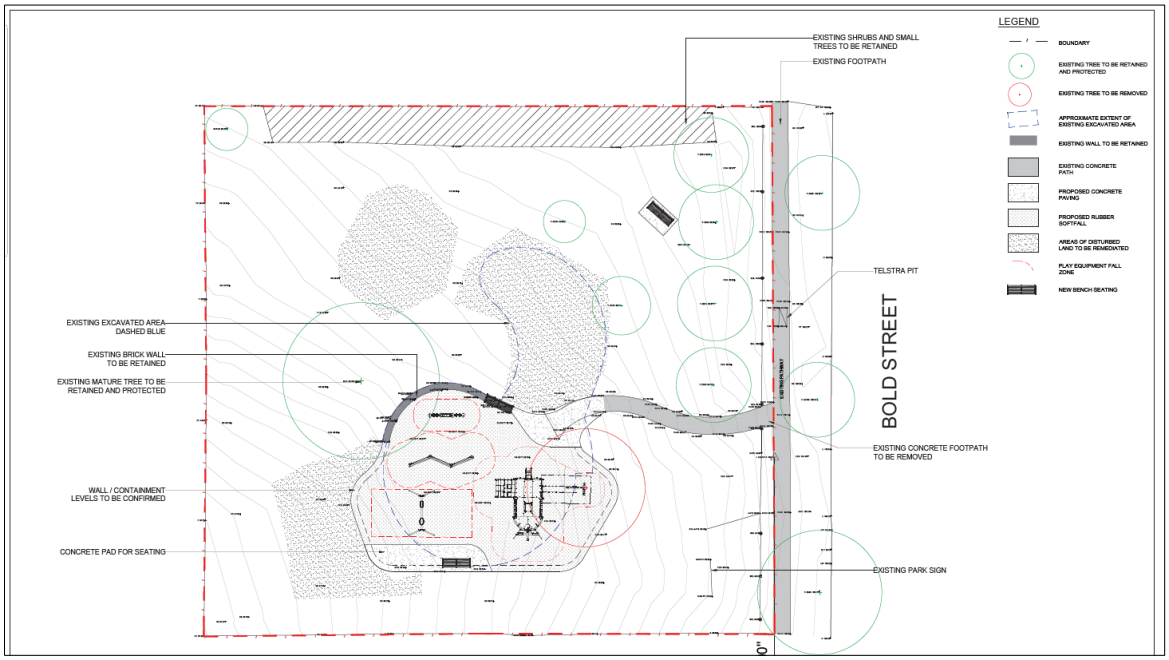


Figure Bold 1: Layout plan 1.

Budget Summary

Project CAPEX Budget	Committals	Actuals	Budget Position
$400,000.00	$0.00	$0.00	Within budget

Project Timeline

Key Milestone	Target Date	Status
RFT Released to Market	January 2026	Complete
Construction Commencement	March – April 2026	On Track
Construction Completion	June 2026	On Track

Project Risks

- Management of contaminated material on site

Mark Gray
Major Projects Co-ordinator

Stuart McDougall
Major Projects Co-ordinator

Nina Tran
Project Manager

Mohammad Mamun
Project Manager

Mario Rajanayake
Senior Contracts and Planning Engineer

Suhail Sayeed
Contracts and Planning Co-ordinator

Leisure Scanlan
Contracts and Planning Officer

Authorisation:
Manager Major Projects and Planning
Director City Delivery

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_5.DOCX**

***** END OF ITEM 6 *****

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 7**

SUBJECT: Monthly Investment Reports - December 2025 and January 2026

FILE NUMBER: 25/23527

REPORT BY: Jennifer Lim Hernandez, Manager Finance

RECOMMENDATION:

That the Investment Reports for December 2025 and January 2026 be received and noted.

SUPPORTING DOCUMENTS:

AT-A ⇩	Fairfield Investment Report December 2025	16 Pages
AT-B ⇩	Fairfield Investment Report January 2026	17 Pages

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

Council's investment portfolio posted a marked-to-market return of 4.43% per annum (p.a.) for the month of January 2026 (December 2025: 3.99%) versus the bank bill index benchmark return of 3.64% p.a. (December 2025: 3.71%). For the past 12 months, the portfolio has returned 4.46% p.a. (December 2025: 4.53%) on a marked-to-market basis versus the benchmark's 3.89% p.a. (December 2025: 3.97%).

Excluding marked-to-market influences, the portfolio yielded 4.30% p.a. for the month of January 2026, up from 4.18% p.a. last month and 4.17% p.a. in November 2025, with interest income of $732,459.00 for the month (December 2025: $668,680.00). This is based on the actual interest rates being received on existing investments and excludes market value changes of the securities/deposits.

Inflation remains above the Reserve Bank of Australia's (RBA) target range of 2-3% with the latest Consumer Price Index (CPI) release showing a rise of 3.8% in the 12 months to December 2025, up from +3.4% in the 12 months to November 2025. This outcome challenges the RBA's previous assessment, in November, that part of the September-quarter inflation increase was likely temporary and expected quarterly inflation to moderate in the December quarter.

Economists are looking for signs of consistent trends in the inflation data. On one hand, all key measures of inflation are above the bank's 2-3% target range. This has come on the back of a fall in unemployment to 4.1% indicating that the labour market remains tight. While on the other hand, monthly trimmed mean inflation has progressively trended lower over the second half of 2025.

The money market is pricing in 2 RBA rate hikes over the course of 2026, with the first occurring on 3 February 2026 when the Board decided to increase the cash rate target by 25 basis points to 3.85%.

In their announcement the RBA stated that a wide range of data over recent months has confirmed that inflationary pressures picked up materially in the second half of 2025. While part of the pick-up in inflation is assessed to reflect temporary factors, it is evident that private demand is growing more quickly than expected, capacity pressures are greater than previously assessed and labour market conditions are a little tight. Therefore, the Board judged that inflation is likely to remain above target for some time and it was appropriate to increase the cash rate target.

Mirroring the rise in market rates, term deposit rates ended January inline or higher versus December month end. Six-month rates were largely unchanged, but 9-to-12-month rates increased by an average of 15 basis points, to be in the 4.65-4.75% area. Long dated rates, 2-5 years, also gained an average of 15 basis points, now ranging from the mid-4.80s to 5-5.30% for 5 years.

Purpose

The purpose of this report is to provide a monthly update of the details of Council's current investments and to certify that those investments are in accordance with the Local Government Act, Regulations and Council's Investment Policy.

Background

Council's Investment Policy allows Council to maintain a risk management framework to prudently manage its investment portfolio, credit quality and maturity profile while aiming to achieve the best available investment return for ratepayers' money.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- Investments should be allocated to ensure there is sufficient liquidity to meet reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

- Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

In addition, Clause 212 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer of a council to provide a written report setting out details of all money that Council has invested under Section 625 of the Act and for the report to include a certification as to whether or not the investment has been made in accordance with the Act. The report is to be presented to Council each month.

In accordance with Clause 212 of the Local Government (General) Regulation 2021, the following report sets out details of all money that Council had invested under Section 625 of the Act as at 31 December 2025 and 31 January 2026.

Investment Update

During the month of December 2025, Council's overall cash and investment portfolio of $198,153,365.00 (carrying value as at 31 December 2025) returned 3.99% p.a. against the bank bill benchmark of 3.71% p.a.

During the month of January 2026, Council's overall cash and investment portfolio of $201,128,453.00 (carrying value as at 31 January 2026) returned 4.43% p.a. against the bank bill benchmark of 3.64% p.a.

Account Certification – Responsible Accounting Officer

I hereby certify that the investments summarised in the above report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

Lachlan Gunn
Responsible Accounting Officer

CONCLUSION

Council's portfolio returned 4.43% p.a. for the month of January 2026 (December 2025: 3.99%) against the bank bill benchmark of 3.64% p.a. (December 2025: 3.71%). Council's investments comply with the Local Government Act, Regulation and Council's Investment Policy.

Jennifer Lim Hernandez
Manager Finance

Authorisation:
Deputy General Manager & CFO

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_9.DOCX**

***** END OF ITEM 7 *****

Fairfield City
Celebrating diversity

Investment Summary Report
December 2025

PRUDENTIAL
INVESTMENT SERVICES CORP

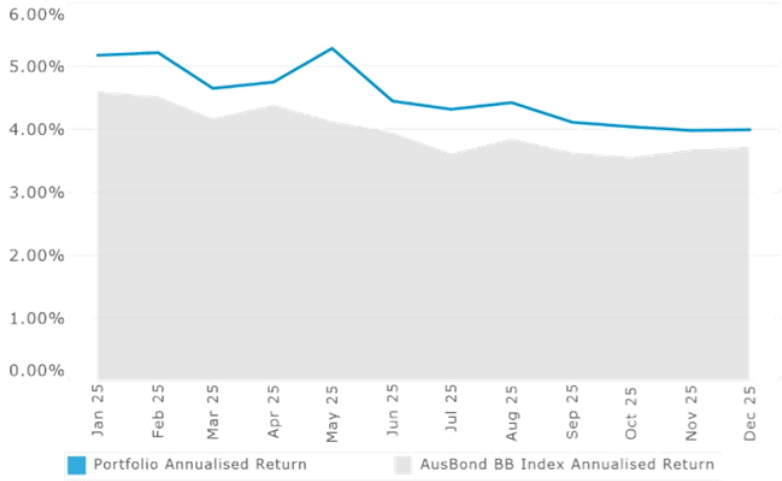
Fairfield City Council

Executive Summary - December 2025

Investment Holdings

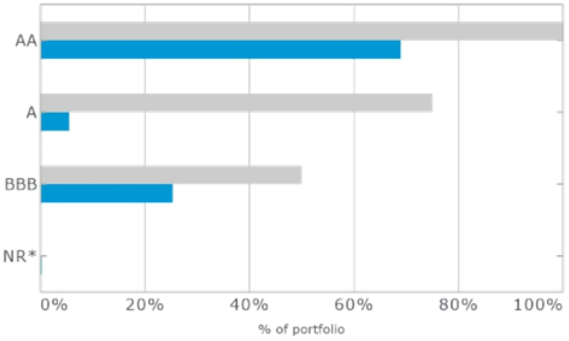
	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	7,400,000	7,556,558	4.8580
Cash	74,373,982	74,373,982	3.7104
Floating Rate Note	50,950,000	51,441,773	4.5827
Mortgage Backed Security	500,000	229,383	4.4440
Term Deposit	65,200,000	66,521,728	4.3541
	198,423,982	**200,123,425**	**4.1905**

Investment Performance

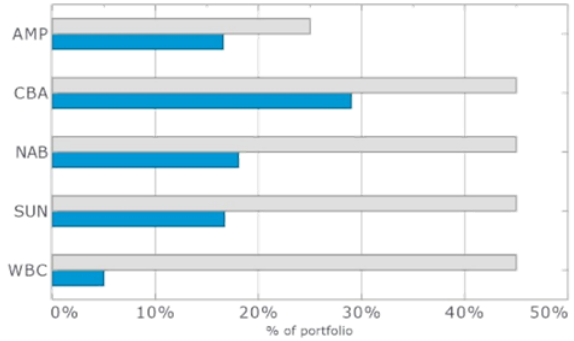


Investment Policy Compliance

Total Credit Exposure



Individual Institutional Exposures



Portfolio Exposure | Investment Policy Limit

Term to Maturities

	Face Value ($)		Policy Max	
Between 0 and 1 years	154,573,982	78%	**100%**	a
Between 1 and 5 years	43,350,000	22%	**60%**	a
Greater than 5 years*	500,000	0%	**0%**	
	198,423,982			

* Complying grandfathered investment

Specific Sub Limits				
Between 3 and 5 years	*11,850,000*	*6%*	***30%***	a

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Holdings Report - December 2025

Cash Accounts

Face Value ($)	Current Rate (%)	Institution	Credit Rating	Current Value ($)	Deal No.	Reference
11,820.79	4.1562%	Macquarie Bank	A+	11,820.79	540388	Accelerator
20,849,408.98	4.2500%	AMP Bank	BBB+	20,849,408.98	545751	31d Notice
53,512,752.47	3.5000%	Commonwealth Bank of Australia	AA-	53,512,752.47	538855	BOS
74,373,982.24	**3.7104%**			**74,373,982.24**		

Term Deposits

Maturity Date	Face Value ($)	Current Rate (%)	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Interest Date	Reference
19-Jan-26	8,250,000.00	4.3000%	AMP Bank	BBB+	8,250,000.00	20-Aug-25	8,380,236.99	546351	130,236.99	At Maturity	
29-Jan-26	1,750,000.00	4.9500%	AMP Bank	BBB+	1,750,000.00	30-Jan-25	1,829,742.47	545758	79,742.47	At Maturity	
18-Mar-26	1,200,000.00	4.2000%	National Australia Bank	AA-	1,200,000.00	16-Sep-25	1,214,774.79	546583	14,774.79	At Maturity	
18-Mar-26	6,000,000.00	4.2000%	National Australia Bank	AA-	6,000,000.00	15-Sep-25	6,074,564.38	546575	74,564.38	At Maturity	
1-Apr-26	18,000,000.00	4.7200%	Suncorp Bank	AA-	18,000,000.00	2-Apr-25	18,637,781.92	545970	637,781.92	At Maturity	
9-Jun-26	5,000,000.00	4.1700%	National Australia Bank	AA-	5,000,000.00	9-Sep-25	5,065,120.55	546451	65,120.55	At Maturity	
18-Jun-26	10,000,000.00	4.1300%	National Australia Bank	AA-	10,000,000.00	18-Aug-25	10,153,884.93	546348	153,884.93	At Maturity	
23-Jun-26	5,000,000.00	4.2800%	Suncorp Bank	AA-	5,000,000.00	19-Nov-25	5,025,210.96	546857	25,210.96	At Maturity	
29-Jun-26	10,000,000.00	4.1000%	National Australia Bank	AA-	10,000,000.00	29-Aug-25	10,140,410.96	546391	140,410.96	At Maturity	
	65,200,000.00	**4.3541%**			**65,200,000.00**		**66,521,727.95**		**1,321,727.95**		

Floating Rate Notes

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
6-May-26	3,300,000.00	4.2743%	BoQ Snr FRN (May26) BBSW+0.63%	A-	3,275,415.00	25-Jan-22	3,323,686.84	542265	21,640.84	6-Feb-26	
15-May-26	1,500,000.00	4.9025%	BEN Snr FRN (May26) BBSW+1.25%	A-	1,500,000.00	15-May-23	1,513,476.27	544083	9,066.27	16-Feb-26	
14-Sep-26	1,600,000.00	4.5620%	MAC Snr FRN (Sep26) BBSW+0.85%	A+	1,600,000.00	14-Sep-23	1,608,183.63	544498	3,399.63	16-Mar-26	

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Holdings Report - December 2025

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
15-Sep-26	1,500,000.00	4.1920%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	15-Sep-21	1,503,648.66	541882	2,928.66	16-Mar-26	
23-Oct-26	1,200,000.00	5.0994%	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	1,200,000.00	23-Jan-24	1,220,946.81	544800	11,735.61	23-Jan-26	
25-Jan-27	3,900,000.00	4.2025%	WBC Snr FRN (Jan27) BBSW+0.70%	AA-	3,900,000.00	25-Jan-22	3,940,673.26	542256	29,636.26	26-Jan-26	
25-Jan-27	5,000,000.00	4.2825%	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	5,009,450.00	14-Feb-22	5,053,918.49	542332	38,718.49	26-Jan-26	
27-Jan-27	1,600,000.00	4.8525%	BEN Snr FRN (Jan27) BBSW+1.35%	A-	1,600,000.00	27-Jan-23	1,627,463.01	543706	14,039.01	27-Jan-26	
13-Sep-27	1,000,000.00	5.0420%	AusW Snr FRN (Sep27) BBSW+1.33%	Baa2	1,000,000.00	13-Sep-24	1,002,348.33	545464	2,348.33	13-Mar-26	
13-Sep-27	2,000,000.00	4.9820%	AMP Snr FRN (Sep27) BBSW+1.27%	BBB+	2,000,000.00	13-Sep-24	2,016,420.77	545480	4,640.77	13-Mar-26	
14-Dec-27	1,600,000.00	4.9620%	SUN Snr FRN (Dec27) BBSW+1.25%	AA-	1,600,000.00	14-Dec-22	1,623,457.71	543633	3,697.71	16-Mar-26	
31-Mar-28	500,000.00	4.7975%	ANZ Snr FRN (Mar28) BBSW+1.06%	AA-	500,000.00	31-Mar-23	505,465.72	543964	65.72	31-Mar-26	
12-May-28	2,000,000.00	4.6335%	NAB Snr FRN (May28) BBSW+1.00%	AA-	2,000,000.00	12-May-23	2,032,014.52	544072	12,694.52	12-Feb-26	
17-Aug-28	2,500,000.00	4.6025%	CBA Snr FRN (Aug28) BBSW+0.95%	AA-	2,500,000.00	17-Aug-23	2,536,635.79	544382	14,185.79	17-Feb-26	
19-Sep-28	1,500,000.00	4.6575%	WBC Snr FRN (Sep28) BBSW+0.93%	AA-	1,500,000.00	19-Sep-23	1,514,978.75	544505	2,488.25	19-Mar-26	
3-Oct-28	2,500,000.00	4.5350%	TMB Snr FRN (Oct28) BBSW+0.95%	BBB+	2,500,000.00	1-Oct-25	2,527,655.48	546596	27,955.48	5-Jan-26	
3-Nov-28	3,400,000.00	4.5650%	GSB Snr FRN (Nov28) BBSW+0.93%	BBB+	3,400,000.00	3-Nov-25	3,421,127.23	546742	25,088.74	3-Feb-26	
27-Nov-28	2,500,000.00	4.6978%	BOz Snr FRN (Nov28) BBSW+1.03%	BBB+	2,500,000.00	27-Nov-25	2,508,906.85	546854	11,261.85	27-Feb-26	
5-Nov-29	3,750,000.00	4.6949%	HPC Snr FRN (Nov29) BBSW+1.05%	BBB+	3,750,000.00	5-Nov-25	3,779,669.11	546769	27,494.11	5-Feb-26	
21-Jan-30	500,000.00	4.7440%	NPBS Snr FRN (Jan30) BBSW+1.25%	BBB+	507,675.00	11-Dec-25	508,639.01	546921	4,679.01	21-Jan-26	
21-Jan-30	2,500,000.00	4.7440%	NPBS Snr FRN (Jan30) BBSW+1.25%	BBB+	2,538,375.00	11-Dec-25	2,543,195.07	546920	23,395.07	21-Jan-26	
18-Mar-30	1,600,000.00	4.5520%	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	1,600,000.00	18-Mar-25	1,610,036.76	545900	2,793.56	18-Mar-26	
13-Jun-30	1,500,000.00	4.6620%	ING Snr FRN (Jun30) BBSW+0.95%	A	1,500,000.00	13-Jun-25	1,512,152.01	546127	3,257.01	13-Mar-26	
2-Dec-30	2,000,000.00	4.4671%	SUN Snr FRN (Dec30) BBSW+0.80%	AA-	2,004,760.00	11-Dec-25	2,007,073.38	546922	7,343.18	2-Mar-26	
	50,950,000.00	**4.5827%**			**50,985,675.00**		**51,441,773.46**		**304,553.87**		

Fixed Rate Bonds

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Purchase Yield	Reference
10-Aug-26	3,000,000.00	4.8000%	WBC Snr Bond (Aug26) 4.80%	AA-	2,998,020.00	10-Aug-23	3,066,737.22	544369	56,262.30	4.82400%	

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Holdings Report - December 2025

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Purchase Yield	Reference
17-Aug-26	1,500,000.00	4.7500%	CBA Snr Bond (Aug26) 4.75%	AA-	1,497,105.00	17-Aug-23	1,531,231.01	544384	26,475.41	4.82000%	
14-Sep-26	1,400,000.00	4.9460%	MAC Snr Bond (Sep26) 4.946%	A+	1,400,000.00	14-Sep-23	1,426,272.82	544496	20,544.92	4.94600%	
19-Sep-28	1,500,000.00	5.0000%	WBC Snr Bond (Sep28) 5.00%	AA-	1,498,890.00	19-Sep-23	1,532,316.96	544510	21,546.96	5.01700%	
	7,400,000.00	**4.8580%**			**7,394,015.00**		**7,556,558.01**		**124,829.59**	**4.8854%**	

Mortgage Backed Securities

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Reference
23-Jul-57	500,000.00	4.4440%	Emerald Reverse Mortgage (2007C)	NR*	500,000.00	6-Jul-07	229,383.12	310293	4,383.12	
	500,000.00	**4.4440%**			**500,000.00**		**229,383.12**		**4,383.12**	

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Accrued Interest Report - December 2025

Investment	Deal No.	Comments	Face Value ($)	Settlement Date	Maturity Date	Interest Received ($)	Days	Interest Accrued ($)	Yield (% pa)
Bonds									
WBC Snr Bond (Aug26) 4.80%	544369		3,000,000.00	10-Aug-23	10-Aug-26	0.00	31	12,196.73	4.79%
CBA Snr Bond (Aug26) 4.75%	544384		1,500,000.00	17-Aug-23	17-Aug-26	0.00	31	6,034.84	4.74%
MAC Snr Bond (Sep26) 4.946%	544496		1,400,000.00	14-Sep-23	14-Sep-26	0.00	31	5,897.15	4.96%
WBC Snr Bond (Sep28) 5.00%	544510		1,500,000.00	19-Sep-23	19-Sep-28	0.00	31	6,422.65	5.04%
						0.00		**30,551.37**	**4.86%**
Cash									
Commonwealth Bank of Australia	538855					153,044.28	0	158,600.70	3.50%
Macquarie Bank	540388					41.58	0	41.58	4.16%
AMP Bank	545751					72,146.62	0	74,811.32	4.25%
						225,232.48		**233,453.60**	**3.71%**
Floating Rate Note									
MAC Snr FRN (Dec25) BBSW+0.48%	540675		5,000,000.00	9-Dec-20	9-Dec-25	50,630.90	8	4,451.06	4.06%
BoQ Snr FRN (May26) BBSW+0.63%	542265		3,300,000.00	25-Jan-22	6-May-26	0.00	31	11,979.75	4.27%
BEN Snr FRN (May26) BBSW+1.25%	544083		1,500,000.00	15-May-23	15-May-26	0.00	31	6,245.65	4.90%
MAC Snr FRN (Sep26) BBSW+0.85%	544498		1,600,000.00	14-Sep-23	14-Sep-26	17,672.25	31	6,118.44	4.50%
SUN Snr FRN (Sep26) BBSW+0.48%	541882		1,500,000.00	15-Sep-21	15-Sep-26	15,184.04	31	5,264.67	4.13%
GSB Snr FRN (Oct26) BBSW+1.60%	544800		1,200,000.00	23-Jan-24	23-Oct-26	0.00	31	5,197.20	5.10%
WBC Snr FRN (Jan27) BBSW+0.70%	542256		3,900,000.00	25-Jan-22	25-Jan-27	0.00	31	13,920.06	4.20%
SUN Snr FRN (Jan27) BBSW+0.78%	542332		5,000,000.00	14-Feb-22	25-Jan-27	0.00	31	18,185.96	4.28%
BEN Snr FRN (Jan27) BBSW+1.35%	543706		1,600,000.00	27-Jan-23	27-Jan-27	0.00	31	6,594.08	4.85%
AusW Snr FRN (Sep27) BBSW+1.33%	545464		1,000,000.00	13-Sep-24	13-Sep-27	12,241.87	31	4,231.70	4.98%
AMP Snr FRN (Sep27) BBSW+1.27%	545480		2,000,000.00	13-Sep-24	13-Sep-27	24,184.56	31	8,361.47	4.92%
SUN Snr FRN (Dec27) BBSW+1.25%	543633		1,600,000.00	14-Dec-22	14-Dec-27	19,267.87	31	6,662.00	4.90%
ANZ Snr FRN (Mar28) BBSW+1.06%	543964		500,000.00	31-Mar-23	31-Mar-28	5,843.13	31	1,971.09	4.64%
NAB Snr FRN (May28) BBSW+1.00%	544072		2,000,000.00	12-May-23	12-May-28	0.00	31	7,870.60	4.63%
CBA Snr FRN (Aug28) BBSW+0.95%	544382		2,500,000.00	17-Aug-23	17-Aug-28	0.00	31	9,772.43	4.60%

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Accrued Interest Report - December 2025

Investment	Deal No.	Comments	Face Value ($)	Settlement Date	Maturity Date	Interest Received ($)	Days	Interest Accrued ($)	Yield (% pa)
WBC Snr FRN (Sep28) BBSW+0.93%	544505		1,500,000.00	19-Sep-23	19-Sep-28	16,747.62	31	5,800.97	4.55%
TMB Snr FRN (Oct28) BBSW+0.95%	546596		2,500,000.00	3-Oct-25	3-Oct-28	0.00	31	9,629.11	4.54%
GSB Snr FRN (Nov28) BBSW+0.93%	546742		3,400,000.00	3-Nov-25	3-Nov-28	0.00	31	13,182.22	4.57%
BOz Snr FRN (Nov28) BBSW+1.03%	546854		2,500,000.00	27-Nov-25	27-Nov-28	0.00	31	9,974.78	4.70%
HPC Snr FRN (Nov29) BBSW+1.05%	546769		3,750,000.00	5-Nov-25	5-Nov-29	0.00	31	14,952.94	4.69%
NPBS Snr FRN (Jan30) BBSW+1.25%	546920		2,500,000.00	11-Dec-25	21-Jan-30	-16,571.51	21	6,823.56	4.74%
NPBS Snr FRN (Jan30) BBSW+1.25%	546921		500,000.00	11-Dec-25	21-Jan-30	-3,314.30	21	1,364.71	4.74%
NAB Snr FRN (Mar30) BBSW+0.83%	545900		1,600,000.00	18-Mar-25	18-Mar-30	17,507.50	31	6,064.19	4.46%
ING Snr FRN (Jun30) BBSW+0.95%	546127		1,500,000.00	13-Jun-25	13-Jun-30	16,941.71	31	5,863.43	4.60%
SUN Snr FRN (Dec30) BBSW+0.80%	546922		2,000,000.00	11-Dec-25	2-Dec-30	-2,202.95	21	5,140.22	4.47%
						174,132.69		**195,622.29**	**4.55%**
Mortgage Backed Securities									
Emerald Reverse Mortgage Series 2007-1 Class C (BBSW+0.95%	310293		500,000.00	6-Jul-07	23-Jul-57	0.00	31	1,887.17	4.44%
						0.00		**1,887.17**	**4.44%**
Term Deposits									
AMP Bank	546351		8,250,000.00	20-Aug-25	19-Jan-26	0.00	31	30,129.46	4.30%
AMP Bank	545758		1,750,000.00	30-Jan-25	29-Jan-26	0.00	31	7,357.20	4.95%
National Australia Bank	546575		6,000,000.00	15-Sep-25	18-Mar-26	0.00	31	21,402.74	4.20%
National Australia Bank	546583		1,200,000.00	16-Sep-25	18-Mar-26	0.00	31	4,280.54	4.20%
Suncorp Bank	545970		18,000,000.00	2-Apr-25	1-Apr-26	0.00	31	72,157.81	4.72%
National Australia Bank	546451		5,000,000.00	9-Sep-25	9-Jun-26	0.00	31	17,708.22	4.17%
National Australia Bank	546348		10,000,000.00	18-Aug-25	18-Jun-26	0.00	31	35,076.71	4.13%
Suncorp Bank	546857		5,000,000.00	19-Nov-25	23-Jun-26	0.00	31	18,175.34	4.28%
National Australia Bank	546391		10,000,000.00	29-Aug-25	29-Jun-26	0.00	31	34,821.92	4.10%
						0.00		**241,109.94**	**4.35%**
Grand Totals						**399,365.17**		**702,624.37**	**4.18%**

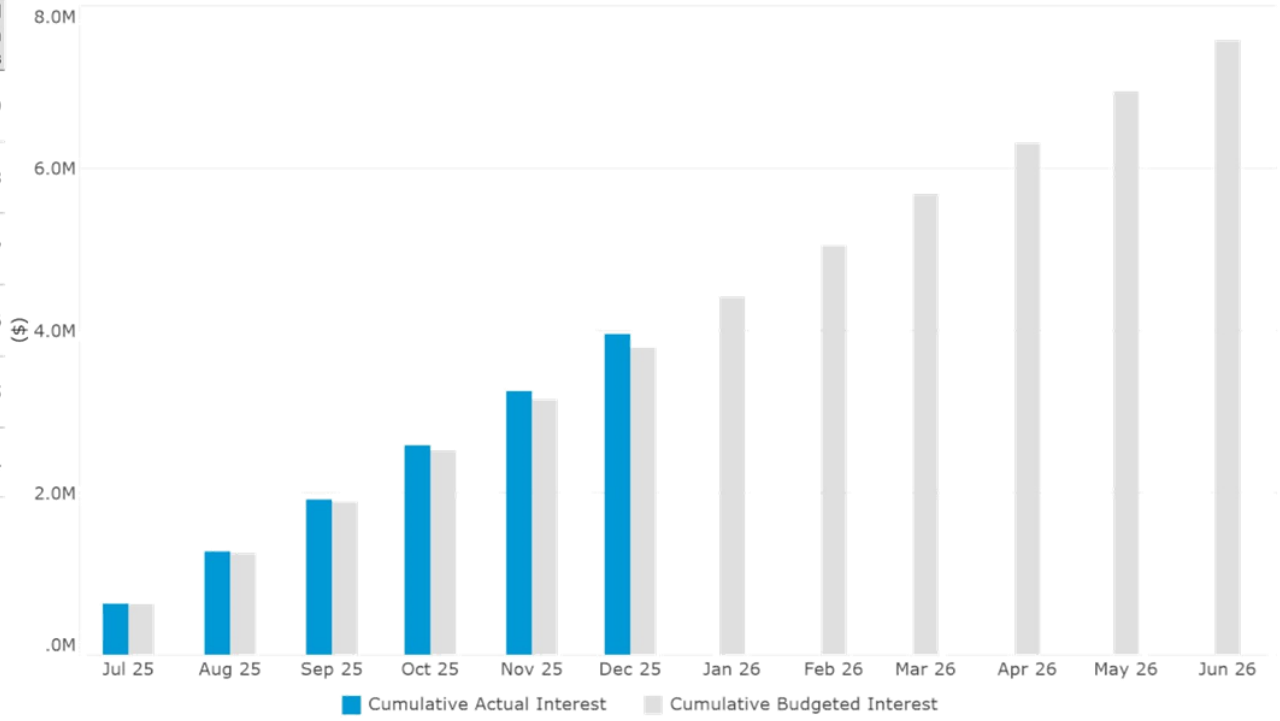
PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Budget Report - December 2025

Budgeted vs Actual Returns

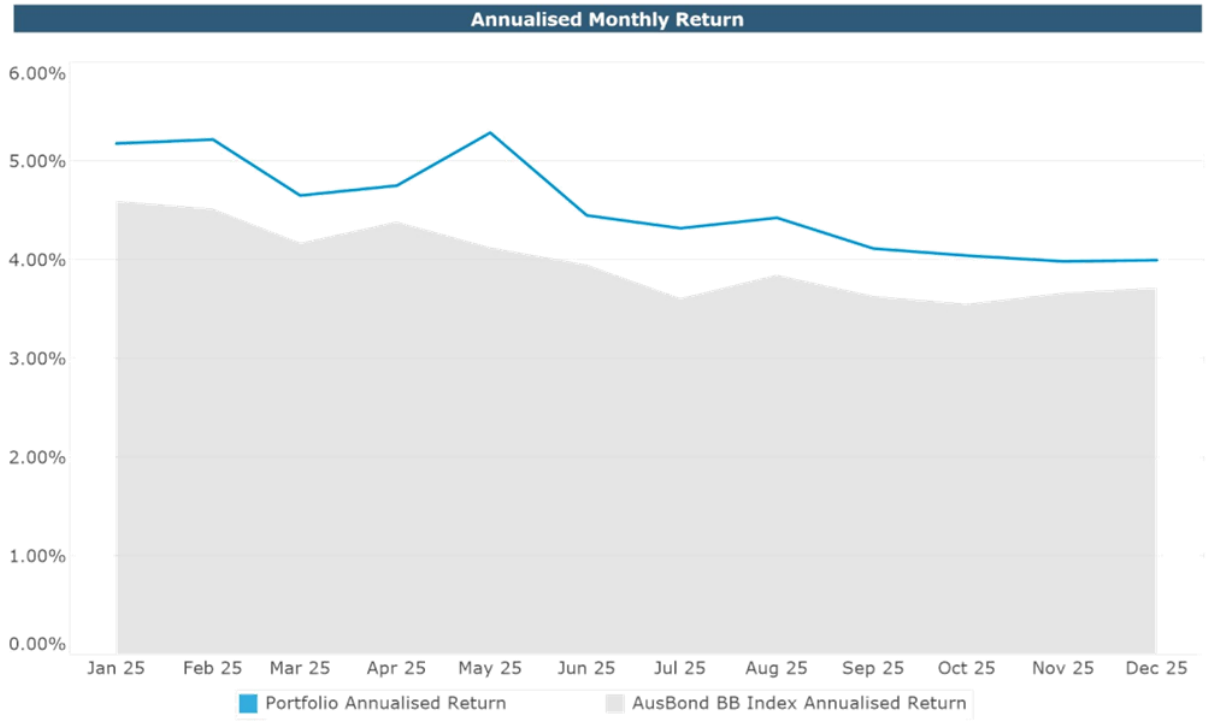
	YTD Income from Investments	Budgeted Income from Investments
July 2025	638,080	631,339
August 2025	1,281,044	1,262,678
September 2025	1,920,230	1,894,017
October 2025	2,586,611	2,525,356
November 2025	3,255,291	3,156,695
December 2025	3,957,916	3,788,034



PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Performance Report - December 2025



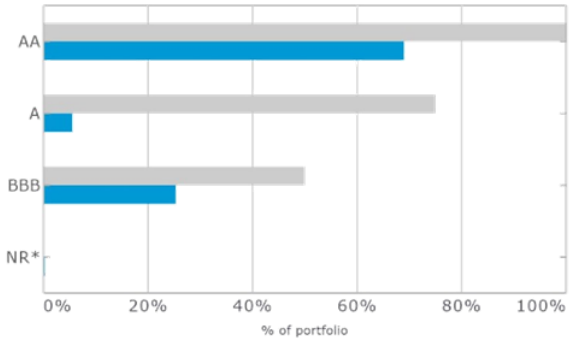
Historical Performance Summary (%pa)			
	Portfolio	Annualised BB Index	Outperformance
Dec 2025	3.99%	3.71%	0.28%
Last 3 months	4.00%	3.64%	0.36%
Last 6 months	4.14%	3.66%	0.48%
Financial Year to Date	4.14%	3.66%	0.48%
Last 12 months	4.53%	3.97%	0.56%

PRUDENTIAL INVESTMENT SERVICES CORP

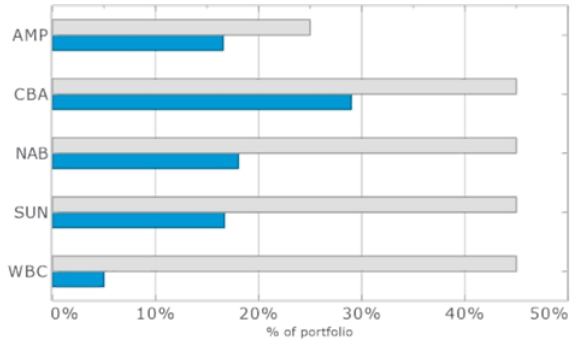
Fairfield City Council

Investment Policy Compliance Report - December 2025

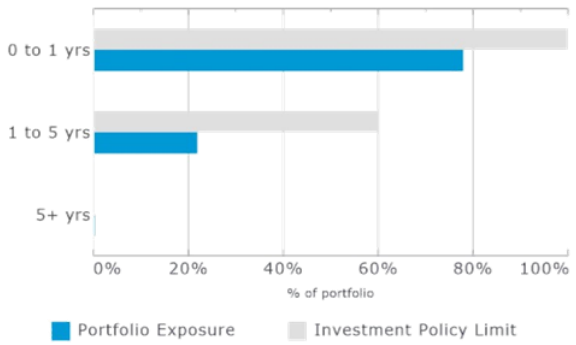
Total Credit Exposure



Individual Institutional Exposures



Term to Maturities



Credit Rating Group	Face Value ($)		Policy Max	
AA	136,812,752	69%	**100%**	a
A	10,911,821	5%	**75%**	a
BBB	50,199,409	25%	**50%**	a
NR*	500,000			
	198,423,982			

* Complying grandfathered investment

Institution	% of portfolio	Investment Policy Limit	
AMP Bank (BBB+)	17%	25%	a
Commonwealth Bank of Australia (AA-)	29%	45%	a
National Australia Bank (AA-)	18%	45%	a
Suncorp Bank (AA-)	17%	45%	a
Westpac Group (AA-)	5%	45%	a
Great Southern Bank (BBB+)	2%	25%	a
Heritage and People's Choice (BBB+)	2%	25%	a
Newcastle Greater Mutual Group (BBB+)	2%	25%	a
Bank Australia (BBB+)	1%	25%	a
Teachers Mutual Bank (BBB+)	1%	25%	a
Bank of Queensland (A-)	2%	35%	a
Bendigo and Adelaide Bank (A-)	2%	35%	a
Macquarie Bank (A+)	2%	35%	a

	Face Value ($)		Policy Max	
Between 0 and 1 years	154,573,982	78%	**100%**	a
Between 1 and 5 years	43,350,000	22%	**60%**	a
Greater than 5 years*	500,000			
	198,423,982			

* Complying grandfathered investment

Specific Sub Limits				
Between 3 and 5 years	*11,850,000*	*6%*	***30%***	a

a = compliant
r = non-compliant

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

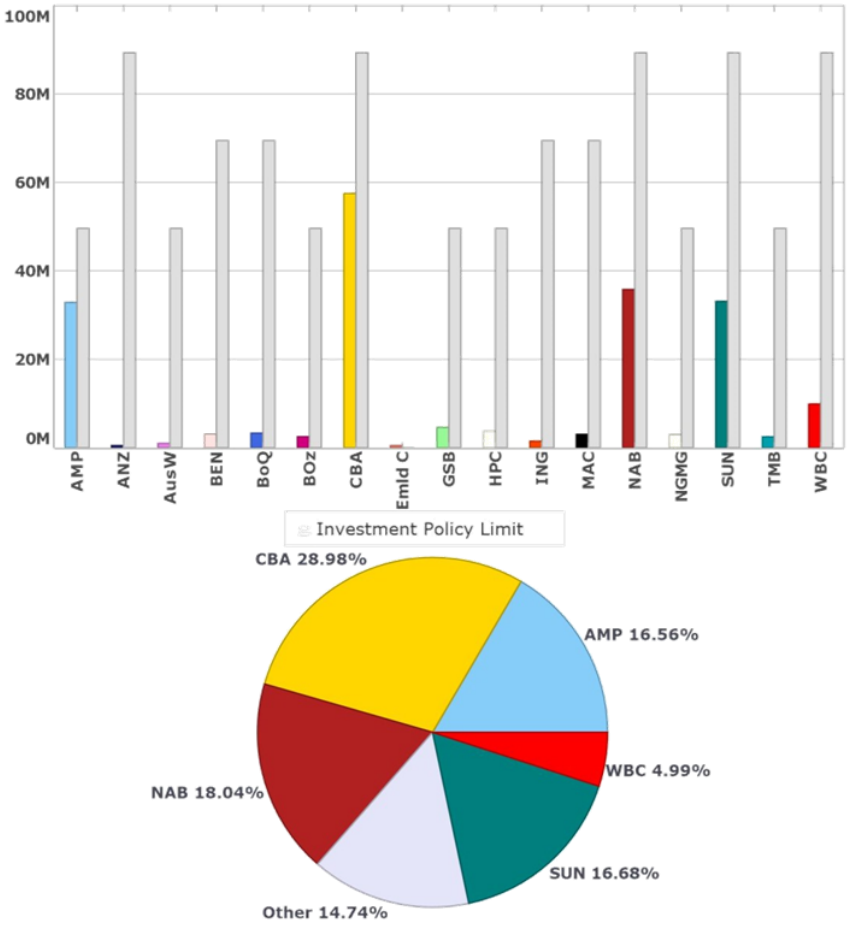
Individual Institutional Exposures Report - December 2025

Individual Institutional Exposures

	Current Exposures		Policy Limit		Capacity
AMP Bank (BBB+)	32,849,409	17%	49,605,996	25%	16,756,587
ANZ Group (AA-)	500,000	0%	89,290,792	45%	88,790,792
Auswide Bank (Baa2)	1,000,000	1%	49,605,996	25%	48,605,996
Bank Australia (BBB+)	2,500,000	1%	49,605,996	25%	47,105,996
Bank of Queensland (A-)	3,300,000	2%	69,448,394	35%	66,148,394
Bendigo and Adelaide Bank (A-)	3,100,000	2%	69,448,394	35%	66,348,394
Commonwealth Bank of Australia (AA-)	57,512,752	29%	89,290,792	45%	31,778,040
Emerald Reverse Mortgage (NR*)	500,000	0%	0	0%	-500,000
Great Southern Bank (BBB+)	4,600,000	2%	49,605,996	25%	45,005,996
Heritage and People's Choice (BBB+)	3,750,000	2%	49,605,996	25%	45,855,996
ING Bank Australia (A)	1,500,000	1%	69,448,394	35%	67,948,394
Macquarie Bank (A+)	3,011,821	2%	69,448,394	35%	66,436,573
National Australia Bank (AA-)	35,800,000	18%	89,290,792	45%	53,490,792
Newcastle Greater Mutual Group (BBB+)	3,000,000	2%	49,605,996	25%	46,605,996
Suncorp Bank (AA-)	33,100,000	17%	89,290,792	45%	56,190,792
Teachers Mutual Bank (BBB+)	2,500,000	1%	49,605,996	25%	47,105,996
Westpac Group (AA-)	9,900,000	5%	89,290,792	45%	79,390,792
	198,423,982				

* Complying grandfathered investment

Individual Institutional Exposure Charts



PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Cashflows Report - December 2025

Actual Cashflows for December 2025

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
9-Dec-25	540675	MAC Snr FRN (Dec25) BBSW+0.48%	Floating Rate Note	Coupon Date	50,630.90
		MAC Snr FRN (Dec25) BBSW+0.48%	Floating Rate Note	Maturity	5,000,000.00
				Deal Total	5,050,630.90
				Day Total	**5,050,630.90**
11-Dec-25	546920	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	-16,571.51
		NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Settlement: Face Value	-2,500,000.00
		NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	ettlement: Premium / Discount on Purchase	-21,803.49
				Deal Total	-2,538,375.00
11-Dec-25	546921	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	-3,314.30
		NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Settlement: Face Value	-500,000.00
		NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	ettlement: Premium / Discount on Purchase	-4,360.70
				Deal Total	-507,675.00
11-Dec-25	546922	SUN Snr FRN (Dec30) BBSW+0.80%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	-2,202.95
		SUN Snr FRN (Dec30) BBSW+0.80%	Floating Rate Note	Settlement: Face Value	-2,000,000.00
		SUN Snr FRN (Dec30) BBSW+0.80%	Floating Rate Note	ettlement: Premium / Discount on Purchase	-2,557.05
				Deal Total	-2,004,760.00
				Day Total	**-5,050,810.00**
15-Dec-25	541882	SUN Snr FRN (Sep26) BBSW+0.48%	Floating Rate Note	Coupon Date	15,184.04
				Deal Total	15,184.04
15-Dec-25	543633	SUN Snr FRN (Dec27) BBSW+1.25%	Floating Rate Note	Coupon Date	19,267.87
				Deal Total	19,267.87
15-Dec-25	544498	MAC Snr FRN (Sep26) BBSW+0.85%	Floating Rate Note	Coupon Date	17,672.25
				Deal Total	17,672.25
15-Dec-25	545464	AusW Snr FRN (Sep27) BBSW+1.33%	Floating Rate Note	Coupon Date	12,241.87
				Deal Total	12,241.87
15-Dec-25	545480	AMP Snr FRN (Sep27) BBSW+1.27%	Floating Rate Note	Coupon Date	24,184.56

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Cashflows Report - December 2025

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				Deal Total	24,184.56
15-Dec-25	546127	ING Snr FRN (Jun30) BBSW+0.95%	Floating Rate Note	Coupon Date	16,941.71
				Deal Total	16,941.71
				Day Total	**105,492.29**
18-Dec-25	545900	NAB Snr FRN (Mar30) BBSW+0.83%	Floating Rate Note	Coupon Date	17,507.50
				Deal Total	17,507.50
				Day Total	**17,507.50**
19-Dec-25	544505	WBC Snr FRN (Sep28) BBSW+0.93%	Floating Rate Note	Coupon Date	16,747.62
				Deal Total	16,747.62
				Day Total	**16,747.62**
31-Dec-25	543964	ANZ Snr FRN (Mar28) BBSW+1.06%	Floating Rate Note	Coupon Date	5,843.13
				Deal Total	5,843.13
				Day Total	**5,843.13**
				Total for Month	**145,411.44**

Forecast Cashflows for January 2026

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
5-Jan-26	546596	TMB Snr FRN (Oct28) BBSW+0.95%	Floating Rate Note	Coupon Date	29,197.95
				Deal Total	29,197.95
				Day Total	**29,197.95**
19-Jan-26	546351	AMP Bank	Term Deposit	Maturity: Face Value	8,250,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	147,731.51
				Deal Total	8,397,731.51
				Day Total	**8,397,731.51**
21-Jan-26	310293	Emerald Reverse Mortgage (2007C)	Mortgage Backed Securities	Coupon Date	5,600.66
				Deal Total	5,600.66
21-Jan-26	546920	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Coupon Date	29,893.70

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Cashflows Report - December 2025

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				Deal Total	29,893.70
21-Jan-26	546921	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Coupon Date	5,978.74
				Deal Total	5,978.74
				Day Total	**41,473.10**
23-Jan-26	544800	GSB Snr FRN (Oct26) BBSW+1.60%	Floating Rate Note	Coupon Date	15,423.94
				Deal Total	15,423.94
				Day Total	**15,423.94**
26-Jan-26	542256	WBC Snr FRN (Jan27) BBSW+0.70%	Floating Rate Note	Coupon Date	40,862.12
				Deal Total	40,862.12
26-Jan-26	542332	SUN Snr FRN (Jan27) BBSW+0.78%	Floating Rate Note	Coupon Date	53,384.59
				Deal Total	53,384.59
				Day Total	**94,246.71**
27-Jan-26	543706	BEN Snr FRN (Jan27) BBSW+1.35%	Floating Rate Note	Coupon Date	19,569.53
				Deal Total	19,569.53
				Day Total	**19,569.53**
29-Jan-26	545758	AMP Bank	Term Deposit	Maturity: Face Value	1,750,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	86,387.67
				Deal Total	1,836,387.67
				Day Total	**1,836,387.67**
				Total for Month	**10,434,030.40**

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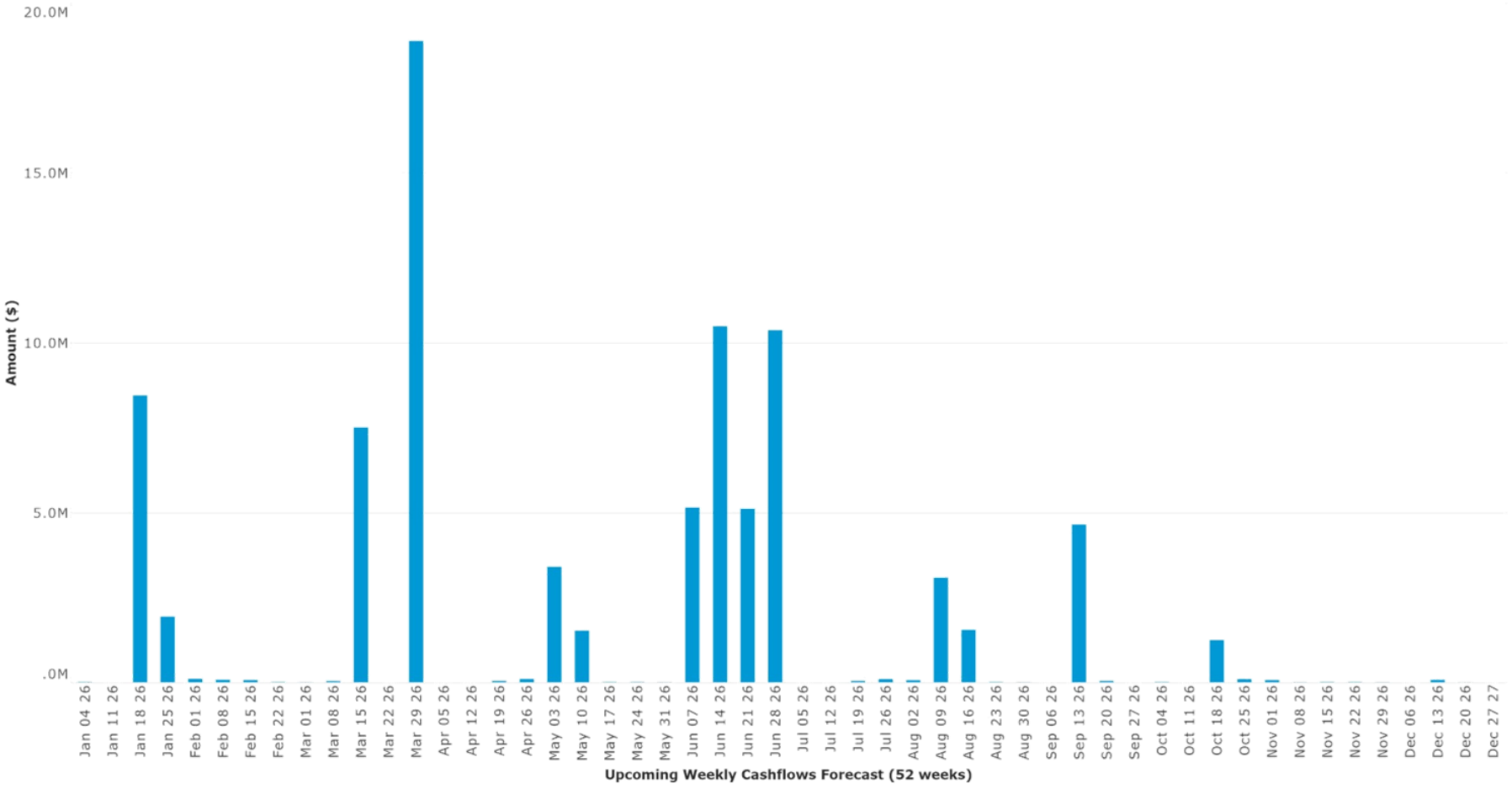
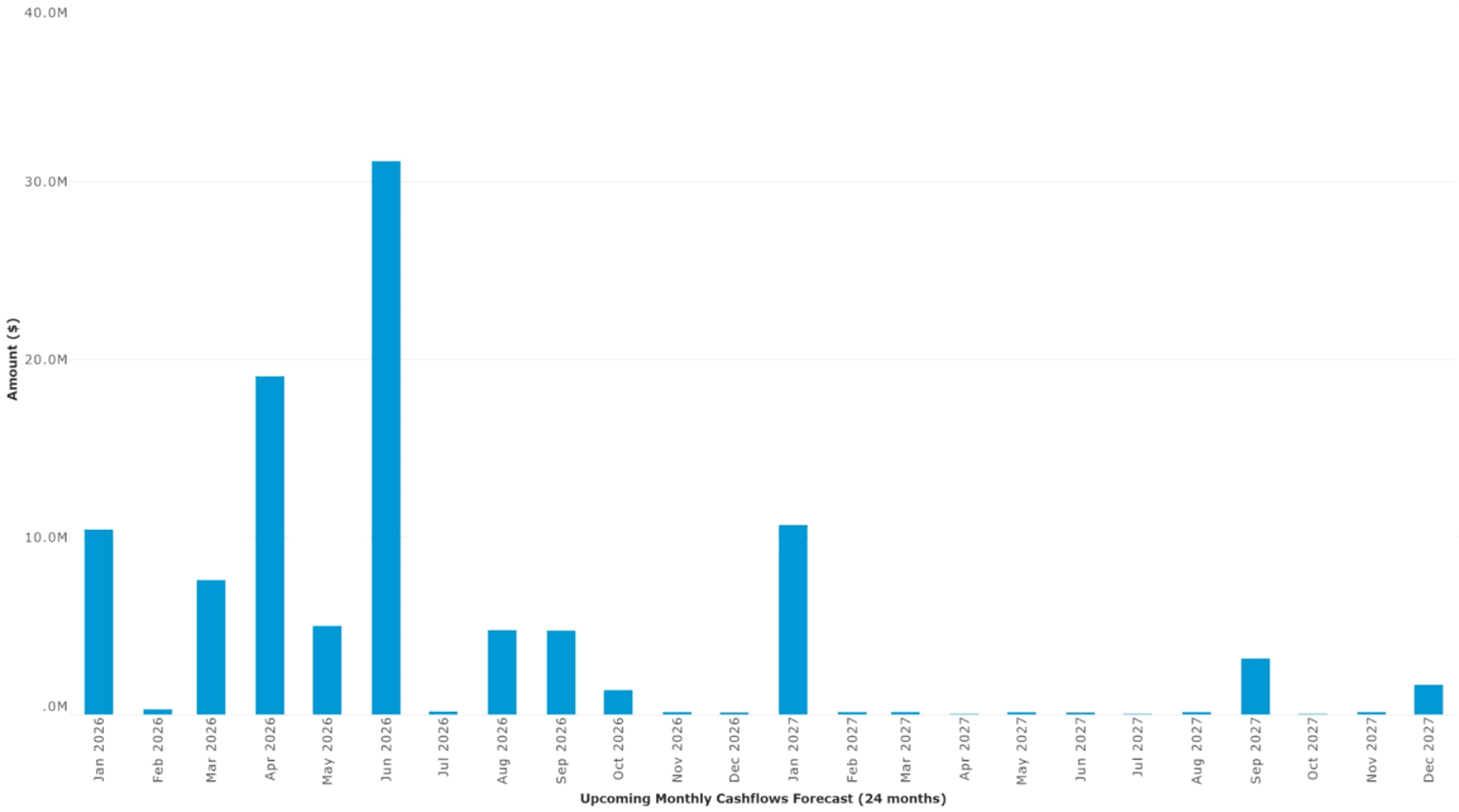
Fairfield City Council

Cashflows Report - December 2025



PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council
Cashflows Report - December 2025



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Fairfield City
Celebrating diversity

Investment Summary Report
January 2026

PRUDENTIAL
INVESTMENT SERVICES CORP

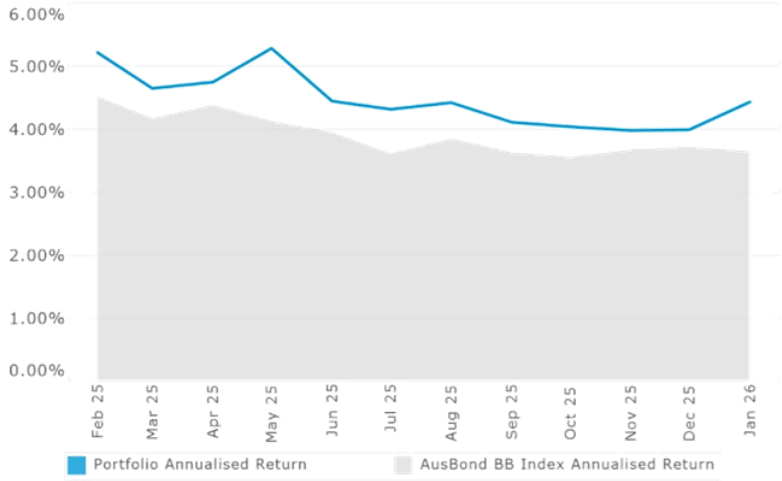
Fairfield City Council

Executive Summary - January 2026

Investment Holdings

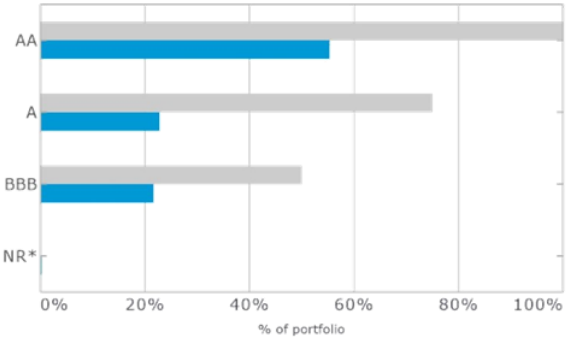
	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	7,400,000	7,577,065	4.8580
Cash	28,552,748	28,552,748	4.0498
Floating Rate Note	57,750,000	58,290,198	4.6775
Mortgage Backed Security	500,000	225,705	4.6792
Term Deposit	107,200,000	108,598,190	4.4104
	201,402,748	**203,243,906**	**4.4529**

Investment Performance

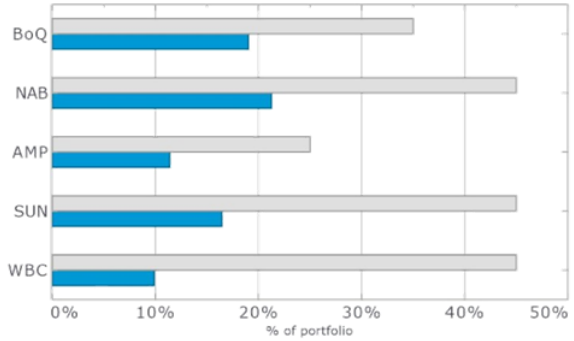


Investment Policy Compliance

Total Credit Exposure



Individual Institutional Exposures



Portfolio Exposure | Investment Policy Limit

Term to Maturities

	Face Value ($)		Policy Max	
Between 0 and 1 years	161,252,748	80%	**100%**	a
Between 1 and 5 years	39,650,000	20%	**60%**	a
Greater than 5 years*	500,000	0%	**0%**	
	201,402,748			

* Complying grandfathered investment

Specific Sub Limits				
Between 3 and 5 years	*18,650,000*	*9%*	***30%***	a

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Holdings Report - January 2026

Cash Accounts

Face Value ($)	Current Rate (%)	Institution	Credit Rating	Current Value ($)	Deal No.	Reference
11,858.59	3.9000%	Macquarie Bank	A+	11,858.59	540388	Accelerator
7,616,399.97	3.5000%	Commonwealth Bank of Australia	AA-	7,616,399.97	538855	BOS
20,924,489.70	4.2500%	AMP Bank	BBB+	20,924,489.70	545751	31d Notice
28,552,748.26	**4.0498%**			**28,552,748.26**		

Term Deposits

Maturity Date	Face Value ($)	Current Rate (%)	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Interest Date	Reference
18-Mar-26	1,200,000.00	4.2000%	National Australia Bank	AA-	1,200,000.00	16-Sep-25	1,219,055.34	546583	19,055.34	At Maturity	
18-Mar-26	6,000,000.00	4.2000%	National Australia Bank	AA-	6,000,000.00	15-Sep-25	6,095,967.12	546575	95,967.12	At Maturity	
1-Apr-26	18,000,000.00	4.7200%	Suncorp Bank	AA-	18,000,000.00	2-Apr-25	18,709,939.73	545970	709,939.73	At Maturity	
9-Jun-26	5,000,000.00	4.1700%	National Australia Bank	AA-	5,000,000.00	9-Sep-25	5,082,828.77	546451	82,828.77	At Maturity	
18-Jun-26	10,000,000.00	4.1300%	National Australia Bank	AA-	10,000,000.00	18-Aug-25	10,188,961.64	546348	188,961.64	At Maturity	
23-Jun-26	5,000,000.00	4.2800%	Suncorp Bank	AA-	5,000,000.00	19-Nov-25	5,043,386.30	546857	43,386.30	At Maturity	
23-Jun-26	25,000,000.00	4.4000%	Bank of Queensland	A-	25,000,000.00	20-Jan-26	25,036,164.38	547041	36,164.38	At Maturity	
29-Jun-26	10,000,000.00	4.1000%	National Australia Bank	AA-	10,000,000.00	29-Aug-25	10,175,232.88	546391	175,232.88	At Maturity	
25-Aug-26	10,000,000.00	4.5100%	Bank of Queensland	A-	10,000,000.00	20-Jan-26	10,014,827.40	547042	14,827.40	At Maturity	
20-Oct-26	10,000,000.00	4.5600%	Westpac Group	AA-	10,000,000.00	20-Jan-26	10,014,991.78	547040	14,991.78	At Maturity	
12-Jan-27	7,000,000.00	4.6200%	National Australia Bank	AA-	7,000,000.00	13-Jan-26	7,016,834.52	547028	16,834.52	At Maturity	
107,200,000.00	**4.4104%**			**107,200,000.00**		**108,598,189.86**		**1,398,189.86**			

Floating Rate Notes

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
6-May-26	3,300,000.00	4.2743%	BoQ Snr FRN (May26) BBSW+0.63%	A-	3,275,415.00	25-Jan-22	3,335,250.89	542265	33,620.59	6-Feb-26	

PRUDENTIAL INVESTMENT SERVICES CORP

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Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
15-May-26	1,500,000.00	4.9025%	BEN Snr FRN (May26) BBSW+1.25%	A-	1,500,000.00	15-May-23	1,518,702.82	544083	15,311.92	16-Feb-26	
14-Sep-26	1,600,000.00	4.5620%	MAC Snr FRN (Sep26) BBSW+0.85%	A+	1,600,000.00	14-Sep-23	1,613,854.95	544498	9,598.95	16-Mar-26	
15-Sep-26	1,500,000.00	4.1920%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	15-Sep-21	1,509,019.15	541882	8,269.15	16-Mar-26	
23-Oct-26	1,200,000.00	5.4085%	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	1,200,000.00	23-Jan-24	1,209,759.12	544800	1,600.32	23-Apr-26	
25-Jan-27	3,900,000.00	4.5116%	WBC Snr FRN (Jan27) BBSW+0.70%	AA-	3,900,000.00	25-Jan-22	3,914,422.31	542256	2,410.31	28-Apr-26	
25-Jan-27	5,000,000.00	4.5916%	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	5,009,450.00	14-Feb-22	5,019,994.93	542332	3,144.93	28-Apr-26	
27-Jan-27	1,600,000.00	5.1616%	BEN Snr FRN (Jan27) BBSW+1.35%	A-	1,600,000.00	27-Jan-23	1,613,819.31	543706	1,131.31	28-Apr-26	
13-Sep-27	1,000,000.00	5.0420%	AusW Snr FRN (Sep27) BBSW+1.33%	Baa2	1,000,000.00	13-Sep-24	1,006,630.58	545464	6,630.58	13-Mar-26	
13-Sep-27	2,000,000.00	4.9820%	AMP Snr FRN (Sep27) BBSW+1.27%	BBB+	2,000,000.00	13-Sep-24	2,024,463.34	545480	13,103.34	13-Mar-26	
14-Dec-27	1,600,000.00	4.9620%	SUN Snr FRN (Dec27) BBSW+1.25%	AA-	1,600,000.00	14-Dec-22	1,630,376.59	543633	10,440.59	16-Mar-26	
31-Mar-28	500,000.00	4.7975%	ANZ Snr FRN (Mar28) BBSW+1.06%	AA-	500,000.00	31-Mar-23	507,738.01	543964	2,103.01	31-Mar-26	
12-May-28	2,000,000.00	4.6335%	NAB Snr FRN (May28) BBSW+1.00%	AA-	2,000,000.00	12-May-23	2,041,125.12	544072	20,565.12	12-Feb-26	
17-Aug-28	2,500,000.00	4.6025%	CBA Snr FRN (Aug28) BBSW+0.95%	AA-	2,500,000.00	17-Aug-23	2,548,833.22	544382	23,958.22	17-Feb-26	
19-Sep-28	1,500,000.00	4.6575%	WBC Snr FRN (Sep28) BBSW+0.93%	AA-	1,500,000.00	19-Sep-23	1,522,590.78	544505	8,421.78	19-Mar-26	
3-Oct-28	2,500,000.00	4.6907%	TMB Snr FRN (Oct28) BBSW+0.95%	BBB+	2,500,000.00	1-Oct-25	2,510,674.58	546596	8,674.58	3-Apr-26	
3-Nov-28	3,400,000.00	4.5650%	GSB Snr FRN (Nov28) BBSW+0.93%	BBB+	3,400,000.00	3-Nov-25	3,433,993.66	546742	38,270.96	3-Feb-26	
27-Nov-28	2,500,000.00	4.6978%	BOz Snr FRN (Nov28) BBSW+1.03%	BBB+	2,500,000.00	27-Nov-25	2,522,859.13	546854	21,236.63	27-Feb-26	
5-Nov-29	3,750,000.00	4.6949%	HPC Snr FRN (Nov29) BBSW+1.05%	BBB+	3,750,000.00	5-Nov-25	3,797,547.04	546769	42,447.04	5-Feb-26	
21-Jan-30	500,000.00	4.9792%	NPBS Snr FRN (Jan30) BBSW+1.25%	BBB+	507,675.00	11-Dec-25	505,295.29	546921	750.29	21-Apr-26	
21-Jan-30	2,500,000.00	4.9792%	NPBS Snr FRN (Jan30) BBSW+1.25%	BBB+	2,538,375.00	11-Dec-25	2,526,476.45	546920	3,751.45	21-Apr-26	
18-Mar-30	1,600,000.00	4.5520%	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	1,600,000.00	18-Mar-25	1,618,291.29	545900	8,979.29	18-Mar-26	
13-Jun-30	1,500,000.00	4.6620%	ING Snr FRN (Jun30) BBSW+0.95%	A	1,500,000.00	13-Jun-25	1,520,146.27	546127	9,196.27	13-Mar-26	
2-Dec-30	2,000,000.00	4.4671%	SUN Snr FRN (Dec30) BBSW+0.80%	AA-	2,004,760.00	11-Dec-25	2,018,936.19	546922	14,931.13	2-Mar-26	
15-Jan-31	3,500,000.00	4.4654%	CBA Snr FRN (Jan31) BBSW+0.74%	AA-	3,500,000.00	6-Jan-26	3,514,190.52	547002	7,279.21	15-Apr-26	
23-Jan-31	3,300,000.00	4.9385%	NPBS Snr FRN (Jan31) BBSW+1.13%	BBB+	3,300,000.00	13-Jan-26	3,305,206.45	547030	4,018.45	23-Apr-26	
	57,750,000.00	**4.6775%**			**57,785,675.00**		**58,290,197.99**		**319,845.42**		

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Holdings Report - January 2026

Fixed Rate Bonds

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Purchase Yield	Reference
10-Aug-26	3,000,000.00	4.8000%	WBC Snr Bond (Aug26) 4.80%	AA-	2,998,020.00	10-Aug-23	3,076,488.49	544369	68,459.02	4.82400%	
17-Aug-26	1,500,000.00	4.7500%	CBA Snr Bond (Aug26) 4.75%	AA-	1,497,105.00	17-Aug-23	1,535,810.82	544384	32,510.25	4.82000%	
14-Sep-26	1,400,000.00	4.9460%	MAC Snr Bond (Sep26) 4.946%	A+	1,400,000.00	14-Sep-23	1,430,256.25	544496	26,442.08	4.94600%	
19-Sep-28	1,500,000.00	5.0000%	WBC Snr Bond (Sep28) 5.00%	AA-	1,498,890.00	19-Sep-23	1,534,509.61	544510	27,969.61	5.01700%	
	7,400,000.00	**4.8580%**			**7,394,015.00**		**7,577,065.17**		**155,380.96**	**4.8854%**	

Mortgage Backed Securities

Maturity Date	Face Value ($)	Current Rate (%)	Security Name	Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Reference
23-Jul-57	500,000.00	4.6792%	Emerald Reverse Mortgage (2007C)	NR*	500,000.00	6-Jul-07	225,705.08	310293	705.08	
	500,000.00	**4.6792%**			**500,000.00**		**225,705.08**		**705.08**	

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Accrued Interest Report - January 2026

Investment	Deal No.	Comments	Face Value ($)	Settlement Date	Maturity Date	Interest Received ($)	Days	Interest Accrued ($)	Yield (% pa)
Bonds									
WBC Snr Bond (Aug26) 4.80%	544369		3,000,000.00	10-Aug-23	10-Aug-26	0.00	31	12,196.72	4.79%
CBA Snr Bond (Aug26) 4.75%	544384		1,500,000.00	17-Aug-23	17-Aug-26	0.00	31	6,034.84	4.74%
MAC Snr Bond (Sep26) 4.946%	544496		1,400,000.00	14-Sep-23	14-Sep-26	0.00	31	5,897.16	4.96%
WBC Snr Bond (Sep28) 5.00%	544510		1,500,000.00	19-Sep-23	19-Sep-28	0.00	31	6,422.65	5.04%
						0.00		**30,551.37**	**4.86%**
Cash									
Commonwealth Bank of Australia	538855					158,600.70	0	103,647.50	3.50%
Macquarie Bank	540388					37.80	0	37.80	3.90%
AMP Bank	545751					74,811.32	0	75,080.72	4.25%
						233,449.82		**178,766.02**	**3.78%**
Floating Rate Note									
BoQ Snr FRN (May26) BBSW+0.63%	542265		3,300,000.00	25-Jan-22	6-May-26	0.00	31	11,979.75	4.27%
BEN Snr FRN (May26) BBSW+1.25%	544083		1,500,000.00	15-May-23	15-May-26	0.00	31	6,245.65	4.90%
MAC Snr FRN (Sep26) BBSW+0.85%	544498		1,600,000.00	14-Sep-23	14-Sep-26	0.00	31	6,199.32	4.56%
SUN Snr FRN (Sep26) BBSW+0.48%	541882		1,500,000.00	15-Sep-21	15-Sep-26	0.00	31	5,340.49	4.19%
GSB Snr FRN (Oct26) BBSW+1.60%	544800		1,200,000.00	23-Jan-24	23-Oct-26	15,423.94	31	5,288.65	5.19%
WBC Snr FRN (Jan27) BBSW+0.70%	542256		3,900,000.00	25-Jan-22	25-Jan-27	41,311.15	31	14,085.20	4.25%
SUN Snr FRN (Jan27) BBSW+0.78%	542332		5,000,000.00	14-Feb-22	25-Jan-27	53,971.23	31	18,397.67	4.33%
BEN Snr FRN (Jan27) BBSW+1.35%	543706		1,600,000.00	27-Jan-23	27-Jan-27	19,569.53	31	6,661.83	4.90%
AusW Snr FRN (Sep27) BBSW+1.33%	545464		1,000,000.00	13-Sep-24	13-Sep-27	0.00	31	4,282.25	5.04%
AMP Snr FRN (Sep27) BBSW+1.27%	545480		2,000,000.00	13-Sep-24	13-Sep-27	0.00	31	8,462.57	4.98%
SUN Snr FRN (Dec27) BBSW+1.25%	543633		1,600,000.00	14-Dec-22	14-Dec-27	0.00	31	6,742.88	4.96%
ANZ Snr FRN (Mar28) BBSW+1.06%	543964		500,000.00	31-Mar-23	31-Mar-28	0.00	31	2,037.29	4.80%
NAB Snr FRN (May28) BBSW+1.00%	544072		2,000,000.00	12-May-23	12-May-28	0.00	31	7,870.60	4.63%
CBA Snr FRN (Aug28) BBSW+0.95%	544382		2,500,000.00	17-Aug-23	17-Aug-28	0.00	31	9,772.43	4.60%
WBC Snr FRN (Sep28) BBSW+0.93%	544505		1,500,000.00	19-Sep-23	19-Sep-28	0.00	31	5,933.53	4.66%

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Accrued Interest Report - January 2026

Investment	Deal No.	Comments	Face Value ($)	Settlement Date	Maturity Date	Interest Received ($)	Days	Interest Accrued ($)	Yield (% pa)
TMB Snr FRN (Oct28) BBSW+0.95%	546596		2,500,000.00	3-Oct-25	3-Oct-28	29,197.95	31	9,917.05	4.67%
GSB Snr FRN (Nov28) BBSW+0.93%	546742		3,400,000.00	3-Nov-25	3-Nov-28	0.00	31	13,182.22	4.57%
BOz Snr FRN (Nov28) BBSW+1.03%	546854		2,500,000.00	27-Nov-25	27-Nov-28	0.00	31	9,974.78	4.70%
HPC Snr FRN (Nov29) BBSW+1.05%	546769		3,750,000.00	5-Nov-25	5-Nov-29	0.00	31	14,952.93	4.69%
NPBS Snr FRN (Jan30) BBSW+1.25%	546920		2,500,000.00	11-Dec-25	21-Jan-30	29,893.70	31	10,250.08	4.83%
NPBS Snr FRN (Jan30) BBSW+1.25%	546921		500,000.00	11-Dec-25	21-Jan-30	5,978.74	31	2,050.02	4.83%
NAB Snr FRN (Mar30) BBSW+0.83%	545900		1,600,000.00	18-Mar-25	18-Mar-30	0.00	31	6,185.73	4.55%
ING Snr FRN (Jun30) BBSW+0.95%	546127		1,500,000.00	13-Jun-25	13-Jun-30	0.00	31	5,939.26	4.66%
SUN Snr FRN (Dec30) BBSW+0.80%	546922		2,000,000.00	11-Dec-25	2-Dec-30	0.00	31	7,587.96	4.47%
CBA Snr FRN (Jan31) BBSW+0.74%	547002		3,500,000.00	15-Jan-26	15-Jan-31	0.00	17	7,279.21	4.47%
NPBS Snr FRN (Jan31) BBSW+1.13%	547030		3,300,000.00	23-Jan-26	23-Jan-31	0.00	9	4,018.45	4.94%
						195,346.24		**210,637.80**	**4.61%**
Mortgage Backed Securities									
Emerald Reverse Mortgage Series 2007-1 Class C (BBSW+0.95%	310293		500,000.00	6-Jul-07	23-Jul-57	5,600.00	31	1,922.62	4.53%
						5,600.00		**1,922.62**	**4.53%**
Term Deposits									
AMP Bank	546351		8,250,000.00	20-Aug-25	19-Jan-26	147,731.51	18	17,494.52	4.30%
AMP Bank	545758		1,750,000.00	30-Jan-25	29-Jan-26	86,387.67	28	6,645.20	4.95%
National Australia Bank	546575		6,000,000.00	15-Sep-25	18-Mar-26	0.00	31	21,402.74	4.20%
National Australia Bank	546583		1,200,000.00	16-Sep-25	18-Mar-26	0.00	31	4,280.55	4.20%
Suncorp Bank	545970		18,000,000.00	2-Apr-25	1-Apr-26	0.00	31	72,157.81	4.72%
National Australia Bank	546451		5,000,000.00	9-Sep-25	9-Jun-26	0.00	31	17,708.22	4.17%
National Australia Bank	546348		10,000,000.00	18-Aug-25	18-Jun-26	0.00	31	35,076.71	4.13%
Suncorp Bank	546857		5,000,000.00	19-Nov-25	23-Jun-26	0.00	31	18,175.34	4.28%
Bank of Queensland	547041		25,000,000.00	20-Jan-26	23-Jun-26	0.00	12	36,164.38	4.40%
National Australia Bank	546391		10,000,000.00	29-Aug-25	29-Jun-26	0.00	31	34,821.92	4.10%

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Accrued Interest Report - January 2026

Investment	Deal No.	Comments	Face Value ($)	Settlement Date	Maturity Date	Interest Received ($)	Days	Interest Accrued ($)	Yield (% pa)
Bank of Queensland	547042		10,000,000.00	20-Jan-26	25-Aug-26	0.00	12	14,827.40	4.51%
Westpac Group	547040		10,000,000.00	20-Jan-26	20-Oct-26	0.00	12	14,991.78	4.56%
National Australia Bank	547028		7,000,000.00	13-Jan-26	12-Jan-27	0.00	19	16,834.52	4.62%
						234,119.18		**310,581.09**	**4.39%**
Grand Totals						**668,515.24**		**732,458.90**	**4.30%**

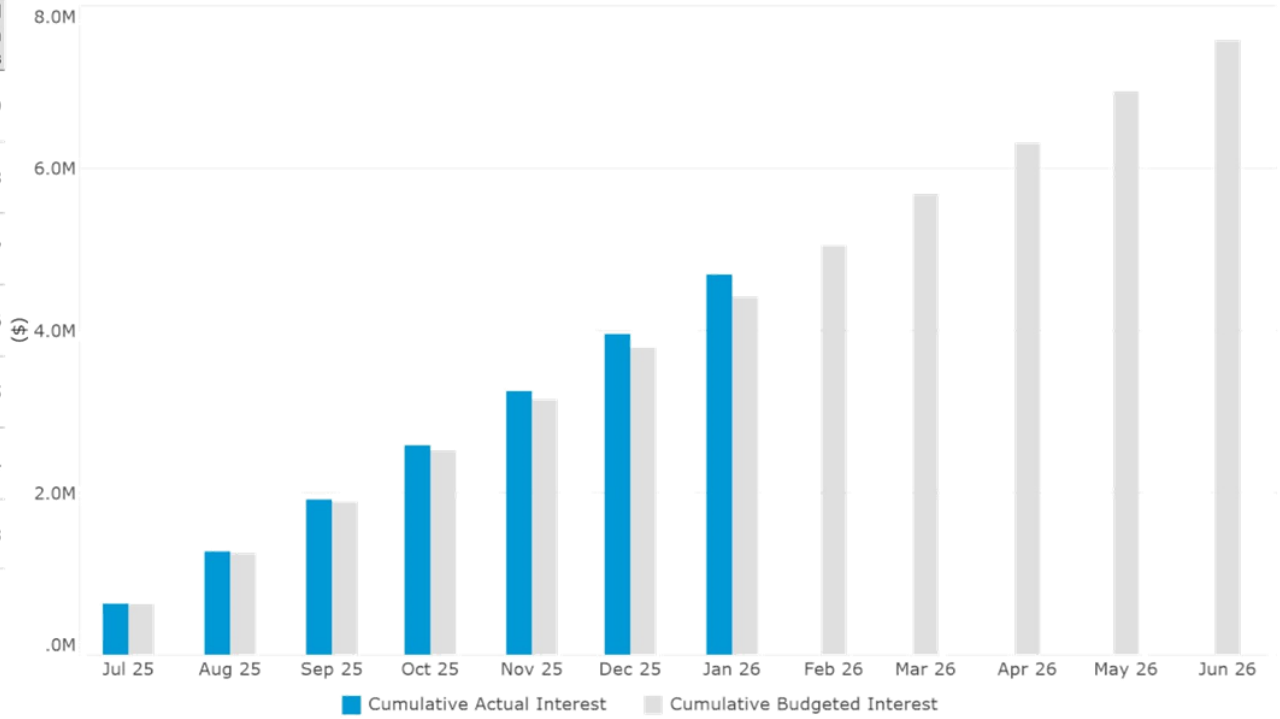
PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Budget Report - January 2026

Budgeted vs Actual Returns

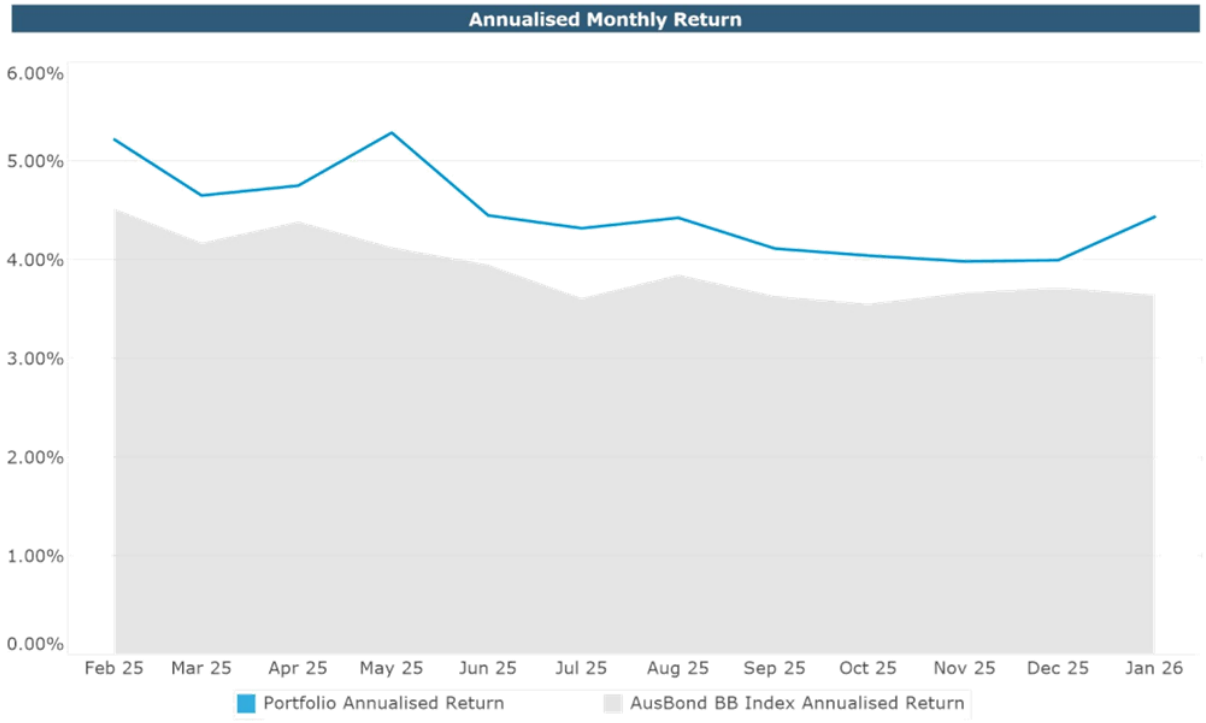
	YTD Income from Investments	Budgeted Income from Investments
July 2025	638,080	631,339
August 2025	1,281,044	1,262,678
September 2025	1,920,230	1,894,017
October 2025	2,586,611	2,525,356
November 2025	3,255,291	3,156,695
December 2025	3,957,916	3,788,034
January 2026	4,690,375	4,419,373



PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Investment Performance Report - January 2026



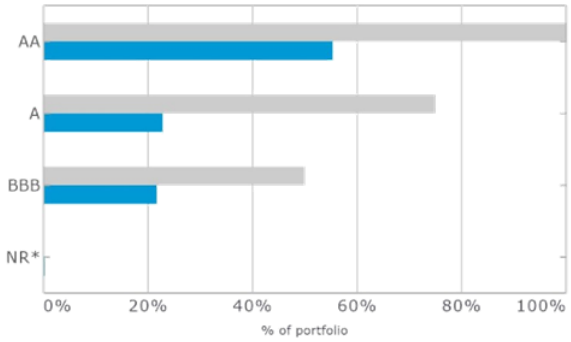
Historical Performance Summary (%pa)			
	Portfolio	Annualised BB Index	Outperformance
Jan 2026	4.43%	3.64%	0.79%
Last 3 months	4.14%	3.67%	0.47%
Last 6 months	4.16%	3.67%	0.49%
Financial Year to Date	4.19%	3.66%	0.53%
Last 12 months	4.46%	3.89%	0.57%

PRUDENTIAL INVESTMENT SERVICES CORP

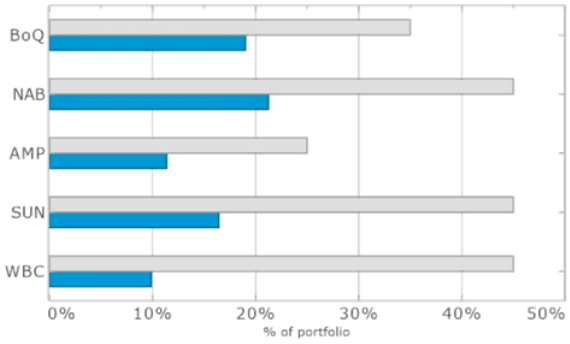
Fairfield City Council

Investment Policy Compliance Report - January 2026

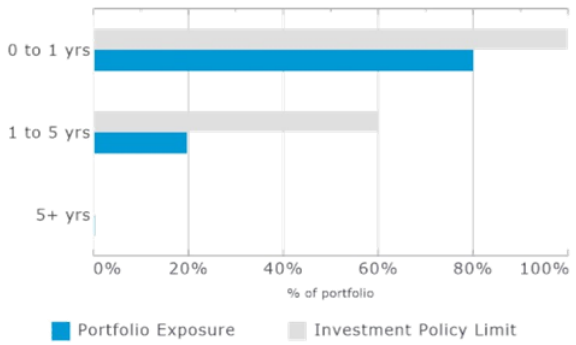
Total Credit Exposure



Individual Institutional Exposures



Term to Maturities



Credit Rating Group	Face Value ($)		Policy Max	
AA	111,416,400	55%	**100%**	a
A	45,911,859	23%	**75%**	a
BBB	43,574,490	22%	**50%**	a
NR*	500,000			
	201,402,748			

* Complying grandfathered investment

Institution	% of portfolio	Investment Policy Limit	
Bank of Queensland (A-)	19%	35%	a
National Australia Bank (AA-)	21%	45%	a
AMP Bank (BBB+)	11%	25%	a
Suncorp Bank (AA-)	16%	45%	a
Westpac Group (AA-)	10%	45%	a
Commonwealth Bank of Australia (AA-)	8%	45%	a
Newcastle Greater Mutual Group (BBB+)	3%	25%	a
Great Southern Bank (BBB+)	2%	25%	a
Heritage and People's Choice (BBB+)	2%	25%	a
Bank Australia (BBB+)	1%	25%	a
Teachers Mutual Bank (BBB+)	1%	25%	a
Bendigo and Adelaide Bank (A-)	2%	35%	a
Macquarie Bank (A+)	1%	35%	a

	Face Value ($)		Policy Max	
Between 0 and 1 years	161,252,748	80%	**100%**	a
Between 1 and 5 years	39,650,000	20%	**60%**	a
Greater than 5 years*	500,000			
	201,402,748			

* Complying grandfathered investment

Specific Sub Limits				
Between 3 and 5 years	*18,650,000*	*9%*	***30%***	a

a = compliant

r = non-compliant

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

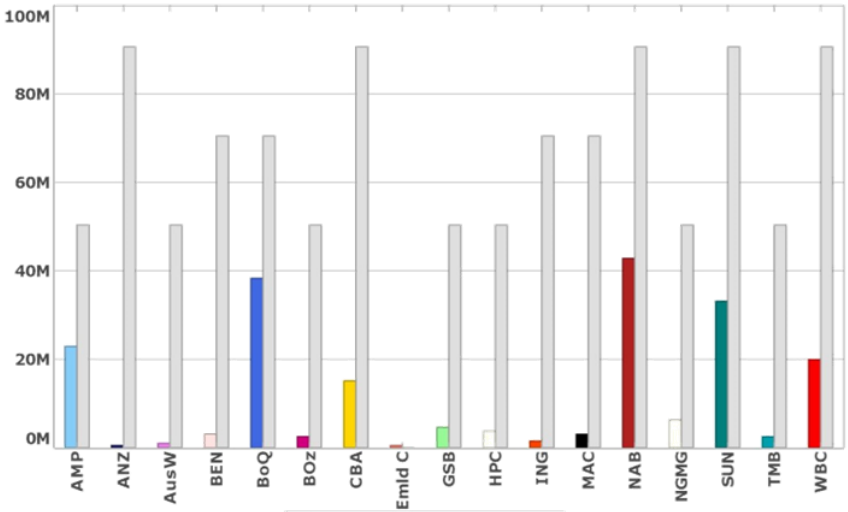
Individual Institutional Exposures Report - January 2026

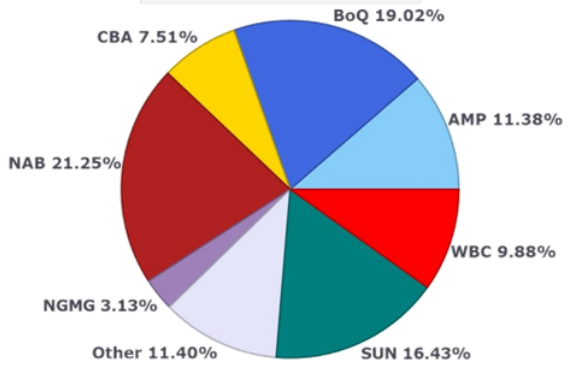
Individual Institutional Exposures

	Current Exposures		Policy Limit		Capacity
AMP Bank (BBB+)	22,924,490	11%	50,350,687	25%	27,426,197
ANZ Group (AA-)	500,000	0%	90,631,237	45%	90,131,237
Auswide Bank (Baa2)	1,000,000	0%	50,350,687	25%	49,350,687
Bank Australia (BBB+)	2,500,000	1%	50,350,687	25%	47,850,687
Bank of Queensland (A-)	38,300,000	19%	70,490,962	35%	32,190,962
Bendigo and Adelaide Bank (A-)	3,100,000	2%	70,490,962	35%	67,390,962
Commonwealth Bank of Australia (AA-)	15,116,400	8%	90,631,237	45%	75,514,837
Emerald Reverse Mortgage (NR*)	500,000	0%	0	0%	-500,000
Great Southern Bank (BBB+)	4,600,000	2%	50,350,687	25%	45,750,687
Heritage and People's Choice (BBB+)	3,750,000	2%	50,350,687	25%	46,600,687
ING Bank Australia (A)	1,500,000	1%	70,490,962	35%	68,990,962
Macquarie Bank (A+)	3,011,859	1%	70,490,962	35%	67,479,103
National Australia Bank (AA-)	42,800,000	21%	90,631,237	45%	47,831,237
Newcastle Greater Mutual Group (BBB+)	6,300,000	3%	50,350,687	25%	44,050,687
Suncorp Bank (AA-)	33,100,000	16%	90,631,237	45%	57,531,237
Teachers Mutual Bank (BBB+)	2,500,000	1%	50,350,687	25%	47,850,687
Westpac Group (AA-)	19,900,000	10%	90,631,237	45%	70,731,237
	201,402,748				

* Complying grandfathered investment

Individual Institutional Exposure Charts





PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Cashflows Report - January 2026

Actual Cashflows for January 2026

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
5-Jan-26	546596	TMB Snr FRN (Oct28) BBSW+0.95%	Floating Rate Note	Coupon Date	29,197.95
				Deal Total	29,197.95
				Day Total	**29,197.95**
13-Jan-26	547028	National Australia Bank	Term Deposit	Settlement: Face Value	-7,000,000.00
				Deal Total	-7,000,000.00
				Day Total	**-7,000,000.00**
15-Jan-26	547002	CBA Snr FRN (Jan31) BBSW+0.74%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		CBA Snr FRN (Jan31) BBSW+0.74%	Floating Rate Note	Settlement: Face Value	-3,500,000.00
		CBA Snr FRN (Jan31) BBSW+0.74%	Floating Rate Note	Settlement: Premium / Discount on Purchase	0.00
				Deal Total	-3,500,000.00
				Day Total	**-3,500,000.00**
19-Jan-26	546351	AMP Bank	Term Deposit	Maturity: Face Value	8,250,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	147,731.51
				Deal Total	8,397,731.51
				Day Total	**8,397,731.51**
20-Jan-26	547040	Westpac Group	Term Deposit	Settlement: Face Value	-10,000,000.00
				Deal Total	-10,000,000.00
20-Jan-26	547041	Bank of Queensland	Term Deposit	Settlement: Face Value	-25,000,000.00
				Deal Total	-25,000,000.00
20-Jan-26	547042	Bank of Queensland	Term Deposit	Settlement: Face Value	-10,000,000.00
				Deal Total	-10,000,000.00
				Day Total	**-45,000,000.00**
21-Jan-26	310293	Emerald Reverse Mortgage (2007C)	Mortgage Backed Securities	Coupon Date	5,600.66
				Deal Total	5,600.66
21-Jan-26	546920	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Coupon Date	29,893.70
				Deal Total	29,893.70

PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council

Cashflows Report - January 2026

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
21-Jan-26	546921	NPBS Snr FRN (Jan30) BBSW+1.25%	Floating Rate Note	Coupon Date	5,978.74
				Deal Total	5,978.74
				Day Total	**41,473.10**
23-Jan-26	544800	GSB Snr FRN (Oct26) BBSW+1.60%	Floating Rate Note	Coupon Date	15,423.94
				Deal Total	15,423.94
23-Jan-26	547030	NPBS Snr FRN (Jan31) BBSW+1.13%	Floating Rate Note	Settlement: Accrued Coupon at Purchase	0.00
		NPBS Snr FRN (Jan31) BBSW+1.13%	Floating Rate Note	Settlement: Face Value	-3,300,000.00
		NPBS Snr FRN (Jan31) BBSW+1.13%	Floating Rate Note	ettlement: Premium / Discount on Purchase	0.00
				Deal Total	-3,300,000.00
				Day Total	**-3,284,576.06**
27-Jan-26	542256	WBC Snr FRN (Jan27) BBSW+0.70%	Floating Rate Note	Coupon Date	41,311.15
				Deal Total	41,311.15
27-Jan-26	542332	SUN Snr FRN (Jan27) BBSW+0.78%	Floating Rate Note	Coupon Date	53,971.23
				Deal Total	53,971.23
27-Jan-26	543706	BEN Snr FRN (Jan27) BBSW+1.35%	Floating Rate Note	Coupon Date	19,569.53
				Deal Total	19,569.53
				Day Total	**114,851.92**
29-Jan-26	545758	AMP Bank	Term Deposit	Maturity: Face Value	1,750,000.00
		AMP Bank	Term Deposit	Maturity: Interest Received/Paid	86,387.67
				Deal Total	1,836,387.67
				Day Total	**1,836,387.67**
				Total for Month	**-48,364,933.92**

Forecast Cashflows for February 2026

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
3-Feb-26	546742	GSB Snr FRN (Nov28) BBSW+0.93%	Floating Rate Note	Coupon Date	39,121.42
				Deal Total	39,121.42

PRUDENTIAL INVESTMENT SERVICES CORP

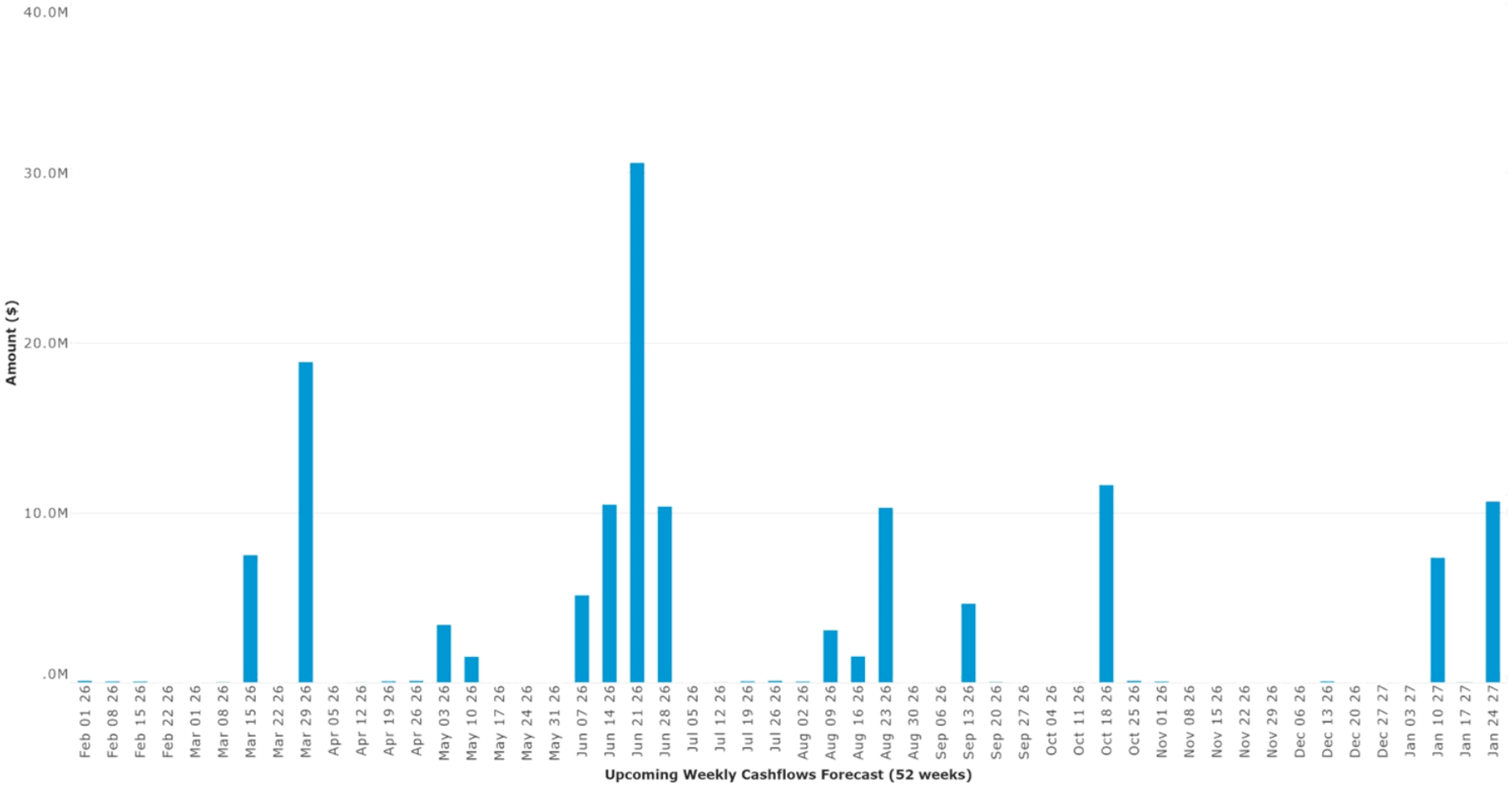
Fairfield City Council

Cashflows Report - January 2026

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				Day Total	**39,121.42**
5-Feb-26	546769	HPC Snr FRN (Nov29) BBSW+1.05%	Floating Rate Note	Coupon Date	44,376.45
				Deal Total	44,376.45
				Day Total	**44,376.45**
6-Feb-26	542265	BoQ Snr FRN (May26) BBSW+0.63%	Floating Rate Note	Coupon Date	35,552.81
				Deal Total	35,552.81
				Day Total	**35,552.81**
10-Feb-26	544369	WBC Snr Bond (Aug26) 4.80%	Bonds	Coupon Date	72,000.00
				Deal Total	72,000.00
				Day Total	**72,000.00**
12-Feb-26	544072	NAB Snr FRN (May28) BBSW+1.00%	Floating Rate Note	Coupon Date	23,357.92
				Deal Total	23,357.92
				Day Total	**23,357.92**
16-Feb-26	544083	BEN Snr FRN (May26) BBSW+1.25%	Floating Rate Note	Coupon Date	18,334.01
				Deal Total	18,334.01
				Day Total	**18,334.01**
17-Feb-26	544382	CBA Snr FRN (Aug28) BBSW+0.95%	Floating Rate Note	Coupon Date	29,002.05
				Deal Total	29,002.05
17-Feb-26	544384	CBA Snr Bond (Aug26) 4.75%	Bonds	Coupon Date	35,625.00
				Deal Total	35,625.00
				Day Total	**64,627.05**
27-Feb-26	546854	BOz Snr FRN (Nov28) BBSW+1.03%	Floating Rate Note	Coupon Date	29,602.58
				Deal Total	29,602.58
				Day Total	**29,602.58**
				Total for Month	**326,972.24**

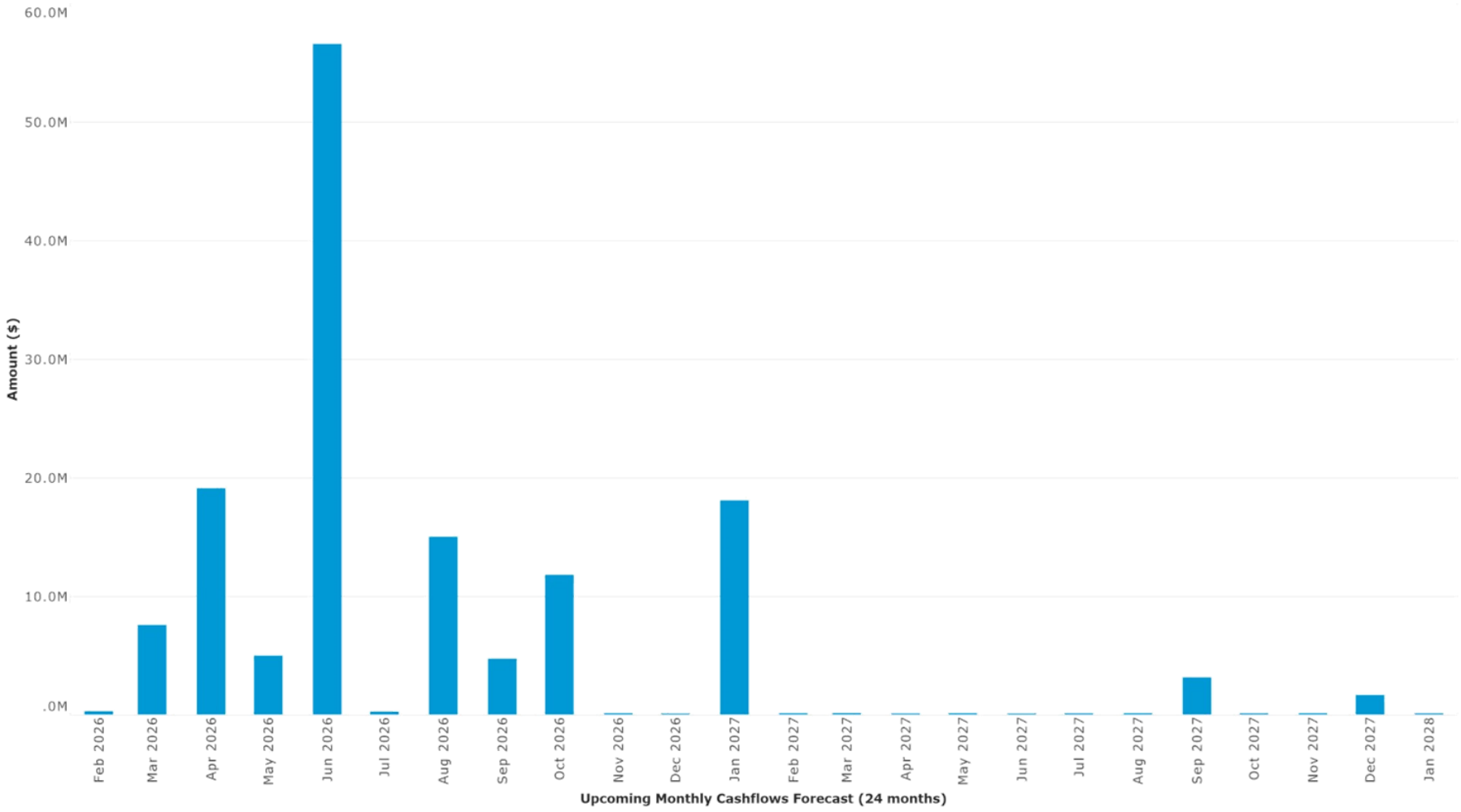
PRUDENTIAL INVESTMENT SERVICES CORP

Fairfield City Council
Cashflows Report - January 2026



PRUDENTIAL
INVESTMENT SERVICES CORP

Fairfield City Council
Cashflows Report - January 2026



PRUDENTIAL
INVESTMENT SERVICES CORP

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 8**

SUBJECT: Youth Advisory Committee - December 2025

FILE NUMBER: 25/19063

REPORT BY: Sean Ly, Community Projects and Partnerships Officer

RECOMMENDATION:

That the minutes of the Youth Advisory Committee meeting held on Wednesday 3 December 2025 be received and noted.

SUPPORTING DOCUMENTS:

AT-A ⇩ Youth Advisory Committee Meeting Minutes - December 2025 2 Pages

CITY PLAN

This report is linked to *Theme 1 Community Wellbeing* in the Fairfield City Plan.

SUMMARY

The Youth Advisory Committee (YAC) provides a forum for elected representatives and Council officers to engage in meaningful dialogue with young people across Fairfield City. The YAC provides young people with the opportunity to contribute to the planning, development and implementation of Council's youth-focused initiatives. Council also builds the capacity of YAC members through workshops and other leadership opportunities throughout the year.

The YAC met on Wednesday 3 December 2025 at the Fairfield City Council Administration Building. The minutes of the meeting are attached to this report (Attachment A).

Items discussed at this meeting included:

- A consultation for Fairfield City's Action Plan for Young People 2026-2029;
- A discussion on social media minimum age restrictions and sharing of resources; and
- A reflection of the YAC term and opportunities thus far.

CONCLUSION

YAC meetings provide an important platform for young people to share their voice. Council strives to ensure that the YAC can also have a greater impact on their local community, often through community events, engagement with local stakeholders, youth services and participation in community initiatives and events. The YAC is a strong engagement point and valuable resource for Council to engage and consult with young people on issues which affect them.

The next meeting of the YAC is scheduled for Wednesday 4 February 2026 from 5.30pm at Council's Administration Building in Wakeley.

Sean Ly
Community Projects and Partnerships Officer

Authorisation:
Co-ordinator Community Projects and Partnerships
Manager Social Planning and Community Development
Director City Assets

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_3.DOCX**

***** END OF ITEM 8 *****

FAIRFIELD YOUTH ADVISORY COMMITTEE
Minutes
Wednesday 3 December 2025

Time: 5:30pm – 8:00pm
Venue: Fairfield City Council Administration Centre
Chair: Dominic
Minutes: Ethan and Mazin Mkhi

Present: Aiden Tamen, Allie Hang, Alyvia, Annabel Lim, Caroline Lie, Catherine, Declan, Dominic, Edward, Elizabeth, Ethan, Fuamaila Jacob, Henry Tran, Issabella Ferraro, Laleiah Lakisoe-Mapuna, Leanne Huynh, Mazin Mkhi, Tina Tran, Cegad Alkhafajy (guest – former YAC), Tepy Moth (guest – former YAC), Emily Lim (guest – former YAC), Henry Tat (guest – former YAC), Sean Ly (Community Projects and Partnerships Officer)

Apologies: Clr Dai Le, Clr Kate Hoang, Clr Kevin Lam, Clr Marie Saliba, Benjamin, Charlotte Nielsen, Ella-Rose, Heather Sengmany, Jonathan Prak, Lilly, Nghi, Sara, Sienna, Sonny Yng.

**Surnames of YAC members under 18 years old have been omitted for privacy.*

1. **Acknowledgement of Country**

   An Acknowledgement of Country was given.

2. **Introduction and Housekeeping**

   WHS and housekeeping information was provided as well as an icebreaker activity.

3. **Cultural Potluck**

   A cultural potluck dinner was held at the start of the meeting to mark the end of the year and celebrate the cultural diversity and belonging amongst the YAC. Members were asked to bring a dish which represented them and share it with the group. Each year, the YAC represents a very diverse cohort of young people that represent a cross section of the greater Fairfield City community.

4. **Consultation for Fairfield City's Action Plan for Young People 2026-2029**

   A consultation on the draft *Action Plan for Young People* (Youth Action Plan) was conducted. This was the second part of the discussion which took place at the previous month's meeting. The Youth Action Plan will highlight the priorities, experiences and important issues for young people in the local community and will outline actions, initiatives and advocacy that Council will undertake to create better

outcomes for local young people. Some priorities that were brought up by young people included discussion around youth hubs and "third spaces", mental health, access to public transport, supporting connection, social media, community safety and cost of living issues. These discussions will be analysed and compared with the priorities of the current Youth Strategy as well as discussion data gathered from existing research reports, workshops, consultations with young people over the past 5 years to develop a draft Youth Action Plan.

5. Social Media Age Restrictions: Discussions on important facts, changes affecting young people and resources

Information was shared and a discussion took place on the new national social media minimum age legislation coming into effect on 10 December 2025. There were concerns raised by YAC members and their peers on a lack of clarity on age verification methods, the struggle keeping up with which platforms were on the list of affected platforms and the spread of misinformation around the changes.

Facts from the eSafety Commissioner website was shared about the changes, the impact on young people and resources to support young people aged 16 and under cope with the changes. A discussion was also had on how the YAC and other youth services can continue to best communicate with young people about initiatives and events benefitting them and how young people facing isolation can continue to connect with their peers.

6. Reflection of YAC in 2025

A reflection was held on the YAC term so far as an opportunity to celebrate achievements so far, evaluate how the term has gone and look forward to more opportunities in 2026. Former YAC members were also invited to attend this meeting and shared their insights on their YAC experience to the benefit of new members.

7. Other Items and Upcoming Events

January Team Building
A team building school holiday activity is scheduled for Thursday 22 January 2026 inviting both members of the YAC and the Bring It On! Youth Working Group. A facilitated "sports challenge day" is planned at Plough and Harrow West (Western Sydney Parklands) followed by a visit to Calmsley Hill City Farm.

Fairfield Youth and Community Centre and 10th Anniversary Block Party Updates
An update was provided on the upcoming end of year event at the Fairfield Youth and Community Centre on 12 December 2025. This event marks the 10 years since the opening of the Fairfield Youth and Community Centre. Activities were designed in consultation with young people regularly attending drop-in programs and YAC members. An invite was extended for YAC members to either attend or volunteer at the event. A full account of the event will be shared in the Social Planning and Community Development divisional report.

Meeting closed at 8pm.

Next meeting – Wednesday 4 February 2026, 5.30pm at Fairfield City Council Administration Building, Wakeley.

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 9**

SUBJECT: Divisional Update Report - Quarter 2 - Economic Development

FILE NUMBER: 14/09936

REPORT BY: Holden Frisoli, Manager Economic Development

RECOMMENDATION:

That the report be received and noted.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 4 Strong and Resilient Economy* in the Fairfield City Plan.

SUMMARY

Economic Development focuses on 4 core priorities being:

1. Supporting small businesses and local job creation.
2. Supporting key industries.
3. Developing the visitor economy.
4. Creating vibrant precincts.

This report provides an update on activities and initiatives delivered in Quarter 2 by the Economic Development Division.

Purpose

The organisational restructure took effect during October 2025 with the Economic Development function moving to the newly created City Strategy Directorate. This report is structured into 4 sections – 1 for each of the economic development priorities. The activities set out in this report aligns with the Economic Development Strategy (EDS) actions and outcomes presented to Council in September 2025.

<u>Priority 1 – Support Small Businesses and Creating Local Jobs</u>

EDS Priority 1 Action: *Assist small and medium sized businesses grow and scale through training programs and workshops.*

In the quarter Economic Development has directly supported 173 local businesses through a range of programs and initiatives as outlined throughout this report.

Global Sisters Program

The Global Sisters Program is a national initiative designed to support women to start, grow and sustain their own businesses. Delivered through a series of practical, face-to-face workshops, the program builds confidence, strengthens business capability and fosters meaningful connections, with sessions covering business planning, marketing, finance, mindset and resilience.

Each year, the Economic Development team hosts these workshops for local women in either wanting to start a business or in business, with over 80 local women that have engaged to date.

Through this support, Global Sisters has reported that 3 new businesses from our local community have successfully launched through their program, demonstrating the program's impact on women-led entrepreneurship.


GLOBAL SISTERS

Sister School

FREE BUSINESS EDUCATION COURSE

Global Sisters Workshop: Welcome to Plan for Profit

Empowering Women in Business to Build Financially Strong Enterprises

Global Sisters is excited to invite local women in business to our free upcoming workshop, ***Welcome to Plan for Profit***, a practical, confidence-building session designed to help you strengthen the financial foundations of your business and set yourself up for sustainable success.

About the Workshop

Running a business can be challenging especially when it comes to finances. *Welcome to Plan for Profit* simplifies the essentials and helps you make confident money decisions. This practical workshop covers four key areas:

- **Pricing:** Set prices that reflect value and support profit.
- **Income Streams:** Explore new ways to earn and strengthen your business.
- **Paying Yourself:** Learn strategies to ensure you're compensated fairly.
- **Financial Goals:** Set realistic goals and create clear action plans.

Event Details

- Date: Tuesday, 10th February 2026
- Time: 11:00 AM – 1:00 PM
- Location: Fairfield City HQ - 17 Kenyon Street, Fairfield NSW 2165
- Cost: **FREE** ***(lunch and beverages will be provided)***

Who Should Attend?

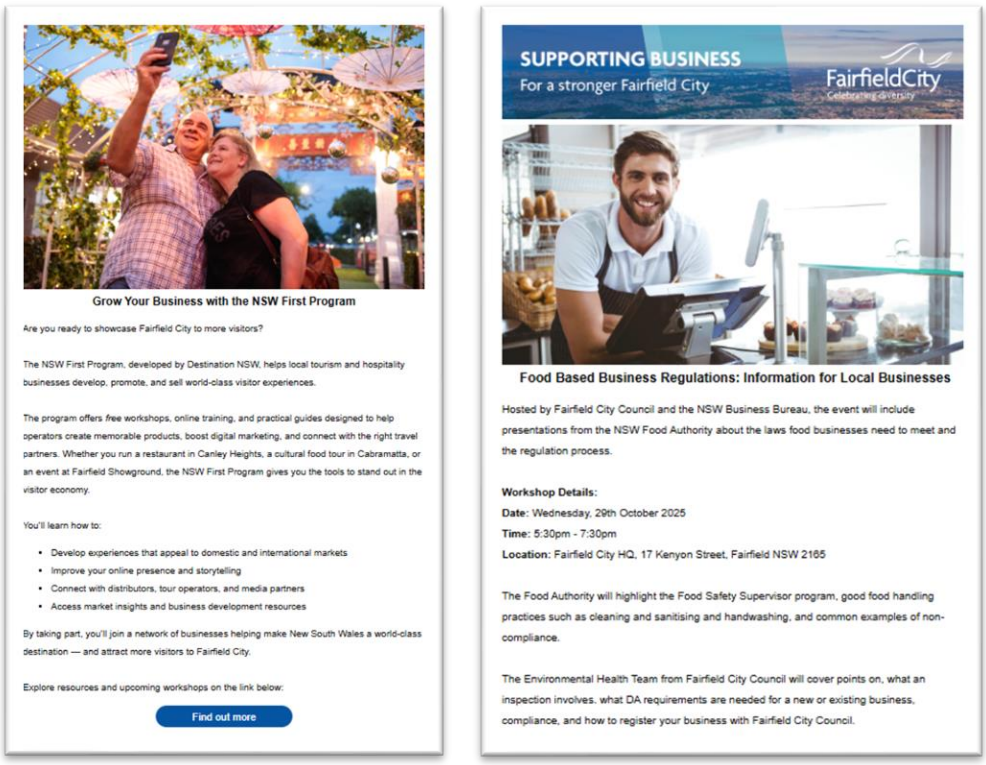
This workshop is ideal for women at all stages of business, whether you're just starting out or looking to refine and grow an existing business. (adults only event)

Global Sister Workshop: Plan for Profit.

General Business Assistance

Economic Development promotes a range of workshops through our regular business newsletter. Programs promoted this quarter include:

1. Food Based Business Regulations Workshop
2. Global Sisters Workshop
3. NSW First Business Program



Grow Your Business with the NSW First Program

Are you ready to showcase Fairfield City to more visitors?

The NSW First Program, developed by Destination NSW, helps local tourism and hospitality businesses develop, promote, and sell world-class visitor experiences.

The program offers free workshops, online training, and practical guides designed to help operators create memorable products, boost digital marketing, and connect with the right travel partners. Whether you run a restaurant in Canley Heights, a cultural food tour in Cabramatta, or an event at Fairfield Showground, the NSW First Program gives you the tools to stand out in the visitor economy.

You'll learn how to:

- Develop experiences that appeal to domestic and international markets
- Improve your online presence and storytelling
- Connect with distributors, tour operators, and media partners
- Access market insights and business development resources

By taking part, you'll join a network of businesses helping make New South Wales a world-class destination — and attract more visitors to Fairfield City.

Explore resources and upcoming workshops on the link below:

Find out more

SUPPORTING BUSINESS
For a stronger Fairfield City
FairfieldCity
Celebrating diversity

Food Based Business Regulations: Information for Local Businesses

Hosted by Fairfield City Council and the NSW Business Bureau, the event will include presentations from the NSW Food Authority about the laws food businesses need to meet and the regulation process.

Workshop Details:
Date: Wednesday, 29th October 2025
Time: 5:30pm - 7:30pm
Location: Fairfield City HQ, 17 Kenyon Street, Fairfield NSW 2165

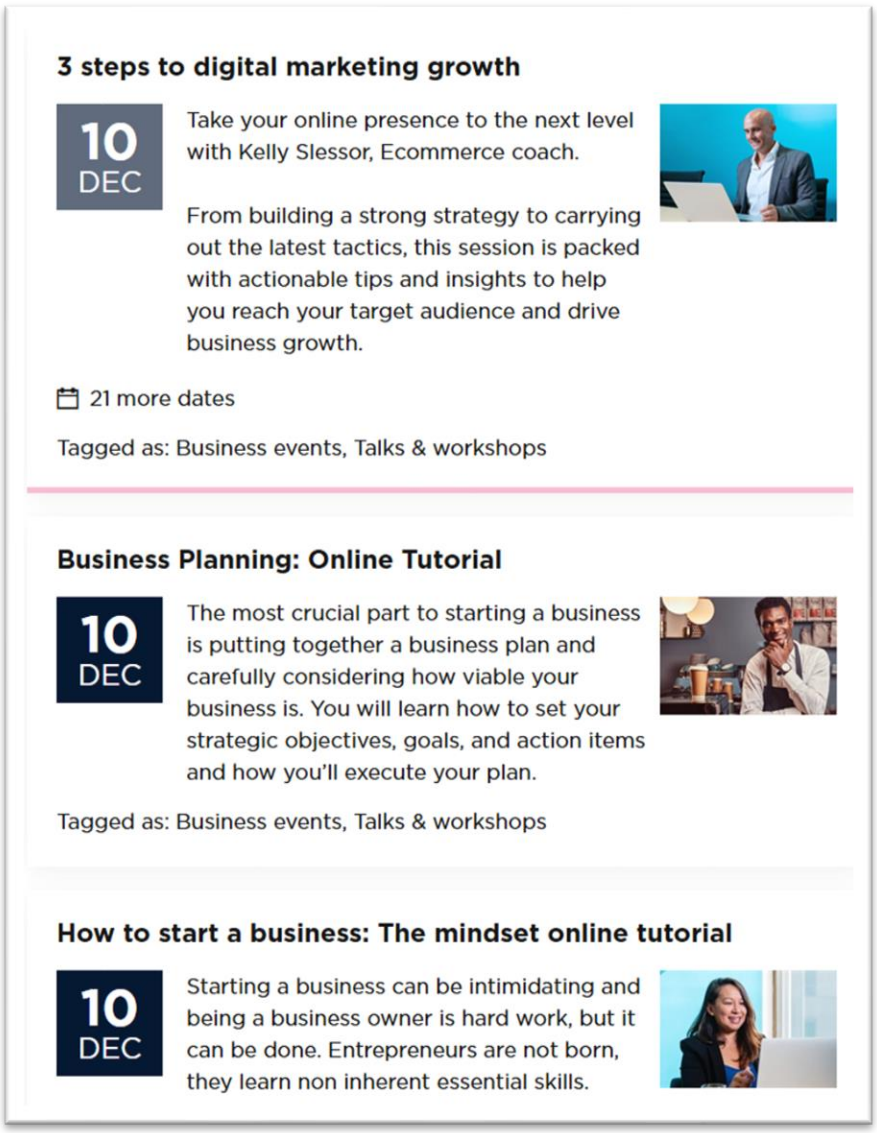
The Food Authority will highlight the Food Safety Supervisor program, good food handling practices such as cleaning and sanitising and handwashing, and common examples of non-compliance.

The Environmental Health Team from Fairfield City Council will cover points on, what an inspection involves, what DA requirements are needed for a new or existing business, compliance, and how to register your business with Fairfield City Council.

Examples of workshops promoted through FCB Newsletter.

The Economic Development Division promotes a range of workshops through the Fairfield City Business (FCB) website. Programs promoted this quarter include:

1. Food Based Business Regulations Workshop
2. Global Sisters Workshop
3. NSW First Business Program
4. 3 Steps To Digital Marketing Growth Workshop
5. Business Planning Online Workshop
6. How To Start A Business Workshop
7. Identifying and Managing Risk Workshop
8. Tender Readiness Workshop
9. Latest AI Workshop



Examples of workshops promoted through FCB Website.

LIFETIME BUSINESS AWARDS

Council's Lifetime Business Awards recognises the owners of businesses throughout the Fairfield City Local Government Area (LGA) that have stood the test of time, having traded for at least 25 years.

In October, Frank's Lebanese Restaurant was the recipient of a Fairfield City Council Lifetime Business Award. Established in 1993, for 32 years Frank's Lebanese Restaurant has been a cornerstone of the Fairfield community for over 3 decades, proudly serving authentic Lebanese cuisine that celebrates the flavours, culture, and hospitality of Lebanon.



Lifetime Business Awards: Frank's Lebanese Restaurant.
Permission granted to publish photograph.

In November, Paula Continental Cakes was the recipient of a Fairfield City Council Lifetime Business Award. Paula Continental Cakes has been a cherished part of the Fairfield City community since it first opened its doors in 1982. For 43 years, this beloved Chilean bakery has been creating traditionally authentic Chilean continental sweets and pastries.



Lifetime Business Awards: Paula Continental.
Permission granted to publish photograph.

In December, Jean Charles Cosmetics was the recipient of a Fairfield City Council Lifetime Business Award. For more than 40 years, Jean Charles Cosmetics has supported local employment, contributed to our industrial economy and showcased the strength of local Australian manufacturing.



Lifetime Business Awards: Jean Charles Cosmetics.
Permission granted to publish photograph.

EDS Priority 1 Action: *Promote vocational and prevocational training to support a future ready workforce.*

Economic Development is currently working with the Western Sydney International Airport (WSI) on partnership opportunities connected to the inaugural Western Sydney Airport Careers Expo.

The WSI Careers Expo will target both long-term career opportunities for students as well as immediate job opportunities connected to airport operations. Further details will be provided on this engagement in the next reporting period.

EDS Priority 1 Action: *Share grant opportunities with local businesses to encourage economic resilience and business investment.*

Economic Development promotes a range of grant opportunities to local businesses through direct 1:1 engagement, via the Business newsletter and through the Fairfield City Business website. In this quarter Economic Development promoted 2 business grants through the newsletter and 16 grants via the FCB website.



— Grant Applications Now Open —
Funding Support for NSW Live Music Venues

Sound NSW has launched a new grant program to help contemporary live music venues across NSW become fit-for-purpose. The program supports venues looking to expand their live music programming through access to expert advice and consultancy services.

Program Objective
Grants of up to $20,000 are available for:

- Assessment reports for soundproofing, ventilation and accessibility
- Development application and planning costs
- Legal and licensing advice
- Energy efficiency audits

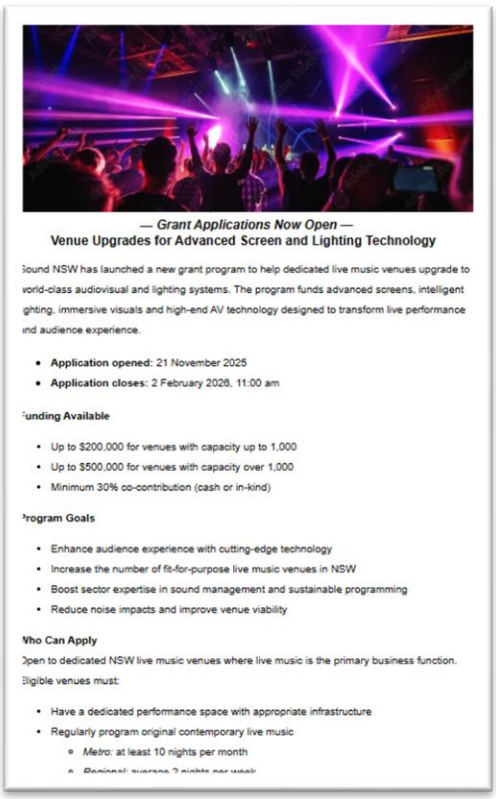
The program aims to increase the number of quality live music venues, improve sound management, reduce noise impacts, and strengthen venue sustainability.

Application Rounds

- Round 1: 21 Nov 2025 – 22 Dec 2025
- Round 2: 2 Mar 2026 – 22 Apr 2026
  Projects must start by 1 March 2026 and finish by 1 June 2027.

Eligibility
Open to NSW live music venue owners/operators committed to regular live programming.
Applicants must be:

- An incorporated entity or trust (ABN/ACN), or
- Registered under the *Associations Incorporation Act 2009* or *Co-operatives National Law (NSW)*



— Grant Applications Now Open —
Venue Upgrades for Advanced Screen and Lighting Technology

Sound NSW has launched a new grant program to help dedicated live music venues upgrade to world-class audiovisual and lighting systems. The program funds advanced screens, intelligent lighting, immersive visuals and high-end AV technology designed to transform live performance and audience experience.

- **Application opened:** 21 November 2025
- **Application closes:** 2 February 2026, 11:00 am

Funding Available

- Up to $200,000 for venues with capacity up to 1,000
- Up to $500,000 for venues with capacity over 1,000
- Minimum 30% co-contribution (cash or in-kind)

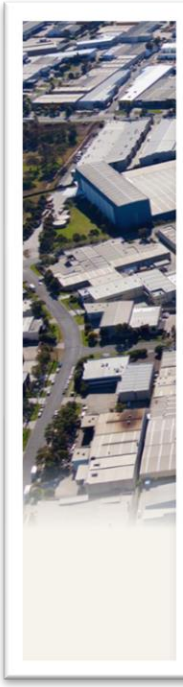
Program Goals

- Enhance audience experience with cutting-edge technology
- Increase the number of fit-for-purpose live music venues in NSW
- Boost sector expertise in sound management and sustainable programming
- Reduce noise impacts and improve venue viability

Who Can Apply
Open to dedicated NSW live music venues where live music is the primary business function.
Eligible venues must:

- Have a dedicated performance space with appropriate infrastructure
- Regularly program original contemporary live music
  - *Metro:* at least 10 nights per month
  - *Regional:* average 2 nights per week

Example of Grants promoted via Newsletter.



Grants, Funding and Business Opportunities Available

- Federal Government Grants & Program Finder
- State Government Grants & Program Finder
- Energy Programs, Grants and Schemes
- Department of Industry, Innovation and Science Initiatives & Services
- Service NSW Business Grants, Voucher Programs and Financial Assistance
- Self-Employment Assistance
- Export Finance Australia
- NSW Environment Protection Authority
- Investment NSW Grants

Business Grants and Funding

- **Bin Trim Equipment Rebates Program - Round 2 - 2025/2026** +
- **National Energy Bill Relief for Small Businesses 2025/2026**
- **Energy Performance Services Grant - 2025/2026** +
- **Venue Upgrades Grants - Infrastructure & Equipment 2025/2026** +
- **Venue Upgrades for Advanced Screen and Lighting Technology - 2025/2026** +
- **Funding Support for NSW Live Music Venues - 2025/2026** +
- **$1,000 SafeWork Small Business Rebate - 2025/2026** +
- **Quick Response Fashion Grants - 2025/2026** +

Example of Grants promoted via FCB website.

EDS Priority 1 Action: *Deliver local activations in town centres that drive economic prosperity to local businesses.*

Little Asia Launch Event – 18.10.2025
5,000 people attended.
12 local businesses engaged to create this community event.

Pre-Launch Event – 27.11.2025
1,000 people attended.
15+ local businesses engaged to create this smaller community event.

The Canley's Launch Event – 28.11.2025
6,000 people attended.
15+ local businesses engaged to create this community event.

Local Business Network Event – 3.12.2025
79 local business owners attended.

Further details on all activations are outlined later in this report.

PRIORITY 2 – INDUSTRY DEVELOPMENT

EDS Priority 2 Action: *Integrate food and beverage businesses with the Major Events and Place Activations run by Council.*

A total of 42 local food and beverage businesses were integrated with the activations held in the quarter.

PRIORITY 3 – VISITOR ECONOMY

EDS Priority 3 Action: *Collaborate with the 24-Hour Economy Commissioner to create a vibrant and safe night-time economy through grants, streamlined regulations and business support.*

Council has directly received $180,000.00 from the Office of the 24-Hour Economy Commissioner to support this priority.

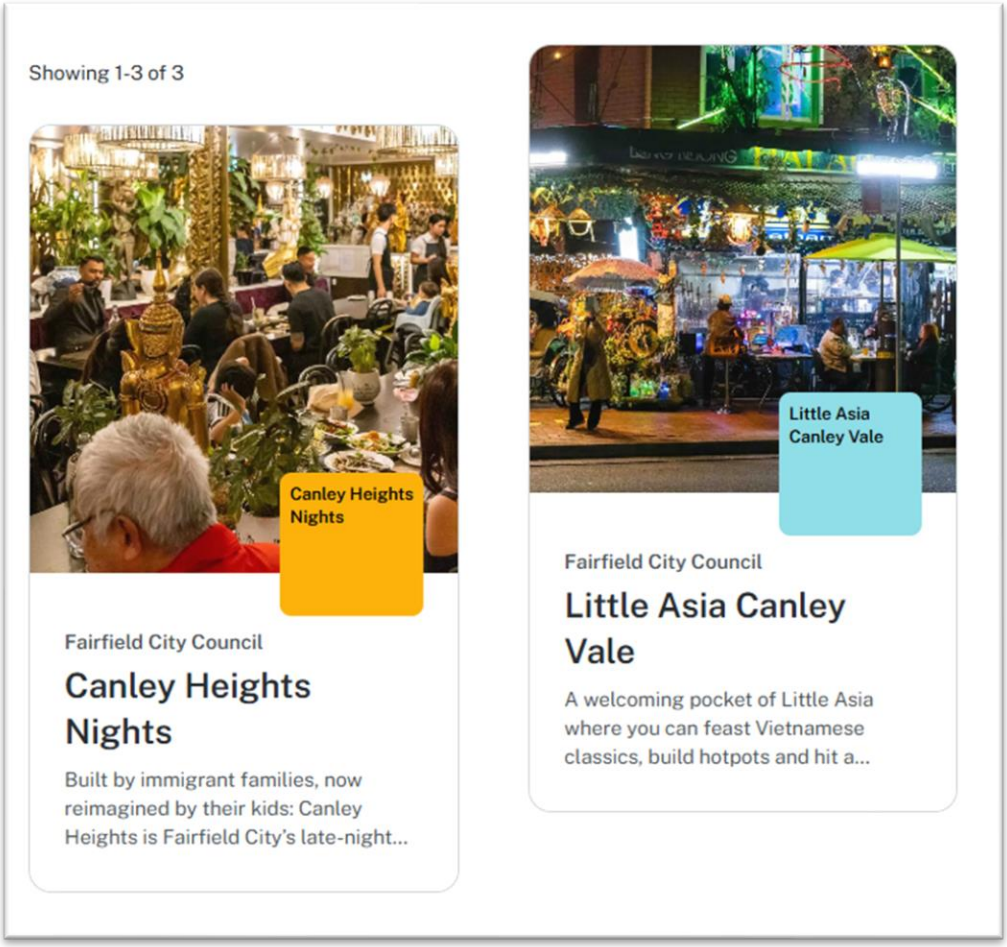
The 2 business associations in Canley Heights and Canley Vale have collectively received $400,000.00 in funding from the Office of the 24-Hour Economy Commissioner to support this priority.

Local businesses have participated in the following programs run by the Office of the 24-Hour Economy Commissioner:

1. Uptown District Acceleration Program
2. Uptown District Grant Program
3. Live Performance Venue Accelerator Program
4. Live Performance Venue Grant Program

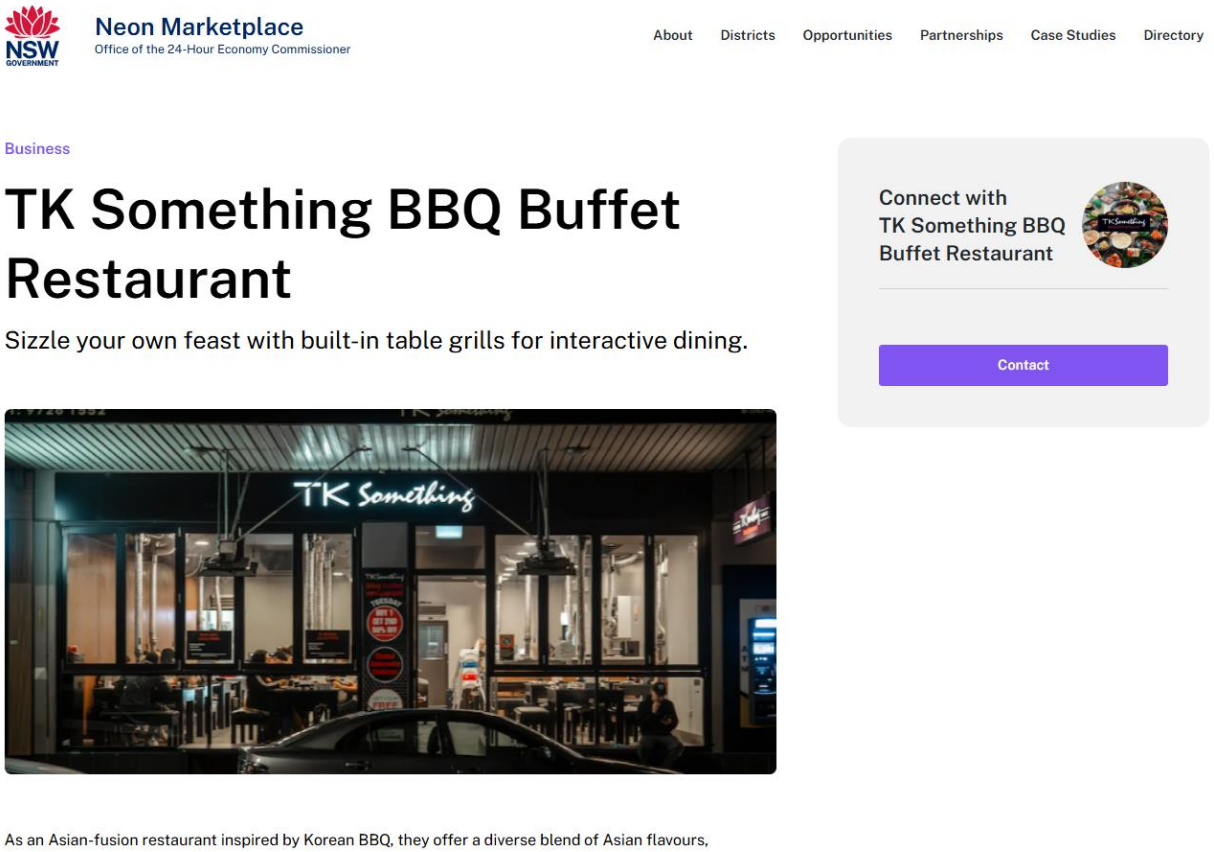
Through the Special Entertainment Precinct Council has implemented a range of Vibrancy Reforms aimed at reducing red tape and streamlining regulation for local businesses.

The Economic Development Division works in partnership with the Office of the 24-Hour Economy Commissioner to support local business engagement with the NEON Marketplace. The NEON Marketplace is the Office of the 24-hour Economy Commissioners B2B platform designed to help 24-hour economy operators connect, collaborate and thrive.



Canley Heights and Canley Vale Districts on the NEON Marketplace.

Council has directly supported 17 businesses from Canley Heights and 8 businesses from Canley Vale to gain access and promote their businesses on this platform. See example below of a local business listing on the NEON Marketplace platform.



Canley Vale Restaurant – TK Something – example listing on NEON Marketplace.

EDS Priority 3 Action: *Deliver a Special Entertainment Precinct.*

SPECIAL ENTERTAINMENT PRECINCTS

On 28 November 2025, the Canley Heights and Canley Vale Special Entertainment Precincts (SEPs) were formally established under Sections 202-203 of the Local Government Act 1993. The SEPs support entertainment activity and the night-time economy through extended trading hours for businesses within the precincts.

Canley Heights and Canley Vale are the first Special Entertainment Precincts in Western Sydney and Fairfield City Council is the second local government area in NSW to establish SEPs. The precincts are operating as a 12-month trial.

Both SEPs are supported by a Precinct Management Plan (PMP) and a Good Neighbour Policy. The PMP provides operational certainty for existing and future businesses and establishes a clear noise and operating framework. Businesses within the SEPs may operate within the approved trading hours without the need for additional Council approval.

Hours	Category A (Monday – Thursday) Licensed and unlicensed premises within the Canley Heights and Canley Vale Special Entertainment Precincts		Category B (Friday – Sunday) Licensed and unlicenced premises within the Canley Heights and Canley Vale Special Entertainment Precincts		Category C Public domain events and activities
	Indoor	**Outdoor**	**Indoor**	**Outdoor**	**Outdoor**
Base	7:00am to 12:00am	11.00pm	7:00am to 2:00am	11.00pm	11.00pm
Program incentive	7:00am to 1:00am	As above	7:00am to 3:00am	As above	As above
Dedicated venue	7:00am to 2:00am	As above	7:00am to 4:00am	As above	As above

Business Trading Hours.

SPECIAL ENTERTAINMENT PRECINCTS – LAUNCH EVENTS

On 27 November 2025, a pre-launch event was held in the Canley Heights town centre. The purpose of the event was to increase community awareness of the SEPs and encourage visitation to the centre. Local businesses participated by providing food offerings and Council supported the event with live local music.



Pre-launch event – locals enjoying live music in Canley Heights.
Permission granted to publish photograph.

On 28 November 2025, the Canleys Launch Event was delivered to formally mark the commencement of the Special Entertainment Precincts. The event included live performances across both town centres, food-based activities, local business promotions, lion dancing and fireworks. Approximately 6,000 people attended the event.

Local businesses reported increased patronage and sales during the event period. Social media engagement and visitation to both town centres increased following the launch, based on available metrics and anecdotal business feedback.





Community enjoying outdoor dining.
Permission granted to publish photographs.





Canley Heights Town Centre Activities and Fireworks Display.
Permission granted to publish photographs.





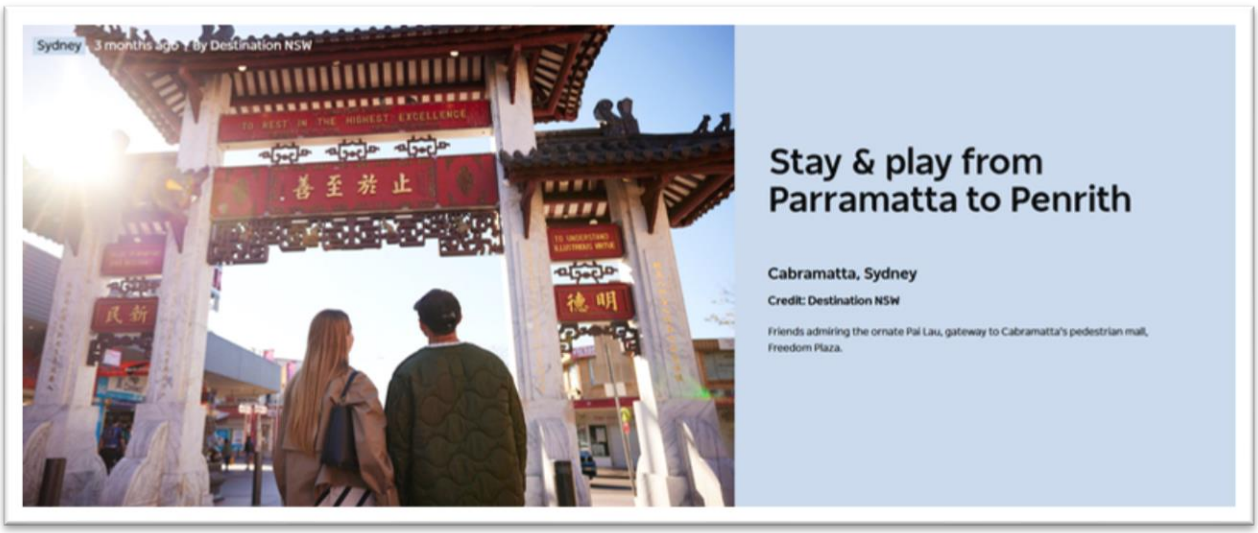
Street Activations.
Permission granted to publish photographs.



Event Flyer.

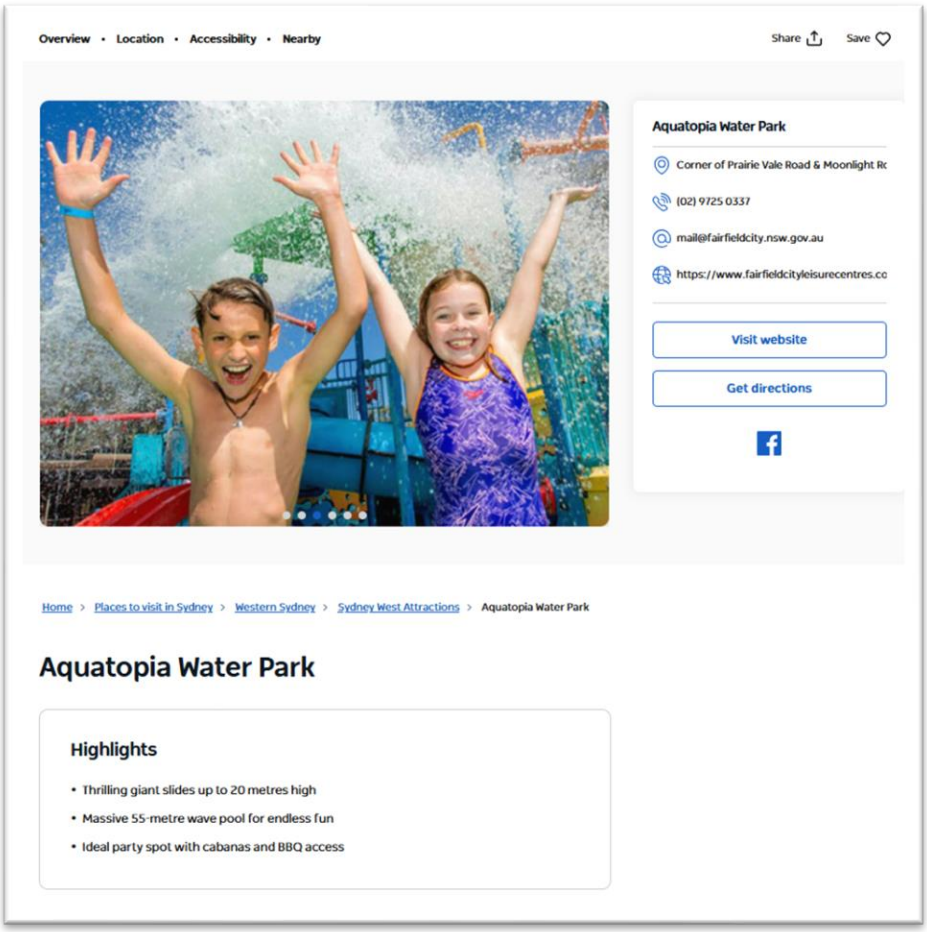
EDS Priority 3 Action: *Advocate to and work closely with, Destination NSW to promote Fairfield as a Tourism Destination in the lead up to the opening of the Western Sydney International Airport in 2026 and beyond.*

The Economic Development Division has ongoing engagement with Destination NSW to advocate for key tourism areas be promoted through their networks. Recent examples include a Destination NSW marketing shoot at Cabramatta with imagery used for articles and tourism campaigns.



Example Destination NSW campaign incorporating Cabramatta.

The Economic Development Division has also listed a range of businesses and activities on Sydney.com. Examples below.



Example Tourism Destination listing on Sydney.com.

EDS Priority 3 Action: *Create a vibrant, safe and culturally inclusive night-time economy by establishing a working group, identifying and promoting our night-time economy precincts and working in partnership with the local police.*

EDS Priority 3 Action: *Assess the viability of a town centre to be considered for a Purple Flag.*

PURPLE FLAG ACCREDITATION

Council sought to obtain Purple Flag accreditation for Canley Heights and Canley Vale. Purple Flag NSW is a program led by the Office of the 24-Hour Economy Commissioner in partnership with the UK Association of Town and City Management.

The Purple Flag is an internationally recognised accreditation program that identifies precincts achieving high standards of excellence in managing their night-time precincts. Canley Heights and Canley Vale have been selected as the localities for Purple Flag accreditation due to:

1. Both localities already exhibiting strong levels of vibrancy and activity into the night.
2. Council's establishment of both areas as Special Entertainment Precincts (SEPs).
3. The creation of 2 Uptown Districts (Business Associations) in these areas which have undertaken training and received funding to support a vibrant and safe night-time economy.

Council's Expressions of Interest for both precincts were successful. On 30 and 31 October 2025, Council undertook the Purple Flag self-assessment process with participation from NSW Police, Transport for NSW, local businesses, residents and relevant Council service units in both Canley Vale and Canley Heights.

In December 2025, a report was submitted to Council seeking approval to progress to the Independent Assessment Stage. The independent assessment is scheduled to occur in Quarter 1, 2026.

PRIORITY 4 – CREATING VIBRANT PRECINCTS

EDS Priority 4 Action: *Leverage Fairfield City HQ and continue to create more spaces for business start-ups and social enterprises.*

BUSINESS NETWORK EVENT

In December 2025, Economic Development delivered a Christmas Business Networking Event. Approximately 80 local businesses attended. The event included presentations from a local business sharing their business journey and from Gateway by Industry Capability Network outlining upcoming tender and procurement opportunities.




Presentations from the Business Networking Event.
Permission granted to publish photographs.

EDS Priority 4 action: *Continue to grow and support Cabramatta, Canley Heights and Canley as a food and cultural hub.*

LITTLE ASIA 2166 LAUNCH EVENT

Council supported the launch of Little Asia 2166, a local business association representing businesses in Canley Vale. The association participated in the Uptown Program, a 3-month district accelerator program and received NSW Government funding to support its operations. The launch event was held in the Canley Vale town centre and attracted approximately 5,000 attendees.




Stage and community engagement at Little Asia Launch Event.
Permission granted to publish photographs.

EDS Priority 4 Action: *Support public domain and streetscape upgrades to enhance its active transport, tourism and major event potential.*

To support the launch and ongoing visibility of the Special Entertainment Precincts, a range of physical branding improvements were implemented across both town centres. These included:

- Flag installations
- Rubbish bin wraps
- Public toilet branding
- Planter box branding
- Bollard branding

These elements contribute to improved place identity and visual consistency across the precincts.



Branded toilet in Canley Heights.

EDS Priority 4 Action: *Obtain increased financial support to grow Cabramatta, Canley Heights and Canley Vale.*

SPONSORSHIP FOR THE JEEPNEY TRANSPORTATION VEHICLE

In December 2025, Council formalised a sponsorship agreement with Amazon Commercial Services valued at $30,000.00. The sponsorship funding will be used to offset operating, maintenance and running costs associated with the Jeepney transportation vehicle. The Jeepney will support improved connectivity between the Canley Heights and Canley Vale Special Entertainment Precincts.

CONCLUSION

This report outlines the delivery of activities in Quarter 2 by the Economic Development Division, aligned with Council's 4 core priorities of supporting small businesses and local employment, strengthening key industries, developing the visitor economy and creating vibrant precincts.

The initiatives delivered during the reporting period reflect a continued focus on practical actions that support local economic activity and small businesses, bringing vibrancy to the area.

Holden Frisoli
Manager Economic Development

Authorisation:
Director City Strategy

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_11.DOCX**

***** END OF ITEM 9 *****

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 10**

SUBJECT: Divisional Update Report - Quarter 2 - Place Management and Major Events

FILE NUMBER: 14/09936

REPORT BY: Jessica Healey, Manager Fairfield and Parks Place; Edward Saulig, Manager Cabramatta Place

RECOMMENDATION:

That the report be received and noted.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 4 Strong and Resilient Economy* in the Fairfield City Plan.

SUMMARY

The Place Management Division consists of Cabramatta Place and Major Events and Fairfield and Parks Place branches. The 2 branches work together to improve public domain, activate public spaces and increase the economic vitality across Fairfield City in collaboration with other branches in the organisation.

This report provides an update and focuses on projects, major events and local place-based activations and business engagements from October to December 2025. This report is prepared for the information of Council and interested stakeholders.

BACKGROUND

During the quarter the organisational restructure took effect during October 2025, with Council's Major Events function consolidating with Cabramatta Place. Place Management and Major Events are now contained within the City Living Directorate, with Economic Development moving to the newly created City Strategy Directorate.

1. PLACE-BASED OPERATIONAL PLAN PROJECTS AND OTHER ACTIVITIES

Operational Plan Projects

Planter Box Upgrade (IN261076)

The project will upgrade existing concrete planter boxes in neighbourhood centres to include the integration of water wells to improve functionality and the application of a rendered colour treatment to exterior. Work is anticipated early in Quarter 4 to assist with plant survival during cooler weather.



Before and after photos of upgraded planter boxes.

Decal on Public Utilities (IN261073)

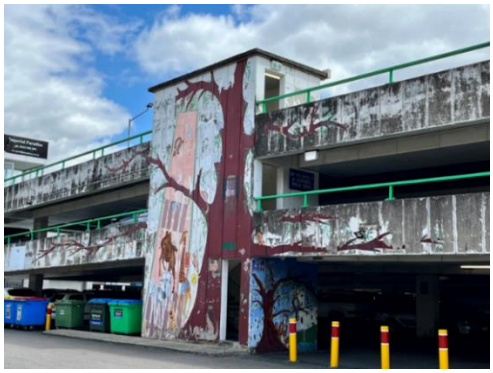
The project will install decal to existing public utility sub stations to brand the town centre and improve look and feel, as well as improve cleanliness. During the quarter several sites in town centres were identified for prioritised inclusion: Cabramatta, Fairfield and Villawood. The design elements have been scoped, with delivery anticipated in Quarter 3.



Decal wrapping on the left and 1 of several utility sub stations to be wrapped.

Public Domain Public Art - Renewal and Commission (IN261156)

The project will focus on restoring murals in priority locations within town centres while commissioning new works where appropriate. This initiative aims to enhance the visual appeal of public spaces in commercial areas, contributing to a vibrant and well-maintained urban environment. The first location to be rolled out is at the Nelson Street carpark. An expression of interest to engage an artist is due to go out to market in February 2026.



New Mural for Nelson Street Carpark.

Smithfield Town Centre Signage (MCPI2506-1)

This project has been completed with the replacement of 2 new town centre signs at Smithfield Town Centre. The signs have given the Smithfield Town Centre a much-needed lift.



Before and after shots of signs: Corner of Justin Street and The Horsley Drive and Cumberland Highway.

Villawood Town Centre Improvements (MPTC126)

The scope of the $84,000.00 project is to replace street trees, upgrade street furniture and repair pavement of Villawood Town Centre. Following feedback, prioritisation of improvements was considered during the quarter. Finalisation of the design option is anticipated in Quarter 3, with completion in Quarter 4.



New deciduous trees planted in Villawood in Q1 with foliage in Q2 and future growth.

Other Activities

2025/26 Stronger Together Local Council Major Festival Grant

The Cabramatta Moon Festival prioritises showcasing the cultural richness of Vietnamese, Chinese and broader Southeast Asian communities through traditional performances, arts and food. In September 2025, over 90,000 visitors to Cabramatta Town Centre celebrated the mid-Autumn Festival.

Last year the festival hosted Australia's inaugural National Lion Dancing Competition, uniting Lion Dancing groups from across the country to showcase this culturally significant art form in one arena. The competition was held over 2 days and complemented the Cabramatta Moon Festival offer, with the competition livestreamed internationally.

In 2025, the inaugural National Lion Dancing Competition secured a $250,000.00 Stronger Together Local Council Major Festival Grant. In December 2025, another grant application was submitted to hold another National Lion Dancing Competition. The outcome of the application is anticipated in February 2026.

Villawood Town Centre Public Car Park – 2 Hour Time Limit Proposal

Signage restricting car parking in the Kamira Court Council Car Park to 2 hours was erected during Quarter 1 for a 6-month trial. The impact in the availability of car parking was immediate, following the introduction of time restricted parking. The 6-month trial is due for review in Quarter 3.

Canley Vale Town Centre – Public Domain Improvements

The launch of the Special Entertainment Precinct in Quarter 2 has highlighted the need to undertake cost effective incremental improvements to the public domain. There is a need to declutter the public domain of planter boxes that are no longer fit for purpose due to their size and unfavourable growing conditions.

Canley Vale has an overconcentration of public bins compared to other local centres which has encouraged contamination by commercial businesses. There are net additional costs in time and resources in servicing the bins. It is proposed to remove a small number of surplus bins to ensure public convenience in litter disposal is maintained while decluttering the footpath.

Fabulous Fairfield – 2025 School Garden of the Year Award

Fabulous Fairfield runs an annual school garden competition that acknowledges schools for their commitment and passion in cultivating and maintaining beautiful gardens. The schools are judged on categories such as design and layout, planting management, creativity, functionality, recycling functions and student involvement.

The winning school for the 2025 School Garden of the Year was Bonnyrigg Public School. Bonnyrigg Public School demonstrated an outstanding commitment to sustainability through its impressive agricultural program, effective composting practices, a wide variety of vegetable and herb gardens and a vibrant outdoor seating area overlooking the garden.

We also extend our congratulations to the 2025 runner-up schools, Our Lady of Mt Carmel Primary School and Fairfield West Public School, both recognised for their exceptional efforts. In addition, we acknowledge the finalists Bossley Park Public School and William Stimson Public School, for their commendable gardens.



Two runner-up schools from Our Lady of Mt Carmel Primary School and Fairfield West Public School and winner, Bonnyrigg Public School. Permission granted to publish photographs.

Fabulous Fairfield – 2025 Garden of the Year Award

The monthly Fabulous Fairfield winners are automatically entered in the annual Garden of the Year Award, presented at the December Council Meeting. The gardens are judged based on sustainability, environmental impacts, plants used, presentation and creativity.

The winners of the 2025 Garden of the Year Awards were Chau Quach and Thuc Tran Huynh from Fairfield East. Their outstanding garden features an extensive collection of more than 100 succulents, a water fountain constructed from natural rocks and stones, a bridge creatively repurposed from a door, custom-made stepping stones and a lively display of colourful fish that swim within the fountain.

Pauline and Rolf Koszek of Mt Pritchard were awarded runner-up, with awards also going to 4 finalists from Bonnyrigg, Fairfield Heights and Greenfield Park.



The winner and runner-up for the 2025 Garden of the Year Awards from Fairfield East and Mt Pritchard. Permission granted to publish photographs.

2. MAJOR EVENTS

Illuminate NYE 2025

Illuminate NYE 2025 achieved 10,207 ticket sales. Feedback from 164 respondents to a survey confirms Illuminate NYE remains a highly valued and well-attended community event. For overall event satisfaction, 92% of respondents indicated they would attend the event again. The majority rated the event as 'Excellent' or 'Good'. What was valued most was the fireworks display, the most cited highlight of the event and described as a key reason for attendance and central to the NYE experience.

Other elements of the Illuminate NYE experience that were valued included family friendly and affordable experience inclusive of low entry cost and free rides, the amusement rides and children's activities that included inflatables, rides, face painting and balloons. Community atmosphere and cleanliness was also highly rated. Cleanliness of the venue and toilets and the presence of security contributed to a sense of safety.

Three key logistical areas were identified as having the greatest impact on patron experience and safety: ride availability, traffic management and communications. For overall event satisfaction, respondents identified 'Ride Capacity and Queue Times' as requiring improvement noting an experience of long wait times, families left feeling that they were spending more time queuing than participating, line jumping, unclear queue layouts and a general sense of insufficient ride amusements.

Traffic, car parking and exit management remains an ongoing challenge, with respondents citing car parking congestion and unsafe exit conditions; post fireworks egress caused gridlock, illegal parking, and pedestrian safety concerns. Fireworks commenced earlier than advertised (9:30pm instead of 9:45pm due to the weather). Some attendees missed the display due to being in ride or food queues. There is a demand for earlier fireworks.

Notwithstanding feedback concerning traffic, car parking and queues for rides, the overall satisfaction rate of 92% indicates that the majority of participants understand the need for patience in a highly valued low-cost event.



Illuminate NYE 2025 – The fireworks display is the most valued element of the event.

3. PLACE-BASED ACTIVATIONS

Canley Heights Halloween

The Canley Heights Halloween event was held on Saturday 25 October 2025 from 4.00pm to 8.00pm in the Canley Heights Town Square. The site was decorated according to the North American Halloween theme, taking cues from the popular event. The event is a community highlight with much effort in costume participation.

Thirty businesses participated in trick-or-treating. A map was created so parents knew where to take their children to collect their trick or treat.

Entertainment consisted of a DJ playing music, free photobooth, photo backdrop, 5 gift cards giveaways for best costumes as well as Aquatopia giveaways, games, face painting and amusement rides. The event closed with a much-anticipated fireworks display.



Canley Heights Halloween 2025. Permission granted to publish photographs.

Canley Heights Children Christmas Party

The Canley Heights Children's Christmas Party was held Thursday 11 December 2025 from 5.00pm to 9.00pm in the Canley Heights Town Square.

Entertainment consisted of a DJ playing Christmas themed music, Santa, dancers, a dance competition with Aquatopia pass giveaways, free face painting, lolly giveaways, a photobooth, snowcones and small snacks and amusement rides. Stilt walkers in Christmas themed costumes moved about the site.



Canley Heights Children Christmas Party 2025. Permission granted to publish photographs.

Christmas in Fairfield City Centre

The much-loved Christmas in Fairfield City Centre was held on Thursday 4 December from 5.00pm to 9.00pm at Epoch Plaza and Thomas Ware Plaza.

The event offered a wide range of free family-friendly entertainment and activities including amusement rides, face painting, airbrush tattoo, Christmas Carols, roving mascots and a special photo opportunity with Santa on his sleigh.

Approximately 2,000 community members attended the evening, with growing excitement throughout the evening leading to the lighting of the City's tallest Christmas tree by Mayor Carbone and Councillors.



Christmas in Fairfield City Centre activation. Permission granted to publish photographs.

Other Christmas Activations

In addition to the main Christmas event, a series of festive-themed performances were delivered throughout December, including the Holly Dolly Duo, the Ross Maio Trio and Santa visits to Fairfield Heights and Fairfield City Centre.



Holly Dolly Duo, Ross Maio Trio, and Santa visits to Fairfield Heights and Fairfield City Centre. Permission granted to publish photographs.

Fairfield Place Activation Program

Wonderful Wednesday delivers engaging street entertainment designed to enliven the City Centre and create a welcoming atmosphere for visitors. Recent activations have included a Cherry Blossom duo, Feel Good Music and Highly Strung Duo musical performances.

These performances have been met with enthusiastic support from both the community and local businesses.



Street activation featuring Cherry Blossom Duo, Everyday People Duo, Feel Good Music Trio and Highly Strung Duo. Permission granted to publish photographs.

Fairfield and Parks Place Banner Program

The Fairfield and Parks Place Banner Program showcases the unique offerings across both Places, featuring professionally photographed local businesses that highlight the diversity and quality of goods and services available. Seasonal banner designs celebrate key themes that reflect the character and vibrancy of each Place, helping to create a welcoming and engaging environment for visitors.



Banner designs installed for Christmas and Summer at Fairfield, Bonnyrigg and Wetherill Park featuring a local music shop, café and donut manufacturer.

Local Activity Approvals

Local Activity Approvals pursuant to Section 68 of the Local Government Act 1993, are issued to community organisations to deliver activations within town centres. These activities enhance the vitality of town centres and promote positive community engagement.

Fairfield

At The Crescent Plaza, recent activities were provided by CORE Community Services to raise awareness against Domestic and Family Violence on Thursday 20 November and community engagement activities by Mt Zion Christian Fellowship Centre in November and December.

Ongoing outreach activities include:

- Australian Indian Christian Church – providing prepackaged meals, groceries and other items every second Tuesday from 4.30pm to 5.30pm.
- Rev. Bill Crews Foundation providing freshly prepared and frozen meals every week on Mondays and Wednesdays from 12.30pm to 1.30pm.



CORE Community Services, Rev. Bill Crews Foundation and Australian Indian Christian Church local activities at The Crescent Plaza. Permission granted to publish photographs.

Cabramatta

During the reporting quarter, Cabramatta Place issued a total of 24 Local Activity Approvals. Key activities delivered during this period included:

- Two NSW Cancer Council fundraising events held in Freedom Plaza, Cabramatta, incorporating live musical performances and community sausage sizzle.
- Ongoing meal services provided by the Rev. Bill Crews Foundation, delivering freshly prepared and frozen meals every Monday and Wednesday at Cabravale Memorial Park.
- A street activation delivered by the Little Asia Association in Canley Vale, supporting the launch of the suburb as a Special Entertainment Precinct.
- Two community information stalls facilitated by Fairfield City Police Area Command, focusing on eBike safety awareness and domestic violence awareness.

- The annual Buddhist Mazu Festival, delivered by the NSW Indo-China Chinese Association on 25 October in Freedom Plaza, featuring peaceful worship, cultural performances and lion dancing.
- The official launch of the Special Entertainment Precincts on 28 November in Canley Heights and Canley Vale, with both locations activated through live music and entertainment along Canley Vale Road, culminating in a fireworks display in Canley Heights. This event delivered a positive outcome for the local nighttime economy.
- The Cabramatta Anglican Church annual Christmas Carols, held in Freedom Plaza on 13 December between 10.00am and 1.00pm. Council support included the provision of a roaming Santa distributing candy canes and free face painting for the duration of the event.



Launch of The Canleys as a Special Entertainment Precinct, Christmas Carols in Freedom Plaza Cabramatta and Little Asia Association launching SEPs. Permission granted to publish photographs.

These activities continue to support the activation of key town centres, promote the effective use of public spaces and strengthen community participation across the LGA.

CONCLUSION

The Place Management Division works to improve public domain, activate public spaces and increase the economic vitality across Fairfield City. This report highlights progress on projects, major events, local place-based activations and business engagements for the months of October to December 2025.

Jessica Healey
Manager Fairfield and Parks Place

Edward Saulig
Manager Cabramatta Place

Authorisation:
Director City Living

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_10.DOCX**

***** END OF ITEM 10 *****

OUTCOMES COMMITTEE

Meeting Date 10 February 2026 **Item Number. 11**

SUBJECT: Information Report - 2025-2026 Operational Plan - Quarterly Report (October to December 2025)

FILE NUMBER: 25/15309

PREVIOUS ITEMS: 50 - 2025/26-2028/29 Delivery Program and 2025-2026 Operational Plan including the 2025-2026 Pricing Policy, Fees and Charges - Outcomes Supplementary Reports - 27 May 2025
118 - 2025-2026 Operational Plan - Quarterly Report (July to September 2025) - Outcomes Supplementary Reports - 18 Nov 2025

REPORT BY: Julie Lien, Corporate Planning Analyst

RECOMMENDATION:

That the report be received and noted.

SUPPORTING DOCUMENTS:

There are no supporting documents for this report.

CITY PLAN

This report is linked to *Theme 5 Good Governance and Leadership* in the Fairfield City Plan.

SUMMARY

The Integrated Planning and Reporting (IPR) Framework is a legislative requirement for all NSW councils which are expected to develop a series of long, medium and short-term plans. These plans provide a consistent approach to community planning and a more sustainable Local Government industry while aligning with regional and state priorities.

The progress towards achieving the community's vision, priorities and goals is reported through the Quarterly Report which focuses on detailing a summary of Council's performance on the implementation of the 2025/26-2028/29 Delivery Program and the 2025-2026 Operational Plan.

In line with IPR Guidelines, Council is currently finalising a review on its overall performance including the status of projects, major programs and budget adjustments for the period October to December 2025.

The results of the review will be included in the October to December 2025 Quarterly Report and a Supplementary Outcomes Chairperson's report will be submitted to the Ordinary Council Meeting scheduled for Tuesday 24 February 2026 for Council to consider for adoption.

Julie Lien
Corporate Planning Analyst

Authorisation:
Deputy General Manager & CFO

Outcomes Committee - 10 February 2026

File Name: **OUT10022026_1.DOCX**

***** END OF ITEM 11 *****