

OUTCOMES COMMITTEE

Meeting Date 11 February 2025

Item Number. 4

SUBJECT: Public Exhibition - Wetherill Park Market Town Site Specific Development Control Plan 2014 - Amendment No.1
Premises: 13-21 Rossetti Street and 1016-1024 The Horsley Drive Wetherill Park
Applicant: Gilbert de Chalain (Planning Consultant)
Owner: Wetherill Park Market Town Pty Ltd (Director - Ross Trimboli)
Zoning: E1 – Local Centre

FILE NUMBER: 24/04838

REPORT BY: Tommy Lam, Student Development Planner; Chris Shinn, Coordinator Strategic Planning

RECOMMENDATION:

That:

1. The Wetherill Park Market Town Site Specific Development Control Plan (DCP) be amended (Draft Amendment No. 1) to:
 - 1.1 Implement administrative and formatting changes to the DCP to maintain consistency with other Council Strategic Land Use Planning documents.
 - 1.2 Update development controls to permit two (2) different mixed use development scenarios, one with residential dwellings and one without residential dwellings.
 - 1.3 Update development controls to reflect the desired urban design principles of the NSW Apartment Design Guide and Fairfield City Wide DCP 2024.
2. The Wetherill Park Market Town Site Specific DCP Draft Amendment No. 1 be placed on public exhibition for a minimum period of 28 days, commencing on the day it is published on Council's website.
3. The outcome of the public exhibition of the Wetherill Park Market Town Site Specific DCP Draft Amendment No. 1 be reported back to Council following the 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:

OUTCOMES COMMITTEE

Meeting Date 11 February 2025

Item Number. 4

AT-A Wetherill Park Market Town Site Specific DCP - Draft
Amendment No. 1

35 Pages

CITY PLAN

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

SUMMARY

This report details proposed amendments to the current Wetherill Park Market Town Site Specific DCP (the Plan) and seeks endorsement for the amendments to proceed to public exhibition.

This review incorporates updated development controls including a mixed-use development scenario without any residential uses that is not accommodated in the current Plan. Additionally, a range of housekeeping and formatting amendments have also been made to ensure consistency of this DCP with other planning documents.

BACKGROUND

Wetherill Park Market Town is a local centre anchored by a chain supermarket (Aldi), a ten-pin bowling alley and approximately 40 specialty shops. The shopping centre was historically restricted to No. 1016-1024 The Horsley Drive as this lot was zoned for commercial use, whereas No. 13-21 was zoned for residential use.

The Plan came into force on 7 March 2014, accompanying the gazettal of Fairfield Local Environmental Plans (LEP) 2013 Amendment No. 2. The Site Specific DCP was intended to guide the built form of the site, in addition to limiting the additional retail floor space permitted to a maximum of 1,500m².

A summary of the planning history of the site is as follows:

Date	Development Activity
07/03/2014	Gazettal of Fairfield LEP 2013 Amendment No. 2 The Fairfield LEP 2013 Amendment No.2 rezoned land located at 13-21 Rossetti Street Wetherill Park from R2 Low Density Residential to B2 Local Centre (now E1 Local Centre). The amendment intended to permit the expansion of the centre to facilitate further retail and commercial development, as well as residential housing, such as shop top housing.
07/03/2014	Wetherill Park Market Town Site Specific DCP In Force The Plan came into force as part of the rezoning of No. 13-21 Rossetti Street and outlined all the planning controls applicable to any redevelopment.

OUTCOMES COMMITTEE

Meeting Date 11 February 2025

Item Number. 4

Date	Development Activity
31/07/2014	<p>Development Advisory Meeting</p> <p>A Development Advisory meeting was held between Council Officers and the site owner, proposing a childcare centre and residential dwellings in the form of residential flat buildings and multi-dwelling housing. The concept designs for the site were generally in accordance with the Site Specific DCP.</p>
17/07/2015	<p>Gazettal of Fairfield LEP 2013 Amendment No. 15</p> <p>Council adopted a Planning Proposal (PP) and associated amendments to the Key Sites map to allow residential flat buildings and multi dwelling housing as additional permitted uses at 13-21 Rossetti Street (Lot 5 DP 714281). The LEP amendment allowed development of the site in accordance with the adopted Plan.</p>
20/05/2020	<p>Approval of Development Application DA 632.1/2015</p> <p>The Fairfield Local Planning Panel (FLPP) approved a Development Application (DA) for the redevelopment of No. 13-21 Rossetti Street on 20 May 2020 under DA 632.1/2015, approving construction of a mixed use commercial and residential development. This approval was consistent with the Site Specific DCP, containing all the desirable elements, layout and land uses envisaged by the DCP.</p> <p>However, the site owner has since indicated that development consent is no longer being pursued, hence the need to explore alternative land use options for the site in consultation with Council.</p>
12/10/2023	<p>Development Advisory Meeting</p> <p>A Development Advisory meeting was held between Council Officers and the site owner, proposing alterations to the site including the construction of retail and commercial tenancies and an aboveground childcare centre. The concept plans presented to Council were inconsistent with the objectives and controls of the Site Specific DCP as no residential was proposed and did not align with the envisaged built form. Accordingly, it was advised the extent of the inconsistencies required an amendment to the Site Specific DCP.</p>

The site owner has initiated an application to amend the Plan. The proposed amendments include:

- Updates to development controls to enable additional non-residential land uses
- Administrative changes, including formatting restructure and layout changes for consistency with other DCPs
- Updated images and diagrams to demonstrate updated controls for built form layouts.

PROPOSED AMENDMENTS

This report seeks Council’s adoption of the revised Wetherill Park Market Town Site Specific DCP.

The following discussion outlines the changes proposed to the Plan.

A. Development Control Changes

The Plan supplements the provisions of the Fairfield City Wide DCP 2024. The provision of site-specific development controls, objectives, standards and guidelines communicates Council’s expectations for future development of the land. The following amendments to the development controls are proposed:

- Update to objectives and built form diagrams (Figure 1.) to allow for development of the site for 2 alternate development scenarios as follows:
 1. Mixed use development containing retail, commercial and residential (already shown in the Plan), and
 2. Retail and commercial development, alongside other related non-residential land uses (additional scenario included in the Plan)



Figure 2: Scenario 1 Mixed use, shop top housing development: Progressive setback to Rossetti Street for mixed use development containing residential accommodation.



Figure 3: Scenario 2 Retail and commercial development: Progressive setback to Rossetti Street for a development containing retail, commercial and other non-residential land uses.

Figure 1. Proposed amendment to the DCP describing the two development scenarios

- Update to Section 1 of the DCP, incorporating additional background information to set the context for Wetherill Park Market Town, its surrounds and the purpose of the DCP
- Controls relating to the building envelope, setbacks and building separation
- Controls relating to the location and minimum width of the pedestrian thoroughfare through the site between Rossetti Street and Emerson Street Reserve

OUTCOMES COMMITTEE

Meeting Date 11 February 2025

Item Number. 4

- Controls relating to the position of vehicular basement access ramps and parking arrangements
- Removal of Chapter 15 DA Submission Requirements, replaced with reference to requirements outlined in the Fairfield City Wide DCP 2024
- Update to diagrams to reflect all new and amended development controls

The proposed uses envisaged in the Draft DCP are already permissible on the site through the E1 Local Centre zone and additional permitted uses. However, the controls relating to economic impact have been revised to ensure that any future development is appropriately assessed through an Economic Impact Assessment (EIA) at the DA stage.

B. General Administration Changes

A range of general administration amendments are proposed to address formatting inconsistencies within the existing Plan. The administration and formatting amendments include the following:

- Use of a new Council corporate template to align with Council's style guide and other DCP's
- Inclusion of subheadings for each chapter of the DCP within the Table of Contents
- Update to references, terminology and clauses to reflect current legislation
- Update to Council strategy references and clauses to reflect updated strategies and studies
- Incorporation of numbering for reference to objectives and controls and clearer formatting
- Rectification of existing formatting, spelling and grammatical errors throughout the DCP

CONSULTATION STRATEGY

The draft amendments are recommended to be placed on public exhibition for a minimum period of 28 days in accordance with the Environmental Planning and Assessment (EPA) Regulations and Council's Community Engagement Strategy 2024.

The exhibition material will be made available on Council's website. Additionally, a hard copy of the draft amendment will be available for viewing at the customer service counter at Council's Administration Building during ordinary business hours. Notification of the draft amendment will be provided to adjoining landowners in accordance with the Community Engagement Strategy.

Once the exhibition period has ended, a further report detailing the results of public exhibition and any proposed amendments will be presented to Council.

OUTCOMES COMMITTEE

Meeting Date 11 February 2025

Item Number. 4

CONCLUSION

It is recommended that the amended Wetherill Park Market Town Site Specific DCP be placed on public exhibition for a period of 28 days in accordance with Council's 2024 Community Engagement Strategy.

A further report detailing the results of public exhibition will be presented to Council.

Tommy Lam
Student Planner

Chris Shinn
Coordinator Strategic Planning

Authorisation:
Manager Strategic Land Use Planning
Director City Planning

Outcomes Committee - 11 February 2025

File Name: **OUT11022025_2.DOCX**

***** END OF ITEM 4 *****