

Site specific DCP

Wetherill Park Market Town

Lots 4 and 5 DP 714281



Amendment No. 1

In force **TBD**

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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Contents

1. Introduction	4
1.1 Citation.....	4
1.2 Commencement.....	4
1.3 Land to which this plan applies	4
1.4 Background.....	5
1.5 Purpose of this Development Control Plan	6
2. Relationship to other planning documentation	7
2.1 Interpretation	7
2.2 How to use this Development Control Plan.....	7
2.3 Variations to this Development Control Plan.....	7
2.4 Development Application submission requirements.....	8
3. The Role of Wetherill Park Market Town	9
3.1 Context.....	9
3.2 Specialist Economic Impact Assessment.....	11
4. Site consolidation.....	12
5. Building design.....	13
5.1 Overview	13
5.2 Building envelope.....	13
6. Setbacks and building separation.....	16
7. Floor space ratio.....	19
8. Urban design principles.....	20
9. Movement and access.....	21
9.1 Pedestrian through link	21
9.2 Vehicular access and parking	24
9.3 Pedestrian access.....	27
10. Crime prevention through environmental design.....	28
11. Public art	29
12. Residential development	30
13. Waste management and site services	31
14. Drainage and stormwater detention.....	33

1. Introduction

1.1 Citation

This plan may be cited as Wetherill Park Market Town, Site Specific Development Control Plan (SSDCP).

1.2 Commencement

This Development Control Plan came into effect on 07/03/2014. 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.

Amendment No.	File Ref.	Purpose	Public Exhibition	Adopted
-	14/04724	Initial version	01/08/2012 to 29/08/2012	Adopted by Council: 27/11/2013 In force: 07/03/2014
1	24/04838	<ul style="list-style-type: none"> • Formatting and template changes to make the document easier to read and consistent with other Development Control Plans • Update to objectives and controls to allow for development of the site with two varying development scenarios: <ul style="list-style-type: none"> ○ Mixed use development containing retail, commercial and accommodation, or ○ Retail and commercial development, alongside other related non-residential land uses 		

1.3 Land to which this plan applies

This plan applies to land zoned E1 – Local Centre under the Fairfield Local Environmental Plan 2013 in Wetherill Park Market Town Shopping Centre, being Lots 4 & 5 DP 714281. The land to which the plan applies is shown in *Figure 1* of this DCP.

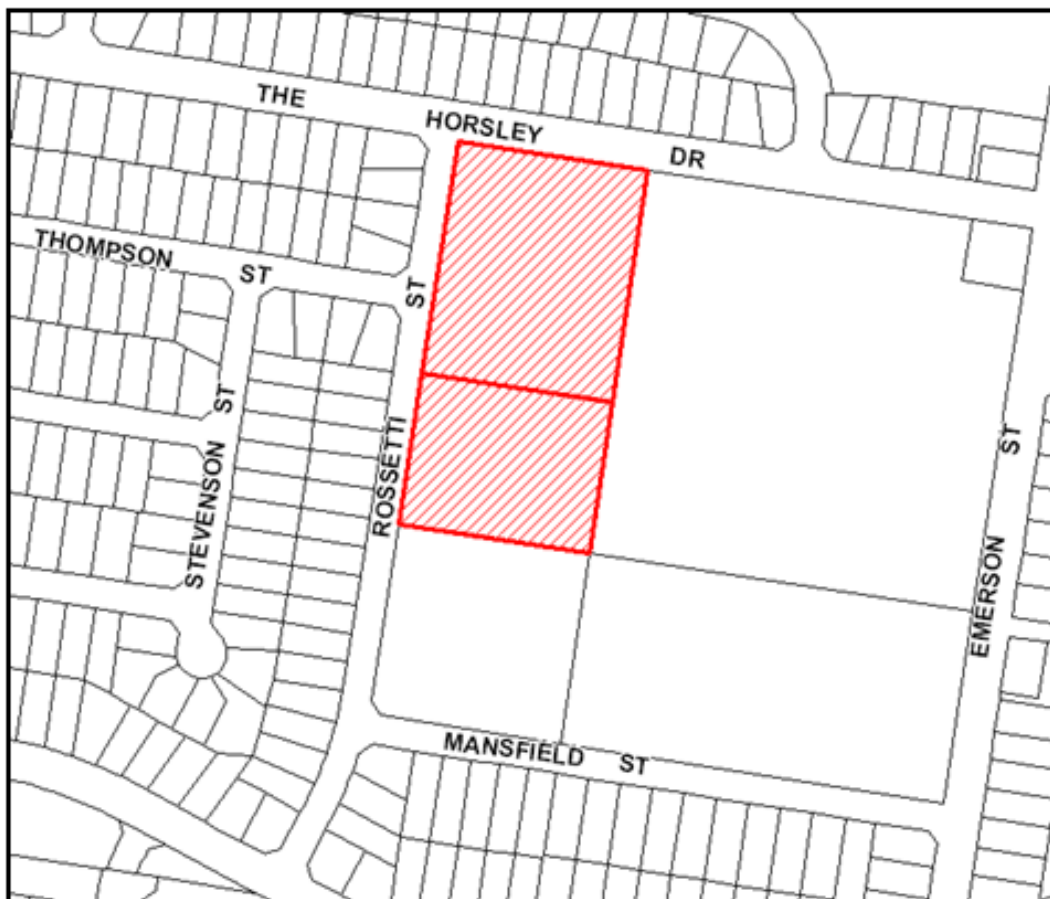


Figure 1: Land to which this DCP applies.

1.4 Background

Wetherill Park Market Town is a Local Centre situated on the south-eastern corner of the intersection of the Horsley Drive and Rossetti Street, Wetherill Park. The centre was erected in 1981 and is anchored by a chain supermarket (Aldi). The town centre comprises over 37 specialty retail shops and a ten-pin bowling alley.

The site comprises two allotments of land being Lots 4 & 5 DP 714281. Existing retail activities are primarily located on Lot 4, being the northernmost allotment. Lot 4 is zoned E1 – Local Centre under Fairfield Local Environmental Plan (FLEP) 2013.

The majority of the existing retail floor space, as well as the northern car parking area is situated on Lot 4.

Lot 5 comprises the southern portion of the site and primarily contains car parking servicing retail activities occurring on Lot 4. In addition, the main retail building situated on Lot 4 encroaches by a maximum of approximately 11m onto Lot 5.

A rezoning was approved in 2015 and Lot 5 was rezoned to E1 – Local Centre under the FLEP 2013 to permit expansion of the Wetherill Park Market Town Shopping Centre, generally in the form of additional retail floor space and residential unit development above. This Site Specific DCP was adopted as part of the rezoning and sets out all the planning controls for any redevelopment of the site.

The Fairfield Local Planning Panel approved a Development Application for the redevelopment of site on 20 May 2020, under Development Application DA 632.1/2015 which approved the construction of a 2-5 storey mixed use commercial and residential development,

61 residential units, 325 car parking spaces, and ancillary works. The previous approval was consistent with the DCP, containing all the desirable elements, layout and land uses engaged by the DCP.

Notwithstanding this, that development has not been pursued by the site owner and alternative development schemes for site have been considered. As such, this DCP contains provisions and controls to allow for various permissible land uses, and provides guidance for two development scenarios:

- A. Mixed use containing retail, commercial and shop-top housing / residential consistent with previous development approvals, or
- B. Retail, commercial and other non-residential land uses consistent with current development plans for the site.

1.5 Purpose of this Development Control Plan

The purpose of this DCP is to supplement the provisions of Fairfield City Wide Development Control Plan 2024 by providing site-specific development controls, objectives, standards and guidelines for the orderly and economic development of Lot 5 as part of a coordinated and cohesive expansion of the existing shopping centre primarily located on Lot 4.

The development principles, standards and guidelines communicate Council's expectations for future development of the land and are of importance to the development industry in the preparation of Development Applications. The DCP is also relevant to members of the community as a guide to the planned growth of Wetherill Park Market Town.

This Development Control Plan establishes amongst other things, the following:

- the general location and height of building envelopes associated with that development;
- architectural details, structures and other urban form requirements to guide the interface of the subject site with the public domain, including Emerson Street Reserve, and with surrounding residential development;
- the controls to allow for development the site through two distinct development scenarios:
 - mixed use development containing retail, commercial and residential accommodation, or
 - retail and commercial development, alongside other non-residential land uses;
- the requirement for a pedestrian link between Rossetti Street and Emerson Street Reserve;
- the separation of loading and utility areas from pedestrian areas as well as customer and resident parking areas;
- the opportunity for achieving public art to existing walls fronting Emerson Street Reserve;
- the location and type of vehicular access points into and out of the site;
- the interface of proposed new development with Emerson Street Reserve, particularly in relation to building setbacks, landscaping and architectural aesthetics.

This Plan will be used by Council to assess any application for the development of the subject site.

2. Relationship to other planning documentation

This DCP supplements the statutory provisions contained in FLEP 2013.

Pursuant to Section 3.43(4) of the 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 any amendments thereto and including amendments made after the adoption of this DCP);

- Chapter 2. Development Application Process
- Chapter 3A. Environmental Management and Constraints
- Chapter 7 Residential Flat Buildings
- Chapter 8. Neighbourhoods and Local Centres
- Chapter 11. Flood Risk Management
- Chapter 12. Car Parking, Vehicle and Access Management
- Chapter 13. Child Care Centres
- Chapter 14. Subdivision
- Appendix A. Definitions
- Appendix B. Notifications Policy
- Appendix C. Advice for Designing Advertising Signs
- Appendix E. Waste Not Policy to Manage Demolition and Construction Waste
- Appendix F. Landscape Planning

2.1 Interpretation

Certain terms used in this DCP have defined meanings. These are consistent with the definitions used in Fairfield City Wide Development Control Plan 2024, which can be found at Appendix A of that plan.

Where there is an inconsistency between the development controls contained within Chapter 8. Neighbourhood and Local Centres of the Fairfield City Wide DCP 2024, the controls in this Site Specific DCP prevail in respect to the inconsistency.

2.2 How to use this Development Control Plan

This plan is to be read in conjunction with Fairfield City Wide Development Control Plan 2024 and is intended to supplement those provisions. The plan fundamentally assists in the preparation and Development Applications by detailing development controls which will be used by Council as benchmarks of what is acceptable development.

2.3 Variations to this Development Control Plan

The provisions within this DCP represents Council policy and community expectations. Accordingly, it is expected that development proposals comply with the provisions in this DCP.

However, where variation to a particular provision of the DCP is warranted, Council will consider a written statement prepared by the applicant and included within the Statement of Environmental Effects which addresses the non-compliance by reference to the following questions:

- what is the development control in question?
- what is the objective or purpose of the provision and how will that objective or purpose still be satisfied, notwithstanding the proposed variation?
- why is compliance with the development control unreasonable or unnecessary in the circumstances of the case?
- would modification to the development proposal, in order to achieve compliance be unreasonable or unnecessary in the circumstances of the case?

Council will consider the merit of each variation on a case-by-case basis having regard to the above criteria.

2.4 Development Application submission requirements

A Development Application (DA) for the redevelopment of Lot 5 in accordance with this plan shall be supported by the following documentation:

- The information that is required to be submitted as stipulated within Chapter 2 – Development Application Process of the Fairfield Citywide Development Control Plan 2024
- Traffic and Parking Impact Report, including:
 - A Sidra (Signalised and Unsignalised Intersection Design and Research Aid) Analysis to assess the impact of the proposed development on the operation of Rossetti Street, Thompson Street, Shakespeare Street, Mansfield Street, Emerson Street and at the intersection of Rossetti Street/Horsley Drive. The study shall be undertaken for existing conditions and for post developed conditions, to ascertain the level of service on the operation of Rossetti Street, Thompson Street, Shakespeare Street, Mansfield Street, Emerson Street and at the intersection of Rossetti Street/Horsley Drive.
 - Information related to the layout of the proposed carparking areas, type of vehicle proposed to service the development and provision of truck swept path diagram.
- Social Economic Impact Assessment
- CPTED Report
- Awnings Maintenance Plan
- Schedule of Materials and Finishes
- SEPP (Housing) 2021 Design Statement
- Staging Plan for the development if it is proposed to develop in stages. Such plan is to also demonstrate how each stage will be serviced and accessed during the building of subsequent stages.
- Quantity Surveyors Cost Report – Capital Investment Value as defined in Major Development SEPP

Note: The abovementioned documentation is required as a minimum and is in addition to any other documentation requested within the controls of the DCP.

3. The Role of Wetherill Park Market Town

3.1 Context

The Fairfield City Centres Policy 2015, adopted in February 2016, 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.

Relevant characteristics of each level of centre within the hierarchy are as follows:

Major centre (Fairfield City Centre)

Fairfield City Centre is characterised by:

- *The provision of the widest range of retail, commercial and community services to the regional population of LGA;*
- *The presence of the highest order of retail facilities including the potential presence of a Department Store and multiple Discount Department Stores (DDSs), multiple full-line supermarkets and the widest range of specialty shops;*
- *Its location on the City's major public transport interchange;*
- *Containing in excess of 100,000m² of retail floor space together with the widest range of non-retail services including cinemas, office space, community services, health facilities, education services and state and local government agencies;*
- *Providing for higher order and comparison good shopping as well as the provision of specialist, professional and personal services serving the regional population;*
- *Containing the largest concentration of white collar workers; and*
- *A revitalised City Centre through continued investment by the private and public sectors.*

Sub-regional town centres (Prairiewood and Bonnyrigg Town Centres)

Sub-Regional centres are characterised by:

- *The provision of a wide range of retail and commercial services to a sub-region within Fairfield LGA (usually about 100,000 persons);*
- *The presence of multiple Discount Department Stores (DDSs), multiple full-line supermarkets and a wide range of specialty shops;*
- *Their location on major public transport networks;*
- *Generally containing between 40,000-60,000m² of retail floor space (excluding showrooms and bulky goods premises) together with a wide range of non-retail services including office space, community services, health facilities and education services;*
- *Providing for comparison and grocery shopping trips serving sub-regional populations; and*
- *Improved connectivity to the public transport network.*

Specialist centre (Cabramatta Town Centre)

Specialist centres are characterised by:

- *The provision of a wide range of retail and commercial services to a large ethnic community;*
- *The presence of the widest range of specialty shops targeting the needs of the ethnic community;*
- *Its location on a major public transport network;*
- *Generally containing in the order of 60,000m² of retail floor space together with a wide range of non-retail services including office space, community services, health facilities and education services targeting the ethnic community;*
- *Providing for specialist shopping needs of the ethnic community; and*
- *Its ability to attract large numbers of day-trippers from outside LGA seeking a special shopping and cultural experience.*

Local centres

Local Centres are characterised by:

- *The provision of retail and commercial services to one or more suburbs within Fairfield LGA (usually about 20,000 persons);*
- *Generally containing between 5,000 – 10,000m² of retail floor space and providing retail services to one or more suburbs;*
- *The presence of a medium scale to full-line supermarket (1,000 to 4,000m²);*
- *Providing for the major weekly food shopping and convenience retail needs of the population of more than one suburb providing a range of non-retail professional and personal services; and*
- *Possibly including ancillary services such as a tavern, professional and health services, community facilities, post office and service station.*

Centres in Fairfield within this category are; Canley Heights, Canley Vale, Edensor Park, Fairfield Heights, Greenfield Park, Smithfield, Villawood, Wetherill Park (Market Town), Wakeley, Horsley Park Village and Fairfield West (Market Town).

Neighbourhood centres

Neighbourhood Centres are characterised by:

- *The provision of retail and commercial services to the surrounding neighbourhood or suburb within Fairfield LGA (usually up to 10,000 persons);*
- *Generally containing <2,000m² of retail floor space;*
- *Providing convenience retail services to the residents of the neighbourhood or suburb in which it is located and may contain a small grocery/supermarket store- usually of <500m²; and*
- *Providing a limited range of non-retail services such as a medical practice or post office.*

Specialised retail premises/centres in Zone E4 – General Industrial

Specialised retail premises is the term applying to those premises that accommodate bulky goods showrooms for goods that require a large area for handling, display or storage, for example:

- *Facilities concentrated along the Hume Highway; and*

- *Greenway SupaCentre*

Specific areas of the E4 General Industrial zone located along major arterial road corridors have additional permitted use provisions under Schedule 1 of Fairfield LEP 2013. These areas are identified as site No. "30" on the Key Sites Map of Fairfield LEP 2013. In addition to the land uses permitted under the E4 General Industrial Land Use table the following land uses are also permitted with development consent:

- (i) specialised retail premises;*
- (ii) medical centres;*
- (iii) health consulting rooms; and*
- (iv) information and education facilities.*

3.2 Specialist Economic Impact Assessment

During Council's assessment of the Planning Proposal to amend the zoning of Lot 5, a specialist economic impact assessment was commissioned. This study examined available expenditure within the retail trade catchment having regard to household expenditure, capture of passing trade and the size and proximity of competing retail outlets. The report concluded that the maximum additional retail floor space which can be accommodated by development of Lot 5 is 1500m².

Objectives

- a) To ensure that Wetherill Park Market Town fulfills, but does not exceed its role as a Local Centre.
- b) To ensure that the future growth within the Wetherill Park Market Town shopping centre achieves a broadening and strengthening of its economic base but which does not result in vertical movement of the centre up the retail hierarchy.

Controls

- a) Any additions to retail or commercial floor space are to ensure that the total retail or commercial floorspace of the Wetherill Park Market Town Shopping Centre, located upon lots 4 and 5, does not exceed 7500m² Gross Leasable Area.
- b) An Economic Impact Assessment shall be submitted as part of any development application for proposed redevelopment of the site to ensure that Wetherill Park Market Town achieves a broadening and strengthening of its economic base as a local centre, but does not result in vertical movement of the centre up the retail hierarchy of the Fairfield City Centres Policy 2015.
- c) For the purposes of calculating Gross Leasable Floor Area of retail floor space in accordance with (a) above, the floor space of existing 10 pin bowling alley is not included as retail floor space.
- d) Where there is an inconsistency between the development controls contained within Chapter 8 — Neighbourhood and Local Centres of the Fairfield City Wide DCP 2024, then the controls in this Site Specific DCP prevail in respect to the inconsistency.

4. Site consolidation

4.1 Overview

The land to which this DCP applies comprises two allotments, being Lots 4 and 5 DP 714281. The existing Wetherill Park Market Town Shopping Centre is located on Lot 4. The southern adjoining Lot 5 has been rezoned to permit a range of uses such as retail, commercial, shop top housing, multi dwelling housing, and residential flat buildings. However, it is important that the two sites continue to operate in a functionally coordinated and cohesive manner.

Objectives

- a) To ensure that Lots 4 and 5 DP 714281 are developed as a single shopping centre with relevant permitted uses operating in a functionally coordinated and cohesive manner. The development shall be under the care, control and management of a single owner, whether the owner is a private individual, corporation or other legally registered entity, notwithstanding separate strata ownership of residential units.
- b) To avoid future design complications arising from Building Code of Australia requirements in relation to site boundaries as a fire source feature.

Controls

- a) Lots 4 and 5 DP 714281 are to be consolidated into single ownership prior to issue of any construction certificate relating to a Development Consent for large scale redevelopment of Lot 5 as anticipated under this DCP. Any consent of development of the kind anticipated under this DCP is to include a condition requiring consolidation to occur prior to issue of a Construction Certificate.

5. Building design

5.1 Overview

The controls provided in Section 5 of this DCP relate to the design, siting, massing, height, bulk and scale, and aesthetic treatment of new development occurring on the site.

An important part of the design process is to ensure that new development positively and sensitively responds to its contextual setting. Wetherill Park Market Town is adjoined by low-density residential housing on the northern side of The Horsley Drive as well as on the western side of Rossetti Street. It is important that new development of the subject site sensitively responds to the scale and character of adjoining residential development and also ensures that the existing level of amenity enjoyed by surrounding residents is protected.

Of particular significance to the site's context, is Emerson Street Reserve, which adjoins the subject site on its eastern boundary. Development of Lot 5 is to incorporate pedestrian movement through the site, between Rossetti Street and Emerson Street Reserve. It is also important that the future built form provides a high-quality architectural expression to the Reserve and maintains a scale which is compatible with the Reserve's open character and spaciousness. The building envelope and site master plan adopted by this DCP has been designed having regard to these issues.

Ground floor walls of the existing building on Lot 4 which present to Emerson Street Reserve also provide a potential canvas for public art and the requirement for, and mechanism by which this can be achieved forms part of the DCP.

Good design aims to achieve functional, efficient, comfortable, and safe environments. To this extent, the controls contained within this section incorporate and adopt many of the standards, considerations and design principles arising from –State Environmental Planning Policy (Housing) 2021, NSW Apartment Design Guide (ADG), and Crime Prevention Through Environmental Design (CPTED).

The controls also provide for new commercial/ retail floor space to be provided at ground floor level within an activated elevation facing Rossetti Street.

5.2 Building envelope

Objectives

- a) To allow for flexibility in the assessment of applications for the site, whether as mixed use shop top housing, commercial and residential development or a retail and commercial development.
- b) To ensure development carried out in accordance with this plan provides a built form, which is sympathetic to the character of the locality with respect to bulk and scale and which maintains a human scale when viewed from the public domain, and in particular Emerson Street Reserve, as well as when viewed from adjoining residential properties.
- c) To achieve a sensitive interface with adjoining residential development, particularly that located on the western side of Rossetti Street, by ensuring that the upper levels

of the development are sufficiently setback so that their visibility when viewed from the western side of Rossetti Street, is obscured by the street wall height.

- d) To set site planning requirements to ensure that when viewed from Emerson Street Reserve, that the development presents as two built forms rather than a single monolithic slab.
- e) To provide certainty to the community and the development industry as to the desired future built form and character of the site.
- f) To provide a built form which is water and energy efficient.
- g) To achieve acceptable solar penetration into the site and to ensure overshadowing of adjoining lands is minimised.
- h) That an activated commercial /retail façade at ground floor level fronting Rossetti Street.

Controls

- a) Retail floor space is to be located with active frontage to Rossetti Street and is to be located adjacent the existing loading dock in accordance with *Figure 6*. The retail floor space is to occupy a maximum floor space of 1500m² GFA.
- b) The maximum permissible street wall height to Rossetti Street is two storeys and 8 m above natural ground level as shown in *Figures 2 and 3*.
- c) The maximum permissible height of new buildings on the eastern boundary fronting Emerson Street Reserve is to be a maximum of 14 metres above natural ground level as shown in *Figures 2 and 3*.
- d) The maximum number of residential storeys fronting Emerson Street Reserve, and rear of the building elements fronting Rossetti Street, should not exceed a maximum of 4 storeys (12 metres) above the car parking levels.
- e) Development shall ensure that a progressive setback is provided to the Rossetti Street elevation by the use of a sight line constructed in accordance with *Figures 2 and 3*.
- f) Maximum permissible heights at all other locations are variable in accordance with the Building Envelope Plan depicted in *Figures 4 and 5* of this DCP.
- g) The line of sight projection is to ensure that residential levels above the podium are to be setback from Rossetti Street by a sufficient distance to ensure that upper levels are obscured from view, when viewed from the footpath on the western side of Rossetti Street, by the street wall height of the development fronting Rossetti Street and ground and first floor levels. The height above the footpath for the purpose of the height projection is 1.7 metres with a 20 degree plane.

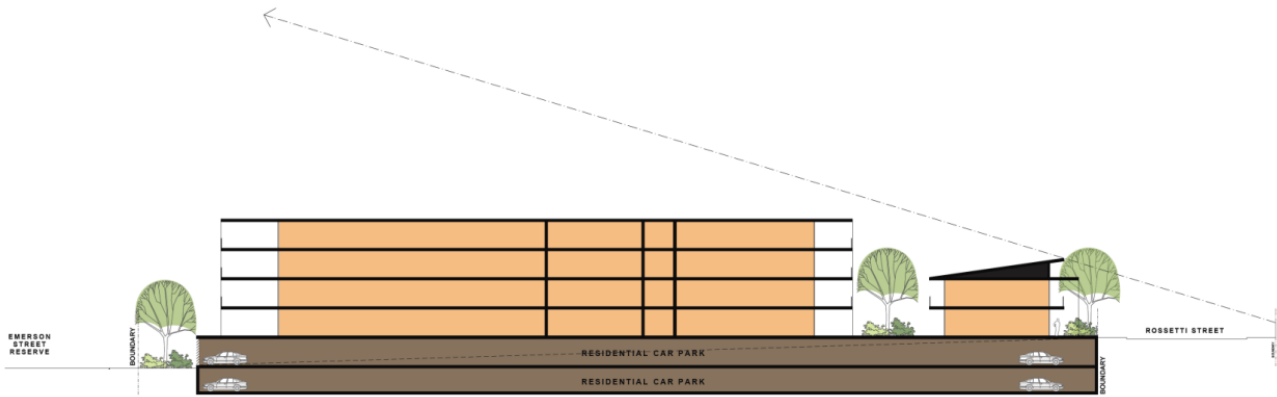


Figure 2: Scenario 1 Mixed use, shop top housing development: Progressive setback to Rossetti Street for mixed use development containing residential accommodation.

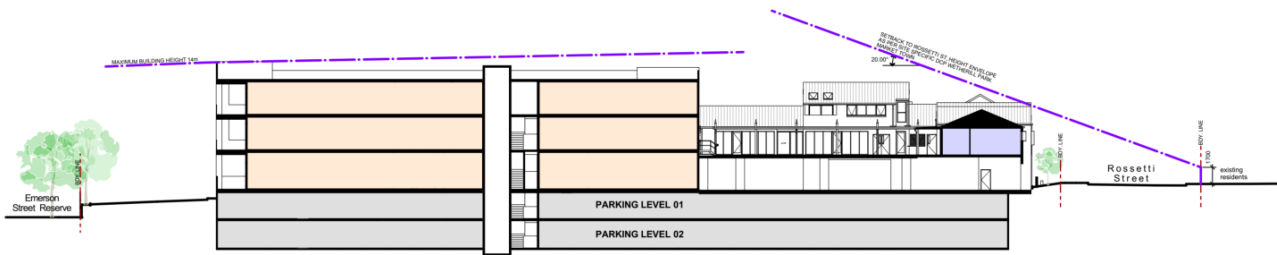


Figure 3: Scenario 2 Retail and commercial development: Progressive setback to Rossetti Street for a development containing retail, commercial and other non-residential land uses.

6. Setbacks and building separation

Objectives

- a) To ensure that development achieves satisfactory light and ventilation to residential units and communal open space areas.
- b) To ensure that development achieves satisfactory visual and acoustic privacy between dwellings.
- c) To ensure that development is scaled to achieve appropriate massing and spaces between buildings.
- d) To allow for the provision of communal open spaces having appropriate size and proportion for recreational activities.
- e) To ensure that sufficient setbacks are provided to enable substantive screen planting within a deep soil zone.

Controls

- a) The Building Envelope controls require setbacks to the external western boundary (Rossetti Street) to be 3 metres.

Note: With the exception of basement car parking levels which can be built to the lot boundary consistent with Figure 2 or 3.

The Rossetti Street frontage has been set to match setback of the existing retail building on Lot 4 and to provide a pedestrian entry threshold to the building.

- b) The Building Envelope controls require setbacks to the external southern boundary to allow for dense screen planting within a deep soil zone and also to ensure opportunity for fenestration openings within both elevations. Setbacks are to be:

- i. For mixed use development with residential accommodation: 7 metres

Note: The setback requirement applies to the residential storeys as well as the car parking levels in order to permit the establishment of a deep soil zone as depicted in Figure 10.

- ii. For development containing retail, commercial and other non-residential land uses: 6 metres

- c) The Building Envelope controls require setbacks to the external eastern boundary (Emerson Street Reserve) to allow for dense screen planting within a deep soil zone and also to ensure opportunity for fenestration openings within both elevations. Setbacks are to be:

- i. For mixed use development with residential accommodation: 6 metres

- ii. For development containing retail, commercial and other non-residential land uses: 12 metres
- d) Minimum acceptable building separation controls are as shown in *Figure 4* of this DCP for mixed use development including residential accommodation:
- i. 17 metres between habitable rooms/ balconies.
 - ii. 9 metres between habitable rooms/ balconies and non-habitable rooms.
 - iii. 6 metres between non-habitable rooms.

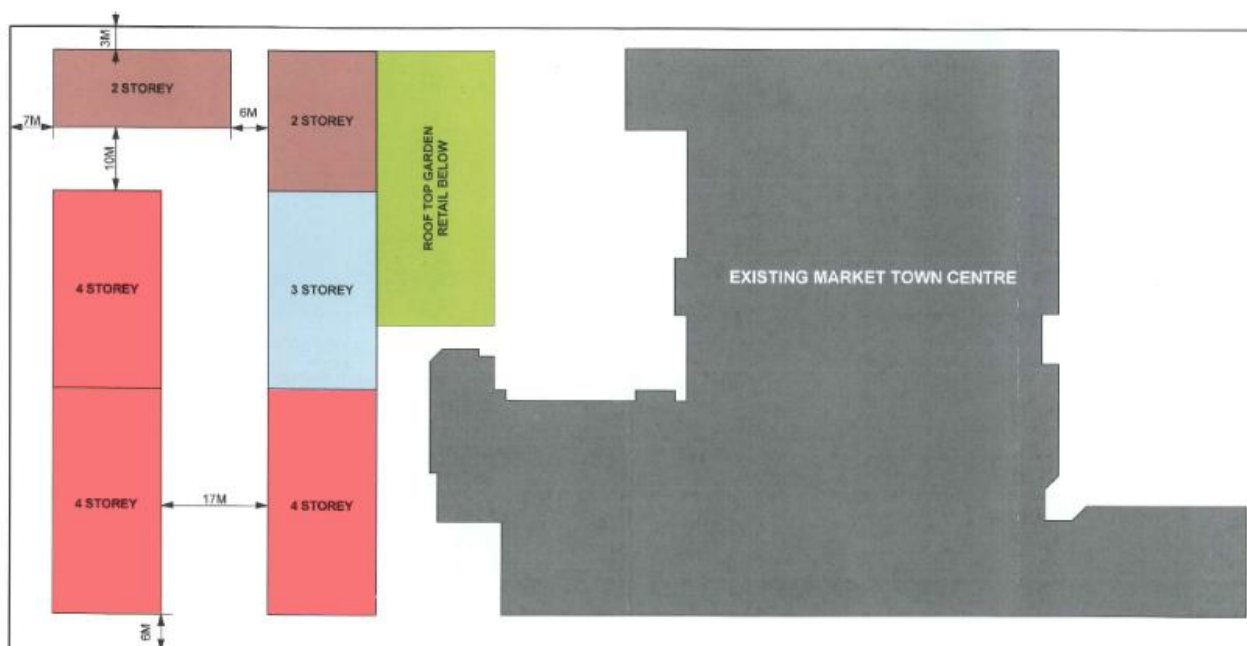


Figure 4: Building separation and setback requirements for development containing residential accommodation.

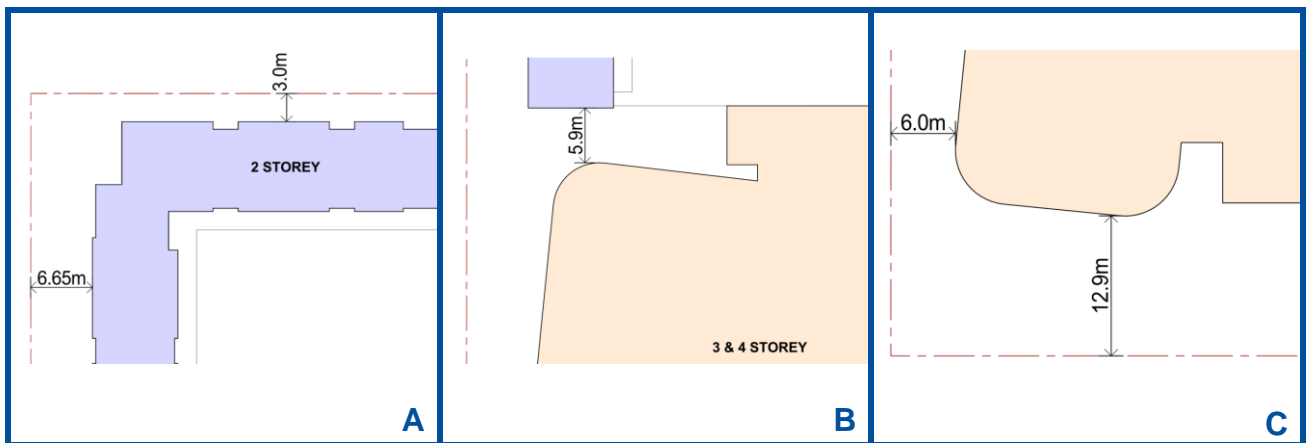
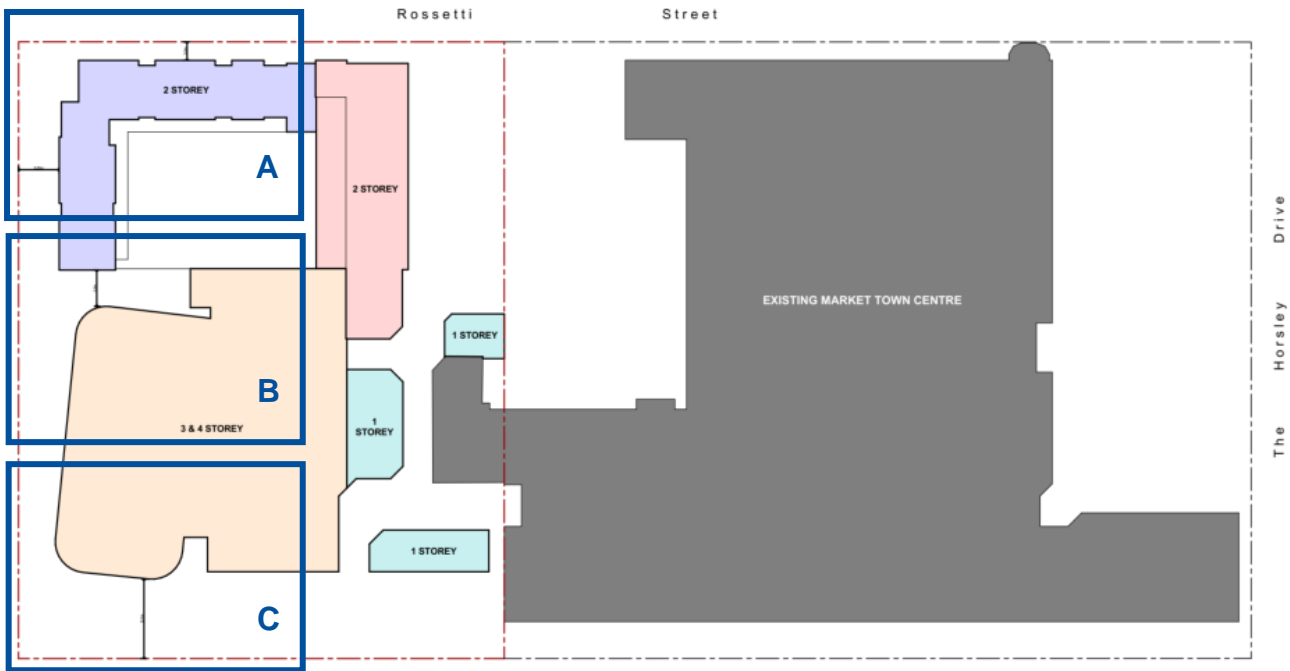


Figure 5: Building separation and setback requirements for a development containing retail, commercial and other non-residential land uses.

Note: Number of Storeys shown in the above diagram is the number of storeys permitted above the 2 levels of car park shown in Figure 2 that fits within the 14 metre height control for this site.

It is noted in relation to Clause 6(b)(i) above that the minimum building separation between 5-8 storey buildings under the NSW Residential Flat Design Code is 18m. This DCP, in consultation with urban design experts, allows for a minor variation to the Residential Flat Design Code standard on the grounds the relevant building heights are 5 and 6 storeys and that the 5 storey building is situated on the northern side of the 6 storey building to allow greater solar penetration than would be the case if both buildings were 6 storeys in height or the northern building were 6 storeys. In this regard, it is critical and relevant that the building envelope has been tested to ensure a minimum of 70% of all dwellings achieve 3 hours solar access between 9am and 3pm mid winter.

7. Floor space ratio

Objectives

- a) To ensure the development is in keeping with the optimum capacity of the site and the local area.
- b) To provide opportunities for modulation and depth of external walls within the allowable FSR.
- c) To allow generously sized, habitable balconies.

Controls

- a) The maximum permissible FSR for new development of Lot 5 is 1.45: 1 and which is to be calculated on the basis of the site area of Lot 5 only.

8. Urban design principles

Objectives

- a) To ensure that new development of Lot 5 is visually as well as functionally cohesive with the built form character of existing commercial floor space occurring on Lot 4.
- b) To ensure that new development of Lot 5 provides a high quality architectural expression which incorporate building facades which define and enhance the public domain.

Controls

- a) New development of Lot 5 is to incorporate colours, textures and materials which serve to integrate existing and new development. This can be achieved by selecting colours and materials which are compatible with the pallet used by the existing shopping centre, or by modification and upgrading of the external finishes and materials of the existing shopping centre. The retail building façade to Rossetti Street is to be activated.
- b) For mixed use development including residential accommodation, the facade detailing of the new development of Lot 5 is to be consistent with Part 4M Facades of the NSW Apartment Design Guide.
- c) New development is to employ architectural techniques including building articulation, fenestration proportioning, roof form manipulation and colours and textures pallet selection which:
 - i. Enhances and protects the pedestrian realm and other public spaces including Emerson Street Reserve
 - ii. Retain a human scale at the street edge
 - iii. Assists in defining a sense of place which is unique and characteristic of Wetherill Park Market Town Shopping Centre

9. Movement and access

9.1 Pedestrian through link

Objectives

- a) To provide safe, convenient, attractive and disabled accessible pedestrian thoroughfare through the site between Rossetti Street and Emerson Street Reserve.
- b) To ensure after hours pedestrian access is controlled through 'barriers to entry' in accordance with principles of Crime Prevention Through Environmental Design.
- c) To improve access to retail floor space for improved commercial viability.

Controls

- a) Any design for additional development over Lot 5 is to ensure that disabled accessible pedestrian movement can be achieved between Emerson Street Reserve and Rossetti Street.
- b) In order to ensure good passive and active surveillance opportunity of the pedestrian through link, only one such link will be permitted.
- c) The link is required to be generally in the location shown on the masterplan site layout as illustrated in:
 - i. *Figure 6* of this DCP for mixed use development including residential accommodation.
 - ii. *Figure 7* of this DCP for development containing retail, commercial and other non-residential land uses.
- d) The minimum width of the pedestrian thoroughfare is required to ensure the space retains an open and inviting feel and can accommodate benches and other seating, and shall be:
 - i. For mixed use development including residential accommodation: 15 metres as shown in *Figure 6*.
 - ii. For development containing retail, commercial and other non-residential land uses: 5 metres as shown in *Figure 7*.
- e) The design language used to ensure the legibility of publicly accessible access, shall include attention to colours, materials, landscaping, street furnishings as well as proportions and widths of access routes.
- f) It is the responsibility of the applicant to submit such information with the Development Application so as to demonstrate legible, high amenity, publicly accessible access.

- g) The pedestrian access shall be made available and freely accessible to members of the public at all times during the operating hours of shopping centre.
- h) Nothing within this DCP requires pedestrian access to be made available to the public outside the operating hours of the shopping centre.
- i) Security gates are required to be installed in such a way as to prevent afterhours access into the site. Full details of location, materials, design and visual presentation of the gates must be submitted with the Development Application to enable Council to properly assess public domain impacts of the gates.

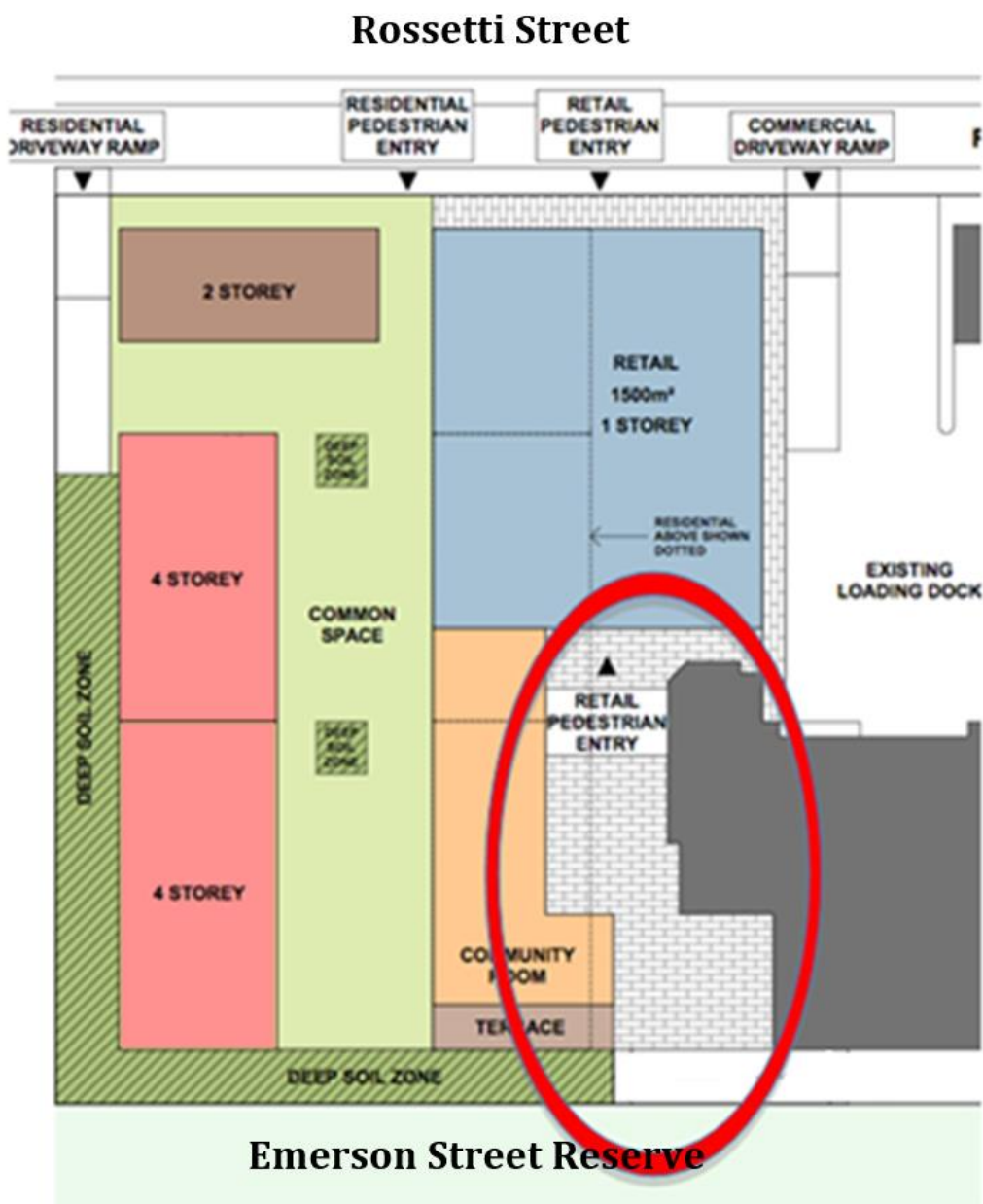


Figure 6: Preferred location of pedestrian thoroughfare link for mixed use development including residential accommodation.

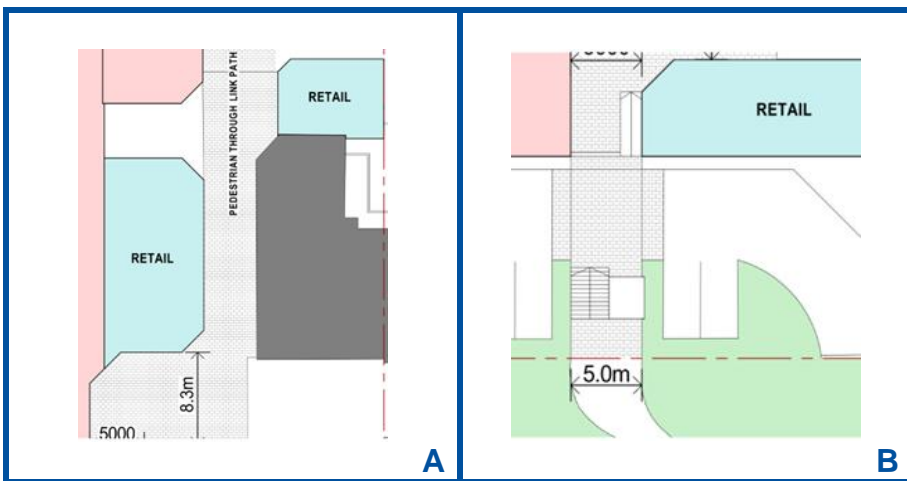
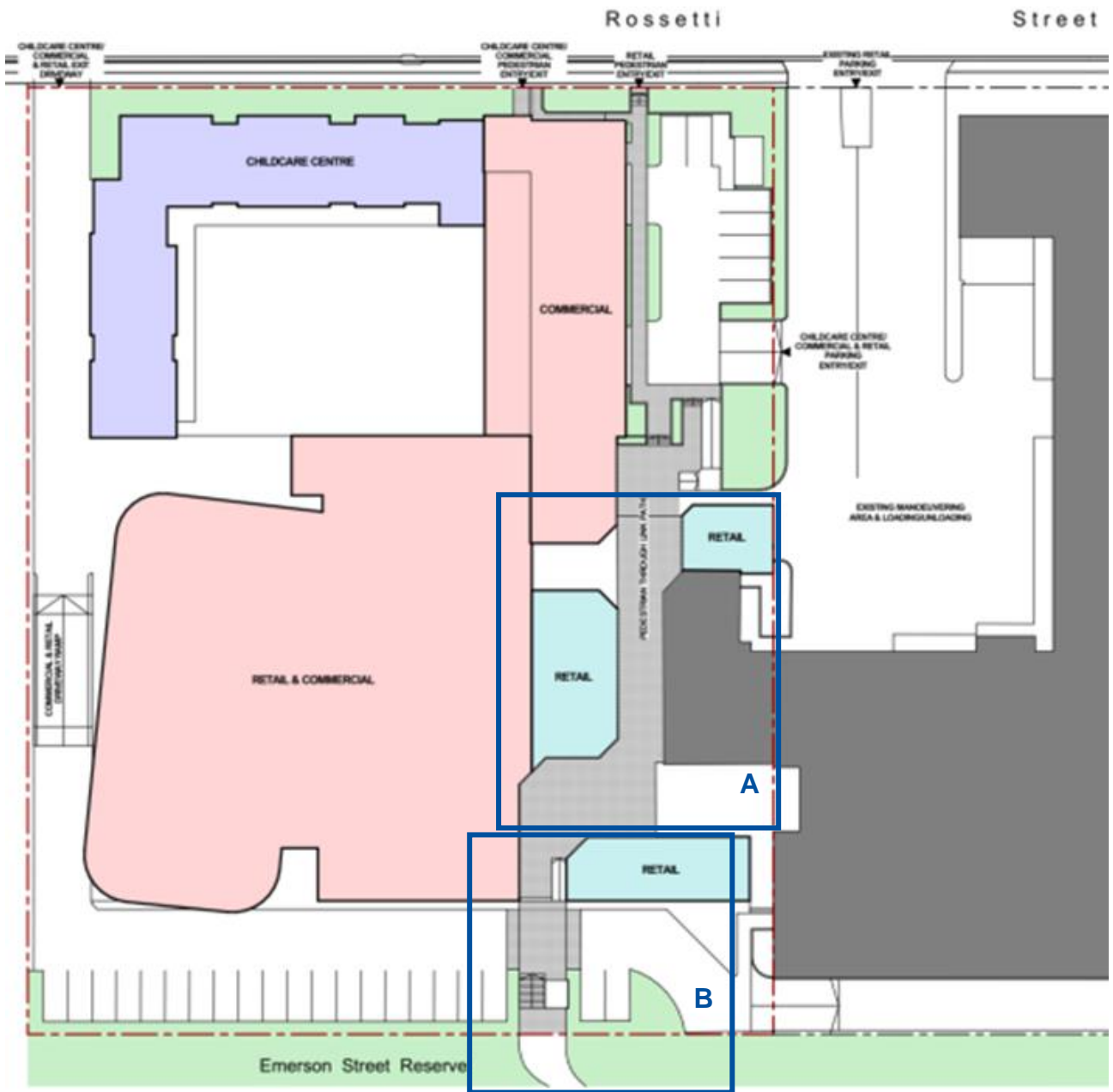


Figure 7: Preferred location of pedestrian thoroughfare link for development containing retail, commercial and other non-residential land uses.

9.2 Vehicular access and parking

Objectives

- a) To minimise conflicts and safety hazards associated with commercial vehicle access and manoeuvring by separating the loading dock and utility area, both physically and visually, from customer parking and pedestrian movement areas.
- b) To separate retail and residential orientated traffic for mixed use development.
- c) To ensure that adequate car-parking is provided on site.
- d) To encourage bicycle usage by providing full bike storage, especially given that the centre is located adjacent to Council's cycleway.
- e) To ensure that resident parking is secure and separated from parking associated with retail and commercial uses for mixed use development.
- f) To ensure that resident visitor parking is accessible at all times, including outside retail and commercial operating hours for mixed use development.
- g) To ensure high quality presentation of the development to Emerson Street Reserve by requiring basement parking to be substantially below natural ground level.
- h) To ensure opportunity is retained for deep soil planting within the residential communal open space area for mixed use development.
- i) To minimise the travel distance of retail related traffic along Rossetti Street.

Controls

- a) Commercial vehicle access, manoeuvring and loading shall occur within the site's existing loading dock located upon Lot 4 and 5.
- b) Basement access ramps are to be positioned in accordance with the masterplan as highlighted in:
 - i. *Figure 8* for mixed use development including residential accommodation.
 - ii. *Figure 9* for development containing retail, commercial and other non-residential land uses.
- c) Ramp design, car parking and aisle width dimensions as well as car parking rates shall be in accordance with the provisions of Fairfield City Wide Development Control Plan 2024 Chapter 12 and Australian Standard 2890.2 – Off-Street Parking Facilities.
- d) The basement parking design shall allow for deep soil planting along the southern and eastern boundaries in accordance with the building envelope setback controls outlined in Chapter 6 of this DCP. In addition, at least one deep soil area is required underneath the residential communal open space area to accommodate a

substantial sized tree in that space for mixed use development. *Figure 10* below illustrates one possible example.

- e) Given that Lot 5 is currently used to provide car-parking spaces for development occurring on Lot 4, the two lots shall be consolidated prior to any further development of Lot 5.
- f) A minimum of one (1) bicycle parking/storage facility for every 20 car-parking spaces shall be provided near entrances or in the pedestrian through link to Emerson Street Reserve if the development includes residential components.
- g) Residential parking shall be secure and separated from retail parking, and preferably located on a separate basement level if the development includes residential components.
- h) An intercom facility shall be provided at the entry to the residential basement access ramp to facilitate afterhours access to resident visitor spaces if the development includes residential components.
- i) Provisions shall be made to ensure that the operation of the intercom facility does not impede the normal operation of the entry to the residential car park such as a slip lane or alternatively separating the visitor spaces from the secure residential parking areas if the development includes residential components.
- j) All car parking generated by the development in accordance with the parking requirements detailed in Chapter 12 – Car Parking, Vehicle and Access Management of Fairfield City Wide DCP 2024, shall be provided on site. No provision exists for contributions in lieu of car parking under Section 94 of the Environmental Planning and Assessment act, 1979.
- k) Parking provision contained on Lot 5 but which relates to the existing development on Lot 4 must be retained in any redevelopment of the site.

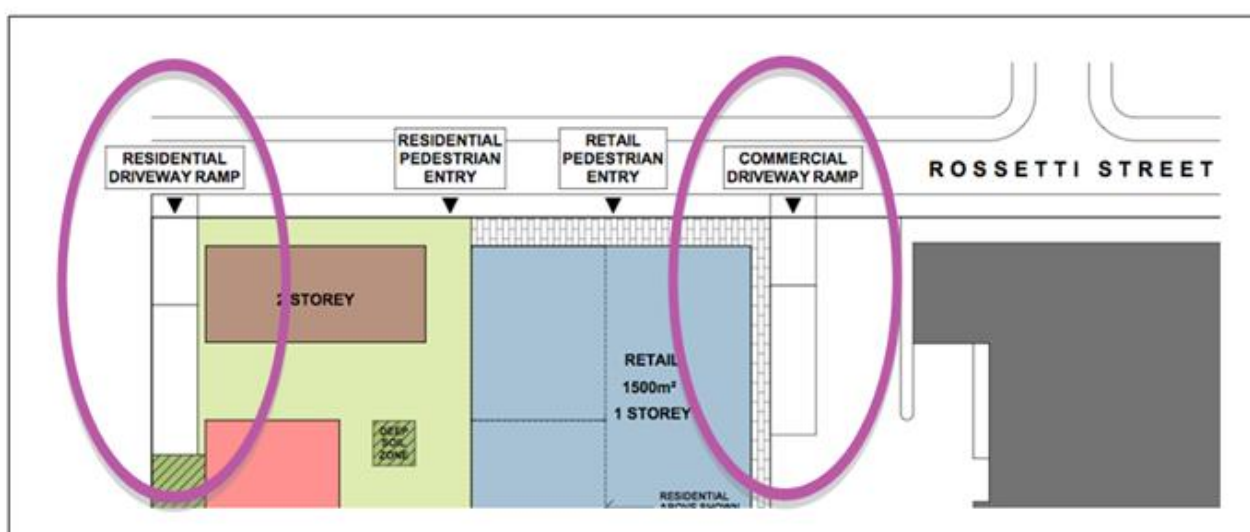


Figure 8: Preferred location of commercial and residential access ramps for mixed use development.

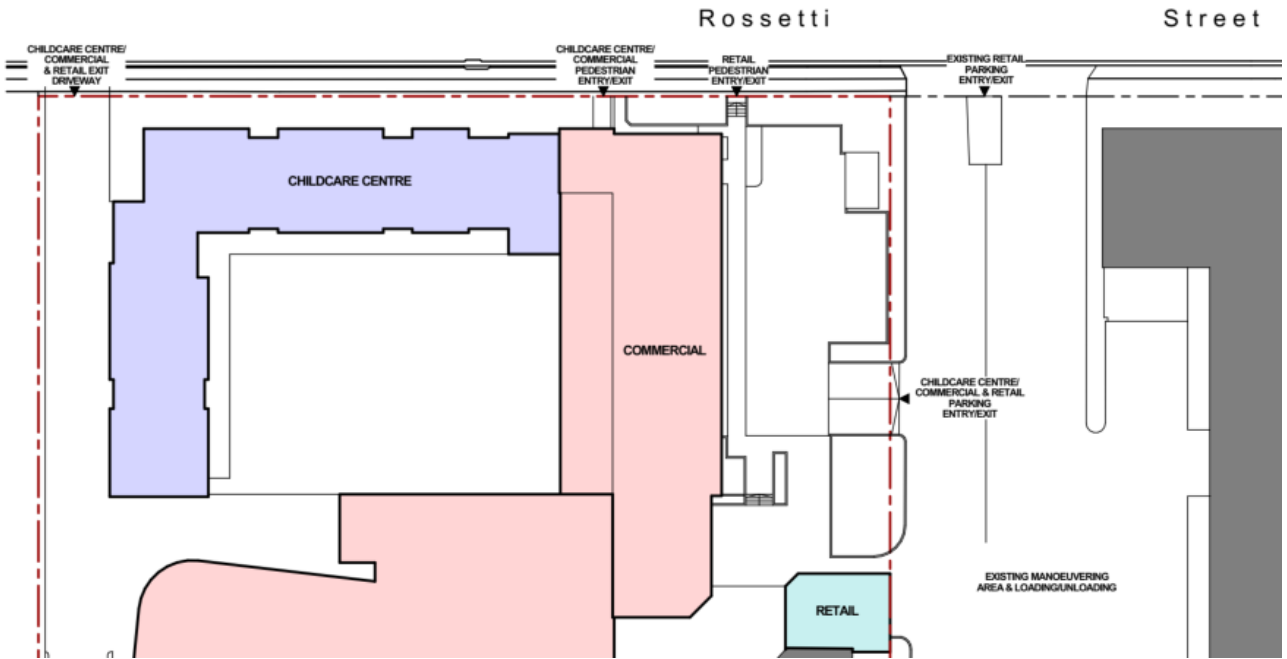


Figure 9: Preferred location of access ramps for development including retail, commercial and other non-residential land uses.

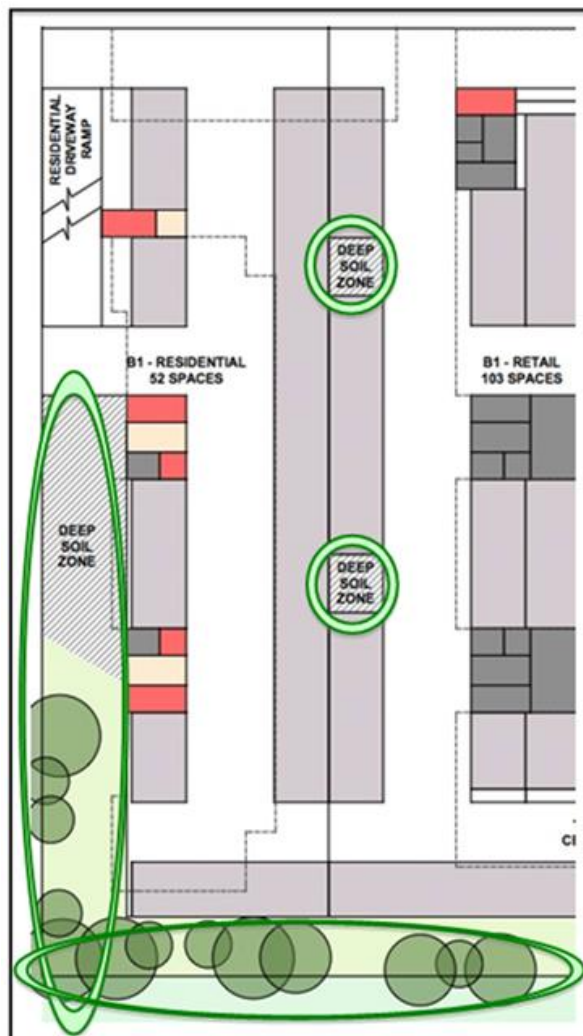


Figure 10: Deep soil zones with the basement parking structure to allow deep soil planting within the residential communal open space area for development including residential components.

9.3 Pedestrian access

Objectives

- a) To ensure that pedestrian access to different uses within the development, are clearly discernible and legible to their intended purpose.
- b) To ensure that pedestrian access to retail floor space including access from Emerson Street Reserve is inviting, legible and safe.
- c) To ensure that access to residential areas by residents and visitors is legible, convenient and safe in development including residential accommodation.

Controls

- a) Convenient and direct access to retail and/or commercial floor space is to be made available from the pedestrian thoroughfare required under Clause 9.1(c) of this DCP, linking Rossetti Street with Emerson Street Reserve.
- b) Attention is to be given to the use of materials, colours, textures and signage to ensure pedestrian access points from Emerson Street Reserve are legible as publicly accessible.
- c) Residential access shall be provided in such a manner as to not require thoroughfare through commercial and/or retail floor space with the exception of Clause 13.1(e) for any development including residential components.
- d) Lift access is to be provided directly between the basement resident parking area and residential levels of the development should the development include residential components.
- e) Ramp, travelator or lift access is to be provided between the retail parking basement level and the retail floor space.
- f) Residential access routes are to be clearly identifiable and legible from the public domain for mixed use and residential development.

10. Crime prevention through environmental design

10.1 Overview

Crime Prevention through Environmental Design (CPTED) refers to the process of designing buildings, spaces, and places in a manner which minimises opportunity, and decreases the incentive for crime to occur. The principal policy document for CPTED in NSW is *Crime Prevention and the Assessment of Development Applications - Guidelines Under Section 79C of the Environmental Planning and Assessment Act 1979*, Department of Urban Affairs and Planning, 2001.

This section of the DCP invokes the provisions of that document.

Objectives

- a) To ensure that new development contributes to a safe urban environment for users of the site, adjoining and surrounding landowners and the wider community.
- b) To ensure that new development contributes to the creation of a physical environment that encourages a sense of safety for its users.
- c) To reduce the opportunity for crime to occur within and around the subject site.
- d) To ensure that new development is consistent with principals of Crime Prevention through Environmental Design (CPTED).

Controls

- a) A detailed CPTED assessment is to be submitted with the development application which assesses the degree to which the control principles have been implemented in the submitted design.

11. Public art

11.1 Overview

Public art in urban environments can provide opportunity for social, economic, cultural, ecological, visual and spiritual enrichment for residents and visitors to Fairfield City.

In the case of the subject site, public art provides opportunity to soften the visual presentation of the existing basement wall on Lot 4 which presents to Emerson Street Reserve, in a way which engages local community groups.

Objectives

- a) To facilitate the provision of a public art mural on the existing podium wall fronting Emerson Street Reserve.
- b) To enrich the lives of residents and visitors of Fairfield City by providing opportunities for cultural and/or artistic expression which promotes a sense of place and local identity.
- c) To ensure that public art contributions for the proposed development are strategically planned, adequately resourced and effectively managed.

Controls

- a) The podium wall fronting Emerson Street Reserve is to be afforded opportunity for public art in the form of a public art element. Any proposed public art should update or expand on any existing public art elements.
- b) The nature and form of the public art element is to be approved by Council prior to work commencing.
- c) The value of the public art element shall not be less than 1% of the Capital Investment Value of the development project.
- d) Where feasible the public art element may also function as a screening device to open car parking spaces.

12. Residential development

12.1 Overview

The principal policy framework for Residential Flat Building Design within NSW is State Environmental Planning Policy (Housing) 2021 together with the NSW NSW Apartment Design Guide.

Fairfield City Council has adopted development controls contained in Chapter 7 – Residential Flat Buildings, of Fairfield City Wide DCP 2024. These controls supplement those contained in the NSW Apartment Design Guide and are applicable to the residential flat component of development on Lots 4 and 5.

These objectives and controls have been included to guide residential development, should it be included in plans to redevelop the site. These controls do not apply to non residential development.

Objectives

- a) To ensure that residential unit development is consistent with the aims, objectives and development standards contained within State Environmental Planning Policy (Housing) 2021, NSW Apartment Design Guide and Chapter 7 – Residential Flat Buildings, Fairfield City Wide DCP 2024.

Controls

- a) Development for the purposes of residential flat buildings is to be designed in accordance with the design quality principles contained within the State Environmental Planning Policy (Housing) 2021, is to be designed by a registered architect and accompanied by a Design Verification Statement in accordance with the requirements of Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.
- b) The specific development controls contained within Chapter 7 – Residential Flat Buildings, of Fairfield City Wide DCP 2024, are adopted under this DCP.
- c) Where there is an inconsistency between the development controls contained with Chapter 7 – Residential Flat Buildings, of Fairfield City Wide DCP 2024, then the controls in this Site Specific DCP prevail in respect to the inconsistency.

13. Waste management and site services

13.1 Overview

Provision of adequate facilities for waste storage and collection is an important component of the successful operation of retail and commercial developments. In the case of mixed use development, it is also necessary that the interaction between commercial and residential waste management requirements are properly considered at the design stage.

The functionality of retail and commercial development and the amenity of residential development is also influenced by the provision of suitable and appropriate site services, including loading and unloading opportunities, laundries, telecommunications, electricity sub-stations, and fire fighting equipment.

Objectives

- a) To minimise the impact of service area access on pedestrians and the retail frontage.
- b) To ensure that sufficient provision is made for the following services for new development occurring on Lot 5:
 - i. Garbage storage and collection areas,
 - ii. Loading and unloading facilities,
 - iii. Ventilation stacks from shops and basements,
 - iv. Laundries,
 - v. Telecommunications,
 - vi. Electricity sub-stations,
 - vii. Fire-fighting equipment.
- c) To ensure that the streetscape retains an active frontage 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 collection is to occur from the Rossetti Street commercial vehicle servicing area required under Clause 9.2(b) of this DCP.
- b) Refer to Chapter 7 – Residential Flat Buildings of the Fairfield City Wide DCP 2024 for provisions relating to managing and storage of waste for residential flat building developments.
- c) Ventilation stacks to be utilised wherever possible to ventilate the basement and retail areas not serviced with window ventilation.

- d) Where residential development is proposed, a laundry is to be provided to each residential unit and shall be located so as to not adversely affect the presentation of the building to the public domain.
- e) Opportunity is to be provided to accommodate a removalist truck within the commercial vehicle servicing area to accommodate furniture removals in the event of residential components being included in the proposed development. The design is to ensure that there is a suitable path of travel from this area to the residential lifts and or stair wells.
- f) 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) Council's Drug Action Plan includes objectives relating to the management of needles. In any redevelopment where public toilets are to be provided a needle disposal bin must be provided and maintained.

14. Drainage and stormwater detention

14.1 Overview

Stormwater drainage design is an important consideration in planning the development layout. In general, stormwater drainage of the site must be gravity fed into Council's system. A concept stormwater plan in accordance with Council's Stormwater Drainage Policy is required to be submitted with the Development Application.

On-site stormwater detention basins often appear after a design has been established and as such detract from the overall presentation of the development. Rather than being a liability, detention basins can serve as features or highlights of the development. This can be achieved by designing the basin so that it appears as a courtyard/green, or as a natural feature such as a creek bed. A full description of OSD requirements is available in Council's "On-Site Detention Handbook".

Note 1: Development that does not propose an increase in impervious surfaces generally would not be required to provide OSD, however, it is recommended that this issue be discussed at the Development Advisory Meeting (DAM) prior to submitting a development application.

Note 2: Development applications potentially affected by flooding are assessed and determined recognising that different controls are applicable to different land uses and levels of potential flood inundation and hazard. Refer to the Chapter 11 Flood Risk Management in the Fairfield City wide Development Control Plan 2024 for more information.

Objectives

- a) To control flooding, prevent stormwater damage and provide an adequate stormwater drainage system for the development.
- b) To ensure stormwater detention facilities in landscaped or open space areas enhance rather than detract from the development.
- c) To ensure that the siting of any building elements are clear of any existing overland flow paths or if not clear then flow paths are managed in such a way so as not to adversely impact on adjoining properties.
- d) To ensure that any works (such as landscaping) do not impact on the function of existing overland flow paths.
- e) To minimise increases in flood levels on the major trunk drainage network and on the creek system.
- f) To minimise downstream flooding caused by surcharging of the local drainage system.
- g) To ensure that on-site stormwater detention (OSD) systems are considered at the very early stages of the design process so that adequate storage areas can be located in the most efficient, attractive and cost effective way.

Controls

Drainage

- a) Where the development site does not fall/slope towards the street and there is no drainage outlet for the property, a concept plan demonstrating how the development will be drained must be submitted.
- b) If drainage involves the installation of a pipeline across adjoining or nearby properties, an “Easement to Drain Water” will be required to be created prior to release of an operational Development Consent.

Stormwater Detention

- a) Applicants should seek site-specific advice from Council on overland flow paths and OSD requirements at the early development concept stage, before submitting an application.
- b) Permissible site discharges (PSD) are as follows:
 - i. The PSD for the 9 hour 1 in 100 year Annual Recurrence Interval (ARI) storm event is to be 140 litre/second/hectare,
 - ii. The PSD for the shorter duration 1 in 5 year ARI storm event is to be the undeveloped site discharge for the corresponding storm event, and
 - iii. The PSD for the shorter duration 1 in 100 year ARI storm even is to be the undeveloped site discharge for the corresponding storm event.
- c) In the interest of safety and amenity, ponded water depths are not to exceed:
 - i. Parking/paved areas 0.2 m,
 - ii. Landscaping 0.5 m,
 - iii. Covered storage no limit,
 - iv. Fenced storage no limit, and
 - v. Roof area (as required for structural integrity).
- d) 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 – 0.3m above the maximum 1 in 100 year OSD water surface level.

