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PLANNING PROPOSAL

CABRA-VALE DIGGERS

AMENDMENT TO FAIRFIELD LOCAL ENVIRONMENTAL PLAN 2013 TO ALLOW AN ADDITIONAL LAND USE

SUBMITTED TO: FAIRFIELD CITY COUNCIL

NOVEMBER 2013

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INTRODUCTION

Cityscape Planning + Projects has been engaged by Cabra-Vale Diggers Club to prepare a Planning Proposal for the subject site.

The Planning Proposal explains the intended effect of a proposed Local Environmental Plan (LEP) and sets out the justification for making that plan.

The report has been prepared in accordance with the NSW Department of Planning and Infrastructure requirements as set out in Guide to Preparing *Local Environmental Plans (2009)* and *Guide to Preparing Planning Proposals (2009.)*

SUBJECT SITE

The lands subject of this planning proposal is a large irregular shaped parcel of land located at the north-western corner of Bartley St and Railway Ave, Cabramatta.

The site has the following real property description:

Lot: 51 DP: 1120245

Figures 1 demonstrates the location of the site and Figure 2 provides an aerial photo of the site.



FIGURE 2: AERIAL PHOTO OF SITE



PART 1: OBJECTIVES OR INTENDED OUTCOMES

To enable the *Cabra-vale Diggers Club* to be developed for the purposes of hotel or motel accommodation.

PART 2: EXPLANATION OF PROVISIONS

Amendment of the Fairfield LEP 2013 *Schedule 1 Additional permitted uses* by inserting the following.

Schedule 1 Additional permitted uses

- 19 Use of certain land at Cabramatta at corner of Railway Ave and Bartley St
 - This clause applies to land identified as "19" on the Key Sites Map.
 - (2) Development for the purposes of hotel or motel accommodation is permitted with development consent.

Amendment of the Fairfield LEP 2013 Key Site Map in accordance with the proposed key sites map shown at Part 4 of this report.

PART 3: JUSTIFICATION

SECTION A: NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

An *Urban Form Analysis and Masterplan* has been undertaken and accompanies this planning proposal. This analysis reveals that the site is located on the northern fringe of the Cabramatta CBD and therefore provides an excellent opportunity to provide short-term stay accommodation for visitors and tourists to the Cabramatta town centre and its environs.

The subject site is also located adjacent to established medium to high-density residential development with a maximum building height of 16m (4-5 storeys). In this context a larger building envelope, typically associated with a hotel type building, would not be inconsistent with the prevailing and desired future character of the local area.

The accompanying document also provides a masterplan that seeks to site the hotel at the currently unoccupied south western corner of the site. This built outcome could provide a positive street addresses to the park area to the south and would not cause any adverse overshadowing to private or public open space areas.

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

Councils planning staff have previously considered options for achieving this outcome and have concluded that an addition to schedule 1 represents the best mechanism because:

- 1. This will allow Council to restrict the use tot his particular site and not open up development of all other RE2 Private Recreation zoned land for the purposes of hotel or motel accommodation, particularly where it may not be on keeping with surrounding development and zoning and:
- Council is also able to identify (via a map) only that part of the site upon which the additional permitted use provisions will be applicable....

As such it is considered that the planning proposal is clearly the best means of achieving the objectives or intended outcomes.

3. Is there a net community benefit?

The following section undertakes a 'net community benefit test' in accordance with the parameters defined by the NSW Draft Centres Policy.

• Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800 metres of a transit node)?

An assessment of the Planning Proposal against all state, and regional planning strategies and directions is undertaken at

subsequent sections of this report and demonstrates consistency with all relevant strategies.

• Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?

The subject site is not located within a key centre or corridor as identified by the metropolitan or sub-regional strategies.

• Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?

The site is uniquely placed to deliver short-term accommodation for visitors and tourists to the Cabramatta Town Centre, given the existing land use of the site and its proximity to the Cabramatta Town Centre.

Such characteristics don't necessarily apply to other club sites across the Local Government Area (LGA) so there should not be any realistic expectation that that proposed LEP change would create an precedence or expectation for change for similar changes to either other club sites in the LGA or adjacent residential zoned land.

Further, all of the sites identified a Schedule 1 represent planning anomalies in the sense that they provide a situation where the standard LEP zones their permissible uses do not provide the flexibility to allow strategic or merit based development outcomes. Accordingly, the inclusion of the site at Schedule 1 of the LEP is recognition of the sites unique qualities and therefore should further reduce any case for precedence for additional change to the statutory planning framework.

Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

There are currently no other spot rezoning's proposed for the local area and therefore no cumulative impact.

• Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?

The proposed LEP change will deliver significant permanent employment opportunities. The scale of this employment generation will depend upon the scale and type of any hotel or motel development option that is advanced.

However the *Word Tourist Organization* states that the optimum number of staff per 10 rooms is 8-12 people. Therefore if a 100 room hotel option is advanced for the site then the proposed LEP could generate 80-120 new job opportunities.

• Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?

The subject site provides no residential development opportunity under the existing zoning and therefore its development for the purposes of hotel or motel accommodation development will not result in the loss of any residential land supply.

 Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?

The site is located only 350m from Canley Vale Station and 500m from Cabramatta Station.

Both of these rail stations provide regular train services to the Sydney CBD and broader metropolitan rail network.

The stations also serve as bus interchanges and provide access to regular bus services to local neighbourhoods.

The site is therefore considered to have excellent access to public transport.

The site also enjoys access to a full suite of urban services and infrastructure. There are no known infrastructure capacity constraints in these areas.

• Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?

A future development is likely to lengthen visitation rates to Cabramatta and the LGA and therefore could not be expected to have nay significant impact upon vehicle kilometres travelled (VKT) by visitors to the area.

Nevertheless, the availability of excellent access to public transport to the site could mitigate any increased in vehicle VKT that may occur.

• Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?

The proposed LEP change could provide additional patronage to local bus and rail services and therefore provides an opportunity to make efficient usage of those government services and infrastructure.

Any increase in patronage could be expected to be within the carrying capacity of that infrastructure.

A traffic and parking impact assessment has also been undertaken and demonstrate that further development of the site for the purposes of a hotel or motel will not adversely impact the operational efficiency of the local road network.

 Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding? The site has undergone significant development over many decades and therefore provides no natural environment values.

Similarly, the site is not identified as being exposed to flood or bushfire hazard.

• Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community?

A hotel or motel is not likely to generate additional amenity impacts such as noise or odour, particularly when considered in the context of the existing use of the site for the purposes of a club.

The accompanying *Urban Form Analysis and Masterplan* demonstrate that the site has the ability to absorb a large building envelop without adverse impact to visual qualities of the neighbourhood or solar amenity of adjacent residential development.

• Will the public domain improve?

The development of the south-eastern corner of the site would activate that street frontage and may also provide an address to the park located opposite. This is considered to represent a positive impact on the public domain.

• Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?

Not relevant as no new retail or commercial facilities are proposed.

• If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?

Not relevant as no new retail or commercial facilities are proposed.

• What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?

Cabramatta is an important tourist destination in Sydney's rapidly increasing food tourism economy. There is currently a distinct lack of short-term stay accommodation opportunities within the Cabramatta town centre, area which is having a detrimental impact upon the possible future growth of that part of the economy.

The provision of new tourist accommodation opportunities would therefore promote the growth of that economy segment and could provide a significantly positive impact upon the local economy.

The development of a hotel would also generate significant new local employment opportunities.

As such the draft plan is considered to be in the public interest and failure to proceed with this option would represent a 'loss opportunity cost' that would certainly not be in the public interest.

SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

METROPOLITAN PLAN FOR SYDNEY 2036

This plan represents contemporary metropolitan strategy for the Sydney region. The plan identifies nine (9) different strategic directions and a series of objectives and actions. These are provided below together with an assessment of the planning proposals consistency with each of them.



A4: To continue strengthening Sydney's capacity to attract and retain global business investment	NA		
A5: To strengthen Sydney's role as a hub for NSW, Australia and south east Asia through better communications and transport connections	NA		
A6: To strengthen Sydney's position as a contemporary, global tourism destination	\checkmark	~	The development of a hotel or motel on site would assist in securing the role of Cabramatta as one of Sydney's key food tourism destinations.
A7: To ensure Sydney continues to support major events in iconic locations, and remains competitive in the global event and convention market	√	~	The development of a hotel or motel on site would assist in securing the role of Cabramatta as one of Sydney's iconic food tourism destinations.
A8: To plan and coordinate delivery of infrastructure to meet metropolitan housing and employment growth targets	NA		
A9: To support, protect and enhance nationally and internationally significant infrastructure in the metropolitan area	NA		
A10: To identify and plan for infrastructure to support global Sydney	NA		
Strategic Direction B:			
Growing and Renewing Centres			
B1: To focus activity in accessible centres	\checkmark	\checkmark	The site is located on the northern fringe of the Cabramatta CBD and
B2: To strengthen major and specialised centres to support sustainable growth of the city	\checkmark	\checkmark	enjoys excellent access to public transport linkages.



Strategic Direction C:	
Transport for a connected City	
C1: To enhance our transport system through implementation of the metropolitan transport plan	NA

C2: To build on Sydney's strengths by further integrating transport and land use planning and decision–making to support increased public transport mode share	\checkmark	The subject site is located within 500m of Cabramatta Rail Station and 350m of Canley Vale rail Station.
C3: To ensure a transport system that supports productivity through access to jobs, the efficient movement of freight and effective economic gateways	NA	
C4: To ensure that our key centres are accessible and connected	NA	
C5: To improve the passenger experience of public transport and promote active transport opportunities	NA	
C6: To ensure transport corridors are preserved for future growth	NA	

Strategic Direction D:

Housing Sydney's Population	
D1: To ensure an adequate supply of land and sites for residential development	NA
D2: To produce housing that suits our expected future needs	NA
D3: To improve housing affordability	NA
D4: To improve the quality of new	NA
housing development and urban	
renewal	

Strategic Direction E:			
Growing Sydney's Economy			
E1: Ensure Adequate land supply for	NA The development of the site for a		
economic activity, investment and jobs	hotel could generate between 80		
in the right locations	120 new jobs for the LGA.		



Strategic Direction F: Balancing land use on the City's fringe				
F1: To contain Sydney's urban footprint	\checkmark	\checkmark	The site is located within Sydney's existing urban footprint.	
F2: To maintain and protect agricultural activities and resource lands	NA		- ,	
F3: To encourage investment in agriculture and resource lands	NA			
F4: To maintain Sydney's soil health	NA			

Strategic Direction G:	
Tackling climate change protecting	
Sydney's natural environment	
G1: To reduce Sydney's greenhouse gas emissions	NA

G2: To lead the Asia–Pacific region in capital city adaptation to climate change	NA
G3: To integrate environmental targets into land use planning	NA
G4: To improve the health of waterways, coasts and estuaries	NA
G5: To achieve sustainable water use	NA
G6: To protect Sydney's unique diversity of plants and animals	NA
G7: To improve Sydney's air quality	NA
G8: To minimise household exposure to unacceptable noise levels	NA
G9: To minimise and recycle waste	NA

Strategic Direction H: Achieving equity, liveability and social inclusion H1: to ensure equity, liveability and NA social inclusion are integrated into plan making and planning decision-making NA H2: To ensure appropriate social infrastructure and services are located near transport, jobs and housing H3: To provide healthy, safe and NA inclusive places based on active transport Cabramatta is place of important H4: To continue to identify, enliven and protect places of special cultural, social cultural and social value to the and community value Sydney metropolitan broader area. The provision of tourism accommodation will strengthen that role.

Delivering the plan	
I1: To integrate decision–making across government to achieve plan directions	NA
I2: To develop strongly integrated land use and infrastructure planning processes	NA
I3: To align subregional planning with the strategic directions of the metropolitan plan	NA
I4: To ensure <i>LEP's</i> deliver the intent and yield anticipated under the metropolitan plan	NA
I5: To establish the SMDA to deliver urban renewal in priority locations	NA
I6: To streamline the land release process	NA
I7: To monitor and update the metropolitan plan	NA
I8: To facilitate public engagement in metropolitan and subregional planning	NA

WEST CENTRAL SUB REGIONAL PLAN (DRAFT)

Subregional planning is an intermediate step in translating the Metropolitan Strategy. Draft Sub-regional Strategies act as a broad framework for the long-term development of the area, guiding Government investment and linking local and state planning issues.

The West Central Subregion strategy identifies the following additional and region specific actions to supplement those provided by the Metro Strategy:

KEY DIRECTIONS	KEY ACTIONS		
PROVIDE LOCAL EMPLOYMENT OPPORTUNITIES	 Prepare Principal LEPs which provide sufficient zoned commercial and Employment Lands to meet employment capacity targets. (WC A1.1.1) Undertake a metropolitan and subregional review of Employment Lands prior to considering any significant rezoning of industrial land to non- employment uses. (WC A1.4.1) Investigate measures to protect and enhance Strategic Employment Lands. (WC A1.5.2) Investigate and strategically identify areas for Business Park development with good access to transport infrastructure. (WC A1.8.3) 		
REALISE POTENTIAL FOR ECONOMIC DEVELOPMENT ALONG TO THE M7 MOTORWAY	• Review lands within good proximity to the M7 Motorway in strategic studies and identify options for future development which best utilises this infrastructure. (WC B5.2.1)		
ALLOW FOR HOUSING GROWTH CLOSE TO PUBLIC TRANSPORT CORRIDORS	 Investigate increasing densities in all centres where access to employment, services and public transport are provided or can be provided. (WC B2.1.2) Investigate the potential for greater development in areas within close proximity to the Parramatta–Rouse Hill Transitway and Parramatta–Liverpool Transitway. (WC B5.1.3 and WC B5.1.4) 		
PROVIDE GREATER HOUSING CHOICE AND AFFORDABILITY	 Provide for an appropriate range of residential zonings to cater for changing housing needs. (WC C2.3.2) 		
COORDINATE PLANNING AND GOVERNANCE OF CENTRES AND IMPROVE CONNECTIVITY BETWEEN CENTRES	 Explore opportunities for a more holistic approach to the management of centres. (WC B3.2.1) Form steering committees with relevant stakeholders to ensure strategic planning and management of corridors. (WC B5.1.2) 		
IMPROVE RECREATIONAL FACILITIES AND ACCESS TO OPEN SPACE	 Improve access to regional open space resources such as the Western Sydney Regional Park, Sydney Olympic Park and Parramatta Park. (WC F1.1.1) Develop parkland areas that cater for families and larger groups (including cultural groups) at larger sites such as Sydney Olympic Park, Chipping Norton Lake and Western Sydney Regional Park. (WC F1.2.3) 		
PROMOTE THE SUBREGION'S UNIQUE CULTURAL DIVERSITY	Prepare Cultural Plans for local government areas, (WC F4.1.1) consistent with NSW Government's <i>Cultural Planning Guidelines for Local</i> <i>Government</i> . (WC F4.1.2)		

COMMENT:

The relevant key directions to the Planning Proposal are:

- Provide local employment opportunities
- Promote the sub-regions unique cultural diversity

Previous sections of this report have demonstrated that the Planning Proposal is consistent with these key directions and actions.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal causes no inconsistency with Fairfield City Councils strategic planning framework.

6. Is the planning proposal consistent with applicable state environmental planning policies?

An assessment against these planning instruments is provided at Table 2 and demonstrates consistency where relevant with all planning instruments.

TABLE 2: RELEVANT PLANNING INSTRUMENTS

SEPP TITLE	CONSIS -TENCY	COMMENTS
SEPP (Urban Renewal) 2010	N/A	
SEPP (Western Sydney Employment Area) 2009	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Western Sydney Parklands) 2009	N/A	
SEPP (Exempt and Complying Development Codes) 2008	N/A	
SEPP (Rural Lands) 2008	N/A	
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	
SEPP (Infrastructure) 2007	Y	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	NA	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Major Development) 2005		
SEPP (Development on Kurnell Peninsula) 2005 N/A		
SEPP (Building Sustainability Index: BASIX) 2004		
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	
SEPP No. 71 - Coastal Protection	N/A	
SEPP 70 - Affordable Housing (Revised Schemes)	N/A	
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	N/A	
SEPP No. 65 - Design Quality of Residential Flat Development	N/A	
SEPP No. 64 - Advertising and Signage	Y	
SEPP No. 62 - Sustainable Aquaculture	N/A	
SEPP No. 60 - Exempt and Complying Development	Y	
SEPP No. 59 - Central Western Sydney Regional Open	N/A	

Space & Residential		
SEPP No. 55 - Remediation of Land	Y	
SEPP No. 50 - Canal Estates	N/A	
SEPP No. 53 - Metropolitan Residential Development	N/A	
SEPP No. 47 - Moore Park Showground	N/A	
SEPP No. 44 - Koala Habitat Protection	N/A	
SEPP No. 41 - Casino/Entertainment Complex	N/A	
SEPP No. 39 - Spit Island Bird Habitat	N/A	
SEPP No. 36 - Manufactured Home Estates	N/A	
SEPP No. 33 - Hazardous and Offensive Development	N/A	
SEPP No. 32 - Urban Consolidation (Redevelopment of	N/A	
Urban Land)		
SEPP No. 30 - Intensive Agriculture	N/A	
SEPP No. 29 - Western Sydney Recreation Area	N/A	
SEPP No. 26 - Littoral Rainforests	N/A	
SEPP No. 22 - Shops and Commercial Premises	N/A	
SEPP No. 21 - Caravan Parks	N/A	
SEPP No. 19 - Bushland in Urban Areas	Y	
SEPP No. 15 - Rural Land-Sharing Communities	N/A	
SEPP No. 14 - Coastal Wetlands	N/A	
SEPP No. 6 - Number of Storeys in a Building	Y	
SEPP No. 4 - Development without Consent and	N/A	
Miscellaneous Complying Development		
SEPP No. 1 - Development Standards	N/A	
SREP 20 No. 20 – Hawkesbury-Nepean River (No2)	N/A	

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

An assessment against these directions is provided in Table 3:

TABLE 3: S117 DIRECTIONS

DIRECTIONS UNDER s.117(2)		CONSIST- ENCY	JUSTIFICATION (where inconsistent)
1. Er	nployment and Resources		
1.1	Business and Industrial Zones	N/A	
1.2	Rural Zones	N/A	
1.3	Mining, Petroleum Production and Extractive Industries	N/A	
1.4	Oyster Aquaculture	N/A	
1.5	Rural Land	N/A	
2. Er	nvironment Heritage		
2.1	Environment Protection Zones	N/A	
2.2	Coastal Protection	N/A	
2.3	Heritage Conservation	N/A	
2.4	Recreation Vehicle Areas	N/A	
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	N/A	
3.2	Caravan Parks and Manufactured Home Estates	N/A	
3.3	Home Occupations	N/A	
3.4	Integrating Land Use and Transport	Yes	
3.5	Development Near Licensed Aerodromes	N/A	
3.6	Shooting Ranges	N/A	
4. Hazard and Risk			
4.1	Acid Sulfate Soils	N/A	
4.2	Mine Subsidence and Unstable Land	N/A	
4.3	Flood Prone Land	N/A	

4.4	Planning for Bushfire Protection	N/A	
5. R	egional Planning	Yes	
6. L	6. Local Plan Making		
6.1	Approval and Referral	Yes	
	Requirements		
6.2	Reserving Land for Public	Yes	
	Purposes		
6.3	Site Specific Provisions	Yes	
7. M	etropolitan Strategy		
7.1	Implementation of the	Yes	
	Metropolitan Plan for Sydney 2036		

SECTION C: ENVIRONMENTAL SOCIAL AND ECONOMIC IMPACT

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

The subject site has been extensively developed over many decades and as such does not accommodate any significant ecological or natural features.

Therefore there is no likelihood that any critical habitat or threatened ecological communities will be adversely affected by the planning proposal.

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

An inspection of the site and review of Councils environmental mapping information reveals that development of the site would not cause any other adverse environmental impacts.

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

Previous sections of this report have identified the positive economic impacts that the Draft LEP may facilitate.

It is not expected to generate any adverse social impacts.

SECTION D: STATE & COMMONWEALTH INTERESTS

11. Is there adequate public infrastructure for the planning proposal?

The site adjoins existing urban development, which enables connection to a full suite of urban services and infrastructure required to support the rezoning and subsequent development of the site.

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

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities or service providers; however, consultation will occur in accordance with the Gateway Determination.

PART 4: MAPS

The planning proposal will require the amendment of the Fairfield LEP 2013 – Key Sites Map. A copy of the amended map is provided below:

FIGURE 3: AMENDED KEY SITES MAP



PART 5: COMMUNITY Consultation

The planning proposal will be exhibited by Council in accordance with the requirements of section 57 of the *Environmental Planning & Assessment Act 1979*.

It is proposed that the planning proposal will be placed on public exhibition for a minimum of 28 days. Notification of the community consultation will be provided in a local newspaper and on Councils' website. In addition to this, adjoining landowners will be notified in writing.

During the public exhibition period the following documents will be placed on public exhibition:

- The Planning Proposal;
- Urban Form Analysis and Masterplan
- Traffic and Parking Impact Assessment
- The Gateway determination;
- Relevant council reports;

PART 6: PROJECT TIMELINE

No.	Task	Commence	Complete
1	Gateway Determination	February 2014	March 2014
2	Completion of Studies	No further studies required	
3	Government Agency Consultation	Agency and community consultation to be undertaken as part of the formal public exhibition of the Planning Proposal in accordance with any conditions of the Gateway Determination.	
4	Public Exhibition	March 2014	April 2014
5	Public Hearing	NA	NA
6	Consider Submissions	April 2014	April 2014
7	Document Finalisation	May 2014	May 2014
8	Submission to DP&I	June 2014	June 2014