



# ***Planning Proposal***

*325 – 327 Hume Highway, Cabramatta.  
Lots 20 & 21 DP 1077792*

*Draft Fairfield Local Environmental Plan 2013  
Amendment No. (INSERT NO.)*

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### **Attachments**

- a) Council Report – 10 June 2014**
- b) Existing/Proposed Zoning and Principal Development Standard Maps**

## Preliminary Information

### 1.1 Context

This Planning Proposal has been drafted in accordance with section 55 of the Environmental Planning and Assessment Act 1979, and seeks to amend Fairfield LEP 2013.

### 1.2 Background Information

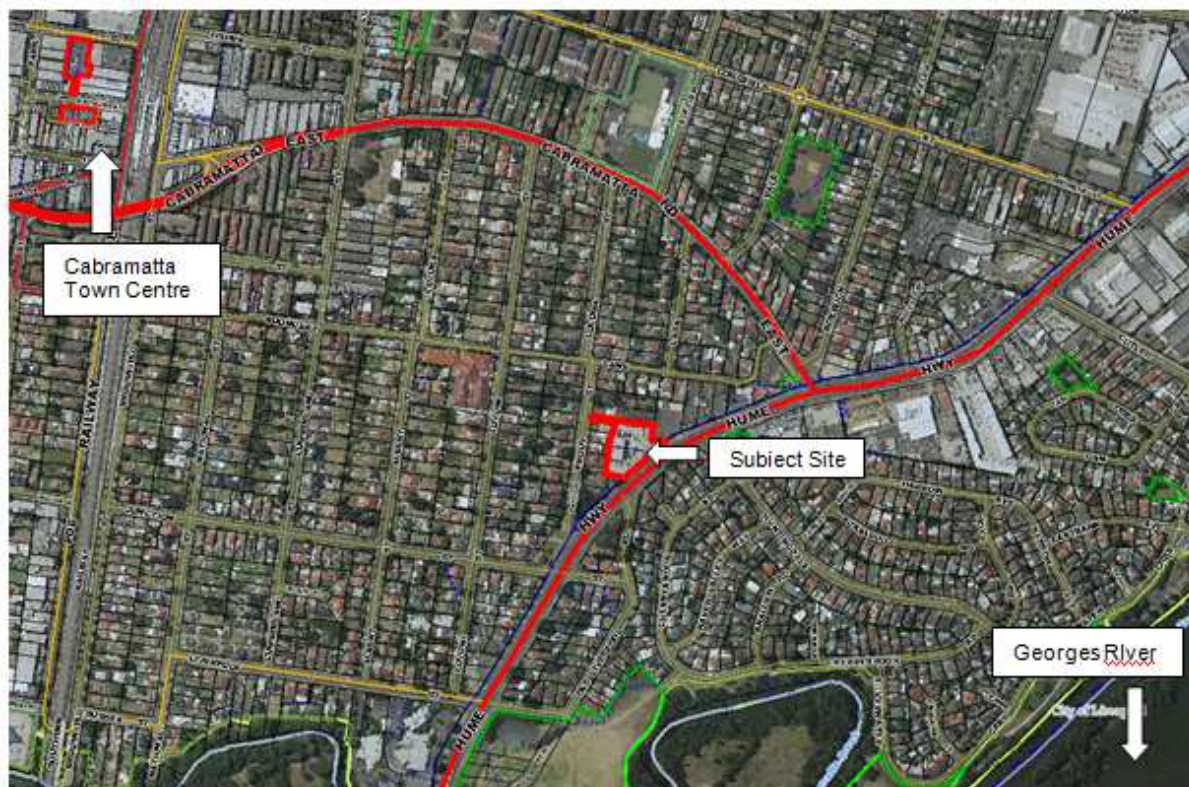
In January 2014, Pascoe Planning Solutions (applicant) on behalf of Mr Vince Currao (owner) requested advice from Council regarding the strategic planning merit of rezoning No's. 325 – 327 Hume Highway, Cabramatta to formalise an existing approved use of the site as a vehicle sales or hire premises. In March 2014 a formal Planning Proposal application was submitted seeking to amend Fairfield LEP 2013 to rezone the site from R2 Low Density Residential to B5 Business Development.

The issues associated with the proposal are outlined in the following sections of this document as well as in the attached Council report dated 10 June 2014.

### 1.3 Subject Land

The subject site comprises Numbers 325 and 327 Hume Highway, Cabramatta, being Lots 20 and 21 DP 1077792 respectively.

**Figure 1 – Location Map**



## **Part 1 – Objectives**

The purpose of the planning proposal is to change the existing residential zoning of No. 325 – 327 Hume Highway, Cabramatta to reflect the current and historic approved business use of the site as a vehicle sales or hire premises.

In summary, the objective of the Planning Proposal is to amend Fairfield Local Environmental Plan 2013 to:

1. Rezone No. 325 (excluding the existing undeveloped access handle fronting Prout Street, Cabramatta) and No.327 Hume Highway, Cabramatta from R2 Low Density Residential to B5 Business Development; and
2. Remove all existing development standard restrictions that apply under Part 4 of Fairfield LEP 2013 to that part of the site to be rezoned B5 Business Development. The undeveloped access handle fronting Prout Street which is to retain the R2 Low Density Residential zoning will also retain the existing residential development standards that currently apply under Fairfield LEP 2013.

The planning proposal applies to the following land:

- Lot 20 DP 1077792 – 325 Hume Highway, Cabramatta (excluding the existing undeveloped access handle fronting Prout Street, Cabramatta); and
- Lot 21 DP 1077792 – 327 Hume Highway, Cabramatta.

The planning proposal is in accordance with Council's decision at its meeting on Tuesday 10 June 2014 - see **Attachment A** for Council report.

## Part 2 – Explanation of provisions

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

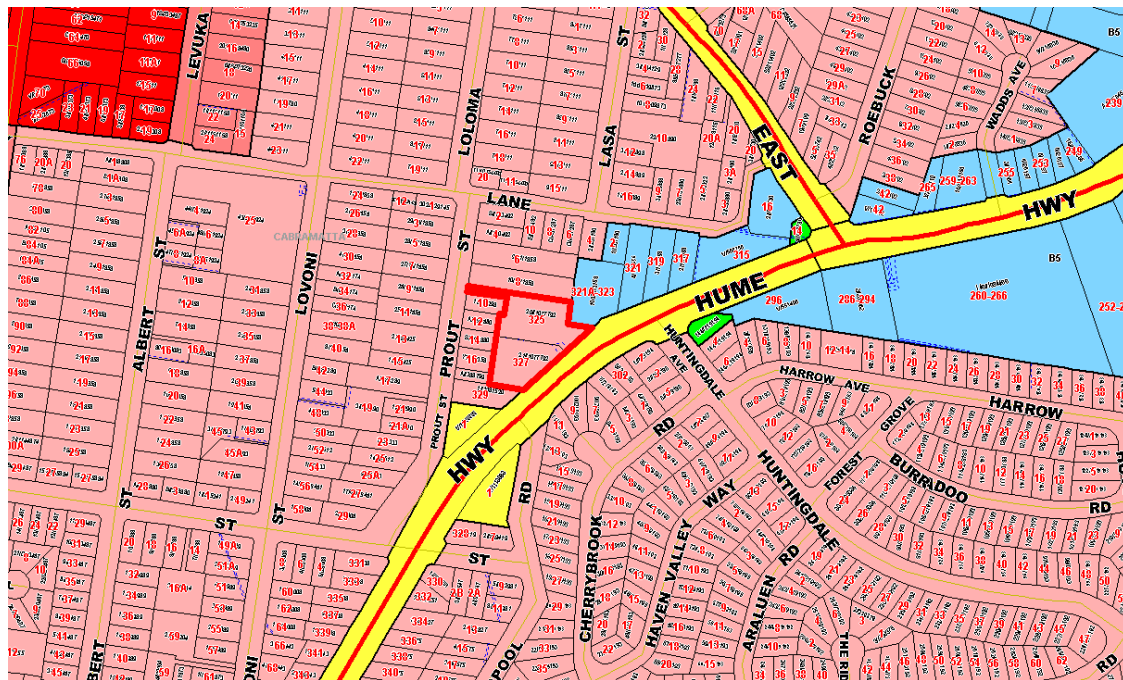
1. Amend Land Zoning Map Sheet 21 of Fairfield LEP 2013 to rezone No. 325 (excluding the existing undeveloped access handle fronting Prout Street, Cabramatta) and No.327 Hume Highway, Cabramatta from R2 Low Density Residential to B5 Business Development. The current undeveloped access handle fronting Prout Street, Cabramatta will remain zoned R2 Low Density Residential; and
2. Amend the following Fairfield LEP 2013 maps to remove specific development standards that currently apply to the site under the R2 Low Density Residential Zoning.
  - a. Minimum Subdivision Lot Size Map (Clause 4.1);
  - b. Minimum Subdivision Lot Size for Dual Occupancy Development (Clause 4.1B);
  - c. Height of Buildings Map (Clause 4.3); and
  - d. Floor Space Ratio Map (Clause 4.4).

Removal of these development standards will only apply to that part of No. 325 Hume Highway, Cabramatta to be rezoned to B5 Business Development. The portion of the site which remains as R2 Low Density Residential will retain all existing development standards as applicable under Part 4 of FLEP 2013



Figure 3 – Aerial Photo

Figure 2 – Context Map showing current Fairfield LEP 2013 Zoning



- B5 Business Development
- SP2 Infrastructure
- R2 Low Density Residential

A copy of the existing R2 Low Density Residential zoning table is provided below and includes details of the zone objectives and permissibility.

### **Zone R2 Low Density Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

#### **2 Permitted without consent**

*Environmental protection works; Home-based child care; Home occupations*

#### **3 Permitted with consent**

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Hospitals; Hostels; Information and education facilities; Places of public worship; Public administration buildings; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing*

### **4 Prohibited**

*Any development not specified in item 2 or 3*

The Planning Proposal seeks to rezone No. 325 – 327 Hume Highway, Cabramatta to a B5 Business Development zone under Fairfield LEP 2013. In addition to the current use of the site as a vehicle sales or hire premises, under the B5 Business Development zoning, the site could be used for additional purposes such as bulky goods premises, warehouse and distribution centres, light industries and landscaping material supplies. A copy of the B5 Business Development zone table as taken from Fairfield LEP 2013 is included below.

### **Zone B5 Business Development**

#### **1 Objectives of zone**

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To encourage the establishment of light industrial uses that are compatible with nearby residential areas, generate employment and contribute to the economic development of Fairfield.*

#### **2 Permitted without consent**

*Environmental protection works*

#### **3 Permitted with consent**

*Bulky goods premises; Child care centres; Funeral homes; Garden centres; Hardware and building supplies; Kiosks; Landscaping material supplies; Light industries; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

#### **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities*

### **Site Access Arrangements**

The existing caryard operation on the site is located on two separate Torrens title allotments. Access to both allotments is achieved via a shared four (4) metre wide access point (with reciprocal rights of carriageway) from the Hume Hwy along the common boundary between the two lots (below).

It would appear that these access arrangements are capable of accommodating existing traffic generation levels associated with the caryard use. It is noted that the proposed B5 – Business Development zoning would permit a range of additional uses (e.g. bulky goods development, service station) that could conceivably lead to intensified development and increased traffic movements to and from the site and require enhanced access arrangements (e.g. deceleration lane or designation of new ingress and egress points for the site).

In light of the above, as part of preparation of this planning proposal Council will be undertaking further investigations and consultation with the applicant and RMS to determine the suitability of the current access arrangements and subdivision of the site and consider final recommendations for consideration by Council following public exhibition.

Possible outcomes may include;

1. Retain the current access arrangements and review this issue with future development proposals.
2. Require the applicant to consolidate the current 2 allotments into one allotment prior to Council forwarding the planning proposal to the Department of Planning and Environment (post exhibition).
3. Prepare site specific DCP controls to make future access arrangements more transparent.

## Part 3 – Justification

### Section A – Need for a planning proposal

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

No. The Planning Proposal is not the subject of any strategic study or report. The planning proposal is a result of an owner initiated (Mr Vince Currao, Messina Homes Pty Ltd) rezoning application. It is however generally consistent with the background principles contained in state, regional, sub regional and metropolitan planning as identified in Section B to this Part.

From a Council officer point of view it is considered that given the current approved use of the site, surrounding land uses, and location of the site on the Hume Highway, there is merit in the proposal. The site has an existing development approval for a commercial building and operation as a vehicle sales and hire premises and has vehicular and pedestrian access to the Hume Highway.

Any future redevelopment of the site would be assessed under the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979 including:

- the suitability of the site for the development;
- the likely impacts of that development, including any environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

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

Yes, the Planning Proposal is considered to represent the best means of facilitating the formalisation of the approved existing use of the subject site.

Redevelopment of the site for residential purposes under the existing zoning would not be favoured given the poor residential amenity present along the Hume Highway. Access to any residential subdivision would also be problematic given the traffic volumes experienced on the arterial road network and use of the undeveloped access handle from Prout Street would not be feasible given its existing width and potential impact on surrounding residential amenity.

#### ***Is there a net community benefit?***

The following table addresses the evaluation criteria for conducting a “net community benefit test” within the Draft Centres Policy (2009).

| <b>Evaluation Criteria</b>                                                                                                                                                                     | <b>Y/N</b> | <b>Comment</b>                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)? | Y          | <i>The proposed rezoning is considered to be compatible with the Metropolitan Plan, Draft Metropolitan Strategy and Draft West Central Subregional Strategy.</i> |

|                                                                                                                                                                                                                                                              |   |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?                                                                                                | Y | <i>The Hume Highway Corridor is not nominated in the Draft West Central Subregional Strategy as a priority corridor for future growth and development. It has, however, been recognised in part as a corridor, pursuant to Action B 7.1 of the Subject Strategy. The subject land forms a logical extension of such corridor.</i>                                                                                                    |
| Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?                                                                                                                                          | N | <i>The proposed rezoning is unlikely to create a precedent within the locality or change the expectations in respect of the site. It could be argued that the proposal indeed represents expectations of adjoining property to rezone the site to reflect its current and lawfully approved use. Only one lot to the immediate south offers similar prospects as it currently also operates as a business use (dental practice).</i> |
| Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?                                                                                                                  | Y | <i>This could be considered to be the last site of similarly positioned lands.</i>                                                                                                                                                                                                                                                                                                                                                   |
| Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?                                                                                                                                                  | Y | <i>The proposal will facilitate the current employment levels as a minimum, but more importantly facilitate redevelopment and inherent enhanced employment opportunities.</i>                                                                                                                                                                                                                                                        |
| Will the LEP Impact upon the supply of residential land and therefore housing supply and affordability?                                                                                                                                                      | Y | <i>The loss of low density residential land will have minimal impact on supply and affordability given the current use and unlikely prospect of it reverting to residential land, given its low yield and difficulty in establishing reasonable residential amenity and access.</i>                                                                                                                                                  |
| 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 transport? | Y | <i>The existing road network and major arterial status of the Hume Highway provides for high order bus services which are likely to be enhanced overtime. Only modest means of alternative transport exist.</i>                                                                                                                                                                                                                      |
| 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                                                                                                     | Y | <i>The proposal will facilitate modest enhanced local employment opportunities and accordingly a reduction in traditional travel patterns. Reduced</i>                                                                                                                                                                                                                                                                               |

In light of detailed assessment, the overall merits of the proposal can be summarised as follows:

- Historical use for commercial (car sales yards) activity;
- Proximity to the Hume Highway detracts from amenity that would be provided to potential residential re-development of the site;

- A B5 Business Development zoning would create greater certainty regarding the scope for future commercial development of the site and specifically remove existing use rights provisions and potential for a range of retail activities being established on the site;
- There are no objections from other Council departments or from NSW RMS to rezoning of the site from R2 Low Density Residential to B5 Business Development;
- The proposed amendments to the Fairfield City Wide DCP controls applying to the site provide additional protection to the amenity of adjoining residential properties; and
- The proposal is consistent with relevant State Government and Council Strategies. In this regard it is considered there is a clear community benefit in Council supporting the proposal for a Gateway Determination.

### Section B – Relationship to strategic planning framework

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

Yes, the Planning Proposal is considered to be consistent with the strategic intent of the Sydney Metropolitan Strategy and Draft West Central Subregional Strategy.

#### **SYDNEY METROPOLITAN PLAN 2036**

This Metropolitan Plan for Sydney 2036 is an integrated, long term planning framework aimed at satisfactorily managing Sydney's growth to 2036 while enhancing the unique lifestyle and environment enjoyed. It builds on the 2005 Metropolitan Strategy's "City of Cities" approach and is geared to transform Sydney from a single centred city to a more connected city with many centres and improved accessibility.

A new metropolitan strategy is currently being developed for Sydney and will provide a revised framework for Sydney's growth, inclusive of, but not limited to, housing, employment, resource lands within a context of sustainability. In updating the current Metropolitan Plan it will link with the Government's Long Term Transport Masterplan and State Infrastructure Strategy and is a forerunner to Subregional Delivery Plans.

The Planning Proposal will dovetail with the Metropolitan Plan and revised Strategy objectives and importantly the prevailing objectives of:

- **Strategic Direction B – Growing and Renewing Centres**  
B1: To focus activity in accessible centres
- **Strategic Direction C – Transport for a connected City**  
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

- **Strategic Direction E – Growing Sydney’s economy**

E1: Ensure adequate land supply for economic activity investment and jobs in the right locations.

### **DRAFT WEST CENTRAL SUB-REGIONAL STRATEGY**

The draft West Central Subregional Strategy (SRS) is an implementation tool for the Metro Strategy and provides regional specific actions to guide the long term development of an area. In particular the draft SRS sets out employment and residential targets for each Local Government Area (LGA) within the sub region. The SRS also seeks to provide for balanced growth among LGAs to build upon regional strength through the identification of strategic centres and corridors, Towns, Villages, Neighbourhood and Specialised Centres in relation to the overall structure of the Metro Strategy.

It is considered that the residential growth target of 24,000 new dwellings for the Fairfield LGA will not be compromised by the loss of “theoretical” capacity in the rezoning of residentially zoned land as proposed. Such land is zoned for low density residential development and not identified in the draft Residential Development Strategy for medium or higher density development. Potential future residential contribution is limited under future redevelopment scenarios and must take into account the poor residential environment present along the Hume Highway.

In a modest way the Proposal contributes to the identified Lansvale/Cabramatta business corridor along the Hume Highway and could be considered to respond positively to the following subregional actions and/or be impacted by them.

#### **Economy and Employment**

WC A 1.1.1 Provide sufficient zoned commercial and employment land to meet identified employment capacity target.

WC A 1.9.1 Explore opportunities to revitalise existing employment lands.

WC A 1.9.2 Explore measures to manage interface issues between industrial and residential land uses.

WC A 2.2.2 Explore development of industry clusters.

WC A 2.3.1-2 Encourage clustering of business around magnet infrastructure.

#### **Centres and Corridors**

B 4.1 Concentrate retail activity in centres, business development zones and enterprise corridors

B 5.1 Establish a stronger corridors planning and development initiative

B 6.2 Identify future renewal corridors.

### ***Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plans?***

Yes, the proposed amendment is generally consistent with directions and themes contained in the Fairfield Council's City Plan 2012 – 2022 and other relevant local strategic plans by focusing activity in accessible locations as well as creating potential for increased employment opportunities.

### **FAIRFIELD CITY PLAN 2012-2022 (COMMUNITY STRATEGIC PLAN)**

Fairfield City Plan 2012 – 2022 (The City Plan) contains the Community's Visions, Priorities and Outcomes for Fairfield City Council over the next 10 years. Of relevance to the Planning Proposal are those goals that deal specifically with the economy and employment.

The table below details how the Planning Proposal is consistent with the relevant commercial and employment goals contained within the City Plan.

| Theme                        | Goal                                                                                                                                                                        | Comment                                                                                                                                                                                                                                                                                                                                                                        | Fulfilment |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Local Economy and Employment | <p>A range of employment opportunities and a workforce with a variety of skills.</p> <p>Having vibrant, safe and attractive places for shopping and access to services.</p> | <p>The Planning Proposal is consistent with the relevant Local Economy and Employment goals in that it has the potential to provide a range of retail and commercial employment opportunities and will contribute to the ongoing renewal of the Canley Height Local Centre. The Planning Proposal will aid in maintain the vibrant, safe and attractive urban environment.</p> | Yes        |

### **FAIRFIELD RESIDENTIAL DEVELOPMENT STRATEGY (DRAFT 2009)**

The draft Fairfield Residential Development Strategy (RDS) proposes the means by which an additional 24,000 dwellings can be accommodated within the City of Fairfield by 2031. As Fairfield City does not have any new release areas, these additional dwellings will be located in and around the key town centres and along strategic transport corridors (such as railway lines and strategic bus corridors). The draft Fairfield RDS identifies areas to be rezoned to a higher form of residential density to allow development such as townhouses and villas, medium density housing and residential flat buildings.

Fairfield LEP 2013 has implemented recommendations contained within the draft RDS for areas generally located to the east of The Cumberland Highway, including the subject land located at 325 – 327 Hume Highway, Cabramatta. As recommended in the draft RDS, the subject land has been retained as R2 – Low Density Residential, a zone with a particularly low inherent yield.

The maximum residential yield that could potentially be achieved over No's. 325 – 327 Hume Highway, Cabramatta is likely to remain below 12 dwellings. Such a yield is considered insignificant in the context of Fairfield's Residential Development Strategy and attainment of the Draft West Central Sub Regional housing targets.

In addition, the major arterial road setting would severely impact on the ability to achieve reasonable residential amenity and streetscape outcomes should an R2 Low Density zoning be retained and the site developed for residential purposes. Further, multiple vehicle access points to the high traffic environment on the Hume Highway would be undesirable, as would access from the rear via Prout Street, Cabramatta.

### **FAIRFIELD EMPLOYMENT LANDS STRATEGY (2008)**

The Fairfield Employment Lands Strategy (ELS) applies to all industrial/employment zoned land within the Fairfield Local Government Area (LGA). This includes land zoned IN1 General Industrial, IN2 Light Industrial, B5 Business Development and B6 Enterprise Corridor. The Strategy also provides recommendations for land identified as part of the Western Sydney Employment Hub located directly south of the Sydney Water Pipeline at Horsley Park.

The main purpose of the Strategy was to provide the vision as well as the appropriate planning framework to attract employment generating uses into the City. Importantly, the ELS provided recommendations on what to rezone existing industrial land using the standard zoning contained within the Local Environmental Plan (LEP) Standard Instrument Order issued by the State Government.

The Strategy did not look beyond the translation of existing land zoned for employment purposes into the Standard Instrument alternative zones in the subject locality. This led to the emergence of the B5 zone to the immediate north and the “overriding” of a potentially more appropriate zone for the subject land.

### ***Is the planning proposal consistent with the applicable state environmental policies?***

The following State Environmental Planning Policies apply to the subject site and are outlined in the table below:

| SEPP Title                                                  | Relevance | Consistency of Planning Proposal |
|-------------------------------------------------------------|-----------|----------------------------------|
| SEPP 19 – Bushland in Urban Areas                           | No        |                                  |
| SEPP 21 – Caravan Parks                                     | No        |                                  |
| SEPP 30 – Intensive Agriculture                             | No        |                                  |
| SEPP 32 – Urban Consolidation (Redevelopment of Urban Land) | No        |                                  |
| SEPP 33 – Hazardous and Offensive Development               | No        |                                  |
| SEPP 50 – Canal Estate Development                          | No        |                                  |
| SEPP 55 – Remediation of Land                               | No        |                                  |
| SEPP 62 – Sustainable Aquaculture                           | No        |                                  |

| SEPP Title                                                         | Relevance | Consistency of Planning Proposal |
|--------------------------------------------------------------------|-----------|----------------------------------|
| SEPP 64 – Advertising and Signage                                  | No        |                                  |
| SEPP 65 – Design Quality of Residential Flat Development           | No        |                                  |
| SEPP 70 – Affordable Housing (Revised Schemes)                     | No        |                                  |
| SEPP (Affordable Rental Housing) 2009                              | No        |                                  |
| SEPP (Building Sustainability Index: BASIX) 2004                   | No        |                                  |
| SEPP (Exempt and Complying Development Codes) 2008                 | No        |                                  |
| SEPP (Housing for Seniors or People with a Disability) 2004        | No        |                                  |
| SEPP (Infrastructure) 2007                                         | No        |                                  |
| SEPP (Major Development) 2005                                      | No        |                                  |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | No        |                                  |
| SEPP (Miscellaneous Consent Provisions) 2007                       | No        |                                  |
| SEPP (State and Regional Development) 2011                         | No        |                                  |

Whilst the above SEPPs apply to the subject site, they are not considered of relevance to the planning proposal to rezone the site from R2 Low Density Residential to B5 Business Development. They may however become relevant should future redevelopment of the site occur under the proposed B5 Business Development zoning.

The relevant Sydney Regional Environmental Plans are outlined in the table below:

| SREP Title                                 | Relevance | Consistency of Planning Proposal |
|--------------------------------------------|-----------|----------------------------------|
| SREP 9 – Extractive Industry (No 2 – 1995) | No        |                                  |
| SREP 18 – Public Transport Corridors       | No        |                                  |
| GMREP No.2 – Georges River Catchment       | No        |                                  |

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

The relevant Section 117 Directions issued by the Minister for Planning under Section 117 of the Environmental Planning and Assessment Act 1979 are outlined in the table below:

| Section 117 Direction No. and Title      | Consistency                                                                                                                                                                                             | Planning Proposal                                                                                                                                                | Comply |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| <b>1. Employment and Resources</b>       |                                                                                                                                                                                                         |                                                                                                                                                                  |        |
| <b>1.1 Business and Industrial Zones</b> | <ul style="list-style-type: none"> <li>Encourage employment growth in suitable locations</li> <li>Protect employment land in business and industrial zones</li> <li>Support the viability of</li> </ul> | The Planning Proposal seeks to formalise an existing approved business use in a low density residential zone adjoining an existing B5 Business Development zone. | YES    |

| Section 117                                                       |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Direction No. and Title                                           | Consistency                                                                                                                                                                                                                           | Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Comply |
|                                                                   | identified strategic centres.                                                                                                                                                                                                         | <p>The proposal will allow for potential future redevelopment of the site for additional employment generating business uses.</p> <p>As the site is currently used and has been used for the existing business use for many years, it is not considered to impact on the viability of any nearby adjoining business centres. Any future redevelopment proposal for the site under a B5 Business Development zoning will need to take into account the potential impacts on the viability of nearby centres.</p>                                                                                                                                                                                                                                                                             |        |
| <b>1.2 Rural Zones</b>                                            | <ul style="list-style-type: none"> <li>Protect agricultural production value of rural land.</li> </ul>                                                                                                                                | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | N/A    |
| <b>1.3 Mining, Petroleum Production and Extractive Industries</b> | <ul style="list-style-type: none"> <li>Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</li> </ul> | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | N/A    |
| <b>1.4 Oyster Aquaculture</b>                                     | <ul style="list-style-type: none"> <li>Protect oyster aquaculture areas.</li> </ul>                                                                                                                                                   | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | N/A    |
| <b>2. Environment and Heritage</b>                                |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |
| <b>2.1 Environment Protection Zones</b>                           | <ul style="list-style-type: none"> <li>Protect and conserve environmentally sensitive areas.</li> </ul>                                                                                                                               | N/A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | N/A    |
| <b>2.2 Coastal Protection</b>                                     | <ul style="list-style-type: none"> <li>Implement the principles in the NSW Coastal Policy.</li> </ul>                                                                                                                                 | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | N/A    |
| <b>2.3 Heritage Conservation</b>                                  | <ul style="list-style-type: none"> <li>Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</li> </ul>                                                              | <p>The planning proposal does not relate to a property of heritage significance as identified under Fairfield LEP 2013. However, the closest heritage item is located at 13 Prout Street to the east of the site on the opposite side of Prout Street.</p> <p>A heritage impact statement submitted with the Planning Proposal Application concludes that as the subject site is already developed and established for the purpose of a vehicle sales and hire premises, rezoning of the site to reflect this current use, will have minimal impact of the heritage significance of 13 Prout Street, Cabramatta.</p> <p>Any future proposal to redevelop the site for a more intense business use will be required to again address the impact on the heritage significance of 13 Prout</p> | YES    |

| Section 117                                             |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Direction No. and Title                                 | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                  | Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Comply                   |
|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                              | Street, Cabramatta at Development Application stage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                          |
| <b>2.4 Recreation Vehicle Areas</b>                     | <ul style="list-style-type: none"> <li>Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</li> </ul>                                                                                                                                                                                                                                                         | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                      |
| <b>3. Housing, Infrastructure and Urban Development</b> |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |
| <b>3.1 Residential Zones</b>                            | <ul style="list-style-type: none"> <li>Encourage a variety and choice of housing types to provide for existing and future housing needs</li> <li>Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</li> <li>Minimise the impact of residential development on the environment and resource lands.</li> </ul>                      | <p>The subject site is currently zoned R2 Low Density Residential which permits single dwelling and dual occupancy residential development. If the site was to be developed for residential purposes, the dwelling yield and additional population would be considered to be minimal.</p> <p>Based on Council records, the site has never been used for residential purposes with it transitioning from a rural type land use to a vehicle display, hire and sale premises in the 1970s.</p> <p>Given the minimal scale of residential development that will no longer be permitted on the site and the historical business use of the site, it is considered that whilst the planning proposal is inconsistent with this Planning Direction, it is of a minor significance.</p> | Justifiably Inconsistent |
| <b>3.2 Caravan Parks and Manufactured Home Estates</b>  | <ul style="list-style-type: none"> <li>Provide for a variety of housing types</li> <li>Provide opportunities for caravan parks and manufactured home estates.</li> </ul>                                                                                                                                                                                                                                                     | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                      |
| <b>3.3 Home Occupations</b>                             | <ul style="list-style-type: none"> <li>Encourage the carrying out of low-impact small businesses in dwelling houses.</li> </ul>                                                                                                                                                                                                                                                                                              | Rezoning of the subject site to B5 Business Development will prohibit dwelling houses on the site in the future. Therefore this direction will no longer be relevant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | N/A                      |
| <b>3.4 Integrating Land Use and Transport</b>           | <ul style="list-style-type: none"> <li>Improve access to housing, jobs and services by walking, cycling and public transport.</li> <li>Increase choice of available transport and reducing car dependency.</li> <li>Reduce travel demand and distance (especially by car)</li> <li>Support the efficient and viable operation of public transport services</li> <li>Provide for the efficient movement of freight</li> </ul> | The subject site is located on an existing bus route and is also in reasonable close proximity to Cabramatta Railway Station. Rezoning the site to B5 Business Development would allow the site to potentially be developed for other business uses that are permitted in the B5 Business Development zone. This may generate additional employment opportunities in a strategic location in the future.                                                                                                                                                                                                                                                                                                                                                                         | YES                      |
| <b>3.5 Development Near Licensed Aerodromes</b>         | <ul style="list-style-type: none"> <li>Ensure effective and safe operation of aerodromes</li> <li>Ensure aerodrome operation</li> </ul>                                                                                                                                                                                                                                                                                      | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                      |

| Section 117                           |                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |        |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Direction No. and Title               | Consistency                                                                                                                                                                                                                                                                                                                                                                                                             | Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Comply |
|                                       | <ul style="list-style-type: none"> <li>is not compromised by development</li> <li>▪ Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.</li> </ul>                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |        |
| 3.6 Shooting Ranges                   | <ul style="list-style-type: none"> <li>▪ Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</li> <li>▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land</li> <li>▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</li> </ul> | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A    |
| <b>4. Hazard and Risk</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |        |
| 4.1 Acid Sulfate Soils                | <ul style="list-style-type: none"> <li>▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</li> </ul>                                                                                                                                                                                                                                       | <p>The subject site is located in an area identified as Class 5 of the acid sulphate soils map under FLEP 2013. The relevance of this Direction will come into play upon lodgement of any future development application which proposes works to the subject site. Rezoning of the site to reflect its current approved use does not trigger an assessment under Clause 6.1 of FLEP 2013.</p> <p>Further it can be argued that rezoning of the site from an R2 to a B5 zone does not represent an intensification of use of the site. Further the site is currently being lawfully used for a business purpose consistent with the proposed zoning.</p> | YES    |
| 4.2 Mine Subsidence and Unstable Land | <ul style="list-style-type: none"> <li>▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</li> </ul>                                                                                                                                                                                                                                      | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A    |
| 4.3 Flood Prone Land                  | <ul style="list-style-type: none"> <li>▪ Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>.</li> <li>▪ Ensure that the provisions of an LEP on flood prone land are commensurate with</li> </ul>                                                                                          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A    |

| Section 117                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |        |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------|
| Direction No. and Title                                                             | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planning Proposal | Comply |
|                                                                                     | flood hazard and includes consideration of the potential flood impacts both on and off the subject land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |        |
| <b>4.4 Planning for Bushfire Protection</b>                                         | <ul style="list-style-type: none"> <li>Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas.</li> <li>Encourage sound management of bush fire prone areas.</li> </ul>                                                                                                                                                                                                                                                                                                                                                 | N/A               | N/A    |
| <b>5. Regional Planning</b>                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |        |
| <b>5.1 Implementation of Regional Strategies</b>                                    | <ul style="list-style-type: none"> <li>To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                | N/A               | N/A    |
| <b>5.2 Sydney Drinking Water Catchments</b>                                         | <ul style="list-style-type: none"> <li>To protect water quality in the hydrological catchment.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | N/A               | N/A    |
| <b>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</b>   | <ul style="list-style-type: none"> <li>Ensure that the best agricultural land will be available for current and future generations to grow food and fibre.</li> <li>Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning</li> <li>Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas</li> </ul>                                                                                                                                  | N/A               | N/A    |
| <b>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</b> | <ul style="list-style-type: none"> <li>Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route</li> <li>Prevent inappropriate development fronting the highway</li> <li>Protect public expenditure invested in the Pacific Highway</li> <li>Protect and improve highway safety and efficiency</li> <li>Provide for the food, vehicle service and rest needs of travellers on the highway</li> <li>Reinforce the role of retail and commercial development in town centres, where they can best serve the population of the towns.</li> </ul> | N/A               | N/A    |

| Section 117                                                 |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |        |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Direction No. and Title                                     | Consistency                                                                                                                                                                                                                                                                                                                                           | Planning Proposal                                                                                                                                                                                                                                                                                                                               | Comply |
| 5.8 Second Sydney Airport: Badgerys Creek                   | <ul style="list-style-type: none"> <li>Draft LEPs shall not contain provisions that enable the carrying out of development, either with or without development consent, which at the date of this direction, could hinder the potential for development of a Second Sydney Airport at Badgerys Creek</li> </ul>                                       | N/A                                                                                                                                                                                                                                                                                                                                             | N/A    |
| 5.9 North West Rail Link Corridor Strategy                  | Draft LEPs must: <ul style="list-style-type: none"> <li>promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</li> <li>ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans</li> </ul> | N/A                                                                                                                                                                                                                                                                                                                                             | N/A    |
| <b>6. Local Plan Making</b>                                 |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |        |
| 6.1 Approval and Referral Requirements                      | <ul style="list-style-type: none"> <li>Ensure LEP provisions encourage the efficient and appropriate assessment of development</li> </ul>                                                                                                                                                                                                             | The Planning Proposal does not contain additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.                                                                                                                                                              | YES    |
| 6.2 Reserving Land for Public Purposes                      | <ul style="list-style-type: none"> <li>Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes</li> <li>Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</li> </ul>                                             | N/A                                                                                                                                                                                                                                                                                                                                             | N/A    |
| 6.3 Site Specific Provisions                                | <ul style="list-style-type: none"> <li>Discourage unnecessarily restrictive site specific planning controls</li> </ul>                                                                                                                                                                                                                                | The planning proposal is not proposing any site specific provisions for the subject site. Rezoning of the site from an R2 Low Density Residential zone will in fact remove 4 specific development restrictions from the majority of the site being, FSR, Building Height, Minimum Lot Size and Minimum Lot Size for Dual Occupancy Development. | Yes    |
| <b>7. Metropolitan Planning</b>                             |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |        |
| 7.1 Implementation of the Metropolitan Plan for Sydney 2036 | <ul style="list-style-type: none"> <li>Planning proposal shall give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metro Strategy.</li> </ul>                                                                                                                                                         | The proposal will formalise an existing approved use on the subject site. It is therefore considered that the proposal is consistent with the objectives of the Metropolitan Strategy for Sydney to 2036                                                                                                                                        | YES    |

| Section 117<br>Direction No. and<br>Title | Consistency | Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                            | Comply |
|-------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
|                                           |             | <p>In particular, the proposal is consistent with the following objectives of the Metro Strategy for Sydney to 2036:</p> <ul style="list-style-type: none"> <li>- <b>Strategic Direction B – Growing and Renewing Centres</b><br/>B3: Plan for Centres to Grow Over Time</li> <li>- <b>Strategic Direction E – Growing Sydney's economy</b><br/>E1: Ensure adequate land supply for economic activity investment and jobs in the right locations.</li> </ul> |        |

## Section C – Environmental, social and economic impact

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

The natural environment has been significantly transformed since the days of earliest European settlement. The site is already heavily developed with hard stand surfaces for the purposes of storing and displaying motor vehicles. For this reason, it is not envisaged there will be any further adverse impact upon local biodiversity as a result of the Planning Proposal.

The continued closure (and potential disposal) of the residential access way to an adjoining owner will likely lead to an improved natural landscaped outcome.

In summary, the land has not been identified in the past as containing critical habitat or threatened species populations or ecological communities or their habitats. The Planning Proposal seeks only to rezone the subject land to formalise an existing approved use on the site. At this stage no physical redevelopment of the site is proposed. Should it be discovered however upon any future redevelopment of the site, that there is such an impact upon identified critical habitat or threatened species, populations or ecological communities, or their habitats, appropriate assessment will be further undertaken.

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

No other adverse environmental impacts are likely as a result of the Planning Proposal. Should the site be redeveloped in accordance with other permissible

landuses in the future under the proposed B5 Business Development zone, appropriate environmental management practices will be implemented at Development Application stage.

Council is simultaneously proposing an amendment to Chapter 9 of the Fairfield City Wide DCP 2013 which aims to address any potential future residential amenity issues should the site be redeveloped for more intense business uses. Whilst it is acknowledged that many of these issues will be dealt with under the provisions of Section 79C of the EP & A Act 1979, inclusion of residential amenity provisions within the DCP will give weight to the consideration of this issue in the design of any future redevelopment rather than leaving it to be addressed at development assessment stage.

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

The Planning Proposal will provide enhanced employment opportunities if redevelopment occurs in a manner consistent with the range of land uses permissible under the proposed B5 Business Development zoning. Positive social and economic outcomes for the local community and beyond could potentially occur.

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

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

The Planning Proposal seeks to rezone the subject site to formalise the current approved use of the site as a vehicle sales or hire premises. There is no proposal at this stage for redevelopment of the site for alternative business uses. The site is located on the interface between an established residential and business area that is well serviced by public infrastructure. Should any investigations be considered necessary in response to the Planning Proposal they will likely be documented in the Gateway Determination.

The proposal is unlikely to place a level of demand on existing public infrastructure that could not be managed satisfactorily by Council.

Both Council's Traffic and Transport Co-ordinator and staff at the Roads and Maritime Service (RMS) have concluded that should the site be the subject of a future redevelopment proposal, intersection modelling should be undertaken at this stage to determine the need for any upgrade to existing related infrastructure or access arrangements.

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

*Section to be further completed following Gateway Determination.*

Given the location of the subject site on a major arterial road, being the Hume Highway, Council has already undertaken preliminary consultation with the NSW Roads and Maritime Services (RMS). The RMS state they have no objection to the rezoning of 325 – 327 Hume Highway, Cabramatta and request that further consultation be undertaken at development application stage should the site be nominated for redevelopment in the future.

## Part 4 – Community Consultation

*Section to be completed following Gateway Determination.*

(The Gateway Determination will determine consultation required. Insert this information after Gateway Determination - Delete before printing)

## Part 5 – Project Timeline

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

| No.                  | Step                                                                                  | Process content                                                                                                                                                                           | Timeframe                                             |
|----------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 1                    | s.56 – request for Gateway Determination                                              | <ul style="list-style-type: none"> <li>Prepare and submit Planning Proposal to DP&amp;E</li> </ul>                                                                                        | June 2014                                             |
| 2                    | Gateway Determination                                                                 | <ul style="list-style-type: none"> <li>Assessment by DP&amp;E (including LEP Panel)</li> <li>Advice to Council</li> </ul>                                                                 | 1 month: July 2014                                    |
| 3                    | Completion of required technical information and report (if required) back to Council | <ul style="list-style-type: none"> <li>Prepare draft controls for Planning Proposal</li> <li>Update report on Gateway requirements</li> </ul>                                             | 1 month: August 2014                                  |
| 4                    | Public consultation for Planning Proposal                                             | <ul style="list-style-type: none"> <li>In accordance with Council resolution and conditions of the Gateway Determination.</li> </ul>                                                      | 28 days notification period: September – October 2014 |
| 5                    | Government Agency consultation                                                        | <ul style="list-style-type: none"> <li>Notification letters to Government Agencies as required by Gateway Determination</li> </ul>                                                        | September – October 2014                              |
| 6                    | Public Hearing (if required) following public consultation for Planning Proposal      | <ul style="list-style-type: none"> <li>Under the Gateway Determination issued by DP&amp;E public hearing is not required.</li> </ul>                                                      | Unlikely to be required                               |
| 7                    | Consideration of submission                                                           | <ul style="list-style-type: none"> <li>Assessment and consideration of submissions</li> </ul>                                                                                             | 1 month                                               |
| 8                    | Report to Council on submissions to public exhibition and public hearing              | <ul style="list-style-type: none"> <li>Includes assessment and preparation of report to Council</li> </ul>                                                                                | 1 month: December 2014                                |
| 9                    | Possible re-exhibition                                                                | <ul style="list-style-type: none"> <li>Covering possible changes to draft Planning Proposal in light of community consultation</li> </ul>                                                 | Minimum 1 month                                       |
| 10                   | Report back to Council                                                                | <ul style="list-style-type: none"> <li>Includes assessment and preparation of report to Council</li> </ul>                                                                                | 1 month                                               |
| 11                   | Referral to PCO and notify DP&E                                                       | <ul style="list-style-type: none"> <li>Draft Planning Proposal assessed by PCO, legal instrument finalised</li> <li>Copy of the draft Planning Proposal forwarded to DP&amp;I.</li> </ul> | 1 month                                               |
| 12                   | Plan is made                                                                          | <ul style="list-style-type: none"> <li>Notified on Legislation web site</li> </ul>                                                                                                        | 1 month                                               |
| Estimated Time Frame |                                                                                       |                                                                                                                                                                                           | 9 months                                              |