

147 Polding St, 1-3 Bodalla St and adjoining sites within the block at Fairfield Heights, Rezoning from R3 to R4.

Planning Proposal Report

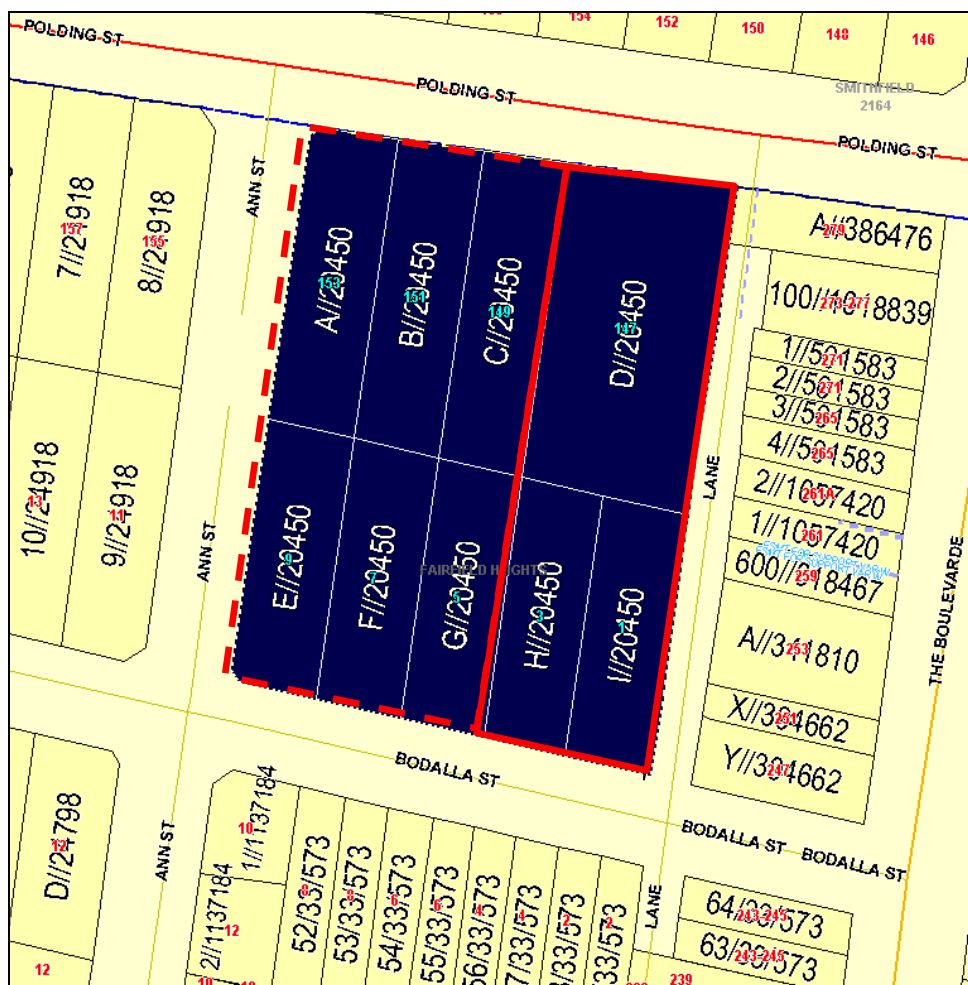


Table of Contents

- 1. Introduction**
 - 1.1 Executive summary**
 - 1.2 Purpose of this planning proposal**
- 2. Existing situation**
 - 2.1 Land to which the planning proposal applies**
 - 2.2 Existing planning controls**
 - 2.2.1 Uses permitted under zone R3**
 - 2.2.2 Heritage**
 - 2.3 Road access and parking at the subject site**
 - 2.4 Open spaces close to the subject site**
 - 2.5 Surrounding developments**
- 3. Part 1 – Objectives and Intended Outcomes**
- 4. Part 2 – Explanation of Provisions**
 - 4.1 Concept plan of the proposed development on the subject site**
- 5. Part 3 – Justification**
 - 5.1 Need for a planning proposal**
 - 5.2 Relationship to strategic planning framework**
 - 5.2.1 Fairfield City Centres Study 2015**
 - 5.2.2 Fairfield LGA Residential Development Strategy 2009**
 - 5.2.3 Fairfield City Community Strategic Plan 2012-2022**
- 6. Part 4 – Maps**
- 7. Part 5 – Community Consultation**
- 8. Part 6 – Project Timeline**

Appendices

- A.1 Traffic and Parking Assessment Report**
- A.2 Concept Plans**

1. Introduction

1.1 Executive summary

This planning proposal contains an explanation of the intended effect and justification for a proposed amendment to the *Fairfield Local Environmental Plan 2013* Standard Instrument. The planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and the relevant Department of Planning and Environment guidelines including '*A Guide to Preparing Local Environmental Plans*' and '*A Guide to Preparing Planning Proposals*'.

This planning proposal is prepared in conjunction and support of an applicant initiated planning proposal at 147 Polding St, 1-3 Bodalla St and adjoining sites within the block.

The planning proposal seeks to:

- Amend the *Fairfield Land Environmental Plan (FLEP) 2013* by rezoning land at 147 Polding St, 1-3 Bodalla St and adjoining sites within the block from R3 Medium Density Residential to R4 High Density Residential;
- Amend the *FLEP 2013*, Heights of Buildings (HOB) map from 9m to 13.5m;
- Amend the *FLEP 2013*, Floor Space Ratio (FSR) map from 0.45:1 to 1.25:1; and
- Include 'Fairfield Heights' as an exclusion clause 4.4A (1), so as to enable a blanket FSR of 1.25:1.

The application for the planning proposal also includes a development concept plan and traffic & parking assessment report.

1.2 Purpose of this planning proposal

This planning proposal has been prepared in response to an applicant initiated planning proposal for land at 147 Polding St, 1-3 Bodalla St and adjoining sites within the block. The planning proposal seeks to rezone the subject land from R3 Medium Density Residential to R4 High Density Residential, increase subsequent HOB to 13.5m and FSR to 1.25:1. The planning proposal also seeks to include Fairfield Heights in clause 4.4A (1) of *Fairfield LEP 2013*, to enable a blanket provision of FSR of 1.25:1 on the subject site.

2. Existing situation

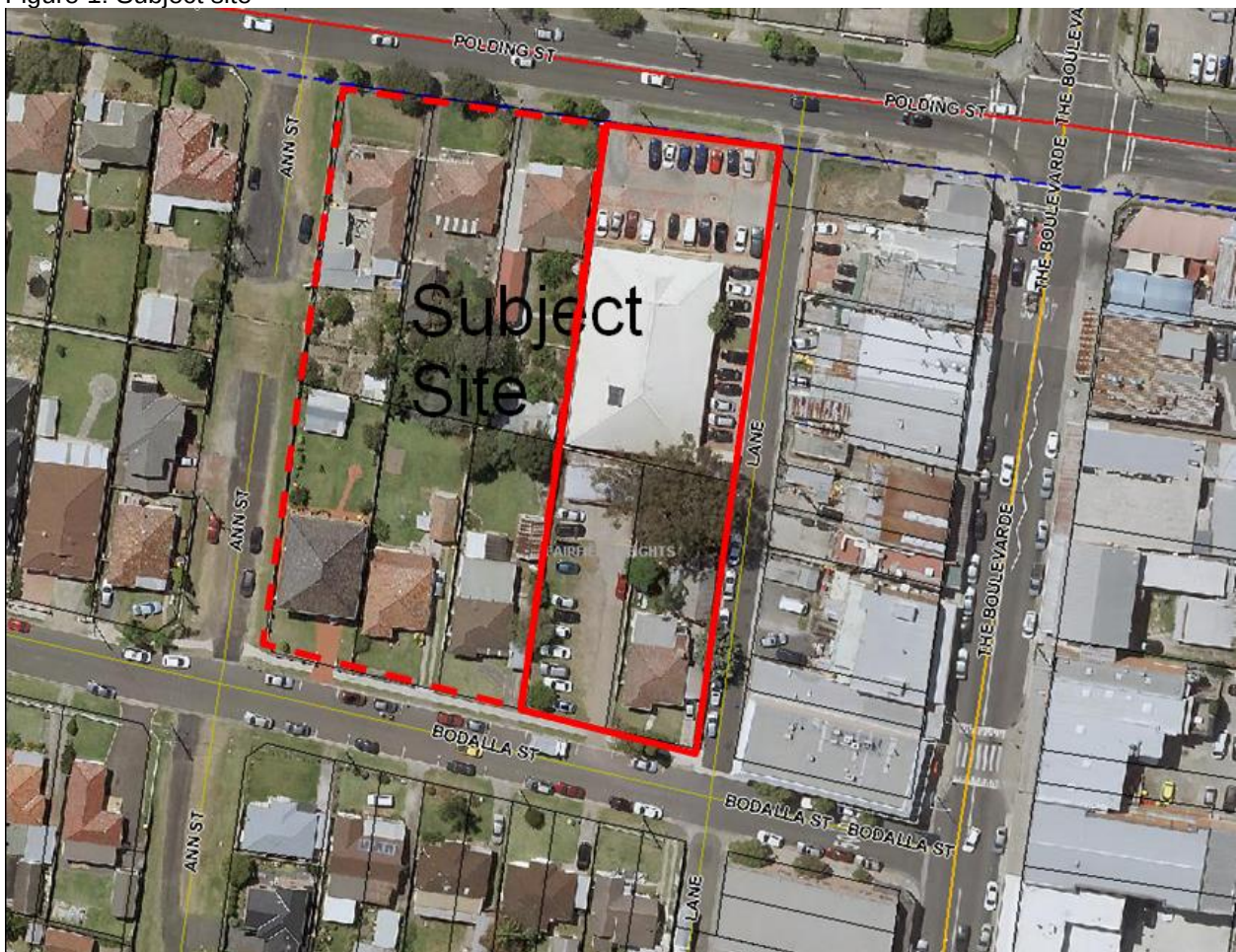
2.1 Land to which the planning proposal applies

The subject site is located adjacent to the Fairfield Heights Town Centre, on the west of the B2 Local Centre zone. The subject site is bounded by Polding Street on the north, Bodalla Street on the south, Ann Street on the west and the boundary of the B2 zone, Fairfield Heights Town Centre on the east. Figure 1 below provides an illustration of the location of the subject site.

The parcels within the subject site are fairly large compared to the other blocks of land immediately adjacent to the B2 Local Centre zone on the western side of the Fairfield Heights Town Centre. The land is flat and well serviced by necessary utilities. The 3 lots owned by the applicant, once amalgamated results in a large site having a frontage of 29.1m to Polding St, 29.3m to Bodalla St to the south with a depth of 100m along the laneway and 97.5m depth along the western boundary of the site. The total area of the site results to 2,876.9m².

The subject site is located within 5 minutes walking distance to the Fairfield Heights Town Centre. Within walking distance from the site is the Prospect View Park along Polding Street. The site sits in close proximity to schools, child care centres and a community centre.

Figure 1: Subject site



Source: Enlighten Air View 2015

Table 1 below illustrates the affected properties and its current uses

Property Address	Property Description	Area (m ²)	Uses
147 Polding St	Lot D DP 20450	640.3	Fairfield District Medical Centre, a large building structure with car parking spaces.
149 Polding St	Lot C DP 20450	641.1	A single storey fibro residential dwelling.
151 Polding St	Lot B DP 20450	613.8	A single storey fibro residential dwelling.
153 Polding St	Lot A DP 20450	657.4	A single storey fibro residential dwelling.
1 Bodalla St	Lot I DP 20450	659.7	A single storey fibro residential dwelling.
3 Bodalla St	Lot H DP 20450	1569.4	A vacant site with only a double lock up garage and attached carport structure sitting towards the rear of the site.
5 Bodalla St	Lot G DP 20450	763.6	A single storey fibro residential dwelling.
7 Bodalla St	Lot F DP 20450	746.9	A single storey fibro residential dwelling.
9 Bodalla St	Lot E DP 20450	750.1	A double storey brick residential dwelling.

The 3 lots owned by the applicant (Lots D, I and H), once amalgamated results in a large site having a frontage of 29.1m to Polding St, 29.3m to Bodalla St to the south with a depth of 100m along the laneway and 97.5m depth along the western boundary of the site. The total area of the site results to 2,876.9m².

The subject site is located within 5 minutes walking distance to the Fairfield Heights Town Centre. Within walking distance from the site is the Prospect View Park along Polding Street. The site sits in close proximity to schools, child care centres and a community centre.

Photographs of the subject site



Source: Google Map - Polding Street view



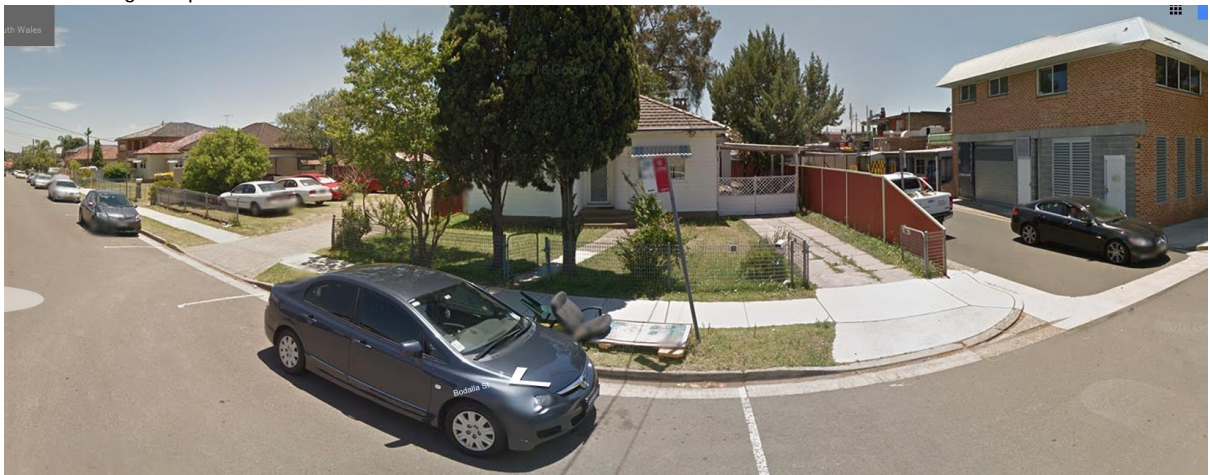
Source: Google Map - Polding Street view



Source: Google Map - Polding Street view



Source: Google Map - Bodalla Street view



Source: Google Map - Bodalla Street view

2.2 Existing planning controls

Table 2 below summarises the current planning controls for the subject site under the *FLEP 2013*.

Table 2: *FLEP 2013* Development Controls

<i>FLEP 2013</i> Planning Controls	
Zone	R3 Medium Density Residential
Height of Buildings	9m
Flood Planning	Not affected
Heritage	Not affected
Floor Space Ratio	0.45:1
Land Reservation Acquisition	Not affected

The subject site is zoned R3 Medium Density Residential. It has a Floor Space Ratio provision of 0.45:1 and Height of Building provision of 9m.

2.2.1 Uses permitted under zone R3

Uses permitted within R3 Medium Density Residential zone includes environmental protection works, home-based child care, home occupations, boarding houses, community facilities, group homes, multi dwelling housing, neighbourhood shops, places of worship, respite day care, seniors housing etc.

Figures 2, 3 and 4 below provide the current planning controls for the subject site.

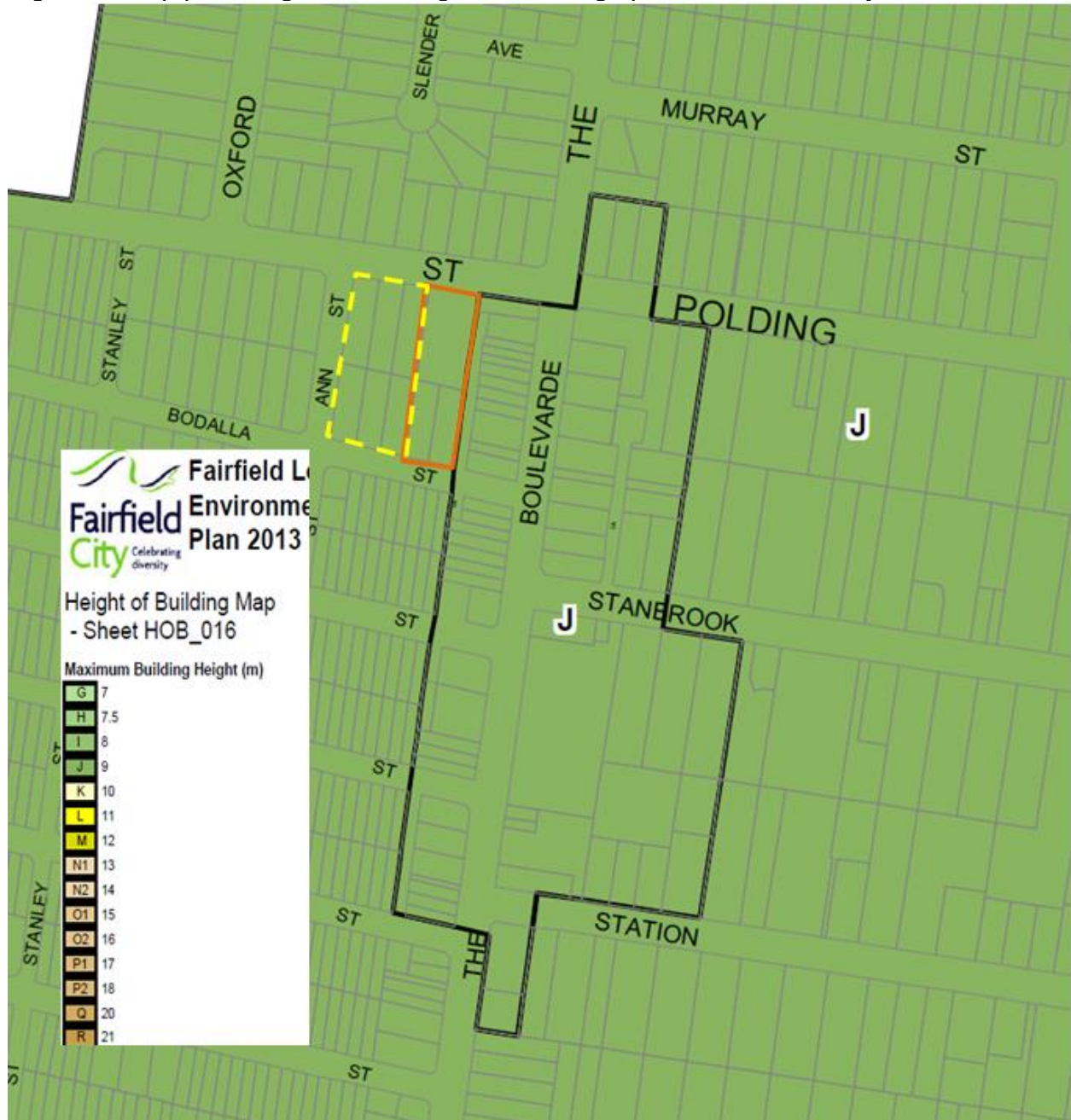
Figure 2: Map providing current zoning of the subject site



Source: FLEP 2013

The subject site is currently zoned as R3 Medium Density Residential.

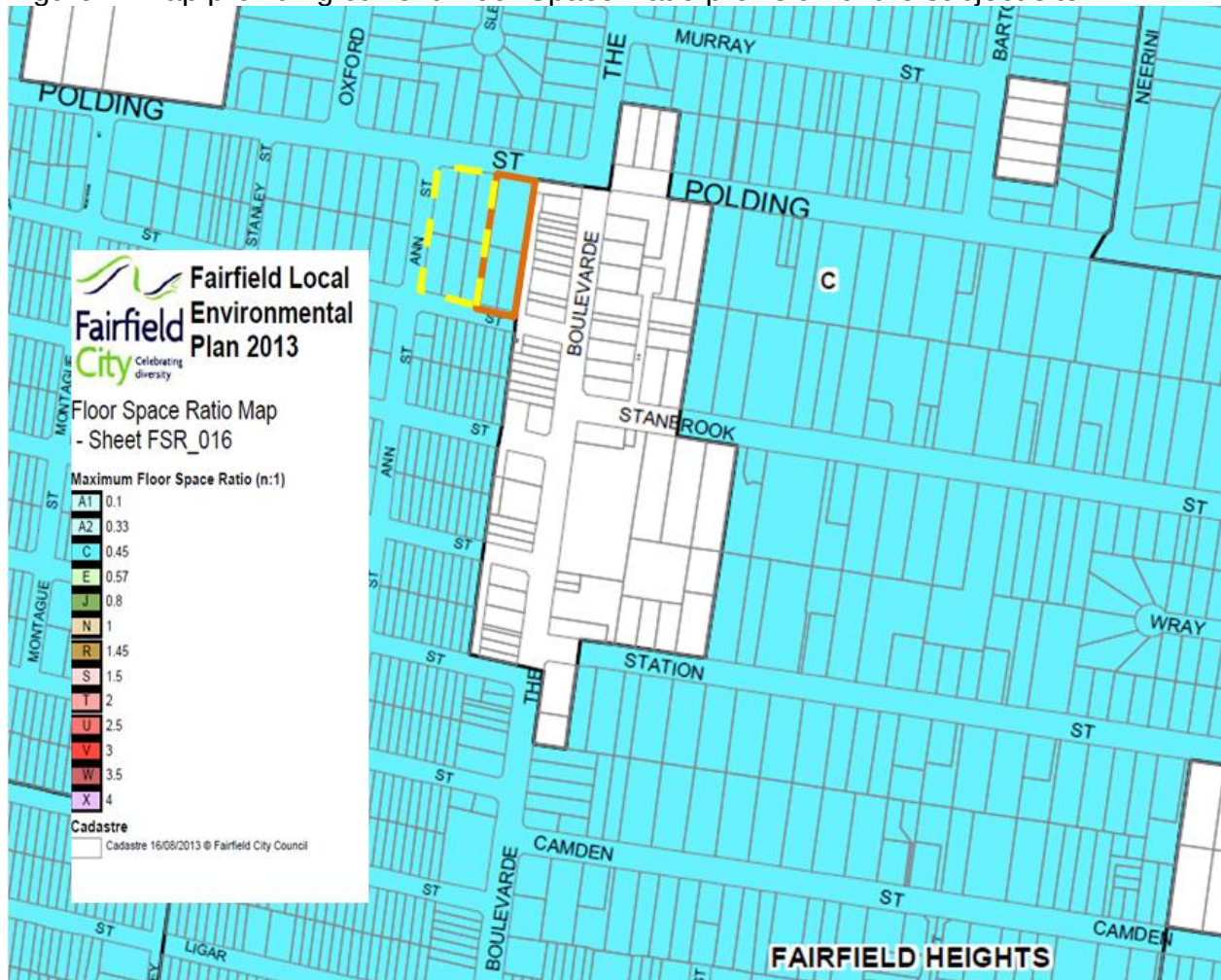
Figure 3: Map providing current Height of Buildings provision of the subject site



Source: FLEP 2013

The maximum height of buildings provision for the subject site is 9m under the current planning provisions.

Figure 4: Map providing current Floor Space Ratio provision of the subject site



Source: FLEP 2013

The current planning provisions allow a floor space ratio of 0.45:1 to the subject site.

2.2.2 Heritage

There are no heritage significant items within the subject site. However, a Victorian house located at 161 Polding Street is listed as heritage (item I71) of local significance within the *FLEP 2013*. The legal description of the site is lots 4,5,12 and 13 in deposited plan 24918.

Photograph of the heritage listed site at 161 Polding Street, Fairfield Heights



Source: Google Map

Figure 5: Proximity of the heritage item from the subject site



Source: Google Map (Ariel View)

2.3 Road Access and parking at the subject site

The subject site sits on a high ground within the Fairfield Local Government Area (LGA) known as Fairfield Heights. The site is accessed by Polding Street which is a regional road as classified by the Roads and Maritime Services (RMS). Bodalla Street, which is a local road also provides access to the subject site. No kerbside parking is permitted along Polding St. However, kerbside parking is permitted on both sides of Bodalla Street.

Currently, the off street parking provisions include 29 parking spaces at 147 Polding Street, 1 car space at 1 Bodalla Street and 4 parking spaces at 3 Bodalla Street which totals up to 34 parking spaces. However, the whole block has ample parking spaces to cater for the current residence and uses.

2.4 Open spaces close to the subject site

The subject site sits 200m from the Prospect View Park. The park is not embellished to cater for small children or families but seems to be used by the sporting clubs and leagues.

The Fairfield Heights Park which is a public recreation is located approximately 840m from the subject site along Camden Street and Station Street. The park is well maintained and embellished with play equipment and a few seating. There is a public toilet within the park as well.

The park is fairly safe and can be said to be well surveillanced by the neighbourhood as most houses around the park are facing the park. The park still has a lot of capacity to be more embellished with added BBQ facilities and seating. This park has the capacity to serve the incoming population resulting from this planning proposal within the town centre.

Along Barton Street, Council has year marked 3 properties to be acquired under *FLEP 2013*, Land Reservation Map for public recreation purposes. The properties are zoned RE1 Public Recreation. However, 6 and 8 Barton Street consists of residential dwelling which seems to be built fairly recently. The houses are in good condition. 8A Barton Street contains a Girl Guides building and this property has a much larger land area.

Acquisition and development of 6, 8 and 8A Barton Street into a public open space could take longer than anticipated unless Council resolves to take action within a set timeframe in the near future. Table 3 below provides details of the properties year marked to be acquired under *FLEP 2013*.

Table 3: Properties to be acquired for open space

Property Address	Lot no:	Deposited Plan no:
6 Barton Street	152	7638
8 Barton Street	153	7638
8A Barton Street	154	7638

Brenan Park, which is another public recreation space, sits approximately 830m away from the subject site. This park could be difficult to assess on foot by aged residences, people with disability, mothers with prams and small children.

Photographs of parks near the subject site



Fairfield Heights Park



Fairfield Heights Park



Prospect View Park

2.5 Surrounding Developments

Immediately adjacent to the subject site on the east is the B2 Local Centre zoned Fairfield Heights Town Centre. The town centre is located along The Boulevard, between Polding Street in the north and Beemera Street in the south. The Boulevard intersects with Polding Street, Bodalla Street, Stanbrook Street, Karabar Street, Kihilla Street and Station Street within the subject site.

There are a number of retail and commercial services provided within the town centre including, cafes, restaurants, bank, tax agents, bakery, butcher, medical centre, real estate, small grocers, barbers, beauty salons, Woolworths supermarket, car wash etc. The town centre is well established along a wide street namely The Boulevard. The buildings within the town centre are mix of single storey and structures with shop-top housing. The town centre does not have a lot of height in terms of structures. The Height of Buildings provision for the town centre is 9m.

The surrounding properties are zoned R3 Medium Density Residential and developments consists of mostly single storey and double storey (brick veneer) detached dwellings, dual occupancies and pockets of medium density villa/ town house type housing. The area is well serviced by a number of child care centres.

The surrounding R3 Medium Density Residential zone still has a lot of capacity to develop under the current planning controls. The lot sizes are mostly large with wide frontages and have potential to develop town houses and villas. The surrounding properties are fairly well built and there seems to be no major developments occurring within the town centre except for the occasional development applications.

Photograph of surroundings





3. Part 1- Objectives and Intended Outcomes

The objective and intended outcomes of the planning proposal are to:

- Amend the *Fairfield Land Environmental Plan (FLEP) 2013* by rezoning land at 147 Polding St, 1-3 Bodalla St and adjoining sites within the block from R3 Medium Density Residential to R4 High Density Residential;
- Amend the *FLEP 2013*, Heights of Buildings (HOB) map from 9m to 13.5m;
- Amend the *FLEP 2013*, Floor Space Ratio (FSR) map from 0.45:1 to 1.25:1; and
- Include 'Fairfield Heights' as an exclusion in clause 4.4A (1) Exceptions to maximum floor space ratio in zone R4, so as to enable a blanket FSR of 1.25:1.

4. Part 2 – Explanation of Provisions

The planning proposal will achieve the above objectives by amending the *Fairfield LEP 2013* zoning map, Height of Buildings map, Floor Space Ratio map and subsequent clause 4.4A (1) Exceptions to maximum floor space ratio in zone R4, so as to enable a blanket FSR of 1.25:1.

The planning proposal seeks to amend the *Fairfield LEP 2013* by rezoning the subject site from R3 Medium Density Residential to R4 High Density Residential and subsequently increasing the HOB and FSR controls. The rezoning will provide opportunity for higher density housing in Fairfield Heights Town Centre. Table 4 below indicates the proposed LEP controls for the subject site.

Table 4: Proposed planning controls

Property address	Zone	Height of Buildings	Floor Space Ratio
147 Polding St, 1-3 Bodalla St and adjoining sites within the block.	R4	13.5m	1.25:1

Figures 6, 7 and 8 below provide the proposed zoning, HOB and FSR for the subject site.
 Figure 6: Proposed zone for subject site

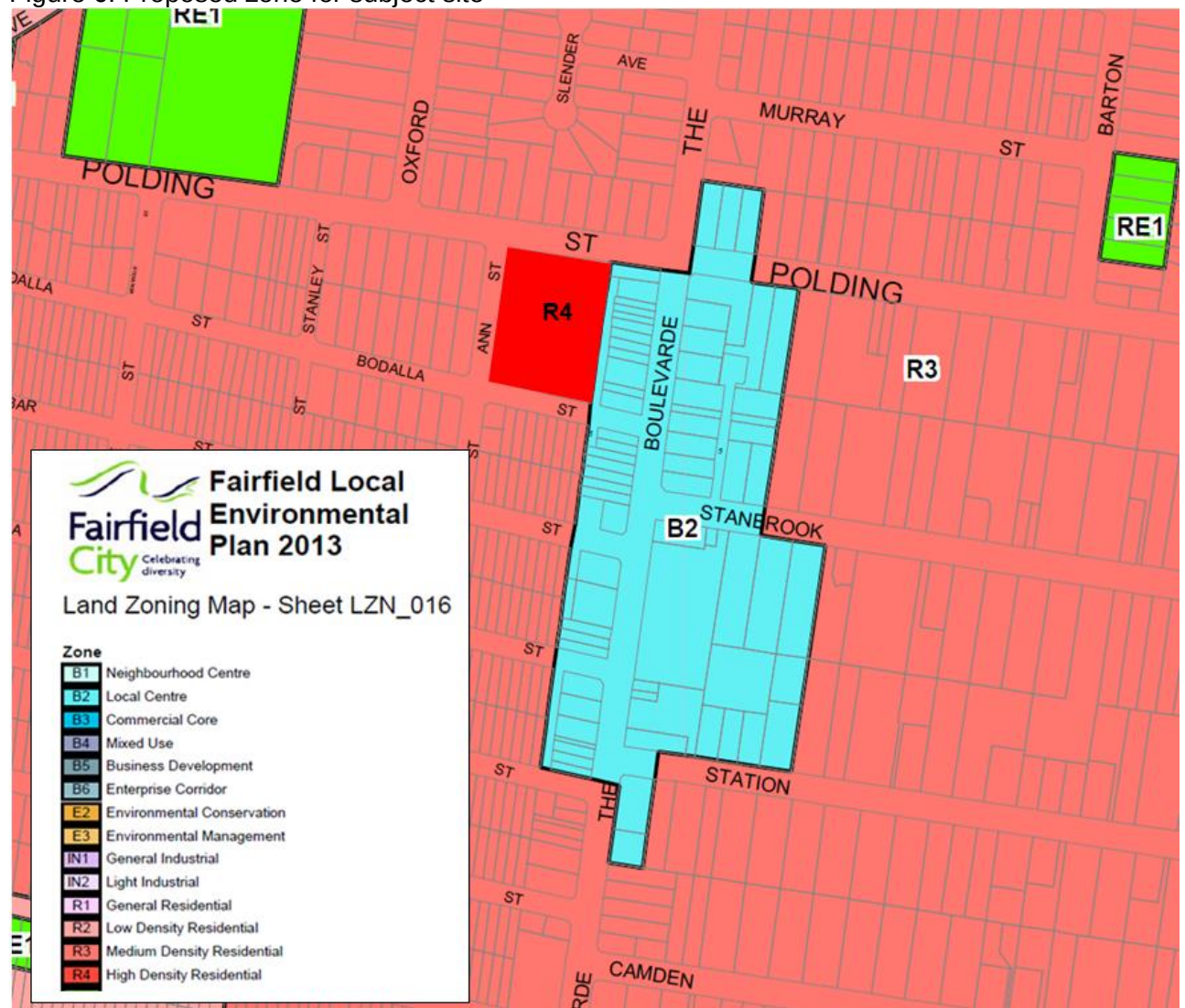


Figure 7: Proposed Height of Buildings for subject site

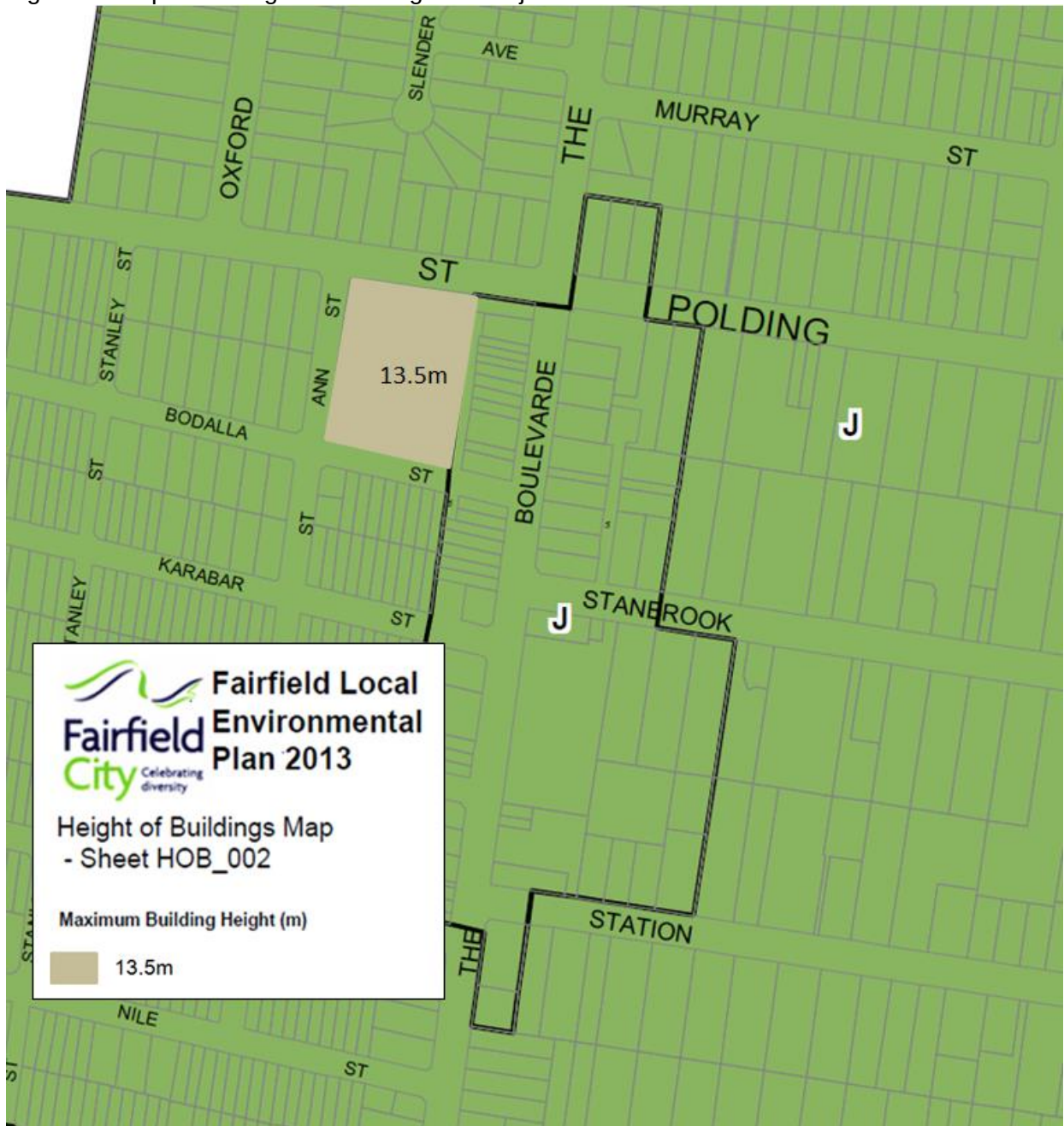
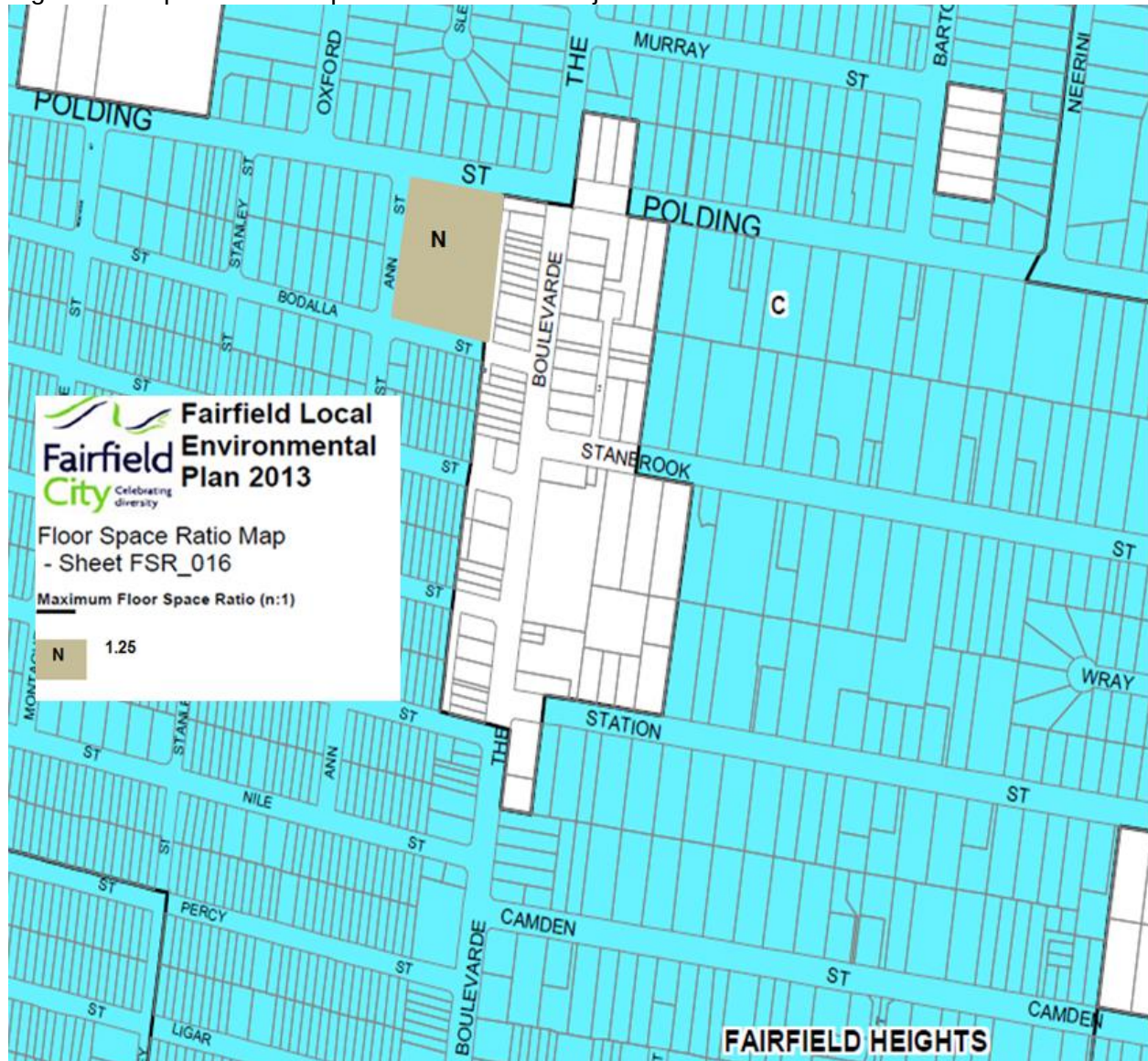


Figure 8: Proposed Floor Space Ratio for the subject site



In order to support the increase of FSR from 0.45:1 to 1.25:1, and also taking into consideration the size and scale of the subject site proposed to be rezoned, it is important to control the development of the site under FSR 1.25:1.

This will be achieved by including the Fairfield Heights precinct in clause 4.4A (1), and this will enable development of the precinct to a maximum FSR of 1.25:1. The clause is proposed to be amended as shown in bold below:

Clause 4.4A Exceptions to maximum floor space ratio in Zone R4:

- (1) *This clause applies to land in Zone R4 High Density Residential (excluding any land in Cabramatta, Canley Vale and Fairfield Heights).*

4.1 Concept plan of proposed development on the subject site

The development concept provided with the planning proposal indicates three building structures of medium rise flat buildings. The structures provide balconies along each of the frontages of each built form which contributes to the articulation of the building aesthetic and also provides opportunities for casual surveillance of the surrounding streetscapes and communal open space areas. SEPP 65 Design Guidelines and principles are underpinned within the development concept design.

Each building has a building depth of less than 18m from glass line. This building depth ensures the internal amenity of the units in terms of room depths and access to natural ventilation and daylight.

The three building structures are separated by 12m distance in accordance with the Fairfield DCP requirements. The setbacks of the building include; 6m-6.3m from Polding St, 4.3m-7m from Bodalla St, 205m from the laneway on the east boundary and 6m setback from the west boundary.

The building development is oriented to the northern, eastern and western street frontages. This orientation and design maximises the development concept in the northern aspect, minimises the overshadowing impacts and ensures solar access to living rooms, balconies and private open spaces.

The development concept provides 2 and 3 bedroom dwellings. The unit sizes range from 72m² for a 2 bedroom unit to 95.7m² for a 3 bedroom unit. In total, the proposed development will provide 40 dwellings which consist of 32 X 2 bedroom units and 8 X 3 bedroom units. The development will include 51 car spaces in the basement.

It should be also noted that the development concept is subjective at this stage. The actual development and design concepts can be confirmed once a development application is lodged with Council.

Table 5: Provides a calculation of the proposed development on the subject site

Site Area	2876.9 m²
Floor Area for Building 1	1238.2 m ²
Floor Area for Building 2	840.7m ²
Floor Area for Building 3	1230.7m ²
Landscaped Area	1374m ² (48%)
Deep Soil Area	594.3 m ² (20.6%)

Below are the concept plans of the proposed development.

Concept Plans



NOT FOR CONSTRUCTION		REZONING:		1500B43		SAN323		DEVELOPMENT APPLICATION ISSUE	
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REZONING SUBMISSION
147 POLDING ST &
1-3 BODALLA ST,
FAIRFIELD HEIGHTS

01 SITE ANALYSIS / ROOF PLAN
 02 BASEMENT PLAN
 03 GROUND FLOOR PLAN
 04 TYPICAL FLOOR PLANS
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NOT FOR CONSTRUCTION Christopher Jordan Architects & Design 75 Dufferin Street, Brisbane, NSW 2041 Tel: +61 402 387 600 info@christopherjordan.com.au NSW Reg. Architect No. 92077	REVISIONS 147 POLDING ST & 1-3 BODALLA ST FAIRFIELD HEIGHTS	DEVELOPMENT APPLICATION 147 POLDING ST & 1-3 BODALLA ST FAIRFIELD HEIGHTS
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NOT FOR CONSTRUCTION Christopher Jordan Architects & Design 75 Dufferin Street, Brisbane, NSW 2041 Tel: +61 402 387 600 info@christopherjordan.com.au NSW Reg. Architect No. 92077	REVISIONS 147 POLDING ST & 1-3 BODALLA ST FAIRFIELD HEIGHTS	DEVELOPMENT APPLICATION 147 POLDING ST & 1-3 BODALLA ST FAIRFIELD HEIGHTS
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5. Part 3 - Justification

This section sets out the reasons for the proposed outcomes and development standards in the planning proposal. The following questions are set in the Department of Planning and Environment's *A Guide to Preparing Planning Proposals* and addresses the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

5.1 Need for a planning proposal

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

This planning proposal is initiated in response to an applicant initiated planning proposal at 147 Polding St, 1-3 Bodalla St and adjoining sites within the block at Fairfield Heights. This planning proposal does not form part of any strategic study or report.

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

FLEP 2013 is Council's principle planning instrument. This planning proposal seeks to rezone the subject site from R3 Medium Density Residential to R4 High Density Residential and subsequently increase the height of building and floor space ratio controls. As a result of an increase in the floor space ratio, clause 4.4A (1) Exemption to maximum floor space ratio in zone R4, of *FLEP 2013* also requires to be amended.

A planning proposal is the most appropriate means to achieve this outcome and the objectives and intended outcomes of the planning proposal.

5.2 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)?

The planning proposal is consistent with the goal, directions and actions of **A Plan for Growing Sydney** as follows:

Goal	Consistency
Goal 2, Direction 2.1: Sydney's housing choices Action 2.1.1: Accelerate housing supply local housing choices	The planning proposal is consistent with this action. It will rezone the subject site from R3 Medium Density Residential to R4 High Density Residential. The planning proposal will also increase the Height of Buildings and Floor Space Ratio provisions for the subject site. The proposed amendment to the planning control will provide greater opportunities for additional housing opportunities at Fairfield Heights.
Goal 3, Direction 3.1: Revitalise existing suburbs Action 3.1.1: Support urban renewal by directing local infrastructure to centres where there is growth	The planning proposal is consistent with this action. The planning proposal will generate S94 Developers Contribution which can be utilised to provide local infrastructures in the Fairfield Heights area.

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

5.2.1 Fairfield City Centres Study 2015

The Fairfield City Centres Study 2015 was undertaken to review the current situation of the existing retail and commercial centres and examine the future demand for retailing and the implications for the centres network. There is a particular focus on the Fairfield City Centre and the Town Centres of Prairiewood, Bonnyrigg and Cabramatta.

The overall objective of this study is to develop an updated Centres Study that promotes the future economic well-being of Fairfield City. Other objectives of study are to:

- Formulate a retail and commercial strategy for centres, in particular for Fairfield City Centre, Prairiewood, Bonnyrigg and Cabramatta;
- Review the existing retail hierarchy and council's retail/commercial centres zoning/classification under the *FLEP 2013* and State and Regional Policies;
- Assist Council in building capacity to enable Council to confidently deal with the current and future development proposals; and
- Provide strategies and recommendations for specific issues identified by Council and Norling Consulting.

The following recommendations of the study can be considered to be in favour of Fairfield Heights:

- Increased building heights should be given serious consideration for medium to high density residential precincts located in close proximity to centres and public transport systems, especially Fairfield and Canley Vale with priority on Fairfield City Centre;

- The LEP should incentivize site amalgamation with centres by offering greater height limits for larger allotments;
- Develop (or revise existing) and implement a staged plan to improve public spaces within all major centres, particularly the Cabramatta Town Centre;
- Focus on attracting high density residential development through redevelopment of older sites in the area surrounding Fairfield City Centre. This can be achieved through increasing the building heights to ensure that redevelopment is financially viable (within the R4 High Density Residential zone); and
- Maintain the centre designations of Local and Neighbourhood Centres.

The planning proposal is seeking for a rezoning of a R3 Medium Density Residential land to a R4 High Density Residential provision. The planning proposal will also subsequently amend the *FLEP 2013* Heights of Building map and Floor Space Ratio map for the subject site. It is therefore consistent with the above recommendations of the study. The proposed rezoning will create opportunities for a variety of higher density housing in the Fairfield Heights area.

5.2.2 Fairfield LGA Residential Development Strategy 2009

The Fairfield Residential Strategy (study) established the framework to ensure that the Fairfield LGA can accommodate the additional dwellings target of 24,000 dwellings as identified in the WCSOSS. The study focused on the eastern centres of the LGA including Fairfield Heights.

The study also identified significant capacity for growth mainly in the existing medium-high density zones in the eastern half of the LGA and recommended a number of up-zoning to accommodate the additional density (14,000 dwellings) to be carried out as part of the comprehensive *FLEP 2013*.

The study modelled individual town centres within the LGA. The study identified the following for Fairfield Heights Town Centre:

- There were 1,300 dwellings within the Fairfield Heights which was short of the dwelling target for villages at 2,100 to 5,500 dwellings within a 600m radius;
- The residential lots vary in size with larger strata lots sitting on the south east of Polding Street and small 'triplex' lots on the south western side of the commercial area. Lots to the north are more regular in size (500-600sqm);
- Open spaces and civic spaces are limited, particularly in close proximity to the commercial centre. A large area of open space is located to the north west of the commercial centre, fronting Polding Street. This open space has poor connectivity with the commercial area;
- There are potential to develop Polding Street as a key bus arterial between the major centres of Prairiewood and Fairfield;
- The Fairfield Heights commercial core is fair, however it lacks any civic or open spaces; and
- Fairfield Heights is relatively unconstrained by natural systems. There are no flooding or acid sulfate soil constraints.

The study recommended the following for Fairfield Heights:

- Opportunity to increase dwelling stock to meet range for a village;
- Encourage affordable housing in catchment;
- Maintain diversity and quality of retail and commercial services;
- Provision of services to be reviewed in-line with increases in density;
- Review opportunity to develop Polding Street as a key east-west bus route;

- Increase amount and distribution of open space across catchment, particularly in south-east of catchment;
- Investigate additional open space with the commercial core to increase activation. Improve quality of public domain in commercial core; and
- Ensure future dwellings are constructed to the standards of SEPP 65 and are accessible.

It should be noted that this study was undertaken in 2009 and a lot of changes has occurred over the years in terms of developments and policy changes. The comments and recommendation of the study especially the Fairfield Heights part was based on the direction and actions of WCDSS. The WCDSS is now out-dated.

A number of new developments are likely to have occurred within the town centre over the past 6 years. Despite the fact that the study was undertaken in 2009, the recommendations of the study are still applicable to the Fairfield Heights area.

It should be noted that the subject site and surrounding R3 Medium Density Residential areas including the B2 Local Centre zone (Fairfield Heights Town Centre) are not developed to its maximum capacity within the provision of the current planning controls.

The planning proposal is consistent with the recommendations of the study as it provides opportunities to improve the amenities and provide more high density housing capacity at Fairfield Heights.

5.2.3 Fairfield City Community Strategic Plan 2012-2022

Relevant FCCSP Outcome within the theme	Council's commitment to the outcome	How the planning proposal achieves the outcome
Theme 1 Goal 3: Enjoying a good standard of living and enhanced quality of life (we can satisfy our needs to meet our changing life requirements and ambitions)	3.3 A range of housing types that caters for different life stages, family needs and levels of affordability.	The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. The proposed amendments to the <i>FLEP 2013</i> will assist in facilitating a range of housing types at Fairfield Heights to meet the needs of families at different stages of their lives and levels of affordability.

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

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

No.	Title	Summary	PP application's consistency with the SEPP
1	Development Standards	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	Does not apply to Fairfield LGA
14	Coastal Wetlands	Aims to ensure the State's coastal wetlands are preserved and protected.	Does not apply to Fairfield LGA Applies to specified land under the National Parks & Wildlife Act, the Tomago Aluminium Smelter (Newcastle) and land to which SEPP 26 applies.
15	Rural Land sharing Communities	Aims to facilitate the development of rural land sharing communities committed to environmentally sensitive and sustainable land use practices.	Does not apply to Fairfield LGA
19	Bushland in Urban Areas	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Applies to State The subject site affected by the planning proposal is not affected by bush land.
21	Caravan Parks	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of	Applies to State except land to which SEPP (Western Sydney Parklands) applies. Consistent

No.	Title	Summary	PP application's consistency with the SEPP
		accommodation to short and long term residents.	
26	Littoral Rainforests	Aims to protect littoral rainforests from development.	Does not apply to Fairfield LGA
29	Western Sydney Recreation Area	Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	Applies to Fairfield LGA Consistent (Applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park) However, the land affected by the planning proposal is not located at Horsley Park.
30	Intensive Agriculture	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Applies to State Consistent
32	Urban Consolidation	Aims to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Applies to State Applies to all urban land, except Western Sydney Parklands under that SEPP Consistent The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. This amendment will enable more high density residential developments at Fairfield Heights.

No.	Title	Summary	PP application's consistency with the SEPP
33	Hazardous and Offensive Development	Aims to provide additional support and requirements for hazardous and offensive development	Applies to State Consistent
36	Manufactured Home Estates	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Does not apply to Fairfield LGA Applies to land outside the Sydney Region.
39	Spit Island Bird Habitat	Aims to enable development for the purposes of creating and protecting bird habitat.	Does not apply to Fairfield LGA Applies to land comprising Spit Island, Towra Point and Kurnell
44	Koala Habitat Protection	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to Fairfield LGA
47	Moore Park Showground	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Fairfield LGA
50	Canal Estate Development	Prohibits canal estate development	Applies to State, except Penrith Lakes Consistent
52	Farm Dams and other works in land management areas	Requires environmental assessment under Part 4 of the EPA for artificial water bodies carried out under farm plans that implement land and water management plans.	Does not apply to the Fairfield LGA
55	Remediation of Land	Provides a State wide planning approach for the remediation of contaminated land.	Applies to State Consistent The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density

No.	Title	Summary	PP application's consistency with the SEPP
			Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. This amendment will enable more high density residential developments at Fairfield Heights. These lands are currently not affected by site contamination. However, any subsequent DAs lodged may need to undertake a phase 1 contamination assessment to fulfil Clause 6 requirements of the SEPP 55 if the proposal proceeds to s.56 Gateway Determination and notification (gazettal).
59	Central Western Sydney Regional Open Space and Residential	Aims to provide for residential development on suitable land as identified in the Policy to assist in accommodating the projected population growth of Western Sydney	Does not apply to Fairfield LGA Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands
62	Sustainable Aquaculture	Aims to encourage and regulate sustainable aquaculture development	Applies to State Consistent
64	Advertising and Signage	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to State Consistent
65	Design Quality of Residential Flat Development	Aims to improve the design qualities of residential flat building	Applies to State, except Kosciusko SEPP area

No.	Title	Summary	PP application's consistency with the SEPP
		development in New South Wales.	Consistent The proposed controls, which would work in conjunction with Council's Development Control Plan framework, would be consistent with SEPP 65. Any subsequent DAs would need to comply with the SEPP.
70	Affordable Housing (Revised Schemes)	Aims to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000.	Does not apply to Fairfield LGA Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square.
71	Coastal Protection	Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Does not apply to Fairfield LGA Applies to land within the coastal zone, as per maps of SEPP.
	Penrith Lakes Scheme 1989	Aims to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.	Does not apply to Fairfield LGA
	Housing for Seniors or People with a Disability 2004	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to State To be considered at DA stage if required.
	Building Sustainability Index: BASIX 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State To be considered at DA stage if required.
	Kurnell Peninsula 1989		Does not apply to Fairfield LGA

No.	Title	Summary	PP application's consistency with the SEPP
			Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.
	Major Development 2005	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	Applies to State Consistent
	Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	Does not apply to Fairfield LGA. Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)
	Mining, Petroleum and Extractive Industries 2007	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to State Consistent
	Miscellaneous Concerns Provisions 2007	Aims to provide that the erection of temporary structures is permissible with consent across the State, development comprising the subdivision of land, the erection of a building or the demolition of a building, to the extent to which it does not already require development consent under another environmental planning instrument, cannot be carried out except with development consent.	Applies to State Consistent

No.	Title	Summary	PP application's consistency with the SEPP
	Infrastructure 2007	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	Applies to State Is not applicable to this PP.
	Kosciuszko National Park – Alpine Resorts 2007	Aims to protect and enhance the natural environment of the alpine resorts area.	Does not apply to Fairfield LGA Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Rural Lands 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Apply to Fairfield LGA Consistent
	Western Sydney Employment Area 2009	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Does not apply to Fairfield LGA Consistent
	Exempt and Complying Development Codes 2008	Aims to provide streamlined assessment process for development that complies with specified development standards.	Applies to State To be considered at DA stage if required.
	Western Sydney Parklands 2009	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Applies to Fairfield LGA Consistent Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)
	Affordable Rental Housing 2009	Aims to provide a consistent planning regime for the provision of affordable	Applies to State To be considered at DA stage if required.

No.	Title	Summary	PP application's consistency with the SEPP
		rental housing and facilitate the effective delivery of affordable housing	
	Urban Renewal 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	Does not apply to Fairfield LGA Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.
	Sydney Drinking Water Catchment 2011	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	Does not apply to Fairfield LGA Applies to land within the Sydney drinking water catchment.
	SEPP 53 Transitional Provisions 2011	Aims to enact transitional provisions consequent on the repeal of SEPP 53 - Metropolitan Residential Development.	Does not apply to Fairfield LGA Applies only to specified land in Ku-ring-gai LGA.
	State and Regional Development 2011	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Applies to State Consistent
	Three Ports 2013	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port Newcastle.	Does not apply to Fairfield LGA Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla and land within New Castle City Council in an area known as Port Newcastle.

No.	Title	Summary	PP application's consistency with the SEPP

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

No	Title	Summary	Application
8	Central Coast Plateau	Aims to implement the state's urban consolidation policy.	Does not apply to Fairfield LGA. Applies to nominated land in the NSW Central Coast.
9	Extractive Industry No. 2 1995	Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	Does not apply to Fairfield LGA. Applies to LGAs listed in Schedule 4 of the SREP.
16	Walsh Bay	Aims to regulate the use and development of the Walsh Bay area.	Does not apply to Fairfield LGA. Applies to land within the City of Sydney and within Sydney Harbour.
18	Public transport corridors	Aims to protect provision for future public transport facilities.	Applies to Fairfield LGA. Applies to the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs. Consistent. The planning proposal does not affect the facilities for future transport provision as it is within the capacity of the current provisions.
19	Rouse Hill Development Area	Aims to provide for the orderly and economic development of the RHDA.	Does not apply to Fairfield LGA. Applies to area defined by policy. Note: Rouse Hill is in The Hills and Blacktown LGAs.
20	Hawkesbury Nepean	Aims to protect the Hawkesbury-Nepean River System.	Applies to Fairfield LGA. Applies to certain LGAs within Greater Metropolitan Region.

No	Title	Summary	Application
			Consistent. However, the planning proposal does not affect the Hawkesbury- Nepean River System.
24	Homebush Bay Area	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	Does not apply to Fairfield LGA.

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

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 is outlined in the table below:

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
1. Employment and Resources			
1.1 Business and Industrial Zones	- Encourage employment growth in suitable locations - Protect employment land in business and industrial zones - Support the viability of identified strategic centres.	The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. This amendment will enable more high density residential developments at Fairfield Heights. However, the planning proposal will not provide any increment in the business opportunities at Fairfield Heights.	N/A
1.2 Rural Zones	Protect agricultural production value of rural land.	N/A	N/A
1.3 Mining, Petroleum Production and Extractive Industries	Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	N/A	N/A
1.5 Rural Lands	Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes.	N/A	N/A
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	The planning proposal is consistent with this direction. This planning proposal does not affect environmentally sensitive areas. [Direction 2.1 (1)]	YES
2.2 Coastal Protection	Implement the principles in the NSW Coastal Policy.	N/A	N/A
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The planning proposal is consistent with this direction. There are no heritage significant items within the subject site. This planning proposal does not affect heritage items. [Direction 2.3 (1)]	YES
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	N/A	N/A
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	- Encourage a variety and choice of housing types to provide for existing and future housing needs - Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services - Minimise the impact of residential development on the environment and resource lands.	The planning proposal is consistent with the direction. The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. This amendment will enable more high density residential developments at Fairfield Heights. The existing infrastructure and	YES

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		services have the capacity to cater for the proposed developments resulting from this planning proposal. [Direction 3.1 (1) (b)]. The subject site is located approximately 3km from the Fairfield railway station. The site is also well serviced by buses. The planning proposal and the indicative development proposal seems to have minimum impact on the environment and resource lands [Direction 3.1 (1) (c)]. However, sustainable development principles adopted from SEPP 65 will ensure that the impact of residential development has minimal impact on the environment and resource lands.	
3.2 Caravan Parks and Manufactured Home Estates	- Provide for a variety of housing types - Provide opportunities for caravan parks and manufactured home estates.	N/A	N/A
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses.	No change	YES
3.4 Integrating Land Use and Transport	- Improve access to housing, jobs and services by walking, cycling and public transport. - Increase choice of available transport and reducing car dependency. - Reduce travel demand and distance (especially by car) - Support the efficient and viable operation of public transport services - Provide for the efficient movement of freight	The subject site is in close proximity from the Fairfield Railway Station. The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential. The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site. This amendment will enable more high density residential developments at Fairfield Heights.	YES

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		The planning proposal is broadly consistent with the objectives Direction 3.4.	
3.5 Development Near Licensed Aerodromes	▪ Ensure effective and safe operation of aerodromes ▪ Ensure aerodrome operation is not compromised by development ▪ Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.	N/A	N/A
3.6 Shooting Ranges	▪ Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, ▪ Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land ▪ Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	N/A	N/A
4. Hazard and Risk			
4.1 Acid Sulfate Soils	▪ Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The subject site is not affected by Acid Sulfate Soil.	N/A
4.2 Mine Subsidence and Unstable Land	▪ Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	N/A	N/A
4.3 Flood Prone Land	▪ 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>. ▪ Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the	The subject site is not affected by flood prone land.	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	potential flood impacts both on and off the subject land.		
4.4 Planning for Bushfire Protection	- Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. - Encourage sound management of bush fire prone areas.	N/A	N/A
5. Regional Planning			
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	N/A	N/A
5.2 Sydney Drinking Water Catchments	To protect water quality in the hydrological catchment.	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	- Ensure that the best agricultural land will be available for current and future generations to grow food and fibre - Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning - Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas	N/A	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	- Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route - Prevent inappropriate development fronting the highway - Protect public expenditure invested in the Pacific Highway - Protect and improve highway safety and efficiency - Provide for the food, vehicle service and rest needs of travellers on the highway - Reinforce the role of retail	N/A	N/A

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	and commercial development in town centres, where they can best serve the population of the towns.		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A (Revoked)	-	-
5.6 Sydney to Canberra Corridor	N/A (Revoked – See amended direction 5.1)	N/A	N/A
5.7 Central Coast	N/A (Revoked – See amended direction 5.1)	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek	The subject site is not in the vicinity of the Badgerys Creek airport site.	N/A
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	N/A	Yes
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes - Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	N/A	N/A
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	N/A	YES
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Planning proposal shall give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney	The planning proposal is consistent with the goal 2, A city of housing choice, with homes that meet our needs and life style. Direction: Accelerate housing supply across Sydney. Action: Accelerate housing supply and local housing choices. The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential.	YES

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
		The planning proposal will also subsequently increase the Floor Space Ratio and Height of Buildings controls for the subject site.	

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 planning proposal applies to an urbanised land zoned for residential purposes which adjoins a local centre and holds a long history for having a medical centre and residential uses from the site.

The land to which the planning proposal applies does not impose any adverse impact on the critical habitat or threatened species, populations or ecological communities or their habitats.

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

The planning proposal does not impose any significant environmental impacts. However, a phase 1 contamination assessment may be required at the DA stage of development.

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

The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential and subsequently amend *FLEP 2013* by increasing provisions within the associated Height of Buildings and Floor Space Ratio maps.

The planning proposal provides opportunity for high density housing. The population increase as a result of development will ensure that population target for 2031 are met for Fairfield Heights. This can also assist in the revitalisation of the adjoining Fairfield Heights Town Centre.

A further consultation with the community and public authorities post-Gateway will present an opportunity for additional social or environmental effects, if any, to be identified. However, given the nature and scale of the proposal and the existing background studies undertaken to date, it is not anticipated that any further significant social or economic effects will emerge.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal seeks to rezone R3 Medium Density Residential land to R4 High Density Residential and subsequently amend *FLEP 2013* by increasing provisions within the associated Height of Buildings and Floor Space Ratio maps. The existing infrastructure within Fairfield Heights area has the capacity to meet the infrastructure needs of this planning proposal.

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

The planning proposal does not require consultation with any State and Commonwealth public authorities with the exception of the Department of Planning and Environment.

However, the Gateway Determination will determine consultation required.

6. Part 4 - Maps

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

- Amend the relevant zoning map (LZN_016) to rezone the subject land from R3 Medium Density Residential to R4 High Density Residential.
- Amend the relevant Floor Space Ratio Map (FSR_016) to increase FSR from 0.45:1 to 1.25:1.
- Amend the relevant Height of Buildings map (HOB_016) to increase HOB from 9m to 13.5m.
- To achieve the objectives of the Planning Proposal, Fairfield Local Environmental Plan 2013; Standard Instrument – 'Clause 4.4A (1) Exceptions to maximum floor space ratio in Zone R4' will be amended as follows:

(1) This clause applies to land in Zone R4 High Density Residential (excluding any land in Cabramatta, Canley Vale and Fairfield Heights).

7. Part 5 - Community Consultation

Community consultation is required under Sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at the Gateway process.

It is proposed that at minimum this involves the notification of the public exhibition of the planning proposal:

- In the Fairfield City Corporate news section of the local newspaper that circulates widely in the local government area; and
- In writing letters to the owners of the affected properties, the adjoining and surrounding property owners.

8. Part 6 - Project Timeline

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

No.	Step	Process content	Timeframe
1	s.56 – request for Gateway Determination	Prepare and submit Planning Proposal to DP&I	May 2016
2	Gateway Determination	- Assessment by DP&I (including LEP Panel) - Advice to Council	July 2016
3	Completion of required technical information and report (if required) back to Council	- Prepare draft controls for Planning Proposal - Update report on Gateway requirements	August – September 2016
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	September 2016
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	September 2016
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&I public hearing is not required.	October – November 2016
7	Consideration of submission	Assessment and consideration of submissions	1 month
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	1 month: January 2017
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	February - March 2017
10	Report back to Council	Includes assessment and preparation of report to Council	1 month April 2017
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	1 month May 2017
12	Plan is made	Notified on Legislation web site	May – June 2017
Estimated Time Frame			12 months