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Item: 12.09

Subject: **PLANNING PROPOSAL: LAND AT THE INTERSECTION OF  
HOUSTON MITCHELL DRIVE AND OCEAN DRIVE, BONNY HILLS**

Presented by: **Strategy and Growth, Holly McBride**

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### **Alignment with Delivery Program**

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

### **RECOMMENDATION**

That Council:

1. Prepare a Planning Proposal pursuant to section 3.33 of the *Environmental Planning and Assessment Act 1979* to amend the *Port Macquarie-Hastings Local Environmental Plan 2011* in relation to Lot 10 DP 615775 and Lot 1 DP 1117908, corner Houston Mitchell Drive and Ocean Drive, Bonny Hills to rezone the land for light industrial and environmental protection purposes and associated changes to the Height of Buildings Map and Minimum Lot Size Map as outlined in this report.
2. Forward the draft Planning Proposal to the Department of Planning and Environment for a Gateway Determination, and request that the Gateway Determination authorise Council to be the local plan-making authority.
3. Upon receipt of the Gateway Determination, complete the relevant procedures under section 3.34 and clause 4 of Schedule 1 of the Act, including public exhibition of the Planning Proposal.
4. Delegate authority to the General Manager to make any minor amendments to the Planning Proposal as a result of the Gateway Determination.
5. Endorse and publically exhibit the attached draft Development Control Plans, incorporating site specific and Asset Protection Zone matters, concurrently with the Voluntary Planning Agreement and Planning Proposal in accordance with clauses 18 and 19 of the Environmental Planning and Assessment Regulations 2000.

### **Executive Summary**

The purpose of this report is to consider a Planning Proposal request (PP2014-14.1) to amend the *Port Macquarie Hastings Local Environmental Plan 2011* (LEP 2011) to rezone Lot 10 DP 615775 and Lot 1 DP 1117908 Houston Mitchell Drive, Bonny Hills from RU1 Primary Production to part IN2 Light Industrial, part E2 Environmental Conservation and part E3 Environmental Management zone.

The Applicant for the request is King & Campbell. The request is to enable development for light industrial purposes, to conserve areas of environmental significance and to provide a habitat link between the Queens Lake Nature Reserve to the west and Area 14 to the east.

The intended effect of the Planning Proposal request is to amend planning controls including zone, lot size and height of building controls, on the subject land.

The site has been identified as an investigation area for light industry in Council's Urban Growth Management Strategy since 2011. There is an identified need for approximately 8 hectares of light industrial land in the Bonny Hills/ North Haven area to 2036.

The subject site is likely to yield approximately 5.65ha of light industrial land, which is around 70% of the required industrial land supply in the UGMS in this locality. This is strategically important as there is no certainty that any other land in the Lake Cathie/Bonny Hills area will be suitable for light industrial development.

It is considered the Planning Proposal recommended for the support of Council provides a balanced outcome for the subject land in that it provides future employment opportunities on predominantly cleared land, addresses community concern relating to the visual impacts at an important gateway entry to Lake Cathie and Bonny Hills, and protects the environmental values of the land.

This report recommends that Council proceed with a Planning Proposal, as described in this report, and seek a Gateway Determination from the NSW Department of Planning and Environment pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979*. It also recommends that Council endorse the draft amendments to Development Control Plan 2013, which will be exhibited concurrently with the Planning Proposal.

## Discussion

### Background

#### Draft UGMS 2017

On 20 June 2018, Item 12.07 in the the draft UGMS was reported to and subsequently adopted by Council. The Council report included details specifically relating to the subject site, including:

- Successive reviews of industrial land supply since 2007 have identified a shortage of service industrial land to meet local demand and provide local employment opportunities in Lake Cathie /Bonny Hills.
- There is currently no industrial land at all in the Lake Cathie/Bonny Hills area and the local population is projected to grow by around 3,400 people to just under 10,000 people in total by 2036.
- Council identified land at the intersection of Houston Mitchell Drive and Ocean Drive in the 2011 UGMS and investigations have since been undertaken by the owner of that land in consultation with Council.
- The subject site could yield in the order of 4ha of industrial land; approximately half of the projected demand for industrial land in Lake Cathie/Bonny Hills to 2036.

During the public exhibition period of the draft UGMS, the Applicant made a submission on behalf of the owner of the subject site, noting: '*investigations are underway for land on the corner of Ocean Drive and Houston Mitchell Drive for service industrial land uses*'. These investigations commenced in accordance with the UGMS 2011.

A number of submissions were also received in relation to the subject site and are summarised below:

- *Strong opposition to industry at Gateway site to Lake Cathie/Bonny Hills*
- *Existing development is unsightly*
- *Land at the Gateway to Lake Cathie/Bonny Hills area for visual buffering, waste, traffic management and flood affected*
- *Request alternate location*
- *Bring forward planning for 'service industrial' precinct at Ocean Drive/Houston Mitchell Drive to better meet the needs of the existing population and to meet the projected growth in the area.*

The main concern raised from the submissions relating to this site was that there will be a negative visual impact at an important gateway entry to Lake Cathie and Bonny Hills.

The June 2018 Council report concluded, amongst other things, that investigation of the '*land at the intersection of Ocean Drive and Houston Mitchell Drive will include an emphasis on the need for visual buffering to main roads and for an internal access from Houston Mitchell Drive*'. Correspondence with the Applicant has been ongoing in relation to these matters.

Separate to this Planning Proposal, it is noted that there has been an unauthorised use of the subject land as a Depot for some time. This matter is being dealt with by Council's enforcement team and an order has been issued requiring the landowner to cease using the land as a depot and remove all equipment associated with the use.

#### The Site

The site (refer to **Figure 1**) has a total site area of approximately 9.6ha. It is known as Lot 10 DP 615775 (8.96ha) and Lot 1 DP 1117908 (0.62ha), corner Ocean Drive and Houston Mitchell Drive, Bonny Hills.

The site adjoins environmental living zoned land to the north (separated by Houston Mitchell Drive) and residential zoned land to the east (separated by Ocean Drive). The adjoining lands to the east are currently undergoing development as part of the Lake Cathie/Bonny Hills Urban Release Area. The site directly adjoins Queens Lake Nature Reserve to the west. The rural zoned lands adjoining the site to the south are identified in the UGMS for further investigation for light industry or school uses.

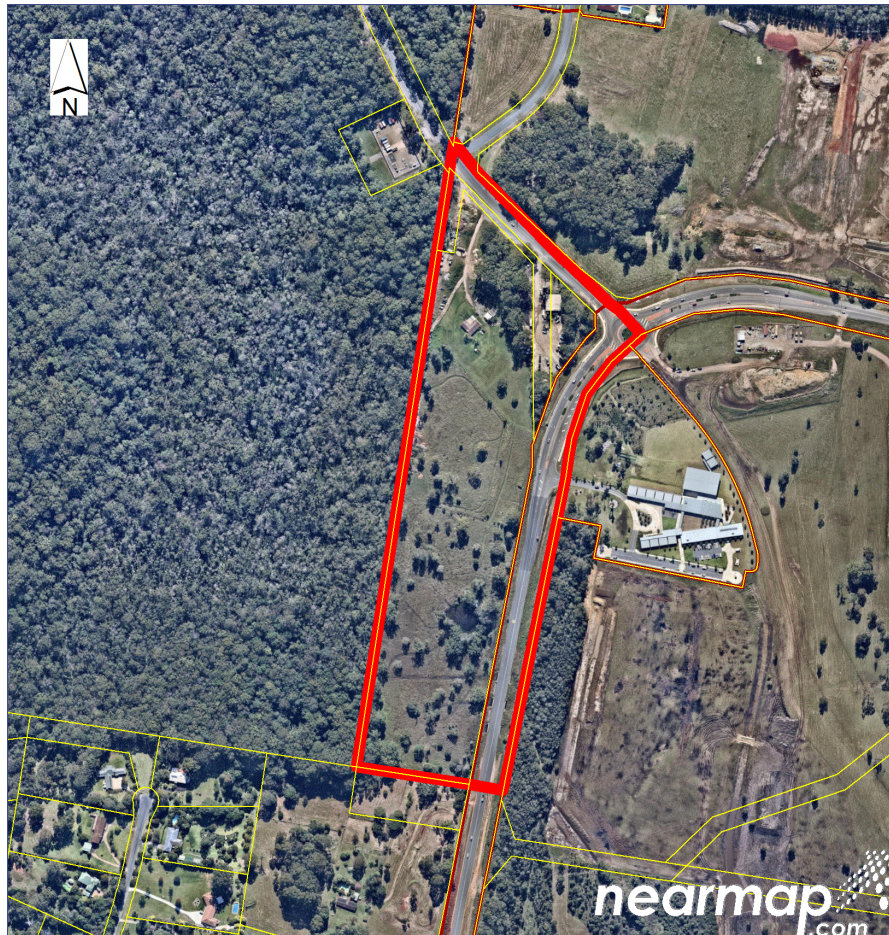


Figure. 1 Subject site

The site is currently zoned RU1 Primary Production under the LEP 2011 (refer to **Figure 2**) and has a minimum lot size of 40ha. The land does not currently have a building height control applied to it.

Lot 10 is privately owned and largely cleared with vegetation scattered throughout. Lot 1 is also owned by the same landowner. This land was previously reserved as a land reservation area. The required road widening and upgrades are complete, with the remainder of the land surplus to road improvement requirements.

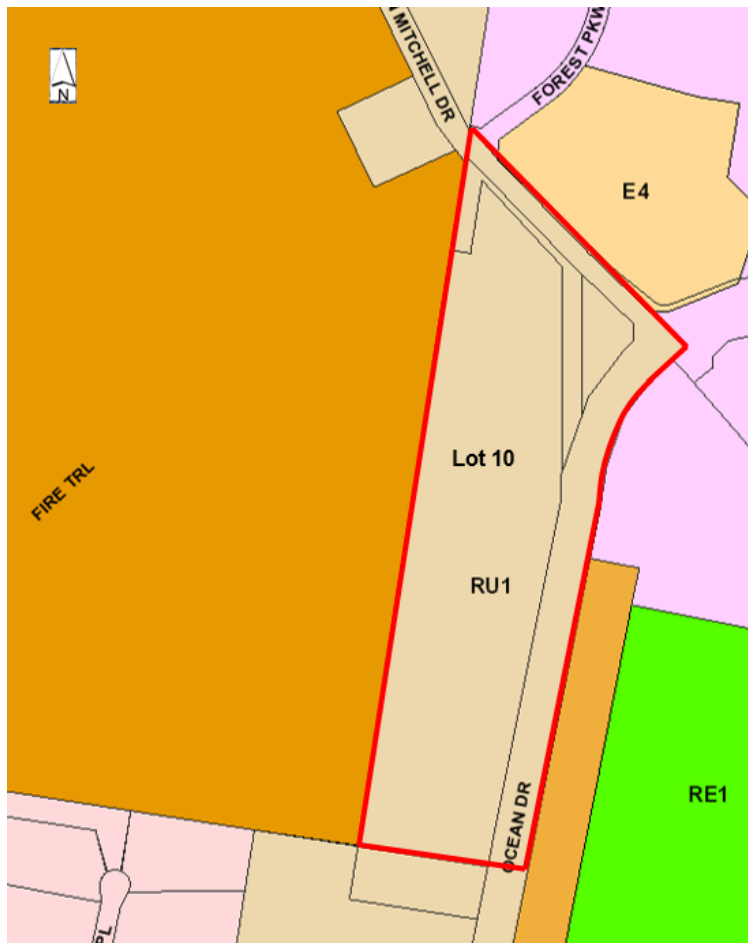


Figure. 2 Current zoning of the subject land under LEP 2011

Site features include:

- Four dams
- One dwelling house
- Sheds
- A patch of core Koala habitat in the northern part of the site
- Four Hollow Bearing Trees.

Refer to **Figure 3 and 4** below for site images.





Figure. 3 Koala food trees in the north of the site and existing shed (July 2018)



Figure. 4 Large dam in south of site (July 2018)



Applicant's Planning Proposal RequestChronology of the Planning Proposal Request

Consultation with the Applicant in relation to the development of the site for employment purposes has been ongoing since 2007 (refer to Section 1.3 at page 2 of the Applicant's Planning Proposal for details of consultation dating back to 2007 – at **Attachment 1**).

**June 2018** The Stage 1 fee was paid to support a Planning Proposal request.

The documents supporting the Proposal are provided at **Attachment 2** and included:

- Draft Planning Proposal, 2018
- Ecological Assessment, 2016
- Addendum Ecological Report, 2017
- Flood Impact Assessment, 2010
- Bushfire Hazard Assessment, 2018
- Aboriginal Cultural Heritage Assessment, 2018
- Concept Plan v1

The submitted request is for the following intended outcomes:

- *Permit future light industrial development of the site, referred to as Lot 10 DP 615775 and Lot 1 DP 1117908*
- *Protect ecological values of the site through the rezoning of approximately one third of the land for future environmental purposes, which will provide a habitat link to the adjoining nature reserve to the west*
- *Ensure the future service industrial development is carried out in a manner that will integrate with the existing adjoining development and address environmental hazards, including flood and bushfire.*

**July/  
August  
2018** The submitted request and supporting studies above were internally referred to Council's natural resource, bushfire, flooding and stormwater, water and sewer and development contributions staff for advice.

**September  
2018** Council planning and ecological staff held a meeting with the Applicant to discuss the option of a link road through the southern section of the subject site, which would be in accordance with the UGMS 2017. This option was discounted by Council staff and the Applicant. It was considered that the biodiversity values on the southern section of the land are significant and should remain.

**October  
2018** Council received further information from the Applicant along with the following support studies(**Attachment 3**):

- Ecological Assessment, 2018
- Sewer enabling works plan, 2017
- Updated Bushfire Hazard Assessment, 2018
- Updated Concept Plan v2

**November  
2018** Council staff sought further information from the Applicant after an internal review of the above Ecological Assessment.

February  
2019

Council received a response from the Applicant to the above further information letter and an updated Flood Impact Assessment, a response to Council's ecological assessment comments and an amended Concept Plan v3 (refer to **Figure 5 below**). Refer to **Attachment 4** for copies of the above report/comments/plan.

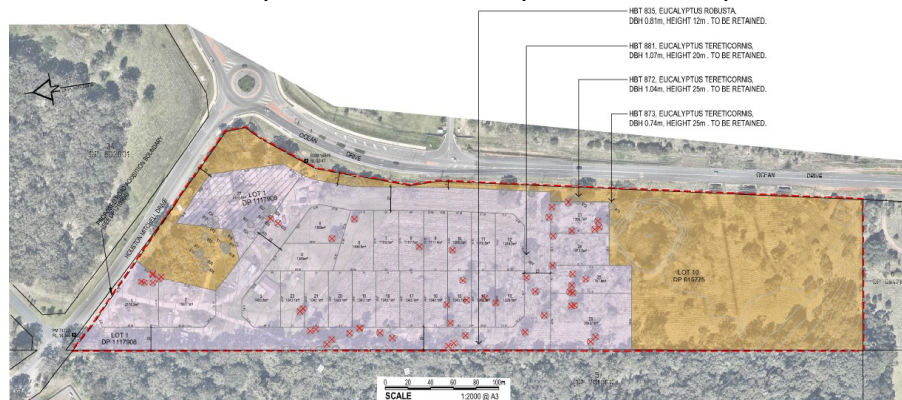


Figure. 5 Applicant's Concept Plan and recommended zone layout (Feb 2019)

March  
2019

Further to internal discussions and a meeting with the landowner, it was agreed that the Concept Plan should be varied once again to reflect the core Koala habitat in the north of the site and also to better reflect community concerns over the visual prominence of the site from the intersection of Houston Mitchell Drive and Ocean Drive.

April 2019

Council received a final variation to the Concept Plan v4 at **Figure 6** below (and **Attachment 5**). This is the concept upon which this report bases its assessment. Notwithstanding, it is acknowledged that this concept is a variance from the concept which the specialist studies included in Appendices to this report have provided their advice.

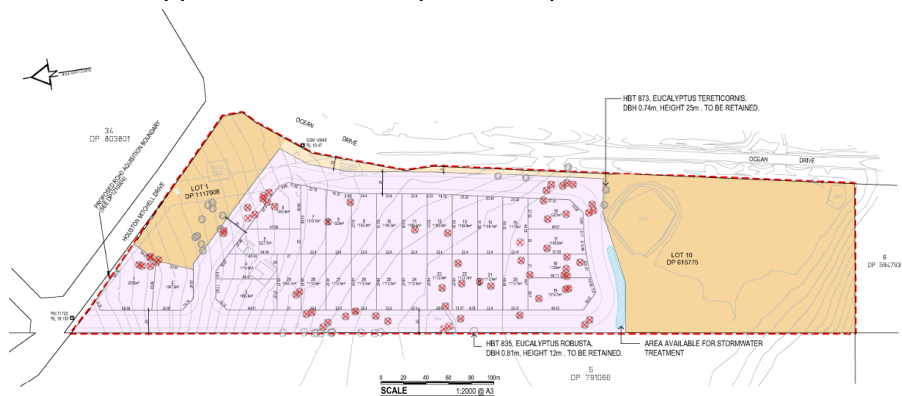


Figure. 6 Applicant's Concept Plan and recommended zone layout (1 April 2019)

### Assessment of the Planning Proposal

The following assessment of the Planning Proposal request has been based on the information provided by the Applicant in June 2018, October 2018 and in April 2019, as contained in Attachments **1 to 5** of this report.

Consistent with the Department of Planning and Environment *A Guide to preparing planning proposals*, the key factor in determining whether a proposal should proceed to a Gateway Determination is **Strategic Merit**. The strategic merit test has been



recently strengthened by the Department and there is a presumption that proposals that do not meet the Strategic Merit Test will not proceed to Gateway.

The following Assessment Criteria have been established by the NSW Government to assist in determining the strategic and site specific merit of a Planning Proposal request, and justification for the preparation of a Planning Proposal.

**a) Does the proposal have strategic merit? Will it:**  
**1. give effect to the relevant regional plan**

The Planning Proposal will give effect to the North Coast Regional Plan 2036 (NCRP) as follows:

- ✓ The site is identified as Investigation Area - Employment Lands.
- ✓ Rezones the least sensitive areas of the site for industrial development, and protects the valuable areas of the site by applying an environmental conservation zone. Additionally, the site will provide for offsetting of some tree removal within the future environmental zone, achieving both the minimise and the offset hierarchy to biodiversity.
- ✓ Assessment of bushfire hazard and flooding hazard has been undertaken and demonstrated that industrial development will comply with *Planning for Bushfire Protection 2006* and together with draft Development Control Plan (DCP) provisions, will satisfy Council's adopted flood policy.
- ✓ Allows development of land that will make use of existing infrastructure.
- ✓ The rezoning of the land is consistent with the planned delivery of supply of industrial land in the State Government endorsed UGMS.

**2. give effect to a relevant local strategic planning statement/strategy that has been endorsed by the department**

The Proposal gives effect to the UGMS, which was endorsed by the Department of Planning on 2 November 2018.

Priority action 17 is to:

*'Provide sufficient land for service industry uses to service the growing population in a central location that is easily accessed by the community and with buffers to surrounding development' (Vol 2:91).*

The UGMS recognises that there is currently no zoned land for local service industry in the Lake Cathie/Bonny Hills locality, noting that:

*'About 8 hectares of industrial land is required to meet the projected demand from the Lake Cathie and Bonny Hills communities for service industry by 2036.*

*A light industrial investigation area has been retained in this Strategy at the intersection of Houston Mitchell Drive and Ocean Drive. This area is centrally located, with capacity for coordinated services and access to Houston Mitchell Drive. It has a potential yield of around 4 hectares of land zoned for industrial development, excluding buffers and environmental zones' (Vol 2:92).*

**b) Does the proposal have site-specific merit, having regard to the following?**

**1. the natural environment (including known significant environmental values, resources or hazards)**

There have been a number of variations to the requested Planning Proposal since it was submitted in June 2018 to ensure that the natural environment, including significant values and hazards have been sufficiently considered.

The Proposal includes approximately one third of the site (3.7ha) for future environmental conservation, which will provide protection to significant environmental values by way of:

- ✓ Retaining the Koala food trees in the north of the site in the proposed E2 Environmental Conservation zone. This northern area is identified in Council's mapping as core Koala habitat (refer to Koala mapping at **Figure 7**). This habitat is part of a much larger territory extending north, north-west and west of the site.
- ✓ Retaining two of the four hollow bearing trees in the E2 Environmental Conservation zone (refer to **Figure 6**).

It is considered that the Proposal provides a balanced approach to achieve the strategic objectives of the site for light industry and the existing environmental values on the land. A Vegetation Management Plan will be required at a future Development Application stage to ensure that appropriate ameliorative measures are taken to mitigate potential impacts.

If a Gateway determination is issued, consultation with Office of Environment and Heritage will be required and can provide further expert guidance on the suitability of the biodiversity assessment, its methods and findings.

The Proposal has also considered the site in the context of Bushfire risk and flood hazard by:

- ✓ Reasonably minimising the perimeter of the area of land and the hazard interface, and
- ✓ Providing sufficient space within the proposed IN2 Light Industrial zone for a perimeter road to be provided around the majority of future lots (refer to **Figure 6**). It is proposed that a draft Development Control Plan (DCP) will include development provisions to ensure this outcome is achieved at a future Development Application stage. Additional information on the draft DCP provisions are provided later in this report.
- ✓ The Proposal is supported by a Flood Impact Assessment, which established the peak 100 year recurrence flood level at the site. The information was used to inform the initial indicative layout for the site, including the extent of proposed fill to support the future industrial subdivision and use of the land. Given the increase in potential storm-water runoff and the possible reduction in flood storage as a result of the required fill, a draft Development Control Plan (DCP) is being proposed to include development provisions. These will ensure appropriate management of stormwater. Additional information on the draft DCP provisions are provided further in the report.

**2. The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal**

The subject site has been identified for light industry since 2007 because it is:

- ✓ Easily accessible from main roads

- ✓ In proximity to an urban release area to the east of Ocean Drive, which is currently undergoing development, which will result in significant population growth generating demand for new local business services and employment over time
- ✓ In proximity to another possible light industrial area or school to the south of the site (as identified in UGMS).

**3. *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.***

The sewer pump station within the adjoining property has been designed and a construction certificate lodged. This documentation, which confirms that a 225mm gravity sewer main stub has been provided for future connection to the subject site, is currently being assessed by Council's Sewer and Water section.

The site can be serviced with a connection to the existing 300mm water main off Ocean Drive with a link through to the 200mm water main located on Houston Mitchell Drive.

On this basis, the infrastructure is considered satisfactory to service future light industrial development of the site.

**c) *Will the proposal give effect to any endorsed local strategies or strategic plans?***

The Proposal will give effect to the following endorsed Council strategies.

- UGMS 2017

The UGMS is the local response to the NCRP and is closely integrated with Council's *Towards 2030 Community Strategic Plan*.

The site is identified in this Strategy for investigation in the immediate/short-term for *service industrial development*.

A key aim of the UGMS for *Economic Development and Employment* is:  
*... to promote economic development and employment to create a prosperous and diversified economy.*

The UGMS recognises that there is currently no zoned land for local service industry in the Lake Cathie/Bonny Hills locality and that the site will provide approximately half of the required land area to satisfy this existing shortfall.

The current proposal has approximately 5.65ha of proposed industrial zone, which represents around 70% of the required industrial land supply in the UGMS in this locality. This is strategically important as there is no certainty that any other land in the Lake Cathie/Bonny Hills area will be suitable for light industrial development.

- Industrial Lands Strategy 2007

The site was initially identified in this strategy as a Future Investigation Area.



The Industrial Land Strategy noted that the site presents an opportunity to meet the future local service based industrial needs of the Lake Cathie/Bonny Hills Urban Release Area population.

- *Towards 2030 Community Strategic Plan*

The Proposal for the subject site satisfies the key strategies of this Plan for both *business and industry* and *natural and built environment*. The Planning Proposal will:

- Provide for industrial zoned lands in close proximity to existing urban areas, assisting residents to live and work in close proximity
- Attract investment to create jobs
- Provide for effective management and maintenance of urban services (water, sewer)
- Assist in minimising the impact of natural events and climate change (floods, bushfires), through appropriate environmental zoning and mitigation measures; and
- Facilitate development that is compatible with the natural and built environment.

- *2017 - 2021 Delivery Program and 2018 - 2019 Operational Plan*

The subject rezoning is identified in Council's Delivery Program to 2021. Operational Action 3.1.2.2 is *'to investigate the capacity of land at the intersection of Ocean Drive and Houston Mitchell Drive, Lake Cathie, for potential service industrial development'*.

- *Draft Bonny Hills Community Plan 2018*

The Draft Bonny Hills Community Plan, which was endorsed by Council on 19 August 2018 and has been subject to community consultation, acknowledges that the village will experience significant population growth over the next 20 years; and that this growth will generate demand and opportunities for a range of new local business services and employment.

There are a number of goals identified by the community, in the plan with supporting statements relating to the subject site and/or its proposed use:

*Goal 1 – Maintain and enhance the village character of Bonny Hills*

*Supporting Statement: Ocean Drive recognised as a scenic landscaped route, not a light industry corridor with appropriate landscaping planned for the villages of Bonny Hills and Lake Cathie.*

*Goal 2 – Maintain the natural environment – including beaches, coastline, bushland and hinterland*

*Supporting Statement: Consider 'Habitat Protection' zonings in the Local Environment Plan to ensure long term viability of corridors.*

*Goal 4 – Manage future growth and development to be consistent with the above*

*Create an area for local light industry area that is discreet and out of sight, possibly off Houston Mitchell Drive, separate from commercial and residential areas and not on Ocean Drive.*

The Planning Proposal is considered to satisfy these goals as follows:

- ✓ Provides a landscaped buffer along Ocean Drive - the intent of the environmental strip is as a buffer to mitigate the visual prominence of the future development from the road. It is proposed that the strip will be planted with suitable vegetation to ensure that this buffer is effectively achieved. It is considered that the buffer should have a minimum depth of five metres to provide sufficient space for trees and shrubs of varying sizes and densities. This will provide effective landscaping to mitigate the visual prominence of any future development. It is proposed that a draft Development Control Plan (DCP) will include development provisions to ensure this outcome is achieved at a future Development Application stage. Additional information on the draft DCP provisions are provided further in the report.
- ✓ Ensures the preservation of the core Koala habitat by way of an E2 Environmental Conservation zone in the north of the site. Providing this space for revegetation will ensure retention of the existing habitat and that the future development of the site will be screened from the Ocean Drive, Houston Mitchell Drive intersection.
- ✓ Maintains and restores the habitat corridor in the southern part of the site by way of E2 Environmental Conservation zoning.

- *Draft Coastal Koala Plan of Management (CKPoM) 2018*

The draft CKPoM identifies part of the site as Core Koala Habitat as shown in **Figure 7**. The draft CKPoM is one of a suite of proposed policy changes to provide a comprehensive set of planning controls to manage the impacts of development on Koala habitat in the Port Macquarie Hastings area, and is designed to help reduce the overall impact of habitat loss.

The draft CKPoM was publically exhibited in April – May 2018 and reported to Council at Item 12.04 on 19 September 2018. At the meeting, this item was deferred pending further consideration. Council staff have since sought advice in relation to hierarchy of legislation and are working with the Office of Environment and Heritage on this matter, which has a direct impact on the draft CKPoM



Figure. 7 Mapping from Draft Coastal Plan of Management (Feb 2018, p. 31). Subject site highlighted red.

The Planning Proposal is consistent with the exhibited draft CKPoM as it is proposing to apply an E2 Environmental Conservation zone to the identified Koala habitat in the north of the site (refer to **Figure 6** for the concept layout).

#### Other Planning Matters for Consideration

##### *1. Height of buildings*

The Applicant has not proposed a Height of Buildings (HOB) for the future IN2 Light Industrial zoned land.

It is proposed to apply a 11.5m HOB to the subject land as this is considered a balanced outcome for the provision of light industrial development and addresses community concern relating to the visual impacts at an important gateway entry to Lake Cathie and Bonny Hills (refer to **Figure 10** for the recommended HOB map). It is considered that, subject to effective revegetation in the north and south and landscape buffering to the east, the 11.5m maximum building height will not detrimentally impact on the adjoining area, where the existing residential areas to the north and north east of the subject land have an 8.5m height limit.

##### *2. Road zoning of Houston Mitchell Drive and Ocean Drive*

To ensure consistency with the proposed land zoning, the recommendation incorporates the rezoning and associated map updates to the road sections of Houston Mitchell and Ocean Drive (refer to **Figure 8** for recommended zoning map) that abut the boundaries of the subject site to the north and east. These road sections are currently zoned RU1 Primary Production and are proposed to be zoned E2 Environmental Conservation in the Planning Proposal. This zoning change is



consistent with Principle 1.3 of the *Zoning for infrastructure in LEPs* practice note issued by the Department of Planning in 2008.

### 3. Development Control Plan provisions

To support the requested changes to the existing land use zones, Council planning staff also recommend the preparation and exhibition of draft Development Control Plan (DCP) provisions. These draft provisions are at **Attachment 6 and 7** and further details are provided below.

- a) Update to Chapter 5.2 of DCP 2013 to include site specific provisions for the subject land, which addresses the following matters:
- Visual amenity
  - Koala protection (fauna fencing)
  - Roads, access and transport
  - Stormwater

These matters are predominantly designed to:

- 1) Support the conclusions of the UGMS report to Council in June 2018 to reduce the visibility of future development from Ocean Drive through the provision of a landscaped buffer and ensure access is from Houston Mitchell Drive.
- 2) Address ongoing community concerns in relation to the prominence of light industrial development at a Gateway location, as raised as part of the Bonny Hills community planning process.
- 3) Achieve consistency with Council's Flood Policy and AUSPEC design specifications in relation to water quality.

- b) Update Clause 2.4.3.4 of Part 2 of the DCP 2013 - to refer to all subdivision rather than just residential subdivision

This recommendation is to ensure that Asset Protection Zones (APZs) are provided on private land, so Council is not burdened with the ongoing costs associated with their maintenance. The update will ensure that both residential and industrial subdivisions are subject to this clause.

Proposed changes to the Development Provisions at Clause 2.4.3.4 are outlined below:

*"Asset Protection Zones are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a ~~residential~~ subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones.*

*Perimeter roads are to be provided to all ~~urban~~ areas adjoining environmental management areas and their buffers".*

It is anticipated that the draft DCP provisions will be exhibited concurrently with the Planning Proposal.

### 4. Voluntary Planning Agreement

The Applicant has offered to enter into a Voluntary Planning Agreement. The terms of this Agreement are yet to be finalised but it is considered that the matters to be included are:

- Dedication of a 5m wide strip of land along the future IN2 Light Industrial eastern edge of the site for use as a landscaped buffer.
- Relocation of the existing shed, currently situated in the north of the site, which is being proposed for future E2 Environmental Conservation lands.
- Fauna fencing around the perimeter of the proposed future IN2 Light Industrial land.

It is anticipated that a draft Agreement will be exhibited concurrently with the Planning Proposal, when it is fully negotiated, in accordance with Council's Planning Agreement Policy.

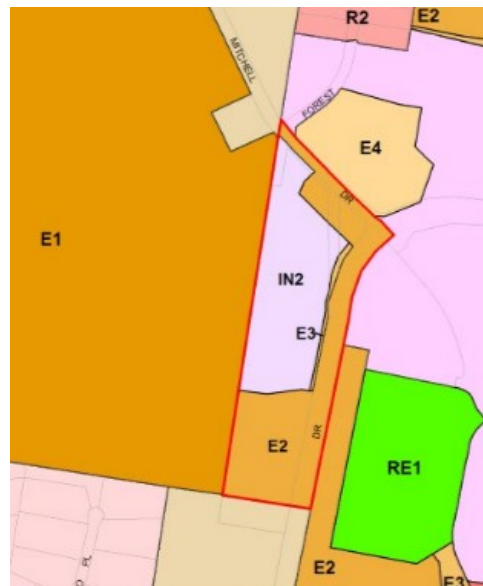
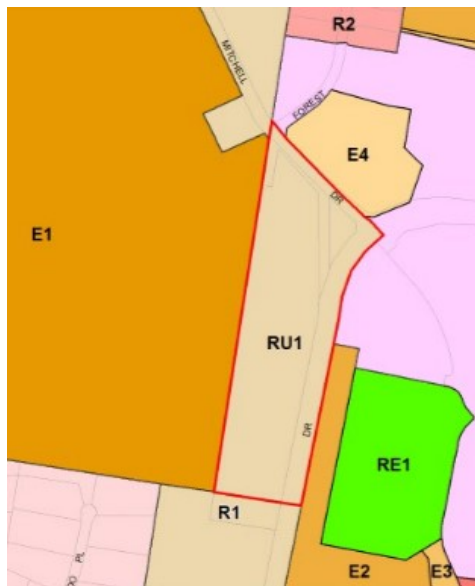
#### Recommended Planning Proposal

Having outlined the Applicant's request above and undertaken an assessment of the strategic and site specific merit of the Planning Proposal, it is recommended that Council support the preparation of a Planning Proposal for Lot 10 DP 615775 and Lot 1 DP 1117908, to amend the Port Macquarie Hastings LEP 2011 as follows:

- **Amend the Land Zoning Map to rezone the subject land from RU1 Primary Production to part IN2 Light Industrial, part E2 Environmental Conservation and part E3 Environmental Management, as shown in Figure 8.**
- **Amend the Lot Size Map as shown in Figure 9 to allow:**
  - a minimum lot size of 1000sqm for the proposed IN2 Light Industrial zone,
  - a minimum lot size of 3 hectares for the proposed E2 Environmental Conservation zone, and
  - a minimum lot size of 1800sqm for the proposed E3 Environmental Management zone.
- **Amend the Height of Buildings Map to provide a maximum building height of 11.5m for land in the proposed IN2 Light Industrial zone, as shown in Figure 10.**

Existing Zoning Map (LZN\_013E)

Recommended Zoning Map  
(LZN\_013E)



B2

Local Centre

B4

Mixed Use

E1

National Parks and Nature Reserves

E2

Environmental Conservation

E3

Environmental Management

E4

Environmental Living

R1

General Residential

R2

Low Density Residential

R3

Medium Density Residential

R5

Large Lot Residential

RE1

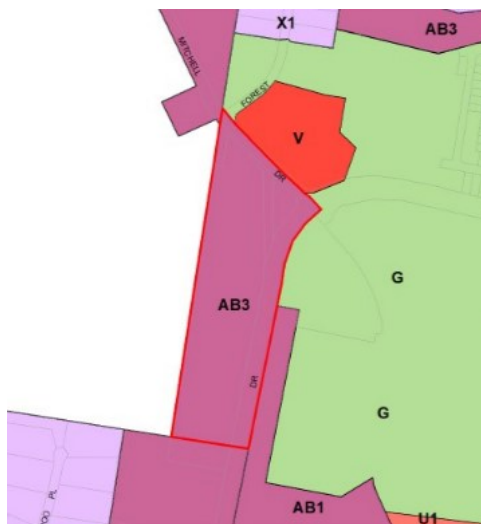
Public Recreation

RU1

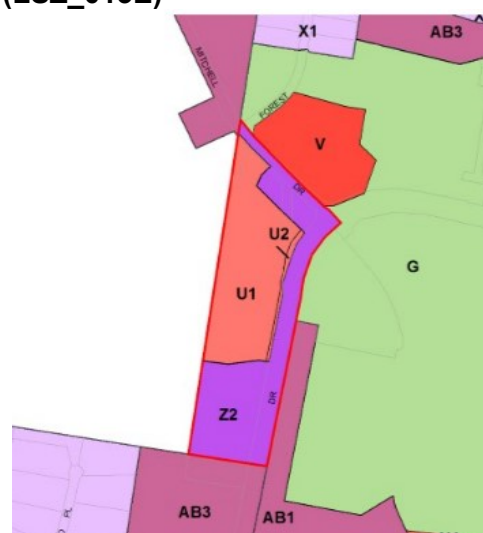
Primary Production

Figure. 8 Zoning existing and proposed

Existing Lot Size Map (LSZ\_013E)



Recommended Lot Size Map  
(LSZ\_013E)



Minimum Lot Size (sq m)								
	G	450		X1	5000		U1	1000
				X2	8000		U2	1800
	U1	1000		AB1	10 ha		Z2	3.0 ha
	V	2000		AB3	40 ha	Blank - no maximum		

Figure. 9 Lot size existing and proposed



**Existing Height of Building map  
(HOB\_013E)****Recommended HOB map (FSR\_013E)**

Figure. 10 Height of building map existing and proposed

**Options**

Council's options are:

1. Do nothing (the land would remain zoned RU1 Primary Production).
2. Resolve to prepare a Planning Proposal based on the recommended Planning Proposal contained in this report and send it to the NSW Department of Planning and Environment for a Gateway Determination.
3. Resolve to prepare a different Planning Proposal to that described in this report and send it to the Department of Planning & Environment for a Gateway determination.

Option 1 does not provide any additional scope for the development of the site and would not address the identified need for employment land in Bonny Hills, as identified in the Industrial Lands Strategy and UGMS.

Option 2 is recommended as it would allow a light industrial outcome generally in accordance with the Applicant's request. The addition of the Development Control Plan provisions ensures that the Proposal is consistent with State and local Policies, addresses community concerns and ensures that maintenance of APZs will not be Council's ongoing responsibility.

Option 3 is not recommended as it would require a new Planning Proposal request to be prepared by the Applicant and re-submitted to Council for assessment and reporting.

**Community Engagement & Internal Consultation**

The Department of Planning and Environment's Gateway Determination will specify consultation requirements.

Community consultation for Planning Proposals will include notification in a local newspaper, notification to adjoining landowners and on Council's website for the duration of the exhibition. In addition, the exhibition material will be available at the Council's Laurieton and Port Macquarie Customer Service Centres.

**Planning & Policy Implications**

The proposal is consistent with the *Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036* as the site is identified in the short-term for service industrial development.

**Financial & Economic Implications**

The Applicant has paid the stage 1 rezoning fee in accordance with Council's current Schedule of Fees and Charges.

The preparation of the Proposal will be completed as part of Council's Strategic Land Use Planning program.

**Attachments**

1. Applicant's Planning Proposal - May 2018
2. Supporting Studies - June 2018
3. Supporting Studies - October 2018
4. Supporting Studies - February 2019
5. Concept Plan v4 - April 2019
6. Draft Amendment to DCP 2013 - Houston Mitchell Drive Employment Lands
7. Draft Amendment to DCP 2013 - CI 2.4.3.4 Bushfire Hazard Management