

SECTION 59 PLANNING REPORT

Planning proposal details:

PP_2013_KURIN_001_00

Planning proposal summary as it appears in Gateway Determination:

Planning proposal to amend either Ku-ring-gai Planning Scheme Ordinance (PSO) or draft Ku-ring-gai Local Environmental Plan (LEP) 2013 to rezone land at 35 Water Street, Wahroonga to E4 Environmental Living; apply a minimum lot size of 1500sqm, a maximum height of buildings of 9.5m and floor space ratio controls on the subject land; include a heritage incentives clause; and include an E4 zone in the Ku-ring-gai PSO.

Date of Gateway determination:

23 May 2013

1.0 SUMMARY

Background issues and rationale for proceeding with the proposal:

Ku-ring-gai Council received a Planning Proposal on 10 July 2012 to rezone land at 35 Water Street, Wahroonga. The site is currently zoned 5(a) Special Uses - Hospital under the *Ku-ring-gai Planning Scheme Ordinance 1971* (KPSO). The site is listed as Heritage Item under Schedule 7 of the KPSO and has an acknowledged area of critically endangered Blue Gum High Forest. The Planning Proposal, as originally lodged, sought a 2(c) Residential zoning under the *Ku-ring-gai* KPSO to enable the subdivision of the land for dwellings and the restoration of the heritage item for use as a residence.

Following an independent review of the original planning proposal, and in recognition of the ecological and heritage value of the site, the applicant amended and resubmitted the planning proposal to Council on 27 February 2013 to rezone the land from 5(a) Special Uses – Hospital to E4 - Environmental Living. to enable a future residential subdivision of a limited portion of the land which will facilitate the restoration of the existing heritage building for use again as a grand residence. This building has been vacant for a number of years and is currently in a poor state of repair. Should such residential subdivision be permitted to proceed, the existing private hospital Part 3A Development Consent would be surrendered by the applicant.

Council supports this Planning Proposal as it will deliver a good planning outcome for the site, enabling limited subdivision for residential dwellings that will facilitate the restoration of the heritage item that is now falling to disrepair. The limited subdivision and requirements of the proposed E4 zoning on the land will also support the ecological value of the site. The proposal for a limited number of low density residential development on the site is in keeping with the character of the locality.

The proposed E4 Environmental Living Zone has a minimum residential subdivision lot area of 1,500sqm. There is sufficient land on the site, outside the primary Blue Gum high Forest (BGHF) and the heritage curtilage of Rippon Grange to enable subdivision of a small number of such residential lots. In comparison to the hospital buildings that have been approved, a limited residential development of the site in this manner has the potential to reduce the heritage, ecological and neighbour impacts on the site.

Zones/development standards to be amended:

The Planning Proposal involves an amendment to the Ku-Ring-Gai Planning Scheme Ordinance (KPSO) zoning map to change the zoning of the subject land from 5(a) Special Uses – Hospital to E4 Environmental Living. This requires the introduction of a new zone into the Ku-ring-gai Planning Scheme Ordinance.

The E4 zoning will effect a new set of floor space ratio, building height, lot size and heritage conservation controls with the following objectives:

- (a) Provide an E4 zoning of the land that is more appropriate to the site's context, ecological value and the residential zoning of adjoining land;
- (b) Enable subdivision of a limited number of residential allotments of not less than 1,500sqm, designed and located so as to maintain the ecological and heritage values of the site and neighbourhood character and amenity.
- (c) Ensure that any future new residential buildings on the site are in keeping with the maximum building height of 9.5m.
- (d) Ensure the floor space ratios on each subdivided lot is calculated and in keeping with the ratios as detailed in Appendix C of the Planning Proposal.
- (e) Provide a heritage incentives clause to facilitate the conservation of the heritage item Rippon Grange.

It is proposed that the E4 Environmental Living zone be based on the E4 Environmental Living zone used in the Standard Instrument - Principal Local Environmental Plan and as applied in the draft KLEP 2013. The new zone and associated provisions will be incorporated into the KPSO via the insertion of a new Part. It is proposed that the new part will follow the existing Part III of the KPSO which contains the provisions for the other residential zones. The new provisions will include zone objectives and details of permitted and prohibited development within the new zone.

As the proposed new provisions contain terms contained in the Standard Instrument - Principal Local Environmental Plan, it is proposed that the definitions conditioned in the Standard Instrument also be adopted for the new section.

Council is in the process of exhibiting the draft Ku-ring-gai Local Environmental Plan 2013 (KLEP 2013) to replace the KPSO. This draft KLEP 2013 proposes to rezone the subject land part R2 - Low Density Residential and part E4 - Environmental Living.

Should this Planning Proposal be finalised and gazetted before the draft KLEP 2013, a report would be made to Council to amend the draft KLEP 2013 to show the E4 - Environmental Living Zone on the subject land as exhibited by this Planning Proposal.

Should this Planning Proposal be finalised and gazetted after the draft KLEP 2013, the draft KLEP 2013 would be amended to show the proposed E4 - Environmental Living Zone on the subject land.

Key exhibition dates:

The Planning Proposal was advertised in the North Shore Times on 21 June 2013 with notification letters being sent to properties in the vicinity of the site.

The Planning Proposal was exhibited for a period of two weeks from Friday 21 June 2013 to Friday 5 July 2013 in accordance with the Gateway Determination. All documentation was made available at Council Chambers and on Council's website.

All persons who made a submission were notified of the matter going to Council on 13 August 2013.

Main points raised in submissions:

- Submissions from community

Key issues raised were preservation of the heritage item and the protection of trees especially with regards to the boundary screening they provide.

- State Agency submissions

The Office of Environment and Heritage (OEH) requested E2-Environmental Conservation across two thirds of the site to preserve its ecological value; and the Heritage Council of NSW supported the rezoning to E4 as it will reinstate the original residential use. It stipulated the need for a revised and updated Conservation Management Plan (CMP).

- Submission from applicant

The applicant requested that the split R2-Low Density Residential / E4-Environmental Living zoning under the draft KLEP 2013 be applied to the site rather than the E4-Environmental Living across the entire site.

Summary of any key amendments made to the planning proposal as a consequence of public exhibition or agency consultation:

No changes were made to the planning proposal following public exhibition or agency consultation.

Other relevant background:

The Draft Ku-ring-gai Local Environment Plan 2013, which will replace the KPSO, is likely to go to Council in October 2013 for consideration. Since the zoning being proposed is an environmental zone suited to this site, the standards have been delineated in the relevant section above. The key issue of the concurrent timing of this Planning Proposal and that of the Draft KLEP and the integration of the E4 zoning across both instruments has also been stipulated above.

2.0 GATEWAY DETERMINATION

Date Determination issued: - 23 May 2013

Timeframe for completion of proposal: - 31 October 2013

Was Gateway determination subject to a review request? - No

Have the conditions included in the Gateway determination been complied with? - Yes

3.0 COMMUNITY CONSULTATION

Dates of exhibition:

Friday 21 June 2013 to Friday 5 July 2013

Number of submissions received:

10 submissions from local residents; 1 from applicant; 2 from State Agencies.

Issues raised during exhibition by residents:

Submissions supported the planning proposal in principal, but raised concerns regarding the impact of subdivision on mature trees across the land and the preservation of the heritage Rippon Grange and its gardens. The loss of privacy and visual amenity with the removal of mature vegetation along the boundary lines was a key concern.

Responses to issues raised by residents:

The concerns of the community are valid; however since no subdivision plan forms part of this planning proposal, all these issues will be addressed when a Development Application (DA) is

submitted to Council. In that DA process the applicant will be required to demonstrate heritage and ecological preservation across the site as well as the usual aspects of tree preservation and neighbour amenity which form part of Council's development standards. There will be further community consultation and Council review on this matter prior to any decision being made.

Submission from applicant:

The applicant's submission requested that the split R2-Low Density Residential / E4-Environmental Living zoning under the draft KLEP 2013 be applied to the site rather than the E4-Environmental Living across the entire site. Their reason for the request is that the split zoning of R2 and E4 would maintain consistency with the zoning as proposed under the draft KLEP 2013 and this split zoning could come into effect as part of the planning proposal, or when the KLEP 2013 is gazetted

Responses to issues raised by applicant:

It should be noted that the applicant's initial Planning Proposal was to rezone the land to residential 2(c) under the KPSO (converted to R2 zoning in Draft KLEP 2013). This was altered at their request prior to exhibition to an E4–Environmental Living zone to the entire site in recognition of the ecological values across the site and to ensure compliance with Ministerial Directions.

The initial draft KLEP 2013 zoning plan indicating the split zoning across the site, which the applicant is now requesting, received a Gateway Determination on 16 June 2012. Subsequent to the issuing of the Gateway to the KLEP 2013, Council endorsed the Planning Proposal for 35 Water Street including an E4 zoning across the whole site. The Gateway Determination for 35 Water Street was issued on 23 May 2013. Since the latest Gateway Determination applies to the site, the E4 zoning Planning Proposal for 35 Water Street is considered as current and of precedence.

The investigation of the site carried out by independent consultants when this Planning Proposal was first submitted to Council resulted in a recommendation against 2(c) / R2 zoning. The key reason was that it would create development of a density detrimental to the site and not in accordance with Ministerial Directions. The fact that this planning proposal exhibition and submissions have revolved around an E4 zoning across the entire site, and objections have been raised by OEH and the community regarding the preservation of trees and vegetation, including Blue Gum High Forest, on the land, it is considered prudent to retain the E4 zoning across the entire site as stipulated in this Planning Proposal.

Was the planning proposal re-exhibited?

No

Were the consultation requirements included in the Gateway Determination complied with?

Yes.

Were amendments made to the planning proposal to respond to issues raised during public exhibition?

No.

4.0 VIEWS OF PUBLIC AUTHORITIES

Agencies consulted:

- Office of Environment and Heritage
- NSW National Parks and Wildlife Service
- Heritage Council of NSW

Agencies that provided a response:

- Office of Environment and Heritage
- Heritage Council of NSW

Views of those agencies:

- Office of Environment and Heritage

The Office of Environment and Heritage(OEH) stated that the site has ecological value and as such recommended that two thirds of the site be zoned E2-Environmental Conservation to preserve its value. OEH consider any type of residential development will result in works that will negatively impact the BGHF.

- Heritage Council of NSW

A submission from the Heritage Council of NSW supports the rezoning to E4 as it will reinstate the original residential use. The submission stipulates the need for a revised and updated Conservation Management Plan (CMP) which reflects the proposed new residential use across the site as the previous CMP related to hospital use and would be no longer be relevant. Further, it states that the CMP should provide a revised heritage curtilage assessment to establish the extent that subdivision can occur within the heritage curtilage without adversely impacting on the expansive landscaped setting of Rippon Grange; and, it should include a conservation policy relating to the protection and management of the BGHF to ensure that any future development works do not result in the fragmentation of the vegetation.

Resolution of objections:

- Office of Environment and Heritage

No change was made to the planning proposal since the land is in private ownership and for an E2 zoning it would firstly have to go through the process of identification for E2 value. Further, as the KLEP 2013 has very restricted uses permitted within an E2 zone, the Minister would be required to designate a relevant acquiring authority to acquire it. Council is not in a position to acquire the land, nor has the State Government indicated they are prepared to be identified as the relevant acquisition authority in the event of the application of the E2 zone. In the absence of the Minister delegating an acquisition authority; it is considered that the E4 zoning is the most appropriate option for the land as it provides for ecological and heritage considerations for the future of the site.

- Heritage Council of NSW

The requirement for an updated and relevant CMP for the site in light of the proposed new residential use, would be one of the requirements of any subdivision application to Council as the establishment of the heritage curtilage is fundamental in determining the extent of the subdivision, and therefore number of lots, and ensuring the integrity of the heritage item and its curtilage.

Did agency consultation occur in accordance with the requirements of the Gateway determination?

Yes

What amendments were made to the planning proposal to respond to the issues raised by agencies?

None

5.0 CONSISTENCY WITH S.117 DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS

Is the planning proposal consistent, justifiably inconsistent or inconsistent with all relevant s117 Directions, SEPPs and other strategic planning documents?

Yes as indicated below.

- SEPPs

SEPP 55 – Remediation of Contaminated Land
Consistent.

This SEPP aims to promote the remediation of contaminated land for the purposes of reducing risk to human health and/or the environment.

The site was used as a hospital from 1952 until 2004 and therefore potential for existence of contaminated soils needs to be considered. A Stage 1 Contamination Assessment prepared in February 2013 confirmed that the site can be made suitable for residential use. Land contamination is therefore not a significant contamination constraint for future residential development of the site.

The assessment advised that there are no potential contamination issues that would preclude rezoning of the site as proposed, and recommend that prior to development taking place, an “intrusive contamination assessment” is undertaken in accordance with NSE Environment Protection Authority guidelines and that a hazardous building materials survey be undertaken for buildings proposed to be refurbished or demolished. Council can require submission of an “intrusive” contamination assessment and hazardous building materials survey with any future Development Application for subdivision or use/demolition of existing buildings.

SEPP No. 19 – Urban Bushland
Consistent.

The subject land contains remnant bushland and the site also adjoins remnant bushland within the Wahroonga Primary School site. SEPP No. 19 – Urban Bushland applies to bushland zoned or reserved for public open space and land adjoining land zoned or reserved for public open space.

The subject land is not zoned or reserved for public open space. The Wahroonga Primary School site is not zoned or reserved for public open space. Therefore the provisions of SEPP 19 – Urban Bushland do not apply to the subject land. The nearest bushland located on land zoned or reserved for public open space, is in Turiban Reserve, a public reserve located more than 250 metres to the east and separated from the subject site, by land zoned 2(c) Residential and 5(a) Special Uses – School.

SREP No 20 – Hawkesbury Nepean River
Consistent.

The deemed SEPP applying to the site is Sydney SREP No 20 – Hawkesbury Nepean River. The subject land drains into the Council’s stormwater drainage system in Young Street and Billyard Avenue, which then drains to the Hawkesbury River via Lovers Jump Creek and Cowan Creek.

SREP 20 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The SREP focuses on maintaining and improving water quality within the Hawkesbury-Nepean catchment.

Any future residential subdivision of the land would have to limit the amount of cleared land in order to protect the existing ecological values of the site, and in addition require a suitable drainage easement to facilitate future inter- allotment drainage to Young Street, as well as be provided with rainwater tanks and stormwater detention tanks. The proposed re-zoning and any subsequent future residential development will not adversely impact on the natural environment of the Hawkesbury-Nepean catchment or water quality within this catchment.

- Section 117 Directions:

Direction	Consistency
2.1 Environment Protection Zones The objective of Direction 2.1 is to protect and conserve environmentally sensitive areas	Consistent. Approximately two thirds of the site would be described as environmentally sensitive. Changing the zoning of the land to E4 Environmental Living, a zone that places greater emphasis on conservation of natural vegetation is consistent with the conservation objective of Direction 2.1.
2.3 Heritage Conservation The objective of Direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent. The Planning Proposal is consistent with this Direction as the rezoning does not adversely impact on the conservation of the existing heritage item on the site (Rippon Grange and its associated gardens) or on Council's proposed Wahroonga Conservation Area, within which the subject land is included. The heritage impact of the Planning Proposal to permit limited future residential subdivision is less than the heritage impact of the private hospital development that has been approved for the site. Heritage assessments on the site conclude that the proposed rezoning to E4 Environmental Living does not adversely impact on the heritage values of the site. The site is not identified as having any Indigenous heritage significance.
3.1 Residential Zones The objectives of Direction 3.1 are: To encourage a variety and choice of housing types to provide for existing and future housing needs; To make efficient use of existing infrastructure and services. To minimise the impact of residential development on the environment and resource lands.	Consistent. The Planning Proposal is consistent with this Direction in that the proposal will contribute to housing choice by creating opportunities for additional low density detached dwelling housing lots which will offset some of the reduction in supply of this form of housing, which are highly sought after in this locality by families seeking access to local schools. The subject land is located within an area that is suitably provided with necessary urban services such as roads, reticulated water, sewerage and drainage, electricity and telecommunications services. These services are adequate to accommodate a limited number of additional residential allotments proposed. The proposal will have limited impact on the environment, and will include new landscaping. Flora and fauna studies conducted confirm that the ecological values of the site, including BGHF will be maintained. The site does not contain any natural resources such as minerals and the like.
3.4 Integrating Land Use & Transport The objective of Direction 3.4 is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street	Consistent. The site has access to bus services and local schools. The site is within 1.4 km of a railway station and shopping centre at Wahroonga. The site is consistent with Direction 3.4.

layouts achieve the nominated planning objectives e.g. improving access to housing, jobs and services, reducing dependence on cars and supporting efficient public transport.	
4.4 Planning for Bushfire Protection The objectives of Direction 4.4 are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and to encourage sound management of bush fire prone areas.	Consistent. The subject land is not identified as being bush fire prone land as confirmed by a bushfire hazard assessment conducted on the site. There is some bushland within the site and nearby to the northeast within the Wahroonga Primary School site and further afield in Turiban Reserve. As a consequence there is no bushfire hazard constraint to residential development on this site, nor any need to provide asset protection zones. Council has, however, sought to include part of the site within the Bushfire prone lands Map. This is being considered by the RFS. The proposed residential use of the land is more compatible with the existing bushland setting in terms of bush fire hazard than the private hospital approved for the site. In the unlikely event of a bushfire threat it would be much easier to evacuate a small number of residential dwellings, compared to a large private hospital with many patients that may require assistance to egress the site.
6.3 Site Specific Provisions The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. The existing Special Use Hospital Zone is a restrictive zone in that development for the purpose of a hospital is effectively the only permissible economic use of the land. The proposed E4 Zone will allow low density residential use, provided that heritage and ecological conservation objectives are achieved. The Planning Proposal does not introduce unnecessarily restrictive site specific controls nor does it include drawings or design details of any future development proposal for the land. It is noted that studies conducted to confirm the content for this Planning Proposal do contain such details. These references, in particular regarding the land subdivision location, size and lot numbers, do NOT form part of this Planning Proposal and have been deleted.
7.1 Implementation of Regional Strategies The objective of this Direction is to ensure that draft LEPs are consistent with the nominated regional strategies.	Consistent. The Planning Proposal is considered consistent with the Sydney Metropolitan Strategy 2036 and the Draft North Subregion Strategy, as outlined in Section 4.2.1 of this Planning Proposal Report. The Planning Proposal assists in the implementation of strategies relating to increasing the supply of housing and conserving areas of ecological significance and heritage value.

- Department of Planning's Criteria for Spot Rezoning

This Planning Proposal has been assessed having regard for the Department of Planning's LEP Pro-forma Evaluation Criteria-Category 1: Spot Rezoning LEP, which provides criteria for consideration for any draft LEP

Criteria	Consistency
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Justifiably inconsistent The proposal will not facilitate a permanent employment generating activity. The existing Special Uses Hospital Zone could be classified as employment land and if the approved private hospital does not proceed and the land is rezoned to residential, there would be a reduction in employment land in the local neighbourhood. There are however, opportunities to provide for increased employment in Town Centres within Ku-Ring- Gai, as envisaged in Council’s KLEP (Local Centres) 2012. These town Centres are more suitably located for employment generating activities. The proposed major expansion of the Seventh Day Adventist Hospital to the west of Wahroonga, will more than compensate for any reduced hospital employment on the subject land, as a result of its rezoning to residential use.
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Justifiably inconsistent As noted in Section 4.2.1 of this Planning Proposal report, the requested re-zoning is compatible with the Sydney Metropolitan Strategy 2036 and the Draft North Subregion Strategy. The subject land is located more than 800 metres from Wahroonga Railway Station and has no impact on any strategic corridors.
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	Consistent. The Planning Proposal will support the objectives of the Sydney Metropolitan Strategy 2036 and the Draft North Subregion Strategy, with respect to housing cultural and environmental objectives in those strategies. It is also consistent with the relevant s117 directions as noted above.
Is the LEP located in a global / regional city, strategic Centre or corridor nominated within the metropolitan Strategy or other regional / sub-regional strategy?	Justifiably inconsistent No. The site is in a location that is readily accessible from the Pacific Highway/Railway Corridor.
Will the LEP deal with a deferred matter in an existing LEP?	Consistent. No.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Consistent. Yes. There are no other spot rezoning proposals in the locality that propose conversion of land zoned Special Uses to a residential environmental management use.

Is the LEP likely to create a precedent, or create or change in the expectations of the landowner or other landowners?	Consistent. No. The circumstances applying to this site are relatively unique within Ku-Ring-Gai, particularly in relation to re-zoning land to facilitate development that is more compatible with the character of the locality, instead of the development currently approved for the site. In particular, the introduction of an E4 Environmental Living Zone over the land is consistent with the objectives and provisions of draft LEP 218 which identifies the site as containing an area of biodiversity significance. An E4 Zone is appropriate for privately owned land of biodiversity significance that is located within a residential context and consistent with Council's proposed zoning for the land, as anticipated in the draft KLEP 2013. The proposal will not create a precedent, or create a change in expectations of the landowner or other landowners. The circumstances are relatively unique, being a site of both heritage and ecological significance, surrounded by residential development and within a Special Uses Zone that permits a development which is not compatible with the site and locality.
Will the LEP be compatible / complementary with surrounding land uses?	Consistent. Yes. Re-zoning to E4 Environmental Living will allow limited residential subdivision of part of the site, resulting in development more compatible with the surrounding residential land uses as compared to the private hospital approved under the existing Special Uses Hospital zoning. The proposed residential environmental living zoning is more compatible with the surrounding land uses.

- Ku-ring-gai Community Strategic Plan 2030

In October 2009, Ku-ring-gai Council adopted the Community Strategic Plan 2030. The principal aim of this Strategic Plan is to make Ku-ring-gai a more sustainable place that achieves the vision of Ku-ring-gai as a creative, healthy and liveable place where people respect each other and conserve the environment for the benefit of future generations.

The E4 Environmental Living Zone sought by the Planning Proposal responds to the environmental qualities of the site and is designed to facilitate restoration of the existing heritage item on the site. The Planning Proposal positively contributes to making Ku-ring-gai a more sustainable place and achieving the Community Strategic Plan's vision for Ku-ring-gai.

The Community Strategic Plan 2030 is based on 6 principal activity areas, being community development, urban environment, natural environment, planning and development, civic leadership and corporate services and financial sustainability. The activity areas of most relevance to the Planning Proposal are urban environment, natural environment and planning and development. The Planning Proposal is consistent with the relevant objectives of these activity areas.

The Planning Proposal assists in protecting and enhancing local biodiversity and cultural heritage. Council's exhibited Draft LEP 218 – Biodiversity and Riparian Land and Heritage Conservation Areas is the most recent expression of Council's strategy in relation to areas of heritage or environmental value. The Planning Proposal enables retention and enhancement of a substantial area of BGHF on the site.

The Planning Proposal is generally consistent with Council's draft KLEP 2013 and by removing the existing 5(a) Special Uses Hospital Zone, provides for a future form of development that is more compatible with Council's planning objectives for the land and the environmental and heritage characteristics of the site. The Planning Proposal is considered to be consistent with Community Strategic Plan 2030.

Was consultation with an agency a requirement of a Section 117 Direction?

No.

6.0 PARLIAMENTARY COUNSEL OPINION

Was an Opinion was sought and given by Parliamentary Counsel?

No

7.0 OTHER RELEVANT MATTERS

Have representations been received on the planning proposal from State or Federal members of Parliament?

No

Has Council met with the Minister in relation to the planning proposal?

No

8.0 MAPPING

Proposed LEP Map is attached in the appendix.

9.0 RECOMMENDATION

At Council's meeting on 13 August 2013, Council resolved the following:

- A. That Council support the rezoning of 35 Water Street, Wahroonga from 5(a) Special Uses - Hospital to E4 - Environmental Living as stipulated in this Planning Proposal.
- B. That in accordance with s59 (1) of the EP&A Act, Council liaise with Parliamentary Counsel to draft the required local environmental plan to give effect to the planning proposal.
- C. That upon issue of a Parliamentary Counsel Opinion, Council authorise the General Manager and the Director of Strategy and Environment to exercise the delegated function s59(2) of the EP&A Act to make the Plan.

APPENDICES

- Department's Attachment 5 - Delegated plan making reporting template
- Proposed LEP Map
- Gateway Determination
- Planning Proposal